

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

18 MAY 2020

APPLICATION FOR PLANNING PERMISSION

ITEM: **REFERENCE NUMBER:** 19/01740/FUL

OFFICER: Julie Hayward
WARD: Leaderdale and Melrose
PROPOSAL: Erection of dwellinghouse
SITE: Land West of Hawthornside Cottage Eddy Road Newstead
APPLICANT: JSC Estates
AGENT: Ferguson Planning

PLANNING PROCESSING AGREEMENT:

A Planning Processing Agreement is in place until 26th June 2020.

SITE DESCRIPTION

The site is situated on the corner of Main Street and Eddy Road within the Newstead Conservation Area.

The site is an area of grassed open space that slopes down to the south west. There are a number of trees and shrubs within the site and a section of stone wall adjacent Main Street and on the north eastern boundary with Eddy Road, otherwise there is no other means of enclosure on the road boundary. The site is used as an area of public open space/amenity ground (there are two benches on the northern section).

There are two one-and-a-half storey houses of stone, render and slate to the east that abut Eddy Road (Addie Cottage and Hawthorn Cottage), a field to the north and west separated by a post and wire fence, and a one-and-a-half storey rendered house to the south west (West End Cottage).

PROPOSED DEVELOPMENT

The proposal is to fell two of the trees within the site and to erect a detached dwellinghouse. This would be sited on the northern section of the site. It would be one-and-three quarter storey with four bedrooms. The dwellinghouse would have an L shaped layout and would have pitched roof dormers on the front roof slope and a flat roof dormer to the rear. It would have K Rend white rendered walls, timber cladding, natural slate roof tiles, aluminium and timber composite frames (Gun Metal Grey) for the window and patio door frames and a timber door.

Two on-site parking spaces and a turning area are proposed, accessed from Eddy Road. Part of the existing boundary wall would be removed and part reduced in height. A new retaining wall would be erected on part of the northern boundary and a new wall built along part of the south eastern boundary.

The southern section of the site would remain as public open space separated from the house by a 1.8m high hedge. The trees would be retained and the commemorative benches would be re-sited.

PLANNING HISTORY

17/00981/FUL: Erection of dwellinghouse. Withdrawn 21st September 2017.

18/01060/FUL: Erection of dwellinghouse. Refused 27th November 2018.

REPRESENTATION SUMMARY

Fourteen objections have been received to the application. These can be viewed in full on the Public Access website and the main grounds of objection include the following:

- This section of road is narrow and dangerous due to the blind bend; existing park cars obstruct vision; there is a lack of parking in the village and the proposed dwelling would increase traffic and parking problems resulting in damage to property and greater risk to pedestrians. No new development should be allowed until the parking issue is resolved.
- The proposed new position for the benches is next to parked cars, reducing the enjoyment of walkers who pass through the village.
- There was no pre-application engagement with residents.
- One neighbour did not receive their notification of the application.
- The village green is an area of key greenspace and a focal point in the village, well used and valued by locals, walkers and visitors and it contributes to the Conservation Area. It would be to the detriment of the village if this is lost. This would be contrary to policy EP11 and the advice within the Local Development Plan Settlement Profile for Newstead.
- There would be no social, economic or community benefits of the development or need for the development.
- There has been no building on the site since the Conservation Area was designated and it has been open space for over 50 years.
- The site plan inaccurately shows the amount of open space that would remain. This would be small, dark, damp, scrubby and overshadowed by trees and does not compensate the loss of overall space. The memorial benches will have to be relocated. There is no financial contribution for the design and creation of new open space. The detrimental impacts outweigh the positive aspects to the village and community. The proposed hedge between the open space and private garden is not substantial enough.
- The private garden ground would be presented to the public realm and the proposed hedge would not provide privacy and so a timber fence may be erected, which would be inappropriate.

