

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

29 JUNE 2015

APPLICATION FOR PLANNING PERMISSION

ITEM:	14/00786/FUL
OFFICER:	Deborah Chalmers
WARD:	Jedburgh & District
PROPOSAL:	Formation of Skatepark
SITE:	Land South East of Tourist Information Centre, Abbey Place, Jedburgh, Scottish Borders
APPLICANT:	Jed Skatepark Group

SITE DESCRIPTION

The site lies within the settlement boundary of Jedburgh and the Conservation Area, but outwith the town centre. The application site is located within an existing open area, which is grassed and used for amenity purposes, located to the east of Jedburgh. The site is currently owned and maintained by Scottish Borders Council. The A68 lies to the west of the application site, Jed Water to the east, with properties beyond along Oxnam Road. The site sits in the south east corner of the grassed area, with access from the Core Path which runs along the riverside. The site has a natural 'bowl' like shape, which sits at a lower level relative to the surrounding grassed area. The site is surrounded by mature trees, which are not covered by Tree Preservation Orders.

The Scheduled Ancient Monument, Jedburgh Abbey lies further to the west of the application site, beyond the A68. The Jed Water runs along the eastern boundary of the site, which is a Special Area of Conservation, being a tributary to the River Tweed. There are a number of listed buildings within the wider vicinity, including within the Town Centre and Conservation Area to the west.

PROPOSED DEVELOPMENT

Full planning permission is sought for the formation of a skatepark, within the 'bowl' shaped area. The proposal includes the formation of a skatepark, two paths and a seating area. It should be noted for clarification that no fencing or lighting forms part of this planning application. There are associated works in addition to the above, which include works to the existing bunds and where these join into the proposed skatepark. This is shown in more detail on Drawings (717/301_REV E).

The skatepark would sit completely within the 'bowl' area and includes the construction of the following elements: plaza street area, raised street area, lower street area, main bowl area and inclined bowl area. This is shown on Drawing (717/101_REV C). The

base of the skatepark will be constructed in green concrete, with the above areas and equipment constructed within. There are two proposed seating areas to the north west and south west of the skatepark, however, precise details have not been submitted to date. The proposal includes the formation of two paths, to link into the Core Path 1, along the east boundary. A soakaway is proposed in the south east corner of the skatepark, however no precise details have been submitted to date, in respect of the surface water drainage disposal.

Drawing (717/301_REV E) includes three cross sections throughout the proposed skatepark. These show the existing ground level of the grassed 'bowl' area, spot heights of the existing slope and the proposed ground levels of the works. The skatepark will involve raising and lowering the ground level in places, but not above the surrounding land. Section A demonstrates that the 'Raised street area' will include raising the ground level by 0.60m, the 'Lower Street Area' involves lowering the ground levels by 0.40m and the 'Main Bowl Area' includes a reduction of 1.20m, from the existing ground level. The existing bund is 1.90m above the existing ground level, to the west of the 'bowl area' and the bund will be graded and blended into existing slope. Section B demonstrates that the 'Plaza Street Area' will involve lowering the ground levels by 0.40m, while the 'Main Bowl Area' requires a lowering of ground levels by 0.775m, while the 'Lower Street Area' will include raising ground levels in parts. The bund to the south measures 1.75m in height and the skatepark will be 1.10m to the south. To the north, the skatepark will be at a height of 0.70m and the bund will blend into the existing grade, up towards the bund which sits at 2.20m. Section C demonstrates that the 'Plaza Street Area' will involve a minor increase to ground levels, while the 'Inclined Bowl Area' requires a reduction in ground levels by 0.60m. To the north east, the skatepark will be at a height of 1.21m and blend into the existing bund which reaches a height of 2.25m.

Construction Specifications

The manufacturers submitted details in respect of the construction specifications and these are outlined below. The skatepark will be constructed to British standard: 'Facilities for Users of Roller - Sports Equipment'- Safety Requirements and Test Methods, ref. BSEN14974:2006, with a guarantee for 10 years. They state that although the guarantee is for 10 years, the structural integrity of free-form in-situ concrete skatepark construction has often been proven to provide a quality surface for skateboarders, BMX riders and inline skaters for more than 20-30 years without the need for any maintenance.

The skatepark construction includes; 12mm starter bar, compacted type 1 MOT sub-base, compacted crushed fill, A252 steel re-enforced mesh, 60mm x 5mm CHS galvanised steel coping, prescribed ready mix concrete minimum 150mm depth, grass, top soil and sub soil behind.

3D Visualisation

The applicant provided a photograph, super-imposed with the skatepark, looking down from the Abbey direction. The photo shows an impression of the skatepark, finished in green, sited within the application site. Drawing (717/501) shows a 3D layout of the skatepark.

PLANNING HISTORY

13/01063/FUL: Formation of skatepark (Withdrawn November 2013)

REPRESENTATION SUMMARY

Number of representations

Support

96 individual letters and 100 proformas were received in support of the proposal. A number of the proformas and letters were lodged from within the same household and a small number from the same person(s). A further two proformas were received and withdrawn at the individuals request. 85% of all valid proformas and letters were submitted from residents within Jedburgh, with the majority of the remainder from surrounding towns and villages within the Scottish Borders. The main reasons for support are outlined below:

- No existing facilities within Jedburgh for users of scooters and BMX bikes;
- Benefit to the local community;
- Provide an affordable and positive facility for the public;
- Attract visitors to the town;
- Lack of activities and events within the town;
- Provides an opportunity for exercise and fun facility within the town;
- Opportunity to increase footfall into Jedburgh;
- Would tie in with the Xerscape outdoor gym equipment which is proposed along the river bank;
- Existing access to the proposed site;
- Opportunities for socialising with a neighbourhood;
- Promotes health and well being through physical activity;
- Supporting local clubs and organisations;
- Site is located in an appropriate location, where local police will have a viewing platform to ensure the safety of young people;
- Provide a local facility rather than the requirement to travel to Kelso;
- There is nowhere else for people to go, with BMX and Scooters within the local area;
- Contribute to the regeneration of Jedburgh;
- Wider benefits to the surrounding area economically;
- Good location adjacent to town centres and car parking facilities;
- Existing access via the underpass which is cycle friendly;
- Adjacent to existing fitness facilities, being swimming pool, gym and new trim trail along the river bank;
- Contribute to the sense of ownership of a place by community groups;
- Provides a positive space for individuals to use in a constructive way to provide a happier and more vibrant community;
- Contribute to combating street crime and anti social behaviour;
- Providing a safer environment for skateboarders, in comparison to using roads and footpaths;

- Provides a dedicated space;
- Lack of child centres play facilities available within Jedburgh and surrounding areas;
- Duplication of objection letters and fake objection letters;
- Existing lack of activity within the application site;
- The existing site suffers poor drainage and this is often filled with mud;
- Proposal will improve the drainage and utility of the area;
- Increased amenity to the town centre;
- Requirement to travel to Kelso at present.

Objection

12 individual letters and 84 proforma templates were received in objection to the proposed skatepark. A number of the proformas and letters were lodged from within the same household and a small number from the same person(s).

