

SCOTTISH BORDERS COUNCIL
PLANNING AND BUILDING STANDARDS COMMITTEE
4 FEBRUARY 2019
APPLICATION FOR PLANNING PERMISSION

ITEM: **REFERENCE NUMBER:** 18/01086/FUL
OFFICER: Mr Scott Shearer
WARD: Tweeddale East
PROPOSAL: Erection of 2 blocks of residential flats comprising 40 No units of mixed accommodation with communal bike store, bin stances and associated parking and landscaping
SITE: 1 - 39 Tweedbridge Court
Peebles
APPLICANT: Eildon Housing Association Ltd
AGENT: Camerons Ltd

SITE DESCRIPTION

The application site measure 0.5ha and is located to the south of the River Tweed in Peebles. The site is relatively flat apart from a rise in the ground levels towards the north eastern corner which extends up towards the southern end of Tweed Bridge and the B7062. A stone wall encloses the northern boundary of the site and separates it from the mature tree lined River Tweed walkway. The southern and western boundaries of the site are enclosed by tree cover of a medium scale which separates the site from a mixture of single and two storey residential properties of a suburban design. The site is accessed through the Dukehaugh housing estate however there is also a direct access to the B7062 to the north east but this is restricted by bollards. The site provides direct access to the riverside path to the north and Tweed Green to the east.

The site is located on the edge of the Peebles Conservation Area. The River Tweed Special Area of Conservation (SAC) and the River Tweed Special Area of Scientific Interest (SSSI) is located to the north of the site.

Historically, the site formed part of the former Caledonian Railway station and goods yard until the 1960s when the railway was closed and dismantled. The site was part the residential redevelopment of Dukehaugh. Prior to its closure in 2014 and demolition in 2018, the site was occupied by a Margret Blackwood flatted development with associated bungalows.

PROPOSED DEVELOPMENT

Planning permission is sought for the erection of a 40 unit flatted development with the number of units split equally over two blocks. The two flatted blocks are located within the northern half of the site. The buildings have been re-designed through the course of this application with changes provided to the roof form and elevational treatment. The majority of the accommodation is set within 3½ storey pitched roof blocks which are linked by a central flat roof, the outer wings of are 2½ storey structures. Flat roofed wall head dormer projections assist with the provision of

accommodation within the upper floors. The north and south elevations of the buildings are punctuated with full length windows and Juliet balconies. Balcony areas are also provided on elevations which are set back from the outer edge of the building. The two blocks are handed versions of each other.

Two bin stores are provided, one to the south of each block. These buildings are of a flat roofed design. A lean-to cycle store is also proposed along the southern boundary of the site.

The buildings are to be finished with a dark stone base course and a mixture of grey and white rendered walls. The roofs are to be finished with dark grey standing seam metal finishes. All windows and doors are provided within mid grey aluminium-clad timber framed openings.

Vehicle access will remain to be provided via Dukehaugh. The existing pedestrian links to the east are retained and a ramped access is provided to the riverside walkway.

PLANNING HISTORY

17/01529/HON - Demolition of flats and 2 No dwellinghouses. Approved 04/12/2017.

REPRESENTATION SUMMARY

133 letters of objection were received in response to the original proposals (dated 17th Aug 2018). Of the 133 comments, some multiple objections were submitted from the same household. All objection comments are available in full on *Public Access*. A summary of the objection comments are provided under the headings below:

PLANNING POLICY

- Contrary to a range of Local Development Plan policies, including; PMD2, PMD3, PMD5, HD3, EP7, EP9, IS5

SCALE

- The scale of the proposals, in particular their four storey height as well as the mass and proportions are significantly out of keeping with the scale of surrounding buildings and the character of the area.
- The fire tower is a narrow structure does so its scale does not justify the scale and the height of two flatted blocks
- Proposals cannot be satisfactorily accommodated within its site and represent overdevelopment
- The scale of the development will visually dominate the surrounding environment

DESIGN

- This is a sensitive site. The design of the proposal is poor which does not relate to the architectural character of the surrounding area which includes the Conservation Area
- Inappropriate material finishes
- Appearance of proposals are out of keeping with the sense of place of Peebles
- This is a prominent site and the development will detrimentally dominate views from the surrounding area, detracting from the river setting and Tweed Bridge and the Conservation Area

- Flats are not in keeping with the surrounding area where properties in Dukehaugh are houses
- Fails to protect the setting of listed building, including Tweed Bridge, the parish Church and other neighbouring listed building.
- Alteration/demolition of wall
- Location of bike shed is in appropriate
- Failure to provide adequate boundary treatments to help the proposal integrate with its surroundings
- The trees along the riverbank will not screen the buildings
- A development should be designed so that it doesn't require screening
- Occupants of the development are not provided with any garden space

AMENITY

- Detrimental to residential amenity
- Loss of light
- Loss of sunlight
- Overlooking
- Privacy of neighbouring properties, particularly to the west and south is adversely affected by windows and balconies
- Window-to-window overlooking between the flats and the houses to the west, will not comply with planning guidance. Use of obscure glazing will not protect amenity of neighbouring when these windows are open.
- Loss of view

TRAFFIC AND ACCESS

- Increased traffic which the affected road network, particularly Tweed Bridge, Caledonian Road and Dukehaugh cannot support.
- Caledonian Road is saturated with parked cars and cannot safely cater for any further traffic.
- Road safety
- Junction of Caledonian Road/Dukehaugh has poor visibility
- No sufficient parking
- A Transport Assessment is required to properly assess road safety issues
- Development has removed an existing wheelchair access to the river bank

OTHER

- Local services including doctors surgeries and schools do not have the capacity to accommodate increased population
- Missed opportunity for the regeneration of an important site
- Adverse impact on Peebles as a tourist attraction which will adversely impact the local economy
- Value of property
- Air pollution
- Inadequate drainage
- Flood plain risk
- Over provision of facility in area
- Local infrastructure cannot support any further housing development on the south side of Peebles
- Tree/landscape affected
- Tree survey is out of date
- Failure to undertake an appropriate level of community engagement
- Flood risk assessment has not been undertaken in consideration of the finalised plans

- An Environmental Impact Assessment should be provided.
- A Development Brief should be prepared for this site

Following the receipt of amended plans on the 17th of December a notice was placed in the local press advertising that amended plans have been received, this expires on the 1st Feb. At the time of writing 22 objections have been received. All comments will be available on *Public Access*. Objections raised in response to the revised proposals are summarised as follows;

- Amendments have not addressed grounds of third party objections
- Height of the buildings has not changed and remains unacceptable
- Despite the revised roof design, the proposals are still out of scale and proportion to surrounding buildings and will completely dominate the surrounding area
- The design still fails to integrate with the built context of the surrounding area.
- There is ample footprint in the site to provide the required volume of accommodation and reduce the height of the buildings
- Residential Amenity issues have not been addressed
- Access Issue have not been addressed
- Applicants submission fails to justify the proposals against planning policies
- Applicants have no control over the trees on along the riverbank which are being used to justify the screening of the proposals
- A Transport Assessment should be provided as the development is in excess of 25 units
- Standing seam roofs do not relate to roof cladding of any local domestic buildings.
- River Tweed SAC and SSSI impact has not been addressed
- Peebles conservation area should be prevented from this insensitive new development
- Bin stores will attract nuisances
- Still conflicts with LDP planning policy provision

APPLICANTS' SUPPORTING INFORMATION

The application is supported by the following documents;

- Design Statement
- Visual Impact Analysis
- Drainage Strategy
- Ecological Appraisals
- Flood Risk Assessment
- Tree Survey and Arboricultural Constraints Report

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Archaeology Officer: No known archaeological implications.