- An application to lay water pipes through the green was refused due the impact on tree roots.
- The loss of trees, covered by a Tree Preservation Order, would breach planning guidance and reduce the amenity and sense of place at the heart of the village.
- Newstead is a very old settlement and should be preserved. The proposal will have a detrimental impact on the Conservation Area and visual amenities.
- Construction works, traffic and subsidence will affect the foundations of existing properties and any damage should be repaired.
- There is no difference between this application and the one that was refused and the reasons for refusal have not been addressed.
- Archaeological requirements should be met.
- The wall on the southern boundary contains dressed stone.
- The design and scale of the house is out of keeping with surrounding properties. The materials and boundary treatment of the dwellinghouse need further consideration and must be of a high quality and in keeping with the village.
- The proposal is contrary to policy EP6: Countryside Around Towns as the proposal will not enhance the existing landscape due to the tree felling proposed and there is no proven national or strategic need for the development.
- Loss of privacy.
- The removal of trees and shrubs would impact on local wildlife, including bats. Replacement planting is required.

APPLICANTS' SUPPORTING INFORMATION

- Design Statement
- Planning Statement
- Preliminary Ecological Appraisal

DEVELOPMENT PLAN POLICIES:

SES Plan 2013

Policy 1B: The Spatial Strategy: Development Principles

Scottish Borders Council Local Development Plan 2016

PMD1: Sustainability
 PMD2: Quality Standards
 PMD5: Infill development
 HD3: Protection of Residential Amenity
 EP3: Local Biodiversity
 EP4: National Scenic Areas
 EP8: Archaeology
 EP9: Conservation Areas

EP11: Protection of Greenspace
EP13: Trees, Woodland and Hedgerows
IS2: Developer Contributions
IS3: Developer Contributions Related to the Borders Railway
IS7: Parking Provisions and Standards
IS8: Flooding
IS9: Waste Water Treatment Standards and Sustainable Urban Drainage

OTHER PLANNING CONSIDERATIONS:

Placemaking and Design 2010
Householder Development (Privacy and Sunlight) 2006
Trees and Development 2008
Development Contributions 2011 (updated January 2018)

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Roads Planning Service: The main concern is the potential loss of parking which is currently present on Eddy Road. It should be noted that the parking which may be impacted is not a formal parking area; it is simply a section of road which currently has no parking restrictions in place. The applicant however has tried to minimise this loss by providing the access to the property at the northern end of the site.

The increase in width proposed for Eddy Road adjacent to the existing property will improve the flow of traffic along this section. The two parking spaces as shown will result in possible issues with the vehicle having to turn at some point. A more suitable layout would be for the parking to be nose-in to area 4 on Drawing 9169/2.01. This layout would result in easier access and egress manoeuvres for associated vehicles.

Clarification should also be provided as to what is to happen to the existing wall in the vicinity of T1 on plan 9169/2.01. It appears from this drawing that the easterly section of the wall is to be removed.

Should approval be considered for this current application, conditions are required to secure improvements to Eddy Road, to agree works to the existing wall and ensure on-site parking is provided.

Re-consultation: There would appear to be minimal changes to the submission in terms of roads and access. I do note that the extent of “down takings” at the proposed access (note 5) appears to have changed, as have the extents of the existing wall at the southern end of the site (note 11). These changes do not alter my previous comments. The Site Plan still shows parking in a layout which may be difficult in terms of access and egress. However there are two spaces indicated, of an appropriate size, and I believe the applicant will use these spaces in the best and safest manner once the property is occupied. The best layout would be to park nose-in against the building, thus allowing vehicles to reverse and turn up Eddy Road when exiting the site. This manoeuvre will not be achievable for vehicles parked as shown on Drawing 9169/2.01. A revised version of this drawing should be requested showing this alteration to parking and also showing a revision so that the latest version can be clearly referred to in any conditions relating to this plan.

Re-consultation: The revised drawing addresses previous comments. A condition to secure a scheme of details for the improvement works to Eddy Road between the site and Main Street is still required.

Director of Education and Lifelong Learning: This proposed development is within the catchment area for Melrose Primary School and Earlston High School.

A contribution of £2,612 is sought for the Primary School and £3,672 for the High School, making a total contribution of £6,284.

Archaeology Officer: There is the potential that the groundworks for both the house and landscaping will encounter the Post-Medieval features within the plot as shown by the Ordnance Survey first edition. These may be as structural remains of the building and of the previous plot boundary. It is possible that the current landscaping may have removed all traces of the building that is shown in all Ordnance Survey map editions between the 1st (mid-19th century) and 1960s.