A further 9 proformas, objecting to the proposal, had no address being provided and a further 14 proformas objecting to the proposal were submitted on behalf of one individual, providing no individual name or address. Therefore, only 1 letter could be acknowledged from the 14. 2 proformas were withdrawn at the individuals request. Of those with addresses, 50% of proformas and letters were submitted from residents in Jedburgh and 50% beyond.

The concerns raised in all objections are outlined below:

- Sited within a Conservation Area;
- Adverse impact upon the trees and landscaping;
- The construction of the skatepark would be vandalism;
- Adverse impact upon the views from Jedburgh Abbey and War Memorial;
- Adverse noise impacts;
- Dangerous location sited adjacent to the A68 and River Jed;
- Concerns regarding the future maintenance of the skatepark;
- Adverse visual impact;
- Devalue the town of Jedburgh;
- Devalue surrounding properties;
- Concerns regarding the impact that the noise levels will have upon the birds and wildlife along the Riverside Walk and the Dip;
- The application site is a grassed flat area, used by dog walkers, fitness enthusiasts, nursery children and for picnics;
- Potential anti social behaviour, crime and graffiti;
- There are alternative safer sites to the one proposed;
- Potential to cause resentment within the town;
- Detrimental to the environment;
- Flood risk;
- Inadequate access;
- Inadequate fencing/screening and boundary treatment;
- Litter;
- Overlooking concerns;
- Privacy upon the neighbouring surrounding properties;

- Road safety;
- Impact upon the landscape;
- Impact upon the local and visitors walking the Borders Abbey Way;
- Question over where the funding is coming from to construct the proposed skatepark;
- Spoil a natural amenity;
- Individual members of the community council are supporting the skatepark and they should be declaring an interest;
- Inaccuracies contained within the risk assessment submitted;
- Used for picnics, walking dogs, general enjoyment;
- Adverse impact upon the amenity of neighbouring residential properties;
- No provision for toilets;
- No police supervision or health and safety matters;
- No indication as to the cost of the project;
- Should be constructed on a brownfield site;
- There are already sufficient sporting facilities within Jedburgh; rugby, riding, football, swimming, tennis, cricket;
- Alternative siting in Ancrum could be possible;
- Density of the site;
- Inadequate access;
- Inadequate drainage;
- Increase in traffic;
- Litter;
- Loss of light;
- Loss of view;
- No sufficient parking provision;
- Overlooking;
- Poor design;
- Smell;
- Dangerous site adjacent to the A68;
- Lack of security fencing around the site, any fence should be 1.8m in height;
- Query over the distance to Kenmore B & B is actually 58 metres and not 100 metres;
- Errors within the submission;
- The risk assessment includes inaccuracies;
- The Noise Impact Assessment contradicts the Options Appraisal, as it identifies 2 nearby residential properties within 100 metres of the skatepark boundary;
- Inaccurate site boundary included within the Noise Impact Assessment;
- Inaccurate noise calculations within the NIA;
- Query the height of any proposed fence;
- Query how people will access the car parking facilities;
- Who will chair the committee to run the skatepark;
- Query regarding the health and safety during construction;
- Kenmore B & B is within 100 metres of the application site;
- Within the options appraisal, Kenmore B & B is noted as incorrectly being outwith 100 metres of the application site.

The full content of each letter can be found on the Council's *Public Access* website.

APPLICANT'S SUPPORTING INFORMATION:

The applicant submitted a number of supporting documents, in respect of the proposal, these are outlined below and are available to view in full on *Public Access*.

Noise Impact Assessment (NIA) (August 2014)

A supporting NIA was undertaken by Atmos Consulting, in respect of the proposed development. The NIA advised that the closest residential properties are; Abbey Bridge End, Kenmore Bank Bed and Breakfast and Airenlea Bed and Breakfast.

In order to determine the baseline conditions at each of the identified Noise Sensitive Receptor locations, attended noise monitoring was undertaken at three locations in the near vicinity of the proposed skatepark. The baseline measurement data was analysed in order to determine the typical baseline (background) noise levels (LA90) at the closest residential properties. Noise measurements were undertaken during the daytime and evening period, to coincide with the periods when the skatepark is likely to be open and at its busiest.

The NIA includes noise level predications for the three noise sensitive property locations and the likelihood of complaints.

In conclusion, the NIA states that, in order to assess the impact of noise levels from the proposed skatepark, a noise assessment was completed based on likely noise levels associated with the skatepark activities and existing background noise levels. The assessment has utilised information on noise levels measured from existing skateparks in Scotland, as undertaken and reported by Sandy Brown LLP.

The BS4142:1997 noise assessment concludes that the noise levels associated with the skatepark, in relation to the likelihood of complaints, is of marginal significance.

It has also been determined that noise levels associated with the skatepark will be below the guideline outdoor noise limit of 50dB LAeq, as recommended by the WHO.

The assessment concludes that based on the BS4142:1997 assessment and in comparison to the WHO guideline noise limit, it is not considered that the proposed skatepark will have an adverse impact on local noise sensitive receptors (NSRs).

Noise Impact Assessment (NIA) Update (March 2015)

The noise consultant provided further information updating the original Noise Impact Assessment in March 2015.

It was stated that the criteria by which to assess the impact that skateparks may have changed in October 2014, just after the initial consultation response from the Environmental Health Officer. Therefore, the conclusions needed to be updated, to bring the assessment in line with the up to date guidelines. It should be noted that the data has not been changed, however the way in which any potential impact(s) are assessed has altered. The update concluded that the noise from the skatepark is predicted to be below the measurement background noise level during both daytime and evening periods at two of the properties. In the context of the new criteria, this is

an indication of the specific sound source having a low impact. At Kenmore Bank, noise levels are predicted to be 3dB and 4dB above the measured daytime and evening background noise levels respectively.

Supporting Evidence

- a) An article on preventing childhood obesity;
- b) Minutes from Jedburgh Alliance group;
- c) Correspondence from SNH, showing pre-application discussions had taken place;
- d) Correspondence from BMX magazine;
- e) Community consultation information;
- f) Consultation with Jedburgh Community Council;
- g) Correspondence from Skateboard Scotland;
- h) Email from Transport Scotland, at pre-app stage;
- i) Correspondence from Jedburgh Youth Café Association;
- j) Consultation with SEPA was undertaken prior to the application being lodged;
- k) Options appraisal;
- l) River flow data from the Jed Water;
- m) Correspondence with SEPA, at pre-app stage; and
- n) Risk Assessment.

A number of the documents were submitted as supporting evidence for the skatepark; support from the skateboard community and evidence of community engagement prior to submitting the planning application.

Options Appraisal

Prior the submission of the application, the applicant undertook an options appraisal looking at alternative sites within the Jedburgh area for the proposal. The applicant looked at alternative sites at; Howdenburn, Allerley Park, Lothian Park, The Anna and the application site. The options appraisal provides the background to the applicant's submission and choice of site.

