

**SCOTTISH BORDERS COUNCIL**

**PLANNING AND BUILDING STANDARDS COMMITTEE**

**7 OCTOBER 2019**

**APPLICATION FOR PLANNING PERMISSION**

<b>ITEM:</b>	<b>REFERENCE NUMBER:</b> 19/00074/FUL
<b>OFFICER:</b>	Carlos Clarke
<b>WARD:</b>	Selkirkshire
<b>PROPOSAL:</b>	Erection of 13 No dwellinghouses with associated infrastructure and landscaping
<b>SITE:</b>	Land South East Of Tennis Club, Hillside Terrace, Selkirk
<b>APPLICANT:</b>	Rural Renaissance
<b>AGENT:</b>	Rapleys LLP

**SITE DESCRIPTION**

The site comprises a sloping field, currently used for horse grazing, sited towards the south-easterly part of the town. It fronts Hillside Terrace to the south-west, which forms part of the A7 trunk road, the other side of which are detached houses. The site flanks a tennis club to the north-west, fields to the south-east and part of the north-eastern boundary, and the gardens of two houses on the remainder of the north-eastern boundary. Walling marks the A7 boundary, with hedging and trees being located along the remaining boundaries.

**PROPOSED DEVELOPMENT**

This application seeks full Planning Permission for thirteen detached houses, to be accessed off a new access from the A7 (Hillside Terrace). The access would include widening of the A7 itself into the site, and a pedestrian access onto the A7 further to the north-west. There are six house types proposed, including single-storey, 1 ¾ and 1-and-2 storey split-level houses. The proposals have been amended during the processing of the application, with two rounds of public consultation carried out. The most recent iteration comprises changes that did not require further public consultation.

**PLANNING HISTORY**

No relevant planning history

**REPRESENTATION SUMMARY**

The application has been subject to two rounds of consultation because the plans were materially amended during its processing. In response to the original application, seven representations were received. In response to the amended proposals, two representations were received. All the representations can be viewed in full on *Public Access*. The key matters raised include:

- The access is proposed at a very dangerous corner. This is a trunk road and at times very busy. This would introduce an unnecessary hazard onto an already dangerous stretch of road, and the application does not illustrate how an access might safely avoid disruption to pedestrian access. The carriageway is narrow, and there is a concern

that sight lines are not good enough. If agreed, traffic calming measures and speed restrictions should be put in place. A mini-roundabout is also suggested

- To increase traffic would be madness when there are no plans in the pipeline to build a bypass. This proposal is premature as it requires access onto the trunk road when, for some time, it has been understood that no further access should be created until a bypass was in place or committed. No consent should be granted until a bypass is confirmed and established
- More affordable units are preferred, and perhaps it should be mostly, if not all, bungalows
- Sewerage backed up through drains previously. It is understood that pipes were nearly at capacity so these new units would add to the flow
- Query the suitability of the site for construction, as a great deal of rock base was found in a survey
- More information is required regarding the SUDS as to how deep, who would be responsible, and where it would overflow

One representation also contends that the proposal looks very tasteful and a similar density to adjacent development.

## **APPLICANT'S SUPPORTING INFORMATION**

Supporting information includes:

- Supporting planning statement
- Arboricultural Impact Assessment and Tree Constraints Plan
- Arboricultural Method Statement and Tree Protection Plan
- Tree Survey
- Ecological Baseline Report
- Great Crested Newt Survey and Endoscopic Bat Roost Survey Report
- Drainage Strategy
- Technical note (on access and traffic)

## **DEVELOPMENT PLAN POLICIES:**

### **Local Development Plan 2016**

PMD2 Quality Standards  
PMD3 Land Use Allocations  
IS2 Developer Contributions  
IS3 Developer Contributions Related to the Borders Railway  
IS6 Road Adoption Standards  
IS7 Parking Provision and Standards  
IS9 Waste Water Treatment Standards and Sustainable Urban Drainage  
EP1 International Nature Conservation Sites and Protected Species  
EP2 National Nature Conservation Sites and Protected Species  
EP3 Local Biodiversity  
EP5 Special Landscape Areas  
EP8 Archaeology  
EP13 Trees, Woodlands and Hedgerows  
HD1 Affordable and Special Needs Housing  
HD3 Protection of Residential Amenity

## **OTHER PLANNING CONSIDERATIONS:**

SPG Affordable Housing 2015  
SPG Development Contributions 2011 (updated 2019)  
SPG Landscape and Development 2008  
SPG Green Space 2009  
SPG Placemaking and Design 2010  
SPG Guidance on Householder Development 2006  
SPG Waste Management 2015  
SPG Designing out Crime in the Scottish Borders 2007  
SPG Trees and Development 2008  
SPG Local Landscape Designations 2012  
PAN 44 Fitting New Housing into the Landscape 2005  
Designing Streets 2010