The location is of particular potential, given the distance to the highly significant Medieval Melrose Abbey and High Street approximately one mile away. There is the high potential for the surroundings of Melrose to have been marked in some way on this site akin to the high cross.

A number of archaeological worked stones, derived from the monasteries of Old Melrose and Melrose, as well as the Roman fort of Newstead, have been previously recorded in the village and exist, in various locations in the village and museums today. There is the high potential that the proposed application may reveal more, perhaps in connection with such a high cross or previous building.

I remain content that previous consultation responses by Chris Bowles remain valid and that the condition for archaeological work is reiterated.

Heritage and Design Officer: The site is located in the Newstead Conservation Area. The village has a particularly long history, which is reflected in its spatial layout and distinctive architectural forms and details. Of particular note is the importance of the Main Street, and the physical and spatial relationship between adjacent spaces and buildings.

The site once had a building on it, surrounded by green space, as evident on earlier OS Maps. However it is clear from public consultation responses that the green space (which has been in place for many decades) is valued with respect to its contribution to townscape character. A sense of openness at this particular junction is also historically characteristic and the current area contributes to this character in a positive manner.

The principle of some development has been established in detailed responses to previous proposals on the site.

With regards to the publicly accessible green space, it is noted that despite advice given to increase this area, the area has in fact decreased in relation to pre-application discussions without clear justification. In heritage terms, the junction in question has always been a point of spatial 'relief' within the context of a tight back-of-road townscape grain and the existing green space in the southern part of the site has clearly become an aspect of local character. Therefore, in purely heritage terms, while the current scheme does to some degree conserve a sense of openness at this

junction, it would be beneficial to return to the larger area of publicly accessible green area presented at pre-application stage.

With regards to the proposed house, the proposals have responded to the previously stated need to reduce in size to some degree. Architecturally, the building now appropriately address the main street, with dormers and a more formal symmetrical architecture to the south elevation. This could be improved by replacing the three identical bays with a more locally grounded 'a-b-a' arrangement, which could be achieved simply by removing the proposed middle dormer. Secondary elevations are less regular and of a lower hierarchical aesthetic. It is further clear that some precedent has been taken from the surrounding architecture (e.g. dormers to the principal elevation and minimally fenestrated gables to the return elevation). The success of the proposed contextual aesthetic will depend notably on the materials and colours used.

It is noted that a greater degree of the historic boundary wall to Eddy Road is proposed for removal. Boundary features are a notable element of the character of the Conservation Area and it is advised that reasonable justification for the partial removal of this feature is provided.

Overall, there are some concerns regarding the proposed works, and amendments to the proposal in line with the above comments would be encouraged. However the current proposals are not considered to be in direct contravention of heritage legislation and policy and there is therefore no objection to the proposed works, subject to conditions.

Landscape Architect: No response.

Access Officer: No response.

Statutory Consultees

Community Council: No issues with this application. We would however look for assurance that any common ground towards the road will become the responsibility of the owner to maintain and not allowed fall into a state of disrepair at the centre of this historic village.

Scottish Water: No response.

Other Consultees

None

KEY PLANNING ISSUES:

- Whether the proposal is an acceptable form of infill development, in terms of siting, scale, design and materials, that does not harm the character of the Conservation Area or residential amenities;
- Whether safe access can be provided and on-site car parking;
- Impact on trees and loss of open space.

ASSESSMENT OF APPLICATION:

Planning Policy

The site is within the development boundary for Newstead and so the proposal must be assessed against policy PMD5. Within Development Boundaries development on non-allocated, infill or windfall sites will be approved if certain criteria are met. These criteria will be assessed within this report. One criterion is that the proposal should not conflict with the established land use of the area. The site is within the centre of Newstead where the predominant use is residential and so the proposed dwellinghouse on part of the site would be in keeping with this part of Newstead.

