

SCOTTISH BORDERS COUNCIL
PLANNING AND BUILDING STANDARDS COMMITTEE

MINUTE of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Scottish Borders Council, Council Headquarters, Newtown St Boswells TD6 0SA on Monday, 1st June, 2015 at 10.00 am

Present:- Councillors R Smith (Chairman), J Brown (Vice-Chairman), M Ballantyne, D Moffat, J Campbell, J A Fullarton, S Mountford and B White.

Apologies:- Councillors I Gillespie.

In Attendance:- Development Standards Manager, Major Applications, Review and Enforcement Manager, Senior Roads Planning Officer (A Scott), Chief Legal Officer, Democratic Services Team Leader, Democratic Services Officer (F Henderson).

MINUTE

1. There had been circulated copies of the Minute of the Meeting held on 27 April 2015.

DECISION

APPROVED for signature by the Chairman.

DECLARATION OF INTEREST

2. Councillor Smith declared an interest in application 15/00452/FUL in terms of Section 5 of the Councillors Code of Conduct and left the Chamber during the discussion. Councillor Brown chaired the meeting for that item.

APPLICATIONS

3. There had been circulated copies of reports by the Service Director Regulatory Services on applications for planning permission requiring consideration by the Committee.

DECISION

DEALT with the applications as detailed in the Appendix to this Minute.

APPEALS AND REVIEWS

4. There had been circulated copies of a report by the Service Director Regulatory Services on Appeals to the Scottish Ministers and Local Reviews.

DECISION

NOTED that:-

- (a) **an appeal request had been received in respect of the construction of wind farm consisting of 8 No turbines up to 100m high to tip with associated external transformers, tracking, new site entrance off A701, borrow pit, underground cabling, substation and compound and temporary construction compound on Land South East of Halmyre Mains Farmhouse (Hag Law), Romanno Bridge – 14/00738/FUL;**

- (b) a decision to dismiss the appeal had been received in respect of the Installation of anaerobic digestion sustainable energy plant at Ravelaw Farm, Whitsome, Duns - 14/00763/FUL;
- (c) there remained an appeal outstanding in respect of Land West of Kingledores Farm, (Glenkerie) Broughton, Biggar ;
- (d) review requests had been received in respect of the following:-
 - (i) Siting of residential caravan (retrospective) on Land West of Tibbieshiels Inn, St Marys Loch, Selkirk – 14/00835/FUL;
 - (ii) Erection of veterinary practice building on Land South East of Paul Burton Warehouse, (Plot 8), Pinnaclehill Industrial Estate, Kelso – 14/01342/FUL;
 - (iii) Erection of boundary fence and garden shed (retrospective) at 1 Old Mill Cottages, West Linton – 15/00111/FUL; and
 - (iv) Part Change of use to form dental surgery suite at 3 Cherry Court, Cavalry Park, Peebles – 15/00275/FUL
- (e) the Local Review Body had upheld the Appointed Officers decision to refuse, replacement windows at 27-29 Eastgate, Peebles – 14/01400/FUL

PRIVATE BUSINESS
DECISION

- 6. **AGREED** under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A to the aforementioned Act.

SUMMARY OF PRIVATE BUSINESS

Minute

- 1. The Committee considered the private section of the Minute of 27 April 2015.

The meeting concluded at 12.55 pm

APPENDIX

APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
15/00220/AMC	Erection of dwellinghouse (approval of matters for all conditions pursuant to planning permission 10/00154/PPP)	Land East of Northwood House, Whitefield, Coldingham