Ecology: 1st Response - The River Tweed which is designated as a Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) is directly adjacent to the site. Further information regarding the potential ecological implications of this new development are required to assess potential impacts from development and to

inform plans for any required mitigation. Previous ecological reports are inadequate to provide this level of information.

2nd Response – 21st January 2019. The submitted report focuses on protected species and not the impact of the development on the SAC and SSSI and it is not viewed to ecological reporting standards or the Councils Technical advice notes.

The surveys have found that there is no evidence of bats. Evidence of signs of Otters were recorded on the river back but not evidence of any resting places were found within 200m upstream or downstream of the development. Other than otter impact the assessment has not considered the impact on the qualifying interest of the River Tweed SAC. This further detail should be sought, however if this application is to be approved the following planning conditions are required;

- A species protection plan (for otter and birds)
- A Construction Environmental Management Plan to mitigate any impacts on the River Tweed SAC/SSSI including measures to control sediment and pollution run-off.

Director of Education and Lifelong Learning: The site is within the catchment areas of Kingsland Primary School and Peebles High School and Halyrude Primary School. No contributions are sought as this is a development for affordable housing and it has been confirmed that all schools have sufficient capacity to accommodate this development.

Environmental Health (Contaminated Land Officer): The site was formally railway land. This historic land use is potentially contaminative. The developer should carry out further investigations of the sites ground conditions and any subsequent remediation strategies (if required) to ensure that potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed. Recommend that this investigation can be agreed as a condition of any planning consent.

Flood Risk and Coastal Management: The site is located in an area which is at risk of a flood event with a return period of 1 in 200 years which is a 0.5% annual risk of flooding which is confirmed by SEPA's flood mapping and hydraulic modelling which was produced in the Peebles Flood Study Report.

The previous buildings which occupied the site were at risk of flooding. The proposed Finished Floor Levels of this development are to be set between 162.10mAOD and 162.42mAOD which the Flood Risk Assessment confirms is above the 1 in 200 year flood level with a 300mm allowance for free board. The building area is reduced from 2000m² to 1200m² which will increase the amount of functional flood plain storage and no land raising is proposed.

Ideally all of the development would be located outwith the 1 in 200 year functional flood plain and the development would be better situated to another location. This is a brownfield site. Although the site may be surrounded by water during a 1 in 200 year flood event, water is not anticipated to enter the buildings because the FFLs are not at risk of flooding and this development increases the storage capacity for the flood waters. No objection is raised on ground of flood risk provided that the following criteria are met;

- Finished Floor Levels are set to at least 162.10mAOD (Eastern side – Block 2) and 162.45mAOD (Western side – Block 1)

- No land raising out with the current plans
- Suitable access and egress is maintained, as outlined within the Flood Risk Assessment
- The applicant receives flood warning from SEPA and adopts water resilient materials and construction methods as appropriate in the development as advised in PAN 69

Heritage and Design: No objection. Identify that the main considerations are the impact of the development on the adjacent conservation area and the suitability of the design of the proposals, in particular its massing, height, materials and colour. Acknowledge that this is a sensitive site which is viewed from a number of key viewpoints including the north bank of the River Tweed and from Tweed Bridge. It is recommended that the proposals are best represented by the 3D modelling which gives a better perspective of the mass of the proposals. Against the Placemaking and Design SPG, the proposals have been considered on three levels; the wider area local area and details of the proposals itself.

The revised proposals address the concerns previously raised by the H&D Officer. Significant changes have been made to the scheme to develop a more “traditional” solution which has broken down the mass of the overall mass of the building into smaller elements which reflects the character of buildings on the High Street with a mixture of heights and stepping in and out of the plan form.

The ridge height has been reduced slightly but its visual impact is more significantly reduced by the use of pitched roof incorporating dormers. The new buildings are not easily read against the skyline as they will be viewed against the wooded bank above Caledonian Road form either the riverside or bridge.

A range of materials and colours are used in the surrounding area. The use of different external materials and colours also break up the proposals mass. The proposed scheme takes account of these colours and hues and uses them in a careful manner to provide variety and interest in the elevations. The use of a uniform dark materials for the roofs reflects the local traditions. Care has been taken to vary the use of these external material between the two blocks. The impact of the details of the building are less important however the use of modern fenestration are suitable. The development is judged to have created a clear sense of place with a clear linkage to the riverside walk.

This is a significant development for a sensitive site in the heart of Peebles. There is still some scope for a more contemporary design approach however the more traditional solution which has been adopted strikes a careful balance between pastiche and a more radical scheme. On balance the development is acceptable for this location subjection to agreement of material samples by condition.

Housing Strategy: No objection. The site is a longstanding regeneration project which is being progressed by Eildon as a priority 100% affordable housing project which has been included in the Council's current Strategic Housing Investment Plan (SHIP) 2018/23. The development which will contribute towards meeting the Scottish Governments affordable housing target of 50,000 new affordable homes. Advise that the Scottish Government have programmed grant provision to assist Eildon Housing Association with the delivery of the development.

Roads Planning Service: 1st Response - A Transport Assessment is not required to support this application because this is a brownfield site which is located very close to the town centre and all the available sustainable transport opportunities.

The development of sites to the south of the River Tweed raises issues about the capacity of the Tweed Bridge, the reliance on a single point of crossing and impacts on traffic flows and the amenity of the High Street. The Council are generally unsupportive of the development sites which are not allocated within the LDP without a second bridge crossing. The redevelopment of this site and its associated trip generation is not considered to exceed the capacity of Tweed Bridge based on traffic figures obtained by the Council in 2016. The site has good links to the town centre and sustainable transport options and it is located within walking distance to local schools.

The site is accessed through Dukehaugh which adjoins Caledonia Road about a third of the way along on approach from the east. Objectors have raised concerns about traffic problems on Caledonian Road. There are a number of cars parked on Caledonian Road as a result of some properties not benefiting from off road parking but given its linear nature it could be argued that these cars act as a traffic calming measure. There are parking restrictions along this road in between the areas where cars are often parked which allow this road to function. Dukehaugh is a residential road where the majority of properties have off street parking and its geometry does not encourage high speeds. The roads affected by this development are recommended to have the capacity to safely accommodate the traffic this proposal will generate.