The site is not allocated as Key Greenspace within the Local Development Plan. However, policy EP11 states that greenspace within Development Boundaries will be protected from development where this can be justified by reference to the environmental, social or economic value of the greenspace, the role of the greenspace in defining the landscape and townscape structure and identity and its function. The loss of greenspace will only be permitted if it can be demonstrated that the social, economic and community justification for the loss of greenspace or the need for the development outweighs the need to retain the open space. Comparable open space or enhancement of existing open space may be provided by the developer at an alternative location.

It is clear from the representations received that there is local opposition to the loss of part of this area of open space. The land is privately owned, however its lawful use is well established as informal amenity ground. The open space is an attractive area within the centre of the village that contributes significantly to the character and appearance of the Conservation Area and is valued by residents.

The first planning application for this site (17/00981/FUL) was for a much larger house that utilised most of the open space leaving a very small area of public open space that would be overshadowed by trees. The revised application (18/01060/FUL) saw the house reduced in size and positioned on the northern part of the site. The proposal involved the removal of two trees and reduced the green space considerably to provide garden ground for the dwellinghouse. The remaining open space was slightly larger than previously proposed but still overshadowed by trees, so not an attractive sitting area. In visual terms, the effect of the development and the loss of this amenity ground on the character and appearance of the Conservation Area was considered to be too significant.

The agent was requested to reposition the southern boundary of the new plot approximately 3m to the north, to line up with the existing southern boundary wall to Hawthorn Cottage. The revised drawing submitted did not address the concerns regarding the amount and nature of the remaining area of the open space and so the application was refused.

This current application repositioned the boundary of the plot but not as far north as previously requested or as agreed following the submission of a pre-application enquiry in 2019. The plot-to-open space ratio was still not considered to be acceptable.

A revised site plan has now been submitted that has moved the plot boundary northwards to tie in with the southern boundary wall to Hawthorn Cottage, which would provide a larger area of open space outwith the canopy of the trees. This would allow for a more attractive environment for users of the open space that is not totally

overshadowed by the trees, whilst allowing a sufficient area of garden ground for the proposed house.

Siting, Layout and Design

Policy PMD2 requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders townscapes and to integrate with its landscape surroundings. The policy contains a number of standards that would apply to all development. Policy PMD5 requires that the development respects the scale, form, design, materials and density of its surroundings; the individual and cumulative effects of the development should not lead to over-development or town cramming; the proposal should not detract from the character and amenity of the surrounding area.

The Principal Officer (Heritage and Design) commented on the original application and considered that there is some scope for a modest development at the north east corner of the site that retains the general openness of the green space when viewed from the public roads, in particular from the Main Street, although he accepted that this would still lead to the loss of existing trees on the site.

The proposal has been reduced in scale from those previously submitted with applications 17/00981/FUL and 18/01060/FUL. The dwellinghouse would be sited towards the northern end of the site and would be L shaped, one-and-a-three quarter storey with pitched roof dormers to the front, providing symmetry and a vertical emphasis. The north-west elevation to the field would have a more modern appearance, with large areas of glazing. The front building line reflects that of Hawthorn Cottage to the east. The proposed dwellinghouse would have a sufficient amount of garden ground and the development would not constitute overdevelopment.

By reducing the scale of the development, a larger area of usable open space (not overshadowed by trees or compromised by planted areas) can be retained. The more modest sized dwelling would be more in keeping with the character of the area.

The scale and design of the house are now considered appropriate for this site. In terms of materials, the roofing material must be natural slate and high quality materials appropriate to the Conservation Area would be required. A condition would secure appropriate materials.

Boundary treatments include the retention of existing stone walls and the erection of new walls and gates. The exact details would be agreed by condition. A hedge is proposed for the southern boundary of the house plot with the open space. This is shown as being 1.8m in height, which would take some time to establish and grow to this height and it is not clear what boundary treatment is proposed in the meantime. This can be clarified by condition. As the site is within the Conservation Area, Planning Permission would be required for any new or replacement boundary treatments, which would prevent unattractive and inappropriate fencing being erected at a later date.

Impact on the Conservation Area and Visual Amenities

Policy EP4 states that development that may affect the National Scenic Area will only be permitted where the objectives of the designation and overall landscape value of the site and its surroundings will not be compromised and any significant adverse effects on the qualities for which the site or its surrounds have been designated are clearly outweighed by social or economic benefits of national importance.