## **CONSULTATION RESPONSES:**

### Scottish Borders Council Consultees

**Ecology Officer:** In response to the original submission, requested an up-to-date survey report and, following its submission, advised that further survey and assessment was required. In response to further survey information that was subsequently submitted, advises that he is satisfied with the ecological assessment carried out. As regards bats, no evidence of past or present use by bats was found in trees. The adjacent clubhouse building was also surveyed and no evidence found. Pre-construction surveys are proposed. These can be included in a Species Protection Plan. A survey for Great Crested Newt of Pot Loch was carried out. The results were negative. On a precautionary basis, mitigation measures should be included in a SPP. Recommends planning conditions requiring a Species Protection Plan; Landscape Habitat Management Plan; and, a lighting scheme for bats.

**Roads Planning Service:** The RPS note that this is an allocated housing site, therefore the principle of housing on this site has already been established. As such their comments relate to the proposed internal layout of the site. A new access is to be formed in the southern corner of the site. As this section of the A7 is a trunk road, it is the remit of Transport Scotland to deal with the design and suitability of the proposed access. The RPS raised significant concerns with the original proposal, principally because it was not deemed compliant with design policy, such as Designing Streets, being over engineered with standard road widths and footways. The RPS objected to the original scheme as a result and, in response to the revised proposals, considered that the revisions did little to address those concerns. The minimal changes did not satisfactorily address the significant concerns that the RPS had initially raised. The drawings also appeared to show excessive gradients, as well as significant retaining structures on site.

However, in their most recent comments, they advise that the layout is now generally acceptable and a significant improvement on the original design. Gradients for the road are also generally acceptable, and the Roads Construction Consent process will cover the precise engineering detail. In terms of any adjustments which could be made to the vertical alignment to reduce the levels on site, the initial section of road which passes the gable end of Plot 1 to the shared surface area in front of Plot 13 could be steepened to 8% (1 in 12.5) with appropriate transitions and this may be worth exploring. They also note that a service strip is required, requiring a setback of 800mm for boundary treatments to allow lighting columns to be erected in the verge. There are a couple of minor tweaks to visitor parking required, though their spread locations are supported. A berm on the roadside where it slopes away from the kerb is required in a 1 in 2 slope, of between 0.5m and 1m. Should any retaining structures be required, they will need Technical Approval. The swept path analysis is satisfactory.

**Landscape Architect:** Objected to the original application submission, noting there was no tree survey, and raised concerns that included the dominance of the road layout and over engineered design. The sections also appeared to show significant level changes, whereas working with existing levels would be beneficial. Contended that houses onto the A7 must create a positive relationship with the road. The subsequent revision showed the development did not impinge upon trees to the north-east, but there would be impacts on the hedgerow to the south east. The layout was considered to still be over dominant, with this and the proposed changes in levels continuing to be the greatest concerns. Concerns were also expressed that the SUDs and pumping station were very angular and located on made up ground, and that the A7 elevations didn't present a true reflection of the streetscape onto Hillside Terrace. The layout was ultimately considered to be unacceptable on this very prominent edge of the town, on the edge of the Special Landscape Area.

In response to a draft version of the current revision however (which has since been modified to address the remaining concerns regarding tree and hedge impacts – see assessment section in this report), the Landscape Architect advises that levels should not be increased any more than 150mm maximum within any part of the root protection area of retained trees or hedges (applying a 2m buffer to the latter). The landscaping plan requires more detail, though she is satisfied that a 5m belt along the boundary with Hillside Terrace will provide a robust screen outside of garden fences. Into the interior of the site, a mixture of hedges and low level planting to every property frontage is desirable, with a minimum of one tree per plot to add vertical elements to the planting scheme. The detailed scheme should be developed and submitted as a condition of consent.

**Education and Lifelong Learning:** No contributions are sought for schools

**Housing Strategy:** Notes the numbers will not require on-site affordable housing and expects, therefore, that developer contributions will be sought to meet affordable housing policy requirements

**Waste Services:** Commented on the original submission to advise there they do not foresee problems as long as the hammerhead is kept clear for turning

**Archaeology Officer:** While there are no known archaeological sites within the development area there is a potential. The nearby Pot Loch likely attracted human attention from an early period through to the post-medieval. A number of activities will have taken place around this feature, possibly including settlement. The potential in the fields around the loch is low to moderate and requires investigation. Recommends an evaluation before development commences, requiring archaeological trial excavation trenches over 10% of the site boundary. If evidence is found, this will require further investigation. If it is determined that significant archaeological features are present then mitigation including excavation may be required. All works will be subject to a Written Scheme of Investigation. Further assessment may require addenda to this WSI and/or subsequent a Post-Excavation Research Design in the event that archaeological remains are recovered.