The proposed site layout is not opposed and its design maintains pedestrian links through the site and connects the development to the wider path network. Parking provision is very marginally below the recommended level for communal levels. The proximity of the site to the town centre and availability of public transport means the reliance on car use is reduced, therefore the parking provision is acceptable. Similarly the location of the development concludes that sufficient cycle storage is provided also.

No objection is raised provide a pre-construction condition survey of the route from Tweed Bridge to the site is undertaken with regular inspections during the construction period and a post construction condition survey. Any remedial works required on the public road network as a result of the construction works must be carried out within an agreed timescale. Any emergency works will be required to be undertaken immediately.

2nd Response 15th January 2019 – No roads concerns are raised by the proposed amendments and the recommendations provided in the original response remain valid. Some additional comments are provided in response to third party objections which are concerned the development will increase traffic movements which Caledonian Road does not have the capacity to accommodate.

A Transport Assessment (TA) has been submitted for a neighbouring proposed residential development at South Parks. Using the data provided within this TA, the RPS advise that Caledonian Road has ample capacity to accommodate the vehicle movement of both developments. Any further on-street parking may reduce the operative capacity of Caledonian Road however this can be controlled by the Council.

Statutory Consultees

Community Council: 1st Response - 7th September 2018 Object. The need for more affordable units is accepted and the principle of developing this site for that purpose is supported however the following concerns are raised;

- The site is directly adjacent to the conservation area. These areas were designated to preserve heritage. The buildings which replaced the former Caledonian Station which stood on this site were of limited architectural interest. The site is located within a historic part of the town surrounded by prominent stone buildings include elegant villas on Caledonia Road, the Tweed Bridge and Parish Church and neighbouring buildings. The modern swimming pool is located on the opposite site of the River Tweed but its low profile maintains views of the historic build setting of the town. The introduction of a four storey building would detract from views of the conservation area and the character of this part of the town.
- The scale, proportions, materials, boundary treatment, handling of open space and vistas of the proposed development are extremely insensitive and fails to preserve or enhance the special architectural or historic character and appearance of the conservation area at a location which is adjacent to the conservation area.
- There are no buildings within this part of Peebles which resembles the proposal. The development is incompatible with the scale, massing, height and density of the surrounding area and overwhelms surrounding buildings. The proposals fails to create a sense of place based on an understanding of the context of the site and designed in sympathy with vernacular architecture. The proposal therefore fails identified criteria of Policy PMD2.
- The development will increase traffic and the proposal has failed to consider the implications of increasing traffic on Dukehaugh and the presently congested Caledonian Road. The development will impact of the road safety, particularly at the junction between these roads.
- While this is an infill development of a brownfield site, the proposal fails to comply with Policy PMD5 as it does not respect the character and amenity of the surrounding area.
- The development will detract from residential amenity by impacting of privacy and noise.
- The adverse visual impact of the development will detract from the attraction of Peebles as a tourist destination which provides economic benefit and jobs to the area.
- No provision of play space or any drying areas are provided.

2nd Response 19th December 2018. Maintain objection on following grounds;

- The revised proposals have failed address most of the concerns raised by objections. The proposals have only been slightly reduced in height and while the reshaped roofline is more acceptable the height, mass and overall scale of the proposals are still unacceptable.
- The proposals remains to have a deleterious impact on the surrounding conservation area.
- Tweed Bridge is iconic and the most famous building structure in Peebles. Siting this development next to this listed building is described as cultural vandalism.
- The proposals do not enhance the character of the conservation area, only detract from it.
- Relating the scale of the proposal to the fire station tower, misjudges the proposals. The development remains out of keeping with the scale of two

storey dwellings and bungalows which surround. The proposal still fails to relate to the context of the site and its significances within the wider townscape.

- All surrounding structures have slate or tile roofs. Metal roofs are more suited to an industrial complex and not a housing development on the edge of a conservation area within a scenic town.
- Fixing west facing windows shut will not address neighbouring amenity.
- Overlooking from balconies will adversely impact on neighbouring properties.
- There is still no provision of any play space or drying areas within the development.
- Residents of the previous building which occupied this site had a low vehicle usage. This development will result in a significant increase on traffic flows in comparison with the former development and this is confirmed by the provision of 59 parking spaces as part of this proposal.
- Cognisance needs to be taken of the traffic impacts on Caledonian Road resulting from this and the proposed development at South Parks. An independent traffic survey should be provided.
- The amended proposals still conflict with LDP policy provision which includes Policies, EP9, PMD2 and HD3 concluding that the development of a four storey block of flats is the wrong development for this important site.

Scottish Environmental Protection Society (SEPA): No objection on flood risk grounds as there will be no increase in total building footprint and no further land-raising within the functional floodplain. Due to some uncertainties with the modelling within the FRA the Council should be satisfied that 300mm is a sufficient freeboard allowance for the FFLs. An allowance of 600mm rather than 300mm may be more appropriate.

Acknowledged that this is a brownfield site and while no objection has been raised because the site is at potential flood risk from multiple sources including the River Tweed, Edderston Burn surface water ponding and groundwater, it is strongly urged that a more suitable site for this type of development is found. This would reduce impact on flooding of residents, the local community and burden placed on emergency services and the council. The demolition of the existing residential development could be seen as an opportunity to reduce the vulnerability of this area through recreational or water compatible land-use. If the development is approved it is recommended that a 600mm freeboard is provided, that there is safe access and egress from the development away from the River Tweed and the application receives flood warning from SEPA.

Advice is provided to the applicant that any engineering works within the vicinity of the river may require a Controlled Activities Regulations (CAR) construction site licence.

Other Consultees

None.

DEVELOPMENT PLAN POLICIES:

Scottish Borders Local Development Plan 2016:

Site Reference: RPEEB003: Tweedbridge Court

Policies;

PMD1: Sustainability

PMD2: Quality Standards

PMD3: Land Use Allocations

HD1: Affordable and Special Needs Housing

HD3: Protection of Residential Amenity

EP1: International Nature Conservation Sites and Protected Species

EP2: National Nature Conservation Sites and Protected Species

EP3: Local Biodiversity

EP7: Listed Buildings

EP8: Archaeology

EP9: Conservation Areas

EP13: Trees, Woodlands and Hedgerows

EP15: Development Affecting the Water Environment

IS2: Developer Contributions

IS5: Protection of Access Routes

IS6: Road Adoption Standards

IS7: Parking Provision and Standards

IS8: Flooding

IS9: Waste Water Treatment and Sustainable Urban Drainage

IS13: Contaminated Land

OTHER PLANNING CONSIDERATIONS:

Supplementary Guidance

- Housing (2017)
- Affordable Housing (2015)
- Waste Management (2015)
- Development Contributions (2011) updated January 2018
- Trees and Development (2008)
- Placemaking and Design (2010)
- Privacy and Sunlight Guide (2006)
- Biodiversity (2005)
- Contaminated Land Inspection Strategy (2001)

Strategic Housing Investment Plan (SHIP) 2018 – 2023

Scottish Natural Heritage - River Tweed Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI) 2017

KEY PLANNING ISSUES:

The principal planning issues with this application can be summarised as follows:

- Whether the proposals would represent a suitable development on an allocated redevelopment opportunity within the Peebles settlement boundary;

- Whether the siting, scale and design of the proposals represent a suitable form of development in this location;
- Whether the development would respect the character and appearance of the adjacent conservation area and the setting of neighbouring listed buildings;
- Whether the proposal would harm the residential amenity of neighbouring dwellings or conflict with the established land use of the area;
- Whether the proposals are acceptable in terms of parking, access and impacts on road safety;
- Whether the development is free from flood risk;
- Whether adequate drainage and servicing can be achieved.