Policy EP9 states that the Council will support development proposals within or adjacent to Conservation Areas which are located and designed to preserve and enhance the special architectural or historic character and appearance of the Conservation Area, respecting the scale, proportions, alignment, density, materials and boundary treatments of nearby buildings and open spaces.

The historic OS maps show that there was at least one house/cottage on this site until at least 1905. The land has been used as a “de facto” village green for many years with a commemorative bench located there and the Council undertakes routine maintenance. It is considered that the site, including the trees, makes a significant positive contribution to the character of the Conservation Area both in terms of providing a small “village green” in the heart of the village as well as providing views out to the open countryside.

The proposed dwellinghouse has been significantly reduced in scale from the original application and set back further in the site, enabling a larger area of open space to be retained. The trees to remain would provide partial screening when viewed from the west. Whilst it would be desirable and more beneficial to retain this area of open space in its entirety, due to its value to residents and visitors and its contribution to the visual amenities of the village centre and character of the Conservation Area, it is accepted that the impact of the proposal on the character and appearance of the Conservation Area is not significant enough to warrant refusal of the application. Therefore, on balance, the application can be supported.

Impact on Trees

Policy EP13 seeks to protect trees and woodlands from development. The trees within the site are covered by a TPO.

This revised scheme locates the dwellinghouse at the northern end of the site. The layout requires the felling of two trees, a large, spreading cherry located centrally in the northern half of the site and an adjacent tree next to the north-west boundary. The site plan shows the root protection area of the trees to be retained but no tree survey has been provided assessing the condition and value of the trees or the low level planting that frames the open space and provides a buffer to West End Cottage.

The Council’s Landscape Architect has previously advised that if the retained open space could be enlarged to make it more generous and usable, the loss of the large cherry tree and adjacent tree could be sustained. As the site plan has now been revised as requested, there are no objections to this development from the Landscape Architect.

However, it is not clear how the plot could be developed as there is no additional space for the site compound and parking for construction workers on the site. It would not be acceptable to store plant, machinery or materials within the canopy spread of the trees to be retained. Appropriate protective fencing, in accordance with British Standards, would be required to ensure that the trees are not damaged during construction. Conditions would secure details of the construction compound and tree protection measures for the construction period, should the application be approved.

The walk-over Eco Survey found no evidence of breeding birds or bats in the trees but the trees should be felled outwith the bird breeding season and inspected by a qualified specialist, to ensure felling these trees has no implications for bats or breeding birds. The applicant will be advised of this by way of an informative note.

The open space is currently maintained by the Council, though in private ownership. The supporting documentation lacks clarification regarding who would be responsible for maintaining the open space in the future. It may be necessary to secure the future maintenance of the open space by the Council, and any financial contributions, via a legal agreement or condition.

Impact on Residential Amenities

Policy PMD5 states that the development should not result in any significant loss of daylight, sunshine or privacy to adjoining properties as a result of overshadowing or overlooking. Policy HD3 states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted.

The Council's Supplementary Planning Guidance: Guidance on Householder Developments July 2006 contains guidance on privacy, overlooking and access to light that can be applied when considering planning applications for new developments to ensure that proposals do not adversely affect the residential amenities of occupants of neighbouring properties.

The closest residential properties are Addie Cottage and Hawthorn Cottage to the east, which have windows in the gable ends. These are approximately 5m from the site boundary.

Windows are proposed in the side elevation to an en-suite at first floor closest to these properties and to a utility room and stairs, none of which are habitable rooms. A condition will ensure that the en-suite window is obscure glazed so that no direct overlooking occurs.

In terms of impact on light/overshadowing, the agent has submitted drawings that apply the advice within the Supplementary Planning Guidance (25 degree rule) and this indicates that there would be no loss of light to either properties. Shadow analysis has also been submitted, which shows a degree of overshadowing at sunset, but this is not considered to be significant enough to warrant refusal of the proposal.

The development would not harm the residential amenities of West End Cottage to the south west.

Access and Parking

Policy PMD5 requires that adequate access and servicing can be achieved. Policy IS7 requires that car parking should be provided in accordance with the Council's adopted standards.