Decision: Approved subject to the following conditions and informative:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
2. A sample of all materials to be used on all exterior surfaces of the development hereby permitted shall be submitted to and approved in writing by the Planning Authority before development.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
3. The finished floor levels of the building(s) hereby permitted shall be consistent with those indicated on a scheme of details which shall first have been submitted to and approved in writing by the Planning Authority. Such details shall indicate the existing and proposed levels throughout the application site.
Reason: To ensure that the proposed development does not have an adverse effect upon the amenity currently enjoyed by adjoining occupiers.
4. The windows indicated as being obscure glazed on the approved drawings (serving the stairwell and the first floor bedroom) shall remain obscure glazed in perpetuity.
Reason: To remove any potential for overlooking of adjoining residential properties.
5. The passing place shown on drawing number TMKT/11 (May 2015) must be constructed to the specification provided prior to the dwelling being occupied. This work must be carried out by a Council approved contractor.
Reason: To ensure that the required passing space is provided when required, in the interests of road safety.
6. The visibility splays indicated on drawing number TMKT/5A must be provided prior to the occupation of the dwelling and be retained thereafter in perpetuity.
Reason: To ensure that the adequate visibility is provided for vehicles emerging from the application site and for users of the public road, in the interests of road safety.
7. A service lay-by must be constructed prior to the occupation of the dwelling in accordance with a scheme of details that has first been submitted to and approved in writing by the planning authority. This work must be carried out by a Council approved contractor.
Reason: To ensure that the adequate provision is made for service vehicles clear of the public road upon occupation of the proposed house, in the interests of road safety.
8. Parking and turning for a minimum of two vehicles, excluding any garages, must be provided within the curtilage of the property prior to the dwelling being occupied and retained thereafter in perpetuity.

Reason: To ensure there is adequate space within the site for the parking of vehicles clear of the highway.

9. The entrance gates must be hung so as to open into the property and not out over the public road.
Reason: To ensure that the proposed gates do not cause an obstruction to users of the public road.
10. Details of all proposed means of enclosure shall be submitted to and approved in writing by the Planning Authority before work on the site is commenced. Thereafter, the means of enclosure shall be provided at a time that shall first have been agreed in writing by the Planning Authority.
Reason: To enable the proper effective assimilation of the development into its wider surroundings and to ensure appropriate boundary treatment is provided between the site and other properties.

Informative

It is recommended that a treatment system is installed to ensure that the water supply meets the required quality standard.

NOTE

Mr John Slater spoke on behalf of Residents in Whitfield against the application.
Mr Timothy Mansfield, Applicant spoke in support of the application.

15/00452/FUL

**Erection of commemorative stone
Monument
plaque**

Hornshole

**Hornshole Bridge
HAWICK**

Decision: Approved subject to the following conditions and informative:

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1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
2. The precise location of the plaque to be pegged out on-site and agreed in writing by the Planning Authority before the development commences. The plaque then to be installed as per the agreed siting.
Reason: To safeguard the setting of the existing memorial.
3. The foundations of the plaque to be no deeper than 200mm below ground level.
Reason: To preserve in situ any archaeological evidence that may exist below top-soil depth. There remains a possibility that archaeology exists within and immediately below the top-soil.
4. The proposed paved area shall be completed in accordance with a scheme of details and materials that shall first have been submitted to and approved in writing by the Planning Authority.
Reason: To ensure that the proposals are appropriate to the setting.

Informative:

In respect of condition 3, any discoveries of buried artefacts or features found during the development of this site to be reported immediately to the Council's Archaeology Officer for further discussion.

VOTE

Councillor Fullarton, seconded by Councillor Mountford, moved refusal of the application in terms of Policy G21 on the grounds that the proposal did not respect the character of the site and harmed the visual amenity of the area.

Councillor Ballantyne, Seconded by Councillor White, moved as an amendment that the application be approved.

On a show of hands Members voted as follows:-

Motion - 2 votes

Amendment - 4 votes

The Amendment was accordingly carried.

NOTE

Mr Gordon Muir spoke on behalf of Objectors against the application.

**15/00024/LBCNN Internal extension alteration to Hall 2 – 6 Old
Manse Lane, Hawick
form dwellinghouse and change
of use from former meeting hall and
alteration to form dwellinghouse**

Decision: In respect of application 15/00024/LBCNN, approved subject to the following conditions and informative:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with the provisions of Section 16 of the Town and Country Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
3. Prior to commencement of development the applicant will create a digital photographic record of all internal and external elevations. Following the soft strip of the interior, the applicant will take further digital photographs of exposed walls and original features. All existing elevation drawings, photographs and plans annotated with photograph locations, will be submitted to the Planning Authority and Archaeology Officer in a high resolution (above 200dpi) pdf format for approval in the form of a Historic Building Survey Report.
Reason: To preserve by record a building of historical interest.
4. The colour of all external decoration and joinery, including window frames and doors, to be submitted to and approved in writing before the development commences. The development then to be completed in accordance with the approved colours.
Reason: To safeguard the character and appearance of the Listed Building and Conservation Area.
5. All existing windows to be retained and repaired where necessary, unless otherwise agreed in writing by the Planning Authority, with the exception of the proposed ground floor window in the front elevation shown on Drawing Number: 15-491-2002 Rev A. Details of the material, colour, thickness of the frame and astragals and method of opening of this window to be submitted to and approved

in writing by the Planning Authority before the development commences. The window then to be replaced in accordance with the approved details.