ASSESSMENT OF APPLICATION:

Principle

The site is allocated in the Local Development Plan 2016 (LDP) for redevelopment under site reference RPEEB003. This application requires to be assessed principally against Policy PMD3 Land Use Allocations of the LDP. This policy supports in principle proposals which seek to develop allocated sites in accordance with their intended land uses. No planning brief has been undertaken for this site.

The LDP seeks for the site to be redeveloped for residential purposes with the site having an indicative capacity for 50 units. The proposed land use complies with the allocated land use for this site and the number of units proposed within this development falls within the sites indicative capacity. It is important to note that the site was formally used for residential purposes and it also provided accommodation across the same number of units which is being proposed within this application. This is a material consideration that further establishes the principle and the capacity of the proposed development in land use planning terms.

The proposed redevelopment of this site with a residential development containing 40 units represents a land use which is supported by Policy PMD3. The acceptability of the form of development proposed, is assessed further in this report.

Some comments of objection have identified Policy PMD5 as being applicable. While policy PMD5 does cover infill development which is proposed to take place within development boundaries it considers the proposed development of non-allocated, infill or wind fall sites. Because this site has been allocated as part of the LDP process it falls to be considered against relevant policy provision on land use allocations and therefore consideration against Policy PMD5 is not appropriate.

Tenure

The proposed development would comprise 100% affordable housing and the Councils Housing Strategy Officer has confirmed that the site has been identified as a priority affordable housing project, confirmed by its inclusion in the Council's Strategic Housing Investment Plan 2018/23. The site is being developed by Eildon Housing Association who are a registered social landlord who will manage the development once it has been completed as part of their housing stock.

If Members are minded to approve this application, it is advised that a planning condition to control the occupancy of the development for affordable housing tenures only (which comply with the Councils definition of affordable housing listed in the SPG) is required. This control will ensure that the development is delivered in

accordance with its proposed tenure, avoiding the accommodation being available on the open market and being liable for developer contributions which affordable housing proposals are currently exempt.

Placemaking and Design

Policy PMD2 of the LDP strives to ensure that all new development is of a high quality and respects the environment it is contained within. Members are referred to the Site Description where it is confirmed that the site is located outside of the conservation area. Despite this, Policy EP9 of the LDP requires proposals on sites such as this which are adjacent to designated areas to be designed in a manner which preserves their character and appearance.

To understand the merits of the design and scale of the proposed development, it is important to first establish the context of the setting in which the proposals are being located.

Site Context

The site is located within the Dukehaugh development which is characterised by suburban architectural forms. The Margaret Blackwood building which previously occupied the site was of a relatively modern design incorporating a mix of flat and mono pitched roof elements. This building was of little architectural merit and it was finished in modern tile and render materials, similar to those of the surrounding dwellings. The site sits down below the level of Tweed Bridge when approaching from the north. The valley landform to the south of the site rises and is populated by buildings and vegetation which provided wider containment for development along the river side.

Apart from the swimming pool which is directly opposite this site on the northern side of the River Tweed, a traditional form of architecture is found. This is characterised by; the A listed Tweed Bridge, Victorian and Edwardian villas on Caledonian Road, the striking old parish church and the densely developed two and three storey buildings to the rear of the High Street. The traditional buildings are generally finished in stone under slate roofs.

This is a sensitive site which can be viewed from a number of key viewpoints, in particular the north bank of the Tweed and from Tweed Bridge.

Original Proposal

The design of the original proposal were unashamedly contemporary and its form was quite different to surrounding styles. Following a vast volume of third party and Community Council objections, concerns were raised that the design and scale of the development failed to integrate with its surroundings, especially when viewing from key viewpoints. Following several meetings with the developers and their agent, where a number of design options were discussed, a revised proposal was submitted on the 17th December 2018 and it is the merits of this proposal which is considered below.

Amended Proposal – Siting and Design

The amended proposals have sought to address concerns about the scale and design of the development by introducing pitched roofs instead of the previously submitted inverted mono-pitched roof. Wall head dormers are proposed to enable the

provision of accommodation within the roof and revised material finishes are detailed. This amended proposal has still received objections including from the Community Council, however in comparison to the original submission the number of objections received is considerably less.

The proposals are sited so that the flatted buildings address its river frontage. Similar to the main Margret Blackwood building, the proposal remains positioned away from the listed Tweed Bridge and its siting maintains existing vehicular and pedestrian access connections to the site while seeking to minimise the impact of the development on the amenity of neighbouring properties.

The introduction of a pitched roof has introduced a more traditional form to the proposal. The architectural analysis has identified a mixture of architectural styles within Peebles, however the element which brings the various forms together is that buildings are set under some form of a pitched roof. The previous building which occupied this site was set under a lean-to and flat roofs so arguably these more contemporary roof forms failed to integrate with the predominate roof shapes in Peebles. The revised pitched roof design of this proposal now relates to this architectural element of the surrounding area in a manner which the previous building and original proposals did not.

Considering other design elements, dormers are a feature within the town, especially along the High Street where an array of different dormer designs are found. The use of flat roof wall head dormers add a contemporary element to the local feature. Similarly the fenestration proportions are also modern however this is not at odds with the surrounding Dukehaugh area. The introduction of balconies and Juliet balconies are features you would expect to find on a building with views towards the river. One criticism of the revised proposals is the proposed number of Juliet balconies on the elevations facing the river. An improved elevation could be achieved by reducing the number of balconies (possibly above the entrance feature) on the north elevation. This can be covered by condition.

Finishing the base course with dark coloured stone helps to link the building to riverside walling and Tweed Bridge itself. The two wall render colours are colours which are found on buildings within the surrounding area. Their application help to break-up the perceived mass of the proposals. There has been some apprehension over the use of a standing seam metal roof. This site is not within the conservation so similar to the roof finishes of other buildings within Dukehaugh (which are concrete tile) a slate should not be a prerequisite for this site. The Placemaking and Design SPG does support the use of metal roof finishes with this proposal in principle reflecting the colouring and ridged profile of roof finishes locally. If Members were minded to approve this application, agreement of samples of materials and a revised elevation to reduce the number of Juliet Balconies can be agreed by planning conditions.

Visual Impact

Unquestionably the visual impact of this proposed development and in particular its scale and mass are the most challenging aspects of this application.