#### Statutory Consultees

**Transport Scotland:** Recommends conditions requiring 1) detailed drawings of the trunk road alterations and access 2) temporary traffic management measures for the road re-alignment works 3) access to be constructed generally as shown on the drawing (this references the original submission) 4) the gradient does not exceed 1 in 40 for the first 10 metres and the first 10 metres is surfaced in a bituminous surface and measures adopted to ensure all drainage does not discharge to the trunk road 5) visibility splays of 4.5 metres by 70 metres in each direction

**Selkirk Community Council:** Raise the following points in response to the original application submission:

Access

- This proposal is considered premature as it requires a new access to be formed from the existing A7 Trunk road. For many years it has been generally understood (by the community and current SBC Councillors) that no further access off the A7 (particularly the section through Selkirk) should be created until a by-pass was in place or committed.
- The local community is most unhappy with this application proposal as motorists frequently speed up and down this stretch of road and the proposed access is on a bend which limits visibility for emerging traffic from existing houses/ driveways. Already there have been calls from residents for help in reducing traffic speeds and protecting their safety – all to no avail and traffic calming has not been allowed.
- However, it is noted with some surprise that as part of the consultation process, Transport Scotland has given consent (dated 31 January 2019) provided various conditions are attached to any permission that SBC may give. Hence the question raised at the A7 Action Group and to the Transport Scotland representatives. It is also noted that this application (plan ref. 7290/0-01) provides scant detail regarding the proposed access and works involved.

A7T:

- The Community Council further notes that the plans accompanying the planning application do NOT give sufficient information as to how a new road access and emerging traffic might safely avoid disruption to pedestrian access.
- There is limited footpath provision at this section of the Trunk road. There is no footpath on the west verge and the existing, well used (east) footpath will be seriously compromised by the creation of any new access road which would require strict sight lines. Consequently, the pedestrian flow will be interrupted and public safety will be further compromised.

Infrastructure/ Services:

- The Community Council also notes reports of rock outcrops lying close to the ground surface. This is likely to compromise the viability of the site, the layout and landscape design and provision of the service infrastructure. CC members are aware that a recent adjacent housing development suffered fundamental problems when an approved layout could not be achieved because of ground conditions.
- It is also reported that the existing services are barely adequate and do not have the capacity for serving additional houses.

Landscape:

- Minor landscape proposals (5 trees) are shown on the site layout (ref. 7290/0-01) but only at the bottom of the site. There is no indication of any other tree or shrub plantings to either frame the site or house plots.
- The Community Council considers it important that the upper west boundary of the site, adjacent to the Trunk road be given appropriate landscape treatment – to provide an element of screening to the houses and also create an appropriate profile along the edge of the main road.

The Community Council did not respond to the consultation regarding the revised application.

**Scottish Water:** No response

## **KEY PLANNING ISSUES:**

Whether or not the proposed development accords with the Local Development Plan 2016 and relevant planning guidance principally in terms of access, safety and traffic generation, services, landscape impact, street design and impacts on neighbouring amenity.

## **ASSESSMENT OF APPLICATION:**

### **Principle**

The site is allocated in the Local Development Plan 2016 for residential development with an indicative site capacity of 24 units. This proposal would be significantly less than the indicative capacity, delivering only 13 units and will, therefore, lead to considerably less impacts on road safety and services. The site allocation in the LDP refers to the need to recognise the sensitivity of the Special Landscape Area; provide an access that meets the requirements of Transport Scotland; mitigate archaeological impacts; retain the boundary wall and safeguard existing trees and hedges where possible. These matters are considered further in this assessment. Objectors' concerns regarding the geology of the site are noted, but they are not a material consideration in this case.

### **Services**

Mains water and drainage services are proposed. A condition can secure evidence that Scottish Water have granted a mains water connection. Foul drainage is to connect to the mains on the A7, but will require to be pumped. The layout incorporates this, though the specifics of the scheme are for Scottish Water, who have not commented on the planning application. The pumping station and outfall are proposed to be adopted by Scottish Water. It is understood that there have been incidents previously in the area regarding drainage. Provided, however, Scottish Water confirm they will adopt the system, this will be sufficient to confirm it will meet technical standards and be properly maintained. A condition can secure this.