DEVELOPMENT PLAN POLICIES:

Consolidated Local Plan 2011:

- Policy G1: Quality Standards for New Development
- Policy G2: Contaminated Land
- Policy G4: Flooding
- Policy BE1: Listed Buildings
- Policy BE2: Archaeological Sites and Ancient Monuments
- Policy BE4: Conservation Areas
- Policy BE6: Protection of Open Space
- Policy NE1: International Nature Conservation Sites
- Policy NE3: Local Biodiversity
- Policy NE4: Trees, Woodlands and Hedgerows
- Policy NE5: Development Affecting the Water Environment
- Policy H2: Protection of Residential Amenity
- Policy Inf2: Protection of Access Routes
- Policy Inf6: Sustainable Urban Drainage

Policy Inf11: Developments that Generate Travel Demand

Supplementary Planning Guidance:

Trees and Development
Biodiversity
Landscape and Development

CONSULTATION RESPONSES:

The following consultation responses are available to view on *Public Access*.

Scottish Borders Council Consultees

Flood Risk Officer:

The Officer advised that the site does lie within the SEPA maps for a flood event with a return period of 1 in 200. Hydraulic modelling was produced in the Jedburgh Flood Study Final Report 2006 which demonstrates that the proposed development lies outwith the 1 in 200 year (0.5%) inundation outlines for the Jed Water. This study is anticipated to be more accurate than the indicative mapping although no warranty is given. The Officer concluded that they raise no objections to this proposal on the grounds of flood risk.

However, as the development site is comparably flat in comparison to the surrounding area, the developer should be aware of the risk of surface water ponding occurring and should take this into account when designing the surface water drainage system.

Economic Development:

Support the proposal and comment that it fits the strategic priorities of the Scottish Borders Economic Strategy 2023 which aims to maximise opportunities within town centres, capitalising on the location by providing the physical, social and cultural infrastructure for businesses thereby increasing footfall from tourism and leisure visitors.

Archaeology Officer:

The Officer advised that, whilst it will not necessarily pose substantial impacts on the setting of Jedburgh Abbey, it is considered that from the information submitted it is difficult to make that judgement. The Officer considers that it would have been helpful for the applicant to have included a visualisation, to allow a proper setting assessment. However, there is enough in the application to suggest that the setting, while impacted, will not be a major degree provided some mitigation is in place. Therefore, the Officer suggests that the existing trees should be retained surrounding the development, in order to soften views from the Abbey.

Environmental Health Officer (Noise):

September 2014:

The Officer advised that the application refers to the proposed formation of a skatepark on land to the south east of Abbey Place, Jedburgh. The proposed site is within a grassed/wooded area between the A68 and the Jed Water. The site sits in a natural dip, protected by a grassed bund; however, nearby houses on Oxnam Road have an elevated line of sight into the proposed skatepark area. The nearest property, Kenmore Bank Bed and Breakfast, approximately 70 metres, has bedroom windows on the gable elevation facing the skatepark.

The Officer advises that the agent has submitted a noise report, which correctly identifies the dominant background noise to be that of traffic on the A68. The noise impact assessment (NIA) is based upon 100 users of the skatepark per week in the first year, rising to 150 per week in year 3 and a projected noise level of 85db at 1 metre. The report concludes that the noise level at Kenmore Bank will exceed the evening background level by +4db and the 'likelihood of complaints is of marginal significance'. The applicant has applied BS4142 which is a method of rating industrial noise affecting mixed residential and industrial areas. The Officer advised that it is not really appropriate, given that noise from the skate park is not of an industrial nature and the site is not mixed residential and industrial. The proposed construction of reinforced concrete with a single 'metal rail' will generate less impact noise than a design that includes metal ramps.

The Officer has concerns due to the elevated position of the houses in Oxnam Road, that noise complaints may be likely, albeit not likely to exceed the ambient background levels by 10dba and therefore give rise to a loss of amenity as opposed to a statutory noise nuisance.

Therefore, the Officer had no objections to the principle and suggests that an informative is attached to planning permission.

April 2015:

As a result of the additional information received, the Officer was re-consulted and offered the following response. Following a consultation response on 1st September 2014, a change has been made to the BS4142 standard. The change explicitly states that this document should not be used to assess recreational activities.

In light of the above, the applicant's consultant did provide an update to the previous information regarding BS4142:2014, however the Officer has responded, advising that this is not appropriate and the new standard should be used.

The noise report submitted with the application included an assessment of the noise against the World Health Organisation (WHO) guidelines, community noise.

The report demonstrates that the proposed development will meet the limits set by this guidance however this only applies to daytime noise.

For night time noise (23:00- 07:00) a lower limit is applied under WHO night time

guidelines. It states that, at night, noise above 40dB outside will prevent sleep disturbance with a window open for ventilation.

Below is a table of the predicted noise at the receptors and the recommended night time limits from WHO.

Receptor	WHO Daytime noise limit LAeq	WHO Night time noise limit LAeq	Predicted noise from skatepark only
Abbey Bridge End	50	40	43
Kenmore Bank B&B	50	40	47
Airlea B&B	50	40	40

The table illustrates that the night time noise limits will be breached. The Officer advised that it is important to remember that these figures only show the predicted noise from the skatepark and do not account for the existing background noise.

As the site is open there is no way to secure the site and prevent entry after a certain time, there is no way to guarantee that the site will not be used after 23:00 hours. Therefore, the Officer sees this as an issue most likely to occur in the summer months.

In the event that a complaint is received there is no system in place to ensure that there is a responsible person who can be contacted to engage with and resolve the issue.

These issues were also raised in the previous response and in the event that this application is granted the Officer has requested that conditions are attached, in respect of noise levels, compliance and sound pressure.

Environmental Health Officer (Contaminated Land):

The land use is potentially contaminative and may have resulted in land contamination which could affect the welfare of users, the value of the property and the liabilities the owner/occupier may have.

The land is not currently identified as contaminated land and the Council is not aware of any information which indicates the level of risk the potential contamination presents.

The requirement for a full site assessment and potential remediation may not be practical or proportionate given the nature of the application and it is recommended that the applicant is advised of potential land contamination issues by way of an Informative Note.

The historic use of the site is recorded within a Council database. This database is used to prioritise land for inspection within the Councils Contaminated Land duties. Should the applicant wish to discuss these duties their enquiry should be directed to Environmental Health.

The Officer suggests that an informative note is attached to any planning permission.

Neighbourhood Services:

Advised that the applicant would require to enter into a lease and have a management agreement between Scottish Borders Council and the skatepark group. There are ongoing discussions between the applicant and Neighbourhood Services regarding the lease, maintenance and management of the site. Leasing arrangements (and the associated management agreement are matters to be resolved outside the planning process).

Roads Planning Service:

The Officer advised that the access points for the proposed site are located on the river side and not the road side making use of the existing footpaths. This, and the nearby subway connecting the site with the opposing side of the road, will reduce safety concerns associated with pedestrians and the adjacent road.

The skatepark should not generate any vehicular traffic so will not require parking, however it can make use of the nearby parking if needed.

The proposed location of the site is adjacent to the A68 Trunk Road and therefore the comments of Transport Scotland must be sought.

Access points for construction vehicles, and any proposed lighting for the site, must be of the satisfaction of Transport Scotland.

Heritage and Design Officer:

The Officer advised that the key issue considered is the impact of the proposed installation of a skatepark in this location on the Jedburgh Conservation Area.