The proposals achieve a reduction in footprint in comparison to the Margret Blackwood building, however the height and overall mass of the proposals represent an increase in the overall scale of development. In terms of the change of height it is important to note that the FFLs of this proposal have been raised 1.6m above the ground level to address current flood risk requirements. The previous building was

well below this FFL and while these proposals would still be taller, the change would not be as serve if these proposals were able to be set at the same level as the Margret Blackwood building.

When considering the impact of the scale and mass of the proposals it is useful to view the 3D visualisations which unlike the 2D plans give a perspective of depth. The reduction to the overall height of revised proposal in comparison to the original proposals is negligible. The introduction of a pitched roof has brought down the eaves height some 1.5m which reduces the perceived height of the north and south facing walls of the proposal. While accommodation is still provided on four levels, because the upper floor accommodation is firmly within the roof, the tallest part of the building appears as a 3½ storey instead of 4 storey.

The revised roof form has helped to reduce the mass of the development as it has broken down the buildings to more traditionally proportioned blocks which are joined to one another, instead of being set under a large central roof expanse. The 3D modelling demonstrates how the elevations of the buildings step in and out which aided by the wall material treatment, help to reduce the mass of the buildings. This change has created a more organic building appearance which reflects the mixture of heights, stepping and gable elements which are apparent within the conservation area along the back of the High Street where large, adjoining buildings are broken up in this manner. When comparing visualisations of the original proposal with those of the revised proposal, the change in the roof form and wall finishes now respect built forms within the adjoining conservation area without going so far as being pastiche. Significantly, this change reduces the apparent scale and mass of the proposals so that the buildings do not appear as dominating especially when viewing from the northern river bank and Tweed Bridge.

The height of the buildings is kept below the tips of the mature trees which align the river bank. When the trees are in leaf, the buildings will be somewhat screened and when they are not the development will be exposed however because the proposals are below the tips of these trees so a degree of containment is still provided. When travelling south on Tweed Bridge, the wider context of the development is still apparent. The valley land form rises and is populated by a stepping of roof heights on Caledonian Road with rising tree cover culminating with Dilkusha House on Chambers Terrace occupying an elevated position towards the top of this tree cover. The scale of these proposals will largely dominate the foreground views however it will remain contained by the wider townscape towards the south.

When viewing the site from Tweed Bridge the maximum height of the proposal will be comparable to the height of the fire tower, however it is accepted that the mass of the proposal is a significantly larger structure than the tower. The smaller outer wing which will be in the foreground will help reduce its visual impact along with recesses on the buildings form. Finally, on approaching Tweed Bridge from the opposite direction the upper areas of the building will be visible. The road level at this point wynds up towards the Tweed Bridge so the full scale of the proposals will not be apparent. Once the Old Parish Church comes becomes visible, the scale of the church will remain the dominate view.

The development will impact visually on the River Tweed walkway, however this will be most apparent on the northern side of the river. The full scale of the proposals will be visible, especially during the winter months however improvements which have been made to the design of the proposals reduce the scale of the development from this viewpoint.

It is acknowledged that the proposed development will have an impact on the conservation area. However it is important to note that the planning authority has previously supported relatively large scale flatted developments on the edge of the conservation area at Station Bank and Dovecot Road. Nevertheless it is accepted that this is a more sensitive location. The removal of the upper floors of this development would provide a development which is more in keeping with the scale of immediately neighbouring buildings, however this would not provide a sufficient volume of accommodation required to render the development viable. The applicants have made significant changes to the proposals to attempt to address the concerns raised by third parties and the planning authority while delivering a proposal which will meet local affordable housing needs. While the Heritage and Design Officer has acknowledged that there may have been scope for a contemporary design within this site, the introduction of a more traditional form of development has resulted in successfully breaking up the visual mass of the proposals. It is worth noting that the Council's Heritage and Design Officer has not raised any objections on the grounds of adverse impact on the character, appearance or setting of the conservation area or nearby listed buildings.

Within the LDP the Settlement Profile for Peebles notes that there are a wide range of building types, styles and periods which all reflect the history, diversity and development of the town. It is accepted that the proposed development would represent a increase in scale when compared to neighbouring housing however the revised design allows the proposal to integrate more successfully with the character of the surrounding area, including the character and appearance of the conservation area. Importantly the proposed changes reduce the visual mass and scale of the proposals so that they are more appropriate to the surrounding townscape. It is considered that, on balance, the amended proposals represent a form and scale of development which can be accommodated in this location without conflicting with Placemaking and Design Guidance principles and will not detract from the special architectural or historic character of the Peebles conservation area or the setting of listed buildings.

Ancillary Buildings

The siting of the bin stores and cycle sheds do not raise any significant issues. The design of these buildings relate to the character of the proposed residential blocks. Their minimal scale ensures that they do not have an adverse impact within the surrounding area. A condition covering material finishes will apply for these structures also.

Residential Amenity

Policy HD3 of the Local Development Plan seeks avoid development which have an adverse impact on the amenity of existing residential area. The Council has adopted supplementary planning guidance on Householder Development which sets out standards for privacy and amenity. The applicants have submitted privacy and sunlight analysis which aids this assessment.

Privacy and Overlooking

The southern boundary of the site is aligned by trees of a medium scale. These trees are to be retained. Despite the proposed buildings being taller than the Margaret Blackwood building, it would positioned further away from neighbouring properties. Windows from principle rooms and balconies are located along the south facing elevation of the proposals however, the proposals are far enough away so that these

openings will comply with approved privacy and overlooking guidelines. Additionally, the retention of the trees along this boundary as well as existing boundary fencing will ensure an acceptable level of screening is achieved.

The properties to the west and in particular No 30 Dukehaugh are likely to be affected by way of privacy and overlooking. There appears to be a gap in the boundary where no screening is currently provided and where there would be direct views of the neighbouring dwelling. This can be addressed by installing a screen to the western edge of the balconies, installing opaque glazing on the west facing windows and adding additional planting along the open section of this boundary. The use of opaque glazing removes the impact of overlooking when the windows are closed however third party objections are concerned that when the windows are open, visual intrusion would occur. The applicants have confirmed that they would not oppose the application of a planning condition which would require this windows to be fixed shut.

Access to Light and Sunlight

Sunlight analysis has been carried out. This has confirmed that there is only a marginal impact on part of the garden ground of No 30. This impact is not significant. No adverse impacts are caused by way of access to light.

Outlook

The outlook from properties to the south is already compromised by existing boundary planting. The proposed building will be visible through the planting it should be noted that views towards the north were previously blocked by the Margret Blackwood building which was much closer to these neighbours than this proposal.

The eastward view of No 30 is affected. The closest part of the proposal to No 30 is a 2½ storey wing which is more comparable in size to the Margret Blackwood building which would have affected the outlook previously. Importantly, the proposal does not affect the southward view of the River Tweed of this neighbouring property. The development is not judged to affect the outlook of No 31. Members will be aware that existing dwellings are not entitled to a view. This is not a material consideration.