In terms of surface water, the layout incorporates a 'suds' area in the same north-westerly corner as the pumping station. It is, however, not a pond area, but a soakaway which, along with soakaways within some plots and other intended measures such as porous paving, the proposal is designed to achieve sustainable disposal of surface water, with the 'suds' area to be maintained by Scottish Water. It is understood the site has suitable porosity for soakaways. More detail is required of the scheme to demonstrate the layout of the development incorporates all its requirements, though its detailed technical specifications are for Scottish Water to consider. Again, a condition should seek confirmation that Scottish Water will adopt the communal elements of the scheme and accept its connection to their network.

### **Archaeology**

No designations are on or nearby the site, though as our Archaeology Officer notes, there is archaeological interest. A condition should secure mitigation.

### **Ecology**

There are no designations on or nearby the site, though there is ecological interest. Reports on bats and great crested newt have been submitted and are acceptable. As recommended by our Ecology Officer, conditions should cover mitigation requirements. The landscape scheme will incorporate habitat enhancement measures as far as is feasible, and this will be considered at the planning condition stage. The lighting scheme will also have to account for

road adoption requirements, in addition to bat mitigation. Again, this will be addressed further via a planning condition.

### **Traffic and road/pedestrian safety**

The site is allocated in the Local Development Plan for 24 houses, with access expected off the A7, provided it meets Transport Scotland's requirements. This proposal is for a much reduced number, so reducing impacts on the A7. The proposal is to form one access onto the A7, with the road realigned into the site. Transport Scotland accept the proposed means of access and road alterations and the most recent revision of the development's layout is designed to meet their access requirements. Conditions can be imposed to secure these specifications, including TS's approval of the details. TS have also confirmed that their proposed condition 3 (which refers to an earlier iteration of the site plan) need not be applied. Ultimately, while concerns from the community regarding the access are noted, there is no justification in not accepting the current proposal, given that it complies with the LDP and is endorsed by the roads authority Transport Scotland. There is even less justification for withholding consent until matters regarding a potential bypass are concluded.

### **Landscape Impact**

Key landscape issues are potential impacts on trees and hedges that border the site, and the topographical changes required to facilitate the development. The site is not within a designated landscape, but its north-easterly and south-easterly boundaries flank a Special Landscape Area.

Regarding trees and hedges, the most recent revisions fundamentally account for potential impacts, with the root protection areas of trees to be safeguarded and buffers applied to hedging, with levels not to be increased by more than 150mm within the safeguarded areas (as recommended by our landscape architect having accounted for the supporting arboricultural information submitted by the applicant). That said, the level information provided does not appear to be entirely consistent with the intended tree and hedge protection, but a condition can address this.

The site slopes down from the A7 and, on the face of it, appears a comfortable fit for housing development. However, due to the road access gradient requirements and tie-ins with parking gradients, the levels require to be significantly changed. The original proposals incorporated significant retaining walls and level changes that appeared to be excessive. The proposed house types also did not respond sympathetically to the levels. In response, the proposals have been revised such that no retaining walls along the road are required, albeit there will be steep slopes along its initial section. There are no other retaining walls to support the landscape changes, except between houses. The plans suggest these will not exceed 1m, and that is agreeable. That said, the sectional drawings do not appear to be entirely consistent with the levels plan, and more information is required of the levels in any case. Albeit they provide sufficient indication of level changes, this matter requires to be more firmly concluded with further level information supported by accurate sectional drawings, including further sections. Also, though the Roads Planning Service is content with the road levels from a road safety perspective, they suggest there is scope to explore reducing them along the section passing Plot 1, and this can be considered further as part of a planning condition. The principal objectives of the condition will be to ensure the levels are enforceable, involve the minimum change necessary, and they minimise the need for retaining walls, achieve comfortable gradients where the site meets adjoining boundaries, and minimise the underbuilding required for some house types.

House types have also been adjusted to incorporate split-levelled houses on the north-easterly section, thus reducing the need for upfilling of ground. Existing trees, new planting and

distance from view will mitigate the regular arrangement of large rear elevations between plots 9 and 13 which might, otherwise, have been unacceptable. The height of plot 8 above the boundary hedging to the north-west was a concern, along with the raised levels for the SUDs area, though the most recent iteration reduces this house's floor level. The house level would ideally be lower, but additional planting to its rear and around the SUDs area should provide sufficient mitigation.