The location proposed is towards the edge of the Conservation Area boundary. The more significant part of the Conservation Area is focused on the Abbey and the town centre. The character of this outer part of the Conservation Area is broadly characterised by being an open space set against the backdrop of the Jed Water. The dips and mounds of this area are modern, being landscaping works carried out after the factory demolition.

This site lies within a natural screen of the existing trees and is set below the road level. The Officer is content that a skatepark in this location, set some distance from the Abbey and town centre, whilst not 'enhancing' the Conservation Area can be considered as having a 'neutral' impact. The Officer's understanding is that no fencing is proposed to the park; none appears to be shown on the application drawings.

It is also not clear as to the finish and materials to be used for the park as a whole; if the whole of the park was bright white concrete this would be more visible than if sections have more muted colours. Therefore, the Officer recommends that this should be dealt with through appropriate conditions, requesting the details of the colours and finishes within the park.

Ecology Officer:

The Officer advised that the site consists of amenity grassland and deciduous trees with the Jed Water SAC nearby. The developer intends to retain the trees.

The Officer advised that it is unlikely that there should be any significant adverse impact on the biodiversity from this development so long as good practice guidelines are followed. There are opportunities for biodiversity and habitat enhancement. The Officer makes the following recommendations:

- Protect the water body which is in the vicinity of the development area. Adopt SEPA Pollution Prevention Guidelines, PPG1, PPG5 (general guidance and works affecting watercourse), PPG 3,4,7,13 (site drainage), PPG 2,8 (oil storage) and PPG 6 (construction and demolition) as appropriate.

The Officer also requests that an informative is attached to any planning permission;

The developer may consider biodiversity and habitat enhancement which could include the provision of bird nesting sites such as the Schwegler 1N Deep Nest Box which can be attached to mature trees to provide nesting opportunities for a range of bird species. Schwegler woodcrete boxes could be provide for the use of bats.

Right of Way Officer:

The Officer advised that the route Core Path 01 forms part of a promoted countryside access route – Borders Abbey Way and also local Paths around Jedburgh paths 3 and 4. It is also listed in the booklet Easy Access Paths in the Scottish Borders Rivers 2 – Jedburgh Riverside.

The proposed development is likely to generate additional footfall of people using the route of the Borders Abbey Way/Riverside Path. The people using the skatepark are likely to be accessing the location by foot or cycle or skateboard. The route at this location is a tarmac fairly level path. It is not on an adopted footway and is not serviced with street lighting. It is, at present, maintained by Scottish Borders Council. Therefore, this development if it goes ahead has implications for the Scottish Borders Council resources in relation to the future management of the access path. Relevant Scottish Borders Council staff should be consulted relating to this future maintenance.

The riverside path forms possible routes for users to access the proposed skatepark. Using the riverside path with pavements and underpass provides path links to areas of Jedburgh and the Bus Station, Car Park (approx 300 metres) and Lothian Park Car Park (200 metres).

It is noted that signing of the paths towards the proposed skatepark is proposed. To avoid duplication or confusion it would be helpful, should the development be granted, for the developer to consult with the Council Access Ranger. This would be coordinated signage with a view to possibly combining the signage for the skatepark and the Borders Abbey Way.

The development has implications for the ability of the public to exercise rights of access along Core Path 01.

It is essential that these rights are not obstructed by the development and that the public shall continue to enjoy access to the Core Path without risk from any aspect of this proposed development. Therefore, the Officer suggests that the following conditions are attached to any planning consent;

Core Path 01 – ‘The path indicated Core Path 01 must be maintained open and free from obstruction in the course of development and in perpetuity and shall not form part of the cartilage of the development. No additional sites, gates, steps or barriers to access may be constructed on the Core Path that could deter potential future use.

Landscape Officer:

The Officer initially commented on the 28th October 2014, advising that the drawings submitted as part of the application clearly show the Root Protection Areas (RPA) of all existing trees located on the edge of the hollow, within which it is proposed to build the skatepark bowl.

The Officer previously noted that it would have been useful to have a full topographical survey for the site but acknowledge the applicant’s reluctance to undertake this as an unaffordable cost to the project. However, the sections shown in Drawing ‘717/301_Revision C’ do not adequately demonstrate how the edge of the skatepark bowl will tie into the surrounding ground levels. The existing ground levels section is shown as a straight line, with each end of the skatepark bowl sections sitting as much as 1.2m above the existing ground level. This is clearly not the case, as this is not a true reflection of the existing ground levels section line – it drops as it descends the slope into the hollow, runs across the floor of the hollow and rises again at the other side to the top of the slope. At the absolute minimum, the Officer requires the existing spot levels at both ends of each section to ground truth the proposal, i.e. to demonstrate how the proposal will tie into the existing site levels around the edge of the skatepark bowl.

Following the submission of revised drawings, the Officer was re-consulted and provided a further response on the 21st January 2014. The Officer commented that after revising drawing (717/301_REV D), which was amended to address previous concerns, the Officer did not think the amendment wholly dealt with the issues as spot levels have still not been provided around the edge of the bowl. The amended sections still do not reflect the existing ground profile through the bowl from side to side and so it is not exactly clear how the skatepark will tie into the existing edge of the bowl. The Officer requested levels to be re-assured that the skatepark structure will not sit above the surrounding bunds. Its location in the bowl will help to assimilate it into the wider landscape, reducing its visibility from surrounding areas. The Officer produced a sketch indicating where the spot levels should be taken, with an additional spot level on the floor of the basin will allow relative heights to be judged.

Further revised drawings were submitted, and the Officer was re-consulted providing the following most up to date response: The Officer still has concerns regarding the existing and proposed levels information provided on Drawing (717/301_REV E), as it does not show the relationship with the surrounding ground. However, if looked at in conjunction with Drawing (717/101_REV C), the levels seem to work. The Officer has previously raised the following concerns: that the outer edges of the skatepark should

not sit higher than the surrounding ground (i.e.) that the bowl should maximise the pre-existing earth form to minimise its visibility from surrounding areas. The Officer advises that the revised sections have addressed these concerns adequately. Furthermore, the Officer had concerns that, in some locations the areas between the edge of the concrete skatepark bowl and the existing higher ground are wide enough for there to be a hollow/dip, which could become poorly drained or difficult to maintain as grass. However, the Officer advises that as long as the earthworks that will be required to tie the development into the surrounding landform avoids creating awkward hollows that prevent grass cutting, she is satisfied that the applicant has demonstrated that the skatepark can be accommodated at this location without causing an unacceptable visual impact.

Planning Policy and Access

The purpose of Policy BE6 is to give protection to a wide range of defined types of open space within settlements and prevent their piecemeal loss of development. However, this policy does allow other uses on such and in some instances.

Of relevance to this application the policy states that development which would result in the loss of open space will only be permitted if it can be satisfactorily demonstrated that, based on consultation with user groups and advice from relevant agencies:

1. The loss of open space is judged to have minimal environmental, social and economic impacts; OR
2. The need for the development is judged to outweigh the need to retain the open space.

