

**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 on
Monday, 3 June 2019 at 10.00 a.m.

Present:- Councillors T. Miers (Chairman), A. Anderson, S. Aitchison, J. A. Fullarton, S. Hamilton, H. Laing, E. Small.
Apologies:- Councillor S. Mountford, C. Ramage.
In Attendance:- Depute Chief Planning, Lead Planning Officer (B. Fotheringham), Principal Planning Officer (C. Miller), Senior Roads Planning Officer, Principal Solicitor (H. MacLeod), Democratic Services Team Leader, Democratic Services Officer (F. Henderson).

1. **MINUTE**

There had been circulated copies of the Minute of the Meeting held on 19 April 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.

DECISION

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

DECLARATION OF INTEREST

Councillor Fullarton declared an interest in application 18/01804/FUL in terms of Section 5 of the Councillors Code of Conduct and left the Chamber during the discussion.

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) Appeals had been received in respect of the following:-

- (i) 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 at 1-39 Tweedbridge Court, Peebles – 18/01086/FUL; and**

- (ii) Residential development comprising of 69 dwelling units with associated works at Coopersknowe, Phase 4 and 5, Coopersknowe Crescent, Galashiels – 18/01417/FUL.
- (b) An Enforcement Notice had been issued in respect of Residential caravan without Planning Permission on Land West Gallowberry Bank, Blyth Bridge – 15/00045/UNDEV.
- (c) The Reporter had dismissed an appeal against non determination in respect of Replacement windows at the Honey House, The Row, Longformacus – 18/01627/LBC.
- (d) The Report dismissed an Appeal against Enforcement in respect of Use of dwellinghouse as a Party House at Greenloaning, The Loan, West Linton – 18/00074/UNUSE
- (e) there remained one appeal outstanding in respect of Land West of Whitslaid (Barrel Law), Selkirk.
- (f) A review request had been received in respect of the Erection of two dwellinghouses at Paddock South of and Incorporating part Garden Ground of 1 Cowdenburn Cottgages, West Linton – 18/01469/PPP

- (e) there remained four reviews outstanding in respect of:-

• Land East of Rose Cottage, Maxwell Street, Innerleithen	• Deans Bar, 3 Orrock Place, Hawick
• Plot 3 Land North East of the Old Church, Lamberton	• Agricultural Barn Mid Softlaw Farm, Kelso

- (f) There remained 2 S36 PLI's previously reported on which decisions were still awaited when this report was prepared on 18th April 2019. This relates to sites at:

• Fallago Rig 1, Longformacus	• Fallago Rig 2, Longformacus
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The meeting concluded at 12.40 p.m.

APPENDIX I
APPLICATION FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
18/01712/PPP	Erection of Two Dwellinghouses	Land East of Leader House, Oxton

Decision: Approved subject to a legal agreement addressing contribution towards the Borders Railway, education and affordable housing and the following conditions:

1. No development shall commence until the details of the layout, siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site have been submitted to and approved in writing by the Planning Authority.
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. No development shall commence until all matters specified in conditions have, where required, been submitted to and approved in writing by the Planning Authority. Thereafter the development shall only take place except in strict accordance with the details so approved.
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
3. A drawing showing existing and proposed ground levels, finished floor levels and sectional drawings of the site and proposed dwellings to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site. Once approved in writing by the Planning Authority the development then to be completed in accordance with the approved drawings.
Reason: To enable the proper effective assimilation of the development into its wider surroundings.
4. 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. Indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;
 - ii. Location of new trees, shrubs, hedges and grassed areas, including replacement of any trees removed;
 - iii. Schedule of plants to comprise species, plant sizes and proposed numbers/density;
 - iv. 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.
5. Details of all proposed means of enclosure around the site and between plots to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site. Once approved in writing by the Planning Authority the development then to be completed in accordance with the approved details.

Reason: To enable the proper effective assimilation of the development into its wider surroundings.

6. Full details of the means of water supply and of foul and surface water drainage are to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site. Once approved in writing by the Planning Authority the development is to be completed in accordance with the approved details and the drainage and water supply to be functioning, as approved, before the dwellinghouses are occupied.

Reason: To ensure that adequate drainage and a sufficient supply of wholesome water is provided and to ensure that there are no unacceptable impacts upon the amenity of any neighbouring properties.

7. Parking and turning for a minimum of two vehicles, excluding any garages, are to be provided within the curtilage of each plot prior to occupation and thereafter to be retained in perpetuity.

Reason: To ensure the development is served by satisfactory off-street parking so as to not have a detrimental impact on the adjacent public road network.

8. No development shall commence until a surface water drainage scheme has been with the first Approval of Matters Specified in Conditions application or detailed application for the site which demonstrates that surface water run-off from the site will be maintained at pre-development levels using sustainable drainage methods during construction of the development and occupancy of the dwellinghouse. The development shall be completed in accordance with the approved details.

Reason: To ensure the development can be adequately serviced and to safeguard the public road and neighbouring properties from potential run-off.

9. A detailed drawing showing the access to each plot, to the specification of the Planning Authority, to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site. The first 5m of any access and the parking and turning areas to be no greater than 1 in 15 with the intervening lengths to be no greater than 1 in 8. Visibility, a minimum of 2.4m x 43m, to be provided where an access meets the public road. The accesses to be completed in accordance with the approved drawing prior to occupation of the dwellinghouse it serves.

Reason: To ensure the development is served by an adequate access of acceptable gradients.

Informatives

1. In respect of Condition 4, and notwithstanding the indicative landscaping shown on the approved site plan, the scheme of soft landscaping shall include a robust planting strip along the west and north boundaries of the application site to ensure the development is properly assimilated into the building group.
2. In respect of condition 9, it should be borne in mind that only contractors first approved by the Council may work within the public road boundary.
3. In respect of Conditions 1 and 3 the applicant should pay particular attention to the plot layout, the siting, design (including position of windows), orientation and height of the proposed dwellings to ensure that the residential amenity of existing dwellings is not unduly compromised by loss of privacy or overlooking.

NOTE:

Mr Tim Ferguson spoke in support of the application on behalf of the Applicant.

Reference

18/01804/FUL

Nature of Development

Erection of 50 No dwellinghouses with
Associated infrastructure

Location

Land South West and
South of Ayton Primary
School, Beanburn, Ayton

Decision: Continued to the next available Planning & Building Standards Committee meeting to allow Officers an opportunity to investigate with the applicant an improved means of access to the site.

NOTE:

Brian Hawksfield, Resident and Isobel Kellie and Sarah Woodbury on behalf of Ayton Community Council spoke against the application.