Ultimately, this development will lead to significant changes to the topography of this site. However, these appear to be necessary in order to provide suitable road infrastructure to a site allocated for a significantly greater number of houses. Subject to conditions covering final levels and landscaping, the proposals are acceptable, on balance. The integrity of the adjacent SLA should, ultimately, not be seriously impacted.

### **Street layout**

The original proposals raised concerns regarding the overall street design, since the layout appeared over-engineered, with a focus on providing easy vehicular access, over and above achieving a street design with a recognisable sense of place. However, during the processing of the application, the design has been improved, with key changes including removal of a sweeping curve to the road to be replaced by a more irregular alignment. Footpaths were removed, in order to achieve a shared surface, and visitor parking has been incorporated more discretely, including in a central square which will also serve as a traffic calming measure. A much less regular turning head has also been incorporated. The street now incorporates coloured tar and block paving sections. Overall, the street design is much more 'Designing Streets' - led, and is acceptable both from a design perspective, and a road safety perspective. It is also supported by a swept path analysis and a basic landscaping scheme that should prove complementary with some additional/revised measures used, that can be covered by a condition. The applicants advise that communal planting areas are to be factored where these are not adopted by the Council as roads authority, or Scottish Water.

The Roads Planning Service are generally content with the road layout and the gradients for both it and parking. The precise levels may need slightly refined during the Road Construction Consent process. However, as noted above, there is the potential to explore dropping the road level along the initial section (not including the entrance area, which has to meet Transport Scotland requirements). As noted, this can be covered by a condition. The route of hedging will also need tweaked to provide room for street lighting, though that can be covered in a condition, as can the details and specifications of visitor parking and other surfacing materials. A berm will be required where the road flanks steep slopes, but no retaining walls are now proposed, and this requirement should not seriously change the topography along the roadside. Ultimately, the road specification will need to be to adoptable standards, though the layout as currently proposed is endorsed by the RPS, and the proposal incorporates the requisite number of parking spaces (the parking for plot 9 appears to be incorrectly orientated, though that can easily be corrected).

A pedestrian linkage to the A7 is incorporated. Though this would preferably not have had steps, in order to maximise accessibility for all, it has not been possible due to the level changes. Level access is, however, available a short distance further on, via the main junction into the shared surfaced street.

### **Townscape**

The development backs onto the A7, whereas a street frontage would have been preferred. However, to achieve a frontage to the A7 would have required the houses back onto the road

within the development itself. The proposal now incorporates a 5m planted buffer between the A7 and the rear and side gardens. This allows for the back gardens to be screened, while also allowing for a suitable frontage into the development itself. All houses backing onto the A7 are single-storey, with the remainder largely comprising split level houses that include single-storey frontages. The existing stone wall will be removed to allow for the access, but is to be rebuilt along the new line. The overall arrangement is not at odds with the character of the surrounding area, since other houses back onto the A7 nearby, and it means that high boundary fencing is screened. It is, therefore, considered the most suitable arrangement. A slight change to boundary fencing is required alongside Plot 6 to ensure it sits behind the roadside planting, and some other minor areas, though a condition can secure this.

The 'SUDS' area would have been preferred as an integral component of the landscape structure, had it been an open pond. However, as it is understood only to represent a soakaway, its discrete positioning is agreeable, and is an improvement on the more exposed site originally proposed.

The house designs and density of the development will lead to it having a suburban character, but this approach is a suitable response to this site, given its location on the edge of the town, and in an area which acts as a transition between traditional and modern houses. The designs have been improved somewhat during the processing of the application. Materials include tiled roofs, rendered walls, and concrete surrounds and artificial stone basecourses. These are all appropriate to the context though the house types incorporate two colours (off-white and cinnamon) and it is considered that a different colour scheme needs to be applied. A condition can cover this and other minor details.

Frontage parking is a fairly obvious element of the layout, though measures to reduce its visual impact on the street scene have been applied, and hedging will help to further reduce its visual impact. Given that the resulting suburban character of the development is understandable for this location, the influence of car parking on the final layout is now considered to be acceptable.

### **Neighbouring amenity**

The pumping station is close to neighbours, but the applicants advise they will not have difficulty in complying with standard noise limits. A condition is recommended to this effect.

During the processing of the application, more information was provided in order for an assessment to be made of impacts on neighbouring properties (not all of it is consistent with our requirements but this has been accounted for in this assessment). The proposals are a suitable response to a site allocated for almost twice as many houses, and impacts on privacy, daylight, sunlight and outlook are not unreasonable in this setting. Additional planting along the north-easterly boundary will help mitigate impacts further, and details of this can be secured by a condition of consent.