Consequently, it is considered that from a policy point of view, a judgement must be made on the aforementioned criteria.

The Officer notes that, for information, Policy BE6 is being replaced by Policy EP11: Protection of Greenspace within the Proposed Local Development Plan. However Policy EP11 is currently under examination by Reporters and is therefore not a material planning consideration in this application.

Statutory Consultees

Jedburgh Community Council:

No objections, all but one member of the Community Council support the proposed development.

Transport Scotland:

Advised that the pedestrian barrier on the west side of the trunk road be extended northwards from its existing termination for a distance of 40 metres to the point where the footway turns away from the carriageway.

SEPA:

Advise that the site lies within the 1 in 200 year flood envelope of the SEPA Flood Maps, and may therefore be at medium to high risk of flooding. They note that there will be a small amount of land raising, however other areas of the development site will be lowered and in turn will provide additional storage. It is therefore likely that the development will have a neutral impact on flood risk and as such SEPA raise no objection.

SEPA advised that one level of SUDS treatment will be required for the development. It appears that the applicant is proposing a soakaway, however advised that, it is difficult to tell from the plans whether the soakaway will serve the whole site. The Officer notes that the soakaway or any other SUDS proposed for the site must be appropriately sized.

KEY PLANNING ISSUES:

The key planning issues with this planning application are whether the proposal complies with the Development Plan Policies and Supplementary Planning Guidance (SPG), regarding the formation of a skatepark, taking into consideration its siting, Conservation Area, landscaping, use of the land, trees, amenity of neighbouring residential properties, visual amenities, access, archaeological implications, flood risk, noise implications, land contamination, ecology and right of way implications.

ASSESSMENT OF APPLICATION:

Planning Policy

The principle of the proposal must be assessed against Policy G1 and BE6. The site lies within the Conservation Area and within close proximity to listed buildings and the Scheduled Ancient Monument of Jedburgh Abbey, therefore the proposal must be assessed, in respect of any potential adverse impact upon the aforementioned. Other factors which need to be considered are; contamination, flood risk, ecology, special area of conservation, trees, amenity, access and SUDS. These are discussed below in more detail.

Principle

Policy G1 states that development must be compatible and respect the character of the surrounding area, neighbouring uses, and neighbouring built form; can be satisfactorily accommodated within the site; retains physical or natural features which are important to the amenity of the area; is an appropriate scale and materials for the site. Policy BE6, aims to give protection to a wide range of defined types of open space within settlements and to prevent their piecemeal loss to development. The application site is currently an area of open space, as identified within Policy BE6. Development that would result in the loss of open space will only be permitted if it can be satisfactorily demonstrated that, based on consultation with user groups and advice from relevant agencies that;

- The loss of open space is judged to have minimal environmental, social and economic impacts; OR

- The need for the development is judged to outweigh the need to retain the open space.

The applicant has undertaken an options appraisal of alternative sites within Jedburgh, however the Planning Service can only assess what it presented in the form of the application site and not other locations within Jedburgh.

The current application site is defined as open space within Policy BE6, which is already used for recreational and amenity purposes. It is considered that the skatepark would remain a functional open space for recreational purposes for members of the public to enjoy. Furthermore, the skatepark would provide a facility which is not currently available within the town. Therefore, it is not considered that the proposal would result in the loss of open space and that there will be social benefits to the wider community from such a proposal. In that sense, the proposal is complementary to the ongoing use of the area for recreational purposes.

It is considered that a skatepark can be satisfactorily accommodated within the application site. The proposal will sit within the natural shape of the land, within the 'bowl', surrounded by mature planting. It is considered that the siting of the proposal respects the natural formation of the land and the existing trees provide screening to the skatepark, mitigating any adverse visual impacts as a result of the development.

It is considered that the scale of the proposal is acceptable and the section drawings show how the skatepark will sit in relation to the existing ground levels. It is noted that the proposed ground levels of the skatepark will not exceed those of the surrounding bund, therefore visually the skatepark will sit at a lower level within the 'bowl' area. No final details have been provided in respect of the materials, therefore a condition will need to be attached to planning permission, requesting such details prior to commencement. It is considered that the proposal is in compliance with Policy G1 and BE6, in that the development can be satisfactorily accommodated within the application site.

Concerns were raised that there is inadequate fencing, screening and boundary treatment. However, it is considered that the existing trees provide a visual boundary to the skatepark. Given the nature of the proposal, it is not considered appropriate to request fencing surrounding the application site. This could appear visually intrusive within the context of the site and would result in an enclosed area, which is not best practice for such a proposal. Therefore, it is considered that leaving the skatepark open with no physical barriers provides an open and inclusive facility and is more appropriate to the character of the surrounding open space.

Amenity

Policy H2 aims to protect the amenity of both existing residential areas and proposed new housing developments. Development that is judged to have an adverse impact on the amenity of the existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against.

As discussed above, the scale, form and type of development is considered to be appropriate for the application site. It is not considered that the proposal will result in a

significant increase in traffic movements. In respect of visual amenity, this is discussed in more detail below, however it is not considered that the proposal will result in any adverse impact upon the visual amenities of the wider area, including the Conservation Area. In terms of privacy and potential overlooking, the area is an existing open space, which members of the public can enjoy and the proposal will have a neutral impact upon the privacy and overlooking into residential properties.

Although the area directly to the north, west and south is open space, there are neighbouring properties along the east side of the river and further north and south. These sit higher than the application site on the Oxnam Road. A noise impact assessment was submitted alongside the planning application, to assess whether the proposal would result in any adverse impacts upon the amenity of neighbouring residential properties, in respect of noise levels generated from the skatepark.

The predicted noise level arising specifically from the proposed skatepark is 43dB.

As outlined within the Environmental Health Officer's consultation response, the nearest residential properties are; Kenmore Bed and Breakfast, Abbey Bridge and Airenlea. As discussed above, the revised update to the Noise Impact Assessment, demonstrates that the proposed development will comfortably meet the daytime limits of 50dB set by the World Health Organisation (WHO) guidelines.

However, for night time noise (23:00 – 07:00), a lower limit of 40dB is applied under WHO night time guidelines and that the night time level will be breached. It should be noted the data used is the same and no new noise readings were taken. The change is in the noise level limits, which are used to assess any potential impact. The new noise level limit is based on the WHO and the updated conclusion indicates the noise level arising from the skatepark – at 43dB - would be higher than the WHO recommendation of 40dB between 23:00 and 07:00.

However, the predicted noise caused specifically by the skatepark does not take into account existing background noise including, for example, traffic noise on the A68, which is conceivably more significant and also higher than 40dB. It is also the case that, in town centre locations, background noise can often be expected to exceed 40dB as a result of normal activity.

Noise surveys that have been undertaken do not include the hours after 23:00, but do include the time up to 20.10. It seems likely that the average readings taken at that time – at 46dB – would be representative of background noise levels at later times as well. Thus, the noise generated by the skatepark, even if it were to be used after 11pm may still be lower than existing background noise levels.

Even so, the potential for the noise level to be over the recommended guidelines is marginal and only at times between 23:00 and 07:00 when the skate park is considerably less likely to be used. The risk is therefore considered to be small and, on balance, the proposal can be supported, given the wider public benefit in terms of improved recreational provision.