Parking and turning is proposed within the site, with an access from Eddy Road. The main concern of the Roads Planning Service is the potential loss of parking on Eddy Road, though this not a formal parking area but a section of road which currently has no parking restrictions in place. The agent has tried to minimise this loss by providing the access to the property at the northern end of the site. The increase in width proposed for Eddy Road adjacent to the existing property will improve the flow of traffic along this section.

The Roads Planning Service has expressed concern regarding the position of the on-site parking spaces and access and egress manoeuvres for associated vehicles. The revised site plan has addressed this concern. Conditions will secure parking, details

of surfacing materials, improvements to Eddy Road and the height of walls, should the application be approved.

Archaeology

Policy EP8 states that development proposals which will adversely affect local archaeological assets will only be permitted if it can be demonstrated that the benefits of the proposal outweigh the heritage value of the asset. All proposals that adversely affect such an asset must include an acceptable mitigation strategy.

The Council's Archaeology Officer has outlined the high archaeological potential of the site and recommended an archaeological evaluation. This would be secured by condition.

Water and Drainage

Policy IS9 states that the preferred method of dealing with waste water associated with new development would be a direct connection to the public sewerage system.

The dwellinghouse would connect to the public water supply and drainage system, with a SUDS for surface water drainage. The exact details would be secured via the Building Warrant process.

Developer Contributions

Financial contributions, in compliance with policies IS2 and IS3, are required in respect of education (Melrose Primary School: £2,672 and Earlston High School: £3,757) and the Borders railway (£2,064) (figures updated on 1st April). These would be secured by a legal agreement.

CONCLUSION

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 a legal agreement addressing contributions towards education, the Borders railway, and, if necessary, towards the management and maintenance of the open space, and the following conditions:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
2. No development shall take place within the development site as outlined in red on the approved plan until the developer 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 by the developer no later than 1 month prior to the start of

development works and approved by the Planning Authority before the commencement of any development. Thereafter the developer 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.

3. A sample of all materials/colour finishes to be used on all exterior surfaces of the development hereby permitted (walls, roofs, windows, doors), shall be submitted to and approved in writing by the Planning Authority before the development commences. The development then to be completed in accordance with the approved samples. The pitched roofs to be natural slate.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
4. Details of the boundary treatment of the site to be submitted to and approved in writing by the Planning Authority before the development commences. This to include:
 - i. the position, height, material, appearance/design and colour finish of the all new walls, the retaining wall and existing walls;
 - ii. a sample of the stone for the new stonework wall;
 - iii. the position, height, material, appearance/design and colour finish of any gates;
 - iv. details of the boundary treatment for the south western boundary whilst the 1.8m high hedge establishes and grows to an adequate height.

The development then to be completed in accordance with the approved details and sample.

Reason: To protect the character of the Conservation Area.

5. No development shall take place except in strict accordance with a scheme of soft and hard 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;
 - iii. schedule of plants to comprise species, plant sizes and proposed numbers/density;
 - iv. details of the surfacing materials for the access, parking and turning area;
 - v. layout and scheme of works for the area of open space, including planting, surfacing materials and the reposition of the benches and a programme for its future maintenance and management;
 - vi. a programme for completion and subsequent maintenance of all planting and the works for the open space.

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

6. Only the two trees identified on Drawing 969/2.01 Revision A to be felled shall be removed. The other trees shall be retained and protected during construction

works and the site developed in accordance with a Tree Protection Plan (that incorporates the guidance within paragraph 5.5 of BS 5837:2012: Trees in relation to design, demolition and construction – Recommendations) that has first been submitted to and approved in writing by the Planning Authority before the development commences.

Reason: The existing trees represent an important visual feature which the Planning Authority considers should be substantially maintained.

7. A drawing showing the location of the site compound for storing materials, machinery and equipment, any staff accommodation/facilities and parking for staff and delivery vehicles to be submitted to and approved in writing by the Planning Authority before the development commences. The site compound, staff accommodation and parking then to be provided in accordance with the approved drawing. No fires shall be lit within the spread of the branches of the trees within the site to be retained, no materials, machinery or equipment shall be stored within the spread of the branches of the trees. Any accidental damage to the trees shall be cleared back to undamaged wood and be treated with a preservative, if appropriate. No trenches shall be excavated within the Root Protection Areas of the trees.