Reason: To safeguard the character and appearance of the Listed Building and Conservation Area.

6. The alterations to the existing opening and formation of a balcony proposed for the side (south east) elevation of the property are specifically excluded from this permission. No works forming part of these elements shall be undertaken.

Reason: The balcony would increase the vulnerability of the property to flooding.

Informative: In respect of condition 3, any discoveries of buried artefacts or features found during the development of this site to be reported immediately to the Council's Archaeology Officer for further discussion.

Decision: In respect of application 15/00025/FUL, approved subject to the approval of the Scottish Ministers and the following conditions and informative:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
2. Prior to commencement of development the applicant will create a digital photographic record of all internal and external elevations. Following the soft strip of the interior, the applicant will take further digital photographs of exposed walls and original features. All existing elevation drawings, photographs and plans annotated with photograph locations, will be submitted to the Planning Authority and Archaeology Officer in a high resolution (above 200dpi) pdf format for approval in the form of a Historic Building Survey Report.
Reason: To preserve by record a building of historical interest.
3. Measures to ensure that materials and debris are not stored or dumped in areas that may impact on the River Tweed Special Area of Conservation (Slitrig Water) to be submitted to and approved in writing by the Planning Authority before the development commences. These approved measures to be implemented during the development. The bankside should be avoided and best practice measures adopted, in accordance with SEPA Pollution Prevention Guidelines PPG1, PPG5 (general guidance and works affecting watercourses) and PPG 6 (construction and demolition) as appropriate
Reason: To protect the water body (Slitrig Water, River Tweed Special Area of Conservation) adjacent to the development area.
4. The colour of all external decoration and joinery, including window frames and doors, to be submitted to and approved in writing before the development commences. The development then to be completed in accordance with the approved colours.
Reason: To safeguard the character and appearance of the Listed Building and Conservation Area.
5. All existing windows to be retained and repaired where necessary, unless otherwise agreed in writing by the Planning Authority, with the exception of the proposed ground floor window in the front elevation shown on Drawing Number: 15-491-2002 Rev A. Details of the material, colour, thickness of the frame and astragals and method of opening of this window to be submitted to and approved in writing by the Planning Authority before the development commences. The window then to be replaced in accordance with the approved details.

Reason: To safeguard the character and appearance of the Listed Building and Conservation Area.

6. Mitigation measures to lessen the impact of the potential flooding of the building to be submitted to and approved in writing by the Planning Authority before the development commences. The approved measures then to be implemented as part of the development and following occupation of the dwellinghouse.
Reason: To lessen the impact of potential flooding at the site.

7. The alterations to the existing opening and formation of a balcony proposed for the side (south east) elevation of the property are specifically excluded from this permission. No works forming part of these elements shall be undertaken.
Reason: The balcony would increase the vulnerability of the property to flooding.

Informative:

If bats are discovered following the commencement of works, works should stop immediately and the developer must contact Scottish Natural Heritage (tel: 01896-756652) for further guidance. Works can only recommence by following any guidance given by Scottish Natural Heritage. The developer and all contractors to be made aware of accepted standard procedures of working with bats at www.bats.org.uk. Further information and articles are available at:

15/00456/FUL Supermarkets Plc,	Variation of planning condition No 6 of planning consent R025/92 relating to delivery hours	Morrison Mart Street Hawick
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Decision: Approved subject to the following condition:

1. Deliveries to the supermarket to be between the hours of 05:00 to 23:00 Monday to Friday. Any deliveries made on Saturday and Sunday to be between the hours of 07:00 and 22:00. Deliveries to be carried out in accordance with the approved Quite Delivery Scheme.
Reason: To safeguard the amenities of neighbouring residents.