An objection was raised regarding the precise distance from the proposal to Kenmore Bank. Clarification was requested from the noise consultants who confirmed that the noise receptor was sited as per the noise impact assessment (NIA) and the details

confirmed that the details within the NIA are accurate distances.

Flood Risk

Policy G4 aims to discourage development from taking place in areas subject to flood risk. The policy states that new development should be located in areas free from significant flood risk. Development will not be permitted if it would be at significant risk of flooding from any source or would materially increase the probability of flooding elsewhere.

The Council's Flood Protection Officer was consulted in respect of the proposed development. The Officer raised no objections to the proposal on the grounds of flood risk, however it should be noted that there is a risk of surface water ponding occurring and this should be taken into account when designing surface water drainage systems. Therefore, an informative is suggested in respect of the potential surface water and a condition in respect of a detailed SUDS scheme.

SEPA raised no objections to the proposed development and advised that one level of SUDS treatment would be required. No detailed SUDS proposals have been submitted to date. Therefore, a condition is recommended, requesting details to be submitted to the Planning Service. Policy NE5 also reinforces that proposals should comply with the currently best practice on SUDS.

Overall, it is not considered that the proposed development will be at risk from flooding and will not result in an increased risk of flooding elsewhere, subject to the imposition of the above condition, in compliance with Policy G4 and NE5.

Economic Development:

The Council's Economic Development Department, commented that the proposed development fits in with the strategic properties of the Scottish Borders Economic Strategy 2013, which aims to maximise opportunities within town centres, capitalising on the location, providing the physical, social and cultural infrastructure for businesses thereby increasing footfall from tourism and leisure visitors.

Archaeology

Policy BE2 aims to protect Scheduled Ancient Monuments and any other archaeological or historical sites, from potentially damaging development. Jedburgh Abbey, a Scheduled Ancient Monument lies within sight of the application site, across the A68. However, the Archaeology Officer raised no objections to the proposal, advising that the existing trees surrounding the application site will soften the views towards the skatepark from the Abbey and other locations within the Conservation Area. It is therefore considered that the existing mature trees provide screening around the site and lessen any potential visual impact, when viewed from the Abbey or Conservation Area. A condition requesting that the trees are retained is recommended, as it is considered they contribute to the wider amenity of the area and mitigate any potential adverse visual impacts, when viewed from within the wider area, in accordance with Policy BE2.

Conservation Area and Listed Buildings

The proposed skatepark lies within the Jedburgh Conservation Area and within close proximity to a number of listed buildings within Jedburgh. Policy BE4: Conservation Areas, states that development within or adjacent to a Conservation Area that would have an unacceptable adverse impact on its character and appearance will be refused and all new development must be located and designed to preserve and enhance the special architectural or historic character of the Conservation Area. Policy BE1: Listed Buildings, states that the Council will support development proposals that protect, maintain, and enhance active use and conservation of Listed Buildings. All Listed Buildings will be protected against all works which would have a detrimental effect on their listed character, integrity or setting or result in an adverse impact upon the setting of the listed building.

The Heritage and Design Officer was consulted on the application and advised that the more significant part of the Conservation Area is focused on the Abbey and the town centre. The character of this outer part of the Conservation Area is broadly characterised by being an open space set against the backdrop of the Jed Water. The dips and mounds of this area are modern, being landscaping works carried out after the factory demolition. The site lies within a natural screen of the existing trees and is set below the road level. As discussed above, it is considered that the existing trees provide a screen, when viewed from the surrounding area. The Officer is content that a skatepark in this location, set some distance from the Abbey and town centre can be considered as having a neutral impact.

In general terms, the character that defines this part of the Conservation Area is not altered significantly by the development proposed.

The Officer recommends that appropriate conditions should be attached requesting details of the colours and finishes within the park. This would ensure compliance with Policy BE1 & BE4 of the Consolidated Local Plan 2011.

Access/Footpaths

Core Path

Policy Inf2, states that the Council will seek to uphold access rights by protecting existing access routes including; statutory designated long distance routes; Rights of Way; walking paths; cycle ways; equestrian routes; waterways; identified Safe Routes to School and in due course Core Paths. Core Path (JEDB/1/32) runs along the eastern side of the application site, along the Jed Water. This connects the site to the town centre, Lothian Park and the riverside. The Access Officer was consulted on the planning application and advised that the proposal is likely to generate additional footfall of people using the route of the Borders Abbey Way/Riverside Path. The Officer advises that users of the skatepark are likely to use the Riverside Path to access the skatepark. The Officer notes that the applicant wishes to install directional signs towards the skatepark. However, the Officer advises that they should be consulted on any proposed signage. Furthermore, the applicant should consult with the Planning Service prior to the erection of any signage, to ensure the appropriate consents are obtained.

The proposed development also has implications for the ability of the public to exercise the rights of access along Core Path 1, which is the Riverside Path. To ensure that the public enjoy access to the Core Path without risk from any aspect of the development, the Officer suggests a condition is attached to planning permission to ensure that the Core Path 1 is maintained open and free from obstruction in the course of the development and in perpetuity, to ensure that proposal complies with Policy Inf2.

Barrier along A68

Transport Scotland have requested that a condition is attached to planning consent in respect of the extension of the existing pedestrian barrier along the Trunk Road. However, the proposed barrier extension falls outwith the application site and therefore cannot be controlled through an appropriate planning condition. The proposed skatepark is deliberately connected to the riverside footpath to the east, both ends of which are connected to the town centre by subways under the A68, which should assist in encourage users to approach via the existing path network. Furthermore, it is considered that extending the barrier such a distance, would result in adverse visual impacts upon the amenity of the wider area, including the Jedburgh Conservation Area. It is therefore considered that the inclusion of an extended barrier would have a detrimental impact upon the visual amenities of the wider area. Therefore such a condition has not been included in the recommendation.

Roads Planning Service

The Roads Planning Officer raised no objections to the proposed development.

Travel Demand

Policy Inf11: Developments that generate travel demand, promotes sustainable travel patterns and ensures that significant travel generating developments are properly scrutinised. There are existing bus routes along the A68, adjacent to the proposed development, as well as car parking provisions within the town centre. The proposal is located within walking distance on bus stops and public transport, to enable users to access the site from the town centre.

Ecology

Policy NE1 aims to give wildlife sites of international importance adequate protection from development. Policy NE5 aims to ensure that development does not adversely affect any of the complex components that comprise the water environment. The Jed Water runs to the east of the application sites and is a Special Area of Conservation.

The Ecology Officer was consulted and advised that the site consists of amenity grassland and deciduous trees with the Jed Water SAC nearby. The Officer advised no objections in respect of any adverse impacts upon the SAC, however advised that the application should protect the water body which is within the vicinity and adopt SEPA guidelines. A copy of the Officers consultation response will be attached for the attention of the applicant to any planning consent, to ensure compliance with Policy NE1 and NE5.