Reason: In the interests of preserving the health and vitality of existing trees on the development site, the loss of which would have an adverse effect on the visual amenity of the area and character of the Conservation Area.

8. The finished floor levels of the building hereby approved shall be consistent with those indicated on a scheme of details which shall first have been submitted to and approved in writing by the Planning Authority. Such details shall indicate the existing and proposed levels throughout the application site and shall be measurable from a fixed datum point in a location clearly indicated in the scheme of details so approved.

Reason: To ensure that the proposed development does not have an adverse effect upon the amenity currently enjoyed by adjoining occupiers.

9. The window to en-suite bathroom 01 at first floor level in the south east elevation to be obscure glazed before the dwellinghouse is occupied in accordance with a scheme of details that have been submitted to and approved in writing by the Planning Authority before the development commences. The obscure glazing to remain as approved unless otherwise agreed in writing by the Planning Authority.

Reason: To safeguard residential amenities.

10. No drainage system other than the public mains sewer shall be used to service the dwellinghouse hereby approved without the prior written consent of the Planning Authority. Prior to occupation of the dwellinghouse, written evidence shall be submitted to and approved in writing by the Planning Authority that the dwellinghouse has been connected to the public water drainage network.

Reason: To ensure that the development does not have a detrimental effect on public health.

11. No development shall commence until a report has been submitted to and approved in writing by the Planning Authority that the public mains water supply is available and can be provided for the development. Prior to the occupation of the dwellinghouse, written confirmation shall be submitted to and approved in writing by the Planning Authority that the development has been connected to the public mains water supply. No water supply other than the public mains shall be used to supply the development without the written agreement of the Planning Authority.

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. The two parking spaces to be provided within the curtilage of the dwellinghouse prior to the occupation of the dwellinghouse and then retained thereafter in perpetuity.

Reason: To ensure the development is served by satisfactory on-site parking, in the interests of road safety.

13. The boundary wall along Eddy Road to be no higher than 0.75m.

Reason: To ensure satisfactory visibility is available to drivers of vehicles leaving the site and those on Eddy Road in the interests of road safety.

14. The wall at the southerly end of the site (note 11 on Drawing Number 9169/2.01 Revision A) to be retained and repaired, as necessary. Any works to the wall must be in accordance with a scheme of works that have first been submitted to and approved in writing by the Planning Authority before works commence on-site. Thereafter the works to be completed in accordance with the approved details prior to occupation of the dwellinghouse.

Reason: To ensure satisfactory visibility is provided at the junction with the existing public road.

15. A scheme of details to be provided for improvements to Eddy Road between its junction with the main road and the site access. These details to be submitted to and approved in writing by the Planning Authority prior to works commencing on-site. Thereafter the works to be completed in accordance with the approved details prior to occupation of the dwellinghouse.

Reason: To ensure the development does not have a detrimental impact on the long term condition of the adjacent access road.

16. Any gates erected must be hung so as to open into the site and not out over the adjacent private road.

Reason: To ensure the gates do not cause a danger to users of the adjacent road.

Informatives

In respect of condition 5, the open space is currently maintained by the Council. It may be necessary to secure the future management and maintenance of the open space by the Council, and any financial contributions, via a legal agreement.

In respect of condition 6, if the two trees are to be felled outwith the bird breeding season they should first be inspected by a qualified specialist, to ensure felling these trees has no implications for bats or breeding birds.

In respect of condition 15, it should be borne in mind that only contractors first approved by the Council can carry out work within the public road boundary.

DRAWING NUMBERS

Plan Ref	Plan Type
9169/0/01	Location plan
9169/2.01 Rev A	Proposed Site Plan
9169/2.02	Proposed Ground and First Floor Plans
9169/2.03	Proposed Elevations
9169/2.04	Existing and Proposed Elevations (South East)
9169/2.05	Existing and Proposed Elevations (From Field)

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
Julie Hayward	Team Leader Development Management