### **Waste**

Bin storage is provided for each property (except Plot 9, which appears to be an oversight), all set behind or to the side of the houses. A condition can secure implementation (and details of storage for plot 9). The road layout will accommodate a refuse vehicle according to the supporting swept path analysis.

### **Development Contributions**

A legal agreement will be necessary to secure contributions towards the Waverley Line, affordable housing and play area provision. No schools contributions are sought. There is no requirement to provide affordable housing on site, or to provide particular house types.

## **CONCLUSION**

Following amendments made during the processing of the application, and subject to a legal agreement and compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

## **RECOMMENDATION BY CHIEF PLANNING AND HOUSING OFFICER:**

I recommend the application is approved subject to a legal agreement covering developer contributions and the following conditions:

1. No development shall commence until a) written evidence on behalf of Scottish Water to confirm that mains water and foul drainage systems shall be made available to serve the development and shall include adoption of the pumping station area, and until b) a surface water drainage layout, in addition to means of its future maintenance, have been submitted to and approved in writing by the Planning Authority. The development shall be serviced in accordance with the approved details  
Reason: To ensure the development can be adequately serviced
2. No development shall commence until detailed drawings of the proposed alterations to the trunk road and the access, which shall comply with the requirements of the Design Manual for Road and Bridges in all respects, have been submitted to and been approved in writing by the Planning Authority after consultation with Transport Scotland. The development shall be carried out only in accordance with the approved drawings  
Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished
3. No development shall commence until details of temporary traffic management required for the road re-alignment works have been submitted to and been approved in writing by the Planning Authority after consultation with Transport Scotland. The development shall be carried out only in accordance with the approved traffic management details  
Reason: To minimise interference with the safety and free flow of the traffic on the trunk road
4. No development shall commence until further information on the proposed ground and finished floor levels (revising and augmenting those specified on drawing number 7290 L (2-) 006B and associated sectional drawings) including additional ground levels and sectional drawings, all related to an identified fixed off-site datum, have first been submitted to and approved in writing by the Planning Authority. The information shall provide existing and proposed levels throughout the application site, and shall include a berm alongside the approved road. The development shall be implemented only in accordance with the approved level information  
Reason: To ensure the development has a sympathetic landscape and visual impact and in the interests of road safety
5. No development shall commence until a revised landscape and boundary treatment scheme has first been submitted to and approved in writing by the Planning Authority. The revised landscape and boundary scheme shall include the measures shown on drawing number 7290 L (2-) 004A and also:
  - a) additional planting in each plot and along the roadside banking;
  - b) further planting around the SUDs area and to the rear of Plot 8;
  - c) hedging on the frontage of plot 1 (not shrubbery);
  - d) repositions boundary hedging back 800mm from the road edge;

- e) full details of the numbers and density of planting; implementation timescale; and programme for future maintenance.
- f) a Landscape Habitat Management Plan
- g) a revised layout for 1.8m timber fencing.

The landscaping and boundary treatments shall be implemented and maintained in accordance with the approved revised scheme

Reason: To ensure the development has a sympathetic landscape and visual impact and to protect the ecological interest in accordance with Local Development Plan Policy EP3

6. No development shall commence until the following have been submitted to and approved in writing by the Planning Authority:

- a) A Species Protection Plan for bats, badger, breeding birds and great crested newt. The SPP shall incorporate provision for a pre-development supplementary survey and a mitigation plan
- b) Details of the lighting scheme, demonstrating it has been designed in accordance with good practice for bat mitigation (see informative note)

Development shall commence only in accordance with the approved SPP and lighting scheme

Reason: To protect the ecological interest in accordance with Local Development Plan Policies EP1, EP2 and EP3.

7. No development shall commence until the applicant has secured a Written Scheme of Investigation (WSI) detailing a programme of archaeological works. The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA). The WSI shall be submitted to the Planning Authority no later than 1 month prior to the start of development works and shall be approved in writing by the Planning Authority before the commencement of any development. Thereafter the applicant shall ensure that the programme of archaeological works is fully implemented and that all recording, recovery of archaeological resources within the development site, post-excavation assessment, reporting and dissemination of results are undertaken per the WSI.

Reason: The site is within an area where development may damage or destroy archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

8. No development shall commence until a schedule (including samples where required by the Planning Authority) of the external materials, finishes and colours of all dwellinghouses and retaining walls has first been submitted to and approved in writing by the Planning Authority, notwithstanding references to colours on the approved drawings. The development shall be completed using the approved schedule of materials, finishes and colours.