Policy NE3 aims to safeguard and enhance the local biodiversity in line with the Council's environmental policies and its commitments to sustainability. The Ecology Officer was consulted and raised no objections to the proposal and suggested informatives. The Officer advised that it is unlikely that there should be any significant adverse impacts on biodiversity from the development, so long as good practice guidelines are followed. Two informatives can be attached to any planning permission, in respect of protecting the adjacent water course and consideration of future biodiversity and habitat enhancement, to ensure compliance with Policy NE3.

Lease, Maintenance & Management

Neighbourhood Services advised that the applicant would need to enter into discussions with Scottish Borders Council, in respect of a lease for the site and future maintenance and management. These are not material planning considerations for the determining the planning application. However, an informative will be attached, regarding the lease, maintenance and management, to make the applicant aware.

Contaminated Land

Policy G2, aims to allow for development on contaminated or potentially contaminated sites but in a manner that ensures that the re-use and restoration of such sites is made possible without any risk to public health and safety or to the environment.

The application site lies within an area which was historically operated as mill land. This land use is potentially contaminative and may have resulted in land contamination which could affect the welfare of users, the value of the property, and the liabilities the owner/ occupier may have.

The land is not currently identified as contaminated land and there is no available information which indicates the level of risk the potential contamination presents.

However, given the nature of the proposed use, the requirement for a full site assessment and potential remediation is not likely to be practical or proportionate, and it is instead recommended that the applicant is advised of potential land contamination issues by way of an Informative Note.

Trees

Policy NE4: Trees, Woodlands and Hedgerows, aims to give protection to the woodland resource and in turn to give protection to the character of the settlements and the countryside, maintain habitats and provide an important recreational asset. There are mature trees surrounding the application site, located on around the top of the bowl edge. These trees are not covered by any Tree Preservation Order, however it is considered that they contribute to the setting of the application site, amenity of the surrounding area. They are considered to be a valued part of the open space. The applicant has provided drawings to demonstrate how the proposal will tie into the banking and to assess any potential impact upon the trees or roots. The applicant provided section drawings and spot levels demonstrating where the proposal ties into the banking.

The Landscape Officer was consulted on the proposal and after several revisions to the section drawings, advised no objections to the proposal. The Officer considers that the concerns previously raised have been addressed and that the proposal will not result in an unacceptable visual impact. Furthermore, as discussed above, it is considered that the trees screen the development when viewed from the Abbey and wider Conservation Area and contribute to the wider visual amenity of the area. Therefore, a condition is recommended requiring that the trees are not removed or felled, to ensure compliance with Policy NE4. Furthermore, the Landscape Officer raised the concern regarding potential ponding, therefore a condition will be attached to planning consent, in respect of the suitable SUDS scheme, which is discussed below. Further to the comments from the Landscape Officer, a condition will be attached to planning consent, requesting the precise details showing how the proposed skatepark will tie into the existing bund.

Sustainable Urban Drainage

Policy Inf6: Sustainable Urban Drainage Systems (SUDS), aims to address the pollution problems that stem from the direct discharge of surface water into watercourses. Sustainable drainage reduces the amount of flooding and diffuse pollution, improves environmental quality and protects the ecological and amenity value of watercourses.

As discussed above, SEPA request one level of SUDS treatment will be required for the development. It appears that the applicant is proposing a soakaway however SEPA advise that any soakaway should be appropriately sized. Therefore, to ensure adequate SUDS treatment is proposed and installed, a condition should be attached to planning permission to ensure compliance with Policy Inf6.

Developer Contributions

There are no developer contributions required for this proposal.

Other Concerns Raised

Concerns were raised that the skatepark would result in anti-social behaviour, crime and graffiti and lack of police supervision however these are not material planning considerations when assessing a planning application and cannot be take into consideration. These concerns would be a matter for the police if they occurred.

Funding, contents of the risk assessment, health and safety, litter and future committee membership were raised as concerns, however these are not material planning considerations in the determining of the application.

The lack of toilet provision was raised as a concern, however there are facilities on the opposite side of the A68, which provide adequate provision.

Conclusion

In conclusion, it is considered that, on balance, the proposal is recommended for approval subject to conditions and informatives being attached. The skatepark can be satisfactorily accommodated within the application site, in accordance with Policy G1 and BE6. It is a proposal that improves recreational resource within the town and the Borders more generally. Subject to the imposition of conditions, it is not considered that the proposal will result in any adverse significant impacts upon; flood risk, contaminated land, listed buildings, archaeology, scheduled ancient monuments, conservation area, open space, ecology and biodiversity, trees, River Jed or SUDS. It is considered on balance that the proposal will not result in overriding adverse impacts upon the residents of neighbouring residential properties.

RECOMMENDATION BY SERVICE DIRECTOR (REGULATORY SERVICES):

I recommend the application is approved' subject the following conditions and informatives:

Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. No development shall be commenced until precise details of a Sustainable Urban Drainage System has been submitted to and approved in writing by the Local Planning Authority, thereafter the development must be carried out in accordance with the approved scheme, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure an adequate SUDS scheme is delivered to serve the site.
3. Notwithstanding the description of the materials and colours in the application, no development shall be commenced until precise details of the materials and colours to be used in the construction of the skatepark (including the skatepark, any associated furniture and equipment), have been submitted to and approved in writing by the Local Planning Authority, and thereafter no development shall take place except in strict accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
4. Notwithstanding the description in the application, no development shall be commenced until precise details of the location, layout and details of the seating area(s) which form part of the application, have been submitted to and approved in writing by the Local Planning Authority, and thereafter no development shall take place except in strict accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
Reason: The design, layout and details require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.

5. No trees within the application site shall be felled, lopped, lifted or disturbed in any way without the prior consent of the Local Planning Authority.
Reason: The existing tree(s) represent an important visual feature which the Local Planning Authority considered should be substantially maintained.
6. The path indicated Core Path 1 must be maintained open and free from obstruction in the course of development and in perpetuity and shall not form part of the curtilage of the development. No additional stiles, gate, steps or barriers to access may be erected on the core path that could deter potential future use.
Reason: To protect public access rights during and after development/change of use.
7. Notwithstanding the details contained within the application, no development shall be commenced until precise details demonstrating how the edges of the proposed skatepark will tie into the existing slope, have been submitted to and approved in writing by the Local Planning Authority, and thereafter no development shall take place except in strict accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.
Reason: To ensure that the skatepark satisfactorily sits within the existing site.
8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (or any subsequent order amending or re-enacting that Order), no gate, fence, wall or other means of enclosure shall be erected on or around the development hereby approved, unless an application for planning permission in that behalf is first submitted to and approved in writing by the Local Planning Authority.
Reason: To allow the Local Planning Authority the ability to exercise control over the matters referred to which, if unrestricted, may detract from the overall setting of the development hereby permitted.

