

**SCOTTISH BORDERS COUNCIL
PLANNING AND BUILDING STANDARDS COMMITTEE**

MINUTE of Meeting of the PLANNING
AND BUILDING STANDARDS
COMMITTEE held in Council
Headquarters, Newtown St Boswells TD6
0SA on Monday, 4 February 2019 at 10.00
a.m.

Present:- Councillors T. Miers (Chairman), S. Aitchison, A. Anderson, J. A. Fullarton, S. Hamilton, H. Laing, S. Mountford, C. Ramage, E. Small.
In Attendance:- Lead Planning Officer, Principal Planning Officer, Lead Roads Planning Officer, Chief Legal Officer, Democratic Services Team Leader, Democratic Services Officer (F. Henderson).

1. **MINUTE**
There had been circulated copies of the Minute of the Meetings held on 7 January 2019.

DECISION
APPROVED for signature by the Chairman.

2. **APPLICATIONS**
There had been circulated copies of reports by the Service Director Regulatory Services on applications for planning permission requiring consideration by the Committee. With reference to application 18/01377/FUL the Chairman advised that the applicant had asked for the application to be continued and therefore consideration would be postponed until the next meeting of the Committee.
- 2.1 During consideration of planning application 18/01086/FUL the Committee agreed that they wished to visit the site before making a decision. The Chairman adjourned the meeting to allow the site visit to be held. The meeting was adjourned at 12.20 p.m. and re-convened at 4 p.m. to further consider the application.

MEMBER
Councillor Anderson left the meeting and did not return for the consideration of the above application.

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

3. **APPEALS AND REVIEWS**
There had been circulated copies of a briefing note by the Chief Planning Officer on Appeals to the Scottish Ministers and Local Reviews.

DECISION
NOTED that:-

- (a) **Enforcement Appeals had been received in respect of:-**

- (i) the condition of the Land at the Primary School, Roberton, Hawick – 18/00123/LAND;
- (ii) the condition of the Land at the Primary School, Roberton, Hawick – 18/00123/LAND;
- (b) Enforcement decision had been received Scottish Ministers had dismissed an appeal in respect of the Certificate of Lawfulness for an Existing Use: Class 9 Residential at Glenacre, Camptown, Jedburgh – 18/00849/CLEU
- (c) there remained seven appeals outstanding in respect of:-
 - Land North West of Gilston Farm, Heriot
 - Land West of Whitslaid (Barrel Law), Selkirk
 - 22 Craigmyle Park, Peel
 - March Street Mills, March Street, Peebles (17/00063/PPP
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 - Land West of Gallowberry Bank, Blyth Bridge
 - Greenloaning, The Loan, West Linton
- (d) the decision of the Appointed Officer was overturned (Subject to conditions and a Section 75 Legal Agreement)
- (f) the decision of the Appointed Officer had been upheld in respect of the Erection of dwellinghouse and detached garage on Land South East of Tarf House, West Linton – 18/01341/PPP
- (g) there remained no reviews outstanding.
- (h) there remained three Section 36 Public Local Inquiries Outstanding in respect of:-
 - Fallago Rig 1, Longformacus
 - Fallago Rig 2, Longformacus
- (i) there remained three reviews outstanding in respect of:-
 - Land North West of Chapel Cottage, Melrose
 - 10 Townhead Way, Newstead
 - Storage Units, Farknowes, Langshaw Road, Galashiels
- (j) the Section 36 Public Local Inquiry in respect of Birneyknowe Wind farm, Land North, South east and West of Birnieknowe Cottage, Hawick had been sustained.

The meeting concluded at 4.30p.m.

APPENDIX I
APPLICATION FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
18/01417/FUL	Residential development comprising of 69 dwelling units with associated works	Cooperknowe Phase 4 & 5 Cooperknowe Crescent Galashiels

Decision: Refused contrary to Officer recommendation for the following reasons:-

The increase in the number of 2 and a half storey residential blocks would create a development contrary to Local Development Plan Policy PMD2, paragraphs (i) and (k) in that it would lead to over development of the site, would create a development which does not respect the character of the surrounding area and would create a significant adverse impact on the C77 road and surrounding public road network.

VOTE

Councillor Aitchison, seconded by Councillor Anderson, moved that the application be refused on the grounds that the increase in the number of 2 and a half storey residential blocks would create a development contrary to Local Development Plan Policy PMD2, paragraphs (i) and (k) in that it would lead to over development of the site, would create a development which did not respect the character of the surrounding area and would create a significant adverse impact on the C77 road and surrounding public road network.

Councillor Mountford, seconded by Councillor Small moved as an amendment, that the application be approved as per the officer recommendation.

On a show of hands Members voted as follows:-

<i>Motion</i>	<i>-</i>	<i>6 votes</i>
<i>Amendment</i>	<i>-</i>	<i>3 votes</i>

The Motion was accordingly carried.

NOTE:

Councillor Jardine spoke as an objector

Mr J Birnie and Mr K McCarter spoke against the application.

Mr C Stewart, Architect and Mr N Istephan, Eildon Housing spoke in support of the application.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
18/01086/FUL	Erection of 2 blocks of residential flats comprising 40 No units of mixed accommodation with communal bike store, bin stances ad associated parking and landscaping	1 – 39 Tweedbrdige Court Peebles

Decision: Refused contrary to Officer recommendation for the following reason:-

The proposals would be contrary to Local Development Plan Policy PMD2 paragraphs (h), (i) and (k) in that the development would not be designed in sympathy with local Scottish Borders architectural styles, would be of a scale, mass, height and density inappropriate to its surroundings and would not be compatible with or respect the character of the surrounding area and neighbouring built form. The proposals would also be contrary to Local Development Plan Policy EP9 in that the

development would not preserve or enhance the special architectural or historic character and appearance of the nearby Peebles Conservation Area.

VOTE

Councillor Miers, seconded by Councillor Ramage, moved that the application be refused on the grounds that the proposals would be contrary to Local Development Plan Policy PMD2 paragraphs (h), (i) and (k) in that the development would not be designed in sympathy with local Scottish Borders architectural styles, would be of a scale, mass, height and density inappropriate to its surroundings and would not be compatible with or respect the character of the surrounding area and neighbouring built form. The proposals would also be contrary to Local Development Plan Policy EP9 in that the development would not preserve or enhance the special architectural or historic character and appearance of the nearby Peebles Conservation Area.

Councillor Mountford, seconded by Councillor Fullarton moved as an amendment, that the application be approved as per the officer recommendation.

On a show of hands Members voted as follows:-

*Motion - 6 votes
Amendment - 2 votes*

The Motion was accordingly carried.

NOTE

Councillors Haslam and Bell spoke against the application.

Mr L Turnbull, Peebles Community Council, Mr P Ackerman on behalf of Local Residents and Ms E Clyde, Resident spoke against the application

Mr G Yuill, Architect and Mr N Istephan, Eildon Housing Association spoke in support of the application.

Reference

18/01377/FUL

Nature of Development

Erection of Class 6 storage and distribution buildings, associated Class 5 use and erection of ancillary dwellinghouse with associated development and landscaping works

Location

Land North East of
3 The Old Creamery,
Dolphinton

Decision: Deferred, at the request of the Applicant, to the March Committee meeting.