Reason: The materials and colours require further consideration to ensure they are visually sympathetic to the context

9. The gradient of the access road shall not exceed 1 in 40 for a distance of 10 metres from the nearside edge of the trunk road carriageway, and the first 10 metres shall be surfaced in a bituminous surface and measures shall be adopted to ensure that all drainage from the site does not discharge onto the trunk road.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished

10. Visibility splays shall be provided and maintained on each side of the site access to the specification of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority. These splays are the triangles of ground bounded on 2 sides by the first 4.5 metres of the centreline of the access driveway (the setback dimension) and

the nearside trunk road carriageway measured 70 metres (the y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2.00 metres positioned at the setback dimension to an object height of between 0.26 metres and 1.05 metres anywhere along the y dimension.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished

11. No dwellinghouse shall be occupied until the access and road alignment (including reinstatement of the roadside boundary wall to the same specification as the existing wall), road network, parking areas and paths have been implemented in accordance with the plans approved under this consent, excepting only the detailed positioning of the visitor parking spaces and layout of Plot 9's parking, revised details for which shall be submitted to and approved in writing by the Planning Authority prior to their implementation. The road network, communal paths and visitor parking spaces shall all be constructed in accordance with the Council's adoptable standards. All road, path and parking measures shall use surfacing materials that comply with the approved plans and drawings, detailed specifications (in addition to the means of demarcating visitor parking spaces) for which have been submitted to and approved in writing by the Planning Authority prior to their implementation

Reason: To ensure the development is adequately serviced in the interests of road and pedestrian safety

12. Tree and hedge protection shall be implemented in accordance with drawing number 7290 L(2-)004A subject to the protective fencing being erected to include all trees identified on the plan, and erected in accordance with BS5837:12; and the tree protection fencing being in place prior to and throughout the construction period of the development. Works within the protected area, including the buffer specified for hedging, shall only comprise ground levels being raised up to a maximum of 150mm above existing ground levels and all excavations for fencing being hand-dug.

Reason: To ensure the development has a sympathetic landscape and visual impact

13. Bin stances shall be provided in accordance with the approved site plan prior to occupancy of each dwellinghouse, and plot 9 shall not be occupied until bin stances are provided in accordance with details that have first been submitted to and approved in writing by the Planning Authority

Reason: To ensure visually sympathetic storage of bins

14. Noise levels emitted by any plant and machinery associated with the pumping station should not exceed Noise Rating Curve NR20 between the hours of 2300 - 0700 and NR 30 at all other times when measured within any noise sensitive dwelling (windows can be open for ventilation), unless otherwise agreed in writing with the Planning Authority. The noise should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2

Reason: To minimise adverse effects on neighbouring amenity

#### Information for the applicant

1. A lighting scheme should account for Guidance Note 08/18 Bats and artificial lighting in the UK (2018). Bat Conservation Trust and Institute Of Lighting Professionals

#### DRAWING NUMBERS

Location plan 7290 L(-- ) 001 REV A  
 Existing site plan 7290 L(2-) 007  
 Site plan 7290 L(2-) 001 REV H  
 Site landscaping plan 7290 L(2-) 004 REV A  
 Site plan with proposed levels and contours 7290 L(2-) 006 REV B  
 Site Sections 7290 L(2-) 002 REV F  
 Site Sections 7290 L(2-) 003 REV C  
 Site Sections 7290 L(2-) 009  
 Floor plan and elevations 7290/0-10 REV B  
 Floor plan and elevations 7290/0-12 REV C  
 Floor plan and elevations 7290/0-13 REV C  
 Floor plan and elevations 7290/0-14 REV C  
 Floor plan and elevations 7290/0-15 REV C  
 Floor plan and elevations 7290/0-17