Informatives

1. The applicant should be made aware of the potential for ponding, as a result of surface water drainage. The consultation response from SEPA and the Council's Flood Protection Officer has been attached for the attention of the applicant.
2. The applicant should note that discussions will be required with the Estates and Neighbourhood Services Departments, in respect of a lease, maintenance and management of the application site.
3. The applicant should be made aware that the developer should consider biodiversity and habitat enhancement which could include the provision of bird nesting sites such as the Schwegler 1N Deep Nest Box which can be attached to mature trees to provide nesting opportunities for a range of bird species. Schwegler woodcrete boxes could provide for the use of bats. A copy of the consultation response from the Council's Ecology Officer has been attached for the attention of the applicant.
4. The applicant must protect the water body which is in the vicinity of the development area and adopt SEPA Pollution Prevention Guidelines, PPDG1,

PPG5 (general guidance and works affecting watercourse), PPG 3,4,7,13 (site drainage), PPG 2,8 (oil storage) and PPG 6 (construction and demolition) as appropriate. A copy of the consultation response from the Council's Ecology Officer has been attached for the attention of the applicant.

5. The applicant should be made aware of the potential for contamination within the site. The consultation response from the Environmental Health Officer has been attached for the attention of the applicant.
6. A copy of the consultation response from the Archaeology Officer is attached for the attention of the applicant.
7. A copy of the consultation responses from the Environmental Health Officer is attached for the attention of the applicant.
8. A copy of the consultation response from the Heritage and Design Officer has been attached for the attention of the applicant, in respect of condition no.3.
9. A copy of the consultation response from the Access Officer has been attached for the attention of the applicant, in respect of condition no.6.
10. The applicant should discuss any proposals for signage with the Local Planning Service, to ensure that the appropriate consents are obtained for such any signage.

RECOMMENDATION BY SERVICE DIRECTOR (REGULATORY SERVICES):

Approved by

Name	Designation	Signature
Brian Frater	Service Director (Regulatory Services)	

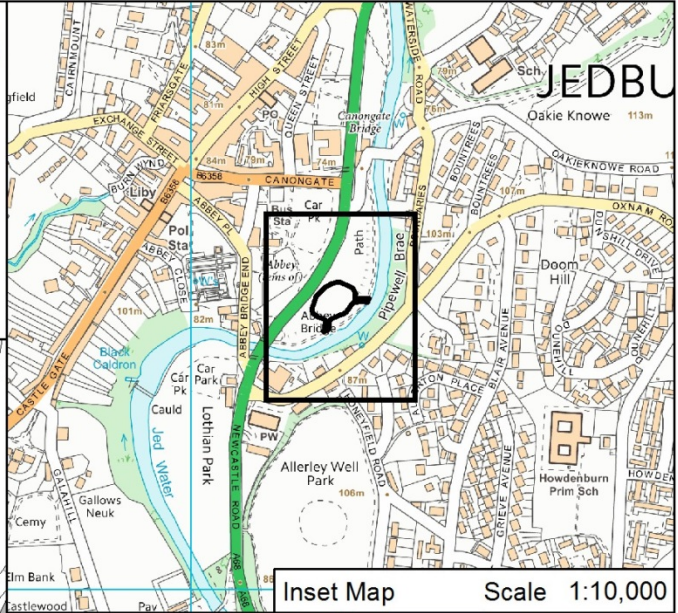
The original version of this report has been signed by the Service Director (Regulatory Services) and the signed copy has been retained by the Council.

Author(s)

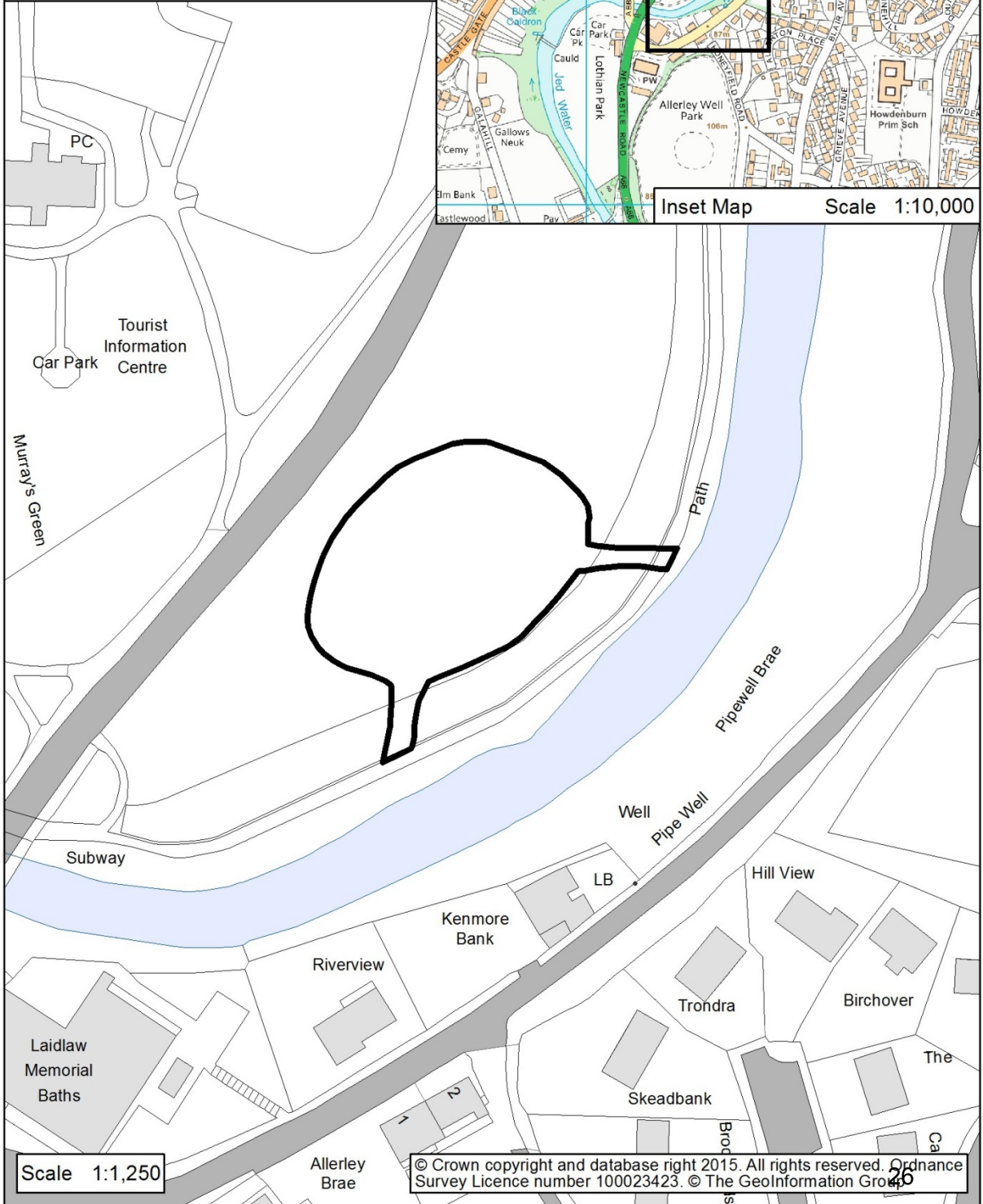
Name	Designation
Deborah Chalmers	Planning Officer



14/00786/FUL
 Land South East Of Tourist
 Information Centre
 Abbey Place
 Jedburgh
 Scottish Borders



Inset Map Scale 1:10,000



Scale 1:1,250