Construction Activity

Construction works associated with the development of a large residential development such as this will likely cause some local disruption. Because the site bounds existing residential properties it is important to ensure that construction activities are appropriately controlled to ensure the operations do not detract from the residential amenity of the neighbouring properties. A Construction Method Statement (CMS) can ensure that the site is being developed in a controlled and suitable manner.

Residential Amenity Conclusion

The development of a building of this scale which is bound on two sides by bungalows and two storey dwellings will almost always impact on the amenity of existing properties. The impact of the development in terms of overlooking, loss of privacy and sunlight is recommended to comply with Council guidance on residential amenity, subject to the imposition of a condition covering the glazing and fixing of west facing windows on Block 1. Impacts from construction activities can be

adequately controlled by condition so that the amenity effects of the construction process is minimised.

Access and parking

The proposals utilise the sites existing access through Dukehaugh and on to Caledonian Road. A number of objections raised concerns that the existing road network, primarily Caledonian Road, does not have the capacity to safely accommodate the traffic generated by these proposals.

It is fair to consider that these proposals will likely generate more traffic than those associated with the former Margret Blackwood unit. There has been a criticism that these proposals should have required a submission of a Transport Assessment (TA). The Roads Planning Service is satisfied that because this is a brownfield site and the site is located close to the town centre where there is an availability of sustainable transport opportunities which will reduce the reliance on vehicle movements generated by this development, that a TA is not required to inform this development. Members will be aware that the capacity of the surrounding road network would have taken be taken into consideration during the LDP process and before the site was allocated as a redevelopment opportunity.

The third party concerns about Caledonian Road stem from its volume of on-street parking which can restrict vehicle movements. While parked cars restrict vehicle movements on this road, the RPS has advised that this helps to slow traffic. Within an updated response from the RPS, reference has been made to a TA which has been submitted for a neighbouring proposed residential development at South Parks, ref; 18/01026/FUL. Members will be aware that each planning application must be assessed on its own merits however the findings of this survey, which is the most recent survey of the road network affected by this development provides evidence that Caledonian Road has sufficient capacity to accommodate the vehicle movements of both proposed developments. The RPS are satisfied that the proposed development can be safely accommodated within the existing road network without the need for any further improvements. In the event that there are any further on street parking issues which reduce the operational capacity of Caledonian Road that can be controlled separately by the Councils Roads Services.

The RPS has identified that the route from Tweed Bridge to the site could possibly be damaged by construction traffic. This can however be mitigated through an appropriately worded planning condition which required a pre-construction survey of the route and the need for monthly inspections to be made. Should any damage be caused by construction traffic arising from this development, remedial work will be required by the developers.

The layout of the proposals do not raise any roads concerns and the design maintains pedestrian links through the site. The road within the site may be adopted by the Council therefore it should be constructed to an adoptable standard.

Parking is provided via a communal parking court to the south of the two flatted blocks with cycle parking provided in a standalone bike store. The number of vehicle and bike parking spaces provided is below the recommended number required for this type of development. However, as the location of the proposed development is close to the town centre it is anticipated this will reduce the reliance on cars. A small reduction in the number of parking spaces proposed is not considered to pose any parking issues within the site or surrounding road network.

Trees and Landscape

The site is not located within an area of landscape protection. The conservation area boundary to the north of the site ensures that the trees along the river bank are afforded protection, this does not extend to the existing tree cover within the site.

A Tree Survey has been carried out and has included the neighbouring trees along the river bank significantly contribute to the riparian environment. The Site Plan confirms that six trees from within the site are proposed for removal to aid the siting of the development. Each of these trees are defined as Category C trees which are of low value with a limited life expectancy. Their removal is not judged to detract from the character of the area.

The Tree Survey has been used to confirm the Root Protection Area (RPAs) of all other existing trees which are to be retained. The RPAs are identified on the site plan and confirm that the buildings are positioned outside of these areas, confirming that the significant trees along the riverside to the north of the site are not affected. Similarly, the trees which are outside of the conservation area but help to enclose the western and southern boundary of the site are can also be retained. The retention of these trees can be controlled by a planning condition which will seek protective fencing to be erected out with the RPAs for these trees before construction commences.

This proposal is set back further from the northern boundary of the site in comparison to the location of the previous building. This space is being used to provide some landscaping which will help to soften the development, without conflicting with the mature riverside trees of the north elevation of the proposed buildings. Precise details of the proposed soft landscaping can be agreed via an appropriatly worded planning condition.

Subject to compliance with conditions covering tree protection and soft landscaping it is recommended that the proposed development does not detract from the landscape character of the site or result in the loss of any mature trees which merit retention. The proposals are judged to satisfy the LDP Site Requirement for site landscape and LDP policy provision which protects woodland resources and deliver appropriate site landscaping.

Ecology

Policies EP1 to EP3 seek to protect sites and species afforded international and national protection from adverse forms of development and also aim to safeguard and enhance local biodiversity.

The application site is not located within the international or nationally protected ecological sites. The River Tweed lies immediately to the north of the site and this is protected as a SAC and SSSI. Site walkover ecological surveys have taken place, however an Ecological Impact Appraisal (EIA) was requested to primarily evaluate the impact of the development on the ecological status of the water course. The subsequent survey has instead focused on the developments impact on protected species and not the SAC or SSSI. The developments impact on these sites of international importance must be considered and in order for the proposals to avoid detrimental impact on these designation the development must not have an adverse impact on the special qualifying interests of these sites. It is therefore important to establish why these sites are designated.

Standing advice from SNH confirms that the special qualifying interests of the River Tweed SAC are due to the presence of; Atlantic salmon, sea lamprey, river lamprey, brook lamprey, otters and freshwater habitats. Special qualifying interests of the River Tweed SSSI are salmon, lamprey and otters and freshwater habitats.

Accounting for the above qualifying interests, the development would only have an adverse impact on these protected sites if there were any detrimental physical impacts. All development works are contained within the application site which is located outside the boundaries of these designated areas on ground which has a long standing history of development. Drainage from the site is not being discharged to the water course and it is instead being disposed of via the existing mains sewage system. The development is not judged to pose any direct impacts on the SAC or SSSI. The only anticipated impacts on the designations could take place during construction activates, particularly due to sediment and pollution run-off. However this can be mitigated via the agreement of a Construction Environmental Management Plan (CEMP) which can be controlled by condition.

It has been identified through assessment that the development could impact on breeding birds and otters which are protected species (with the latter also being protected under the SAC and SSSI). These impacts can however be addressed via the submission of a Species Protection Plan.

The submitted EcIA has not provided a repose to all the ecological aspects sought and it has not met standards applied by our Ecologist. Despite this the impact of the proposals on ecological interest have been considered and it is recommended that subject to the imposition of planning conditions covering a CEMP and Species Protection Plan, that the development will not adversely affect the adjacent SAC, SSSI or any other local biodiversity interests.