**Approved by**

Name	Designation	Signature
Ian Aikman	Chief Planning and Housing Officer	

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

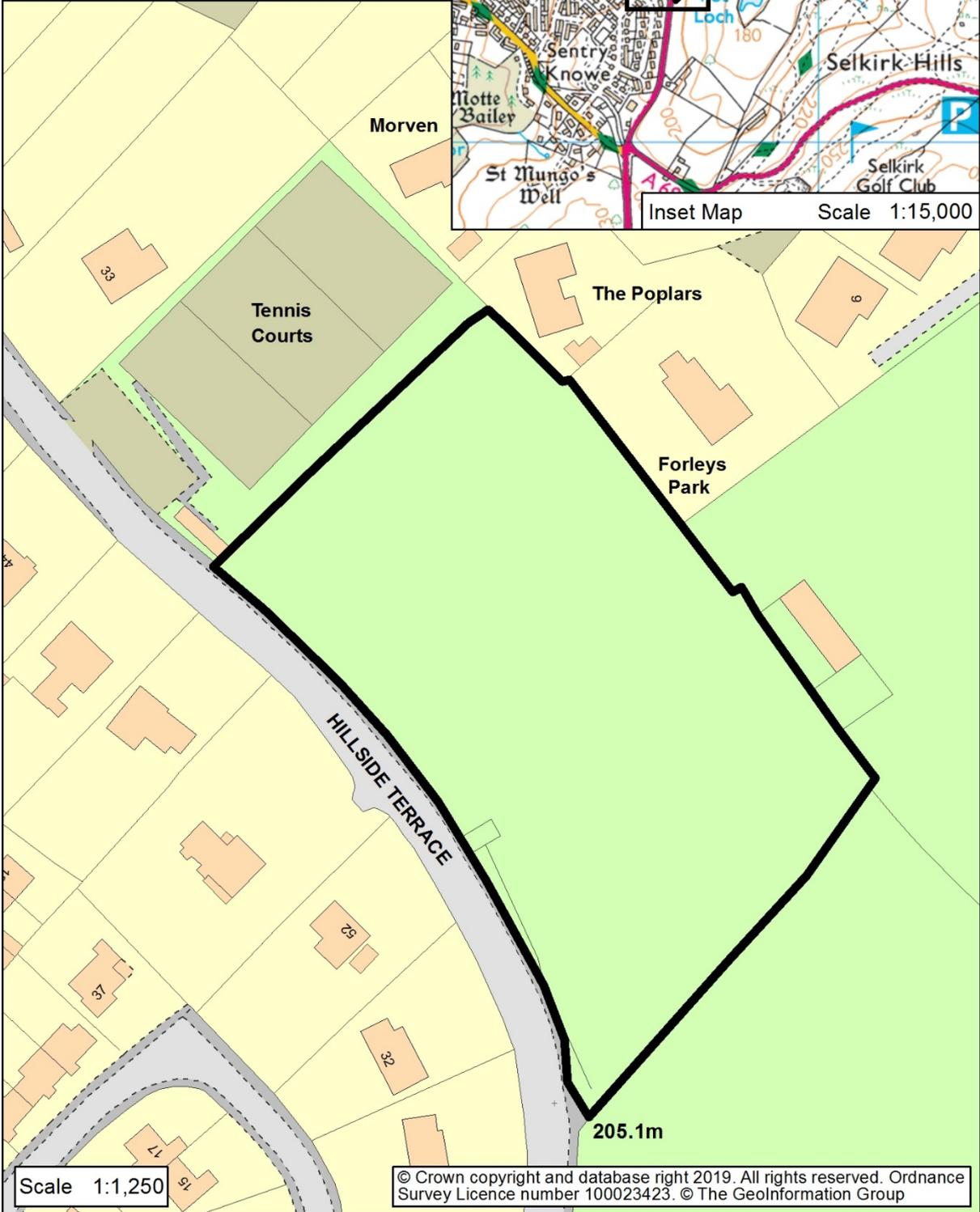
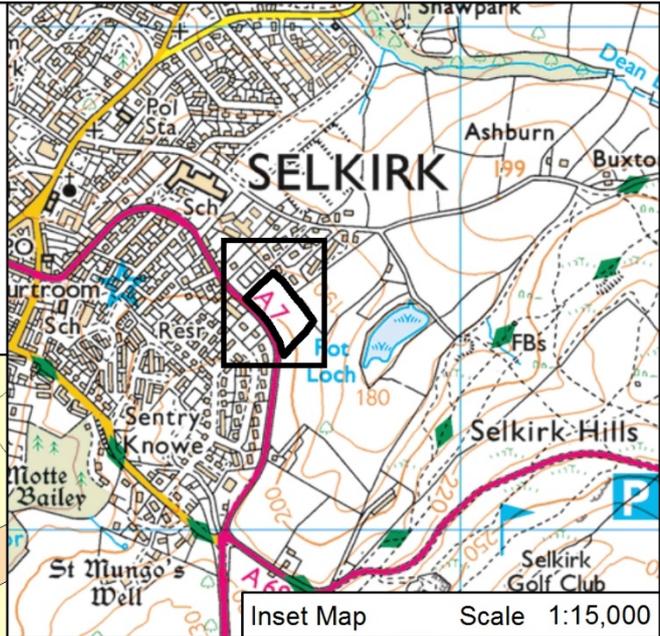
**Author(s)**

Name	Designation
Carlos Clarke	Team Leader Development Management



19/00074/FUL

Land South East Of Tennis Club  
Hillside Terrace



Scale 1:1,250