Flooding

The application site is located within an area which has a 0.5% annual risk of flooding in any one year from the River Tweed. Policy IS8 of the LDP seeks to discourage development taking place in areas which are at risk of flooding unless development is designed to appropriately minimise the potential of flood risk. In accordance with the Site Requirements listed for this allocation in the LDP, a Flood Risk Assessment (FRA) has been undertaken and its findings inform these proposals.

Best practice would be to locate the new development in an area of the site which is out with the risk of flooding. This is not possible as the whole site is within the flood plain along with all other existing development within the Dukehaugh estate. This site is however a brownfield site where residential development previously stood and this land use planning history has established the principle of a residential accommodation being provided within the flood plain. Nevertheless, it is incumbent on this proposal to demonstrate that it can adequately address flood risk.

The FRA has identified that to mitigate the potential for buildings being flooded that the Finished Floor Levels (FFLs) should be set at 162.10mAOD (for the eastern section of the site) and 162.45mAOD (towards the western boundary). When comparing these FFLs to the FFLs of the Margret Blackwood building the plotted FFLs of that building were generally 161.08AOD. This confirms that the Margret Blackwood building was at risk of being flooded. The FFLs of this proposal comply with the findings of the FRA. In a 1 in 200 year flood event this development site would not be flooded however unlike the Margret Blackwood building flood waters are not anticipated to enter these buildings. Additionally, the building area of this

proposal is 1200m² in comparison to the former building which extended to 2000m². This development increases the amount of functional flood capacity within the wider area reducing the flood risk at neighbouring properties. No other land rising is proposed within the application site which could affect the flood plain and in the event of a flood. The Council's Flood Risk and Coastal Management Officer (FRO) is satisfied that there is suitable access and egress to nearby areas which are out with the flood plain.

The FFLs include a freeboard allowance of 300mm and while SEPA would have preferred an additional freeboard of 300mm (600mm), they have recommended that this is a matter for the Council to determine. The Council's FRO is satisfied that the incorporation of a 300mm freeboard is sufficient. Despite normally resisting the development of sites within the functional flood plain, neither SEPA nor the Council's FPO have advised against granting planning permission on flood risk grounds. This is as a result of the land use being previously established on the site with this proposal reducing the flood risk of the occupants and improving the storage capacity of the flood plain. When compared against the flood risk implications of the Margaret Blackwood accommodation the proposed development is considered to result in a minimised level of flood risk and not conflict with the requirements of Policy IS8. If Members are minded to approve this application, it is recommended that a standard conformity condition is added to ensure the development is completed in accordance with the FFLs prescribed on the submitted plans, planning conditions are added to ensure that no other land rising takes place and access and egress is maintained, and informative notes are attached to direct the developer to the use of flood resilient materials and receive of flood warning from SEPA.

Waste

Policy PMD2 requires that developments provide space for waste storage and that waste collection vehicles can adequately access the site. The development provides two communal bin stores which is normal for a flatted development of this scale.

No response from the Council's waste team has been provided, however the storage units have been designed following consultation with them prior to the submission of this application. Following that consultation the bin stores have the capacity to adequately serve a development of this scale. The appearance of the stores relates to the character of the development. The siting of the stores appears suitable in terms of access for residents and collection by SBC waste and recycling collection vehicles. The waste storage provision proposed within this development is considered to comply with relevant planning policy requirements contained within Policy PMD2 and the Council's SPG on waste management.

Land Contamination

The site was formally railway land. This historic land use is potentially contaminative. Policy IS13 requires that where development may take place on land where contamination is suspected developers must carry out suitable investigation and where necessary agree any remedial or mitigation strategies. As recommended by the Council's Contaminated Land Officer, if Members are minded to approve this application a suspensive condition should be attached to ensure that the site is investigated for contamination and any required mitigation is in place agreed before development commences.

Drainage and Water Supply

Policy IS9 of the LDP covers waste water treatment standards and sustainable urban drainage. Because this is a brownfield site there are already existing site drainage connections in place. The existing network provisions are to be utilised with some modification so that foul and surface water can be disposed of via the existing combined sewer which runs across the north western corner of the site. Water Supply is to be provided via the mains supply where there will also be existing connections at this site.

Ultimately the sewer network and water supply is managed by Scottish Water, this development may increase the loading on this infrastructure. These services did previously cater for a 40 unit development at this site and Scottish Water have not objected to these proposals. Nevertheless appropriately worded planning conditions are recommended to be attached to any approval to ensure that suitable drainage and water supply connections are made with confirmation from Scottish Water that they are satisfied with these provisions to ensure that the development will be adequately serviced and not compromise existing users.

Developer Contributions

Policy IS2 of the LDP is relevant and is supported by SBC's approved SPG on development contributions. A residential development in this location would normally trigger financial developer contributions towards Kingsland Primary School and Peebles High School; contributions towards Halyrude Primary School are not currently being pursued. Because the proposed dwellings represent an affordable housing scheme and it is the intention to control this occupation via a suitably worded planning condition, this development is exempt from developer contributions towards Education.

The number of dwelling units proposed requires a contribution towards Play Space. A financial contribution towards off site place facilities is preferred at a rate of £500 per dwelling unit. The developer has agreed to meet this requirement which can be secured through a legal agreement should Members resolve to support this application. Subject to the conclusion of a legal agreement for space contributions, the proposed development will comply with the requirements of Policy IS2.

School Capacity

Objection comments have identified that the local schools (noted above) may not have the capacity to accommodate the additional pupils generated by this development. Members will be aware that the Council's Estates Service monitor the capacity of all local schools. Based on the projected capacities, Estates have confirmed that this development will not cause any capacity issues at any of the affected schools. This response is available to view on Public Access.

CONCLUSION

The proposal represents a significant development within Peebles. The site is allocated within the LDP as a redevelopment opportunity and the proposed land use and volume of accommodation proposed ensures that this site is being redeveloped in accordance with its allocation. This site is sensitive and the suitability of the scale of the development has been challenging. The revised design which has developed a more traditional form of development has reduced the visual scale and mass of the proposals. It is considered that, on balance, that the revised development enables

this site to be redeveloped in a manner that meets local affordable housing demands in a manner which does not cause significant demonstrable harm to the character and appearance of the surrounding area, including the adjacent conservation area and listed buildings. The proposal is considered consistent with the Local Development Plan 2016 and Supplementary Planning Guidance having accounted for other material considerations.

RECOMMENDATION BY CHIEF PLANNING OFFICER:

I recommend that the application is approved, subject to conclusion of the required legal agreement covering developer contributions towards play space and subject to the undernoted conditions.

1. The proposed residential units hereby approved shall meet the definition of "affordable housing" as set out in the adopted Scottish Borders Consolidated Local Plan 2016 and accompanying supplementary planning guidance and shall only be occupied in accordance with arrangements (to include details of terms of occupation and period of availability) which shall first have been submitted to and approved in writing by the Planning Authority.
Reason: The permission has been granted for affordable housing, and development of the site for unrestricted market housing would attract contributions to infrastructure and services, including local schools.
2. The development hereby approved shall not be carried out otherwise than in complete accordance with the plans and specifications hereby approved by the Planning Authority, unless otherwise agreed in writing by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details
3. Notwithstanding, the details on the approved plans no development shall commence until revised elevations have been submitted to and agreed in writing by the Planning Authority which illustrate a reduction in the number of Juliet balconies on the north facing elevations of both buildings.
Reason: A modified design is required to ensure that the development respects the character and appearance of the surrounding area.
4. No development shall commence until a sample of all materials to be used on all exterior surfaces of the development, including balcony screens hereby approved have been submitted to and approved in writing by the Planning Authority and thereafter no development shall take place otherwise in strict accordance with the approved details.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
5. No development shall commence until a schedule of surfacing materials (including samples where required by the Planning Authority) for all road, parking and pathways has been submitted to and approved on writing by the Planning Authority. The surfacing layout of the road, parking and paths within the site shall accord with the approved site plan 7280/ 0 – PL 02 using the approved schedule of surfacing finishes.
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.

6. The development hereby approved shall be completed in strict accordance with the finished floor levels indicated on Drawing No's 7280/ 0 – pl 03 and 7280/ 0 – pl 04. No other land raising shall take place other than the ground level changes illustrated on the approved plan and suitable access and egress to the and from the buildings shall be maintained at all times as defined in the Flood Risk Assessment.
Reason: To provide adequate mitigation of flood risk at the site and ensure that there is no increase to the risk of flooding at neighbouring properties.
7. No development shall commence until a plan identifying the location of protective fencing in accordance with BS5837:2012 which shall be erected around the trees identified for retention on Drawing No 7280/0 – pl 02. All works specified on the approved site plan shall comply with BS5837:2012. Once erected the fencing shall only be removed when the development has been completed and thereafter the trees shall be retained unless otherwise agreed in writing by the Planning Authority.
Reason: To protect and retain trees and that have public amenity.
8. No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include:
 - i. location of new trees, shrubs, hedges and grassed areas
 - ii. schedule of plants to comprise species, plant sizes and proposed numbers/density
 - iii. programme for completion and subsequent maintenance.
Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.
9. No development shall commence until a Construction Method Statement (CMS) has been submitted to and approved in writing by the Planning Authority. As a minimum this should outline how the site will comply with the British Standard 5228:2009 Code of Practice for noise and vibration control on construction and open sites and should include the hours of construction, vehicle movements, protection and monitoring of private water supplies, noise mitigation, equipment maintenance, dust mitigation and management and a complaints procedure/communication of noisy works to receptors. Thereafter no development shall take place except in strict accordance with the approved Statement.
Reason: To safeguard residential amenities.
10. No development shall commence until a pre-construction condition survey of the public road network from Tweed Bridge to the application site has been carried out and the findings submitted to and approved in writing by the Planning Authority. Once development works commence monthly inspections shall be carried out to identify any damage to the route and a written record of findings shall be made available for inspection at the request of the Planning Authority. Within one month of the completion of the development, a post construction survey of this route shall be undertaken. Any remedial works to this route identified in the post construction survey which are a direct result of this development shall be undertaken by the developer to the satisfaction of the Planning Authority within three months. During construction, any emergency repairs requiring to be undertaken to public road as a result of damage from this construction site must be undertaken to the satisfaction of the Planning Authority by the developer within one week of identification or any subsequently approved timescale.

Reason: To ensure a satisfactory condition of the public roads leading to the site from Tweed Bridge during the construction phase.

11. No development shall commence until a detailed report confirming that the public mains water supply is available to serve the development hereby approved has first been submitted to and approved in writing by the Planning Authority. Prior to the occupation of the first dwellinghouse(s), written confirmation shall be provided for the approval of the Planning Authority that the development has been connected to the public mains water supply.

Reason: To ensure that the Development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties

12. No development shall commence until written confirmation has been provided from Scottish Water that the public drainage system can accept both foul and surface water drainage from the development hereby approved or that works will be undertaken to ensure that the existing drainage infrastructure will have the capacity to serve this development before the first dwelling unit is occupied. Thereafter prior to the occupation of the first dwellinghouse(s), written confirmation shall be proved for the approval of the Planning Authority that the development has been connected to the public drainage network.

Reason: To ensure that site drainage is adequately handled without impinging on existing users.

13. No development shall commence until the following Ecological Mitigation Measures has been submitted to and approved in writing by the Planning Authority and thereafter, no development shall take place except in strict accordance with those details. The submitted details shall include:

- a) Species Protection Plan (including measures for breeding birds and otters)
- b) A Lighting Plan

Reason: To ensure that species and habitats affected by the development are afforded suitable protection for the construction and operation of the development.

14. No development shall commence until a Construction Environment Management Plan (CEMP) which mitigates the impact of the development on the River Tweed SAC and SSSI has been submitted to and approved in writing by the Planning Authority. The CEMP shall include

- a) Risk assessment of potentially damaging construction activities
- b) Method Statements to avoid or reduce impacts during construction, to include the location and timing of sensitive works to avoid harm to biodiversity features, the times during construction when specialist ecologists need to be present on site to oversee works, include the use of protective fences, exclusion barriers and warning signs.
- c) A Drainage Management Plan
- d) A Site Waste Management Plan

The approved CEMP shall be implemented throughout the construction period and operational phase as appropriate, strictly in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure that all construction operations are carried out in a manner that minimises their impact on the River Tweed SAC and SSSI environment, and that the mitigation measures are fully implemented.

15. All windows on the west facing elevation shown on the Drawing No 7280/0 – pl03 hereby approved (or any subsequent revised elevation drawing as agreed in writing by the planning authority) shall be glazed with obscure glass and permanently fixed shut, and thereafter so retained unless otherwise agreed in writing by the Planning Authority.

Reason: To safeguard the privacy of the occupiers of the adjoining property

Informatics

1. To assist with mitigating flood risk to the development it is recommended that the applicant adopts the use of water resilient materials and construction methods as appropriate in the development as advised in PAN 69.
2. To ensure that the habitants of the development are appropriately prepared for a flood even it is recommend that they arrange to receive flood warnings from SEPA, the applicant signs up to FLOODLINE at www.sepa.org.uk or by telephone on 0845 988 1188

DRAWING NUMBERS

Reference	Plan Type	Date Received
7280/ 0-LP	Location Plan	17.08.2018
Proposed bin and cycle store	General	17.08.2018
7280/0 –pl 03 rev C	Elevations	27.12.2018
7280/0 –pl 05 rev C	Floor Plan	27.12.2018
7280/0 –pl 10 rev C	Sections	27.12.2018
7280/0 –pl 04 rev C	Elevations	27.12.2018
7280/0 –pl 06 rev C	Floor Plan	27.12.2018
7280/0 –pl 02 rev C	Site Layout	27.12.2018

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning Officer Service Director	

The original version of this report has been signed by the Chief Planning Officer and the signed copy has been retained by the Council.

Author(s)

Name	Designation
Scott Shearer	Peripatetic Planning Officer



18/01086/FUL

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Peebles

