APPENDIX
APPLICATION FOR PLANNING PERMISSION

Reference	Nature of Development	Location
19/01740	Erection of dwellinghouse	land west of Hawthorn Cottage, Eddy Road, Newstead

Decision: 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 that 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, lowered 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.

<u>Informatives</u>

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.

VOTE

Councillor Mountford, seconded by Councillor Small, moved that the application be approved.

Councillor Anderson, seconded by Councillor Laing, moved as an amendment that the application be refused on the grounds that it would result in the loss of valuable open space.

As the meeting was conducted by Microsoft Teams members were unable to vote by the normal show of hands and gave a verbal response as to how they wished to vote the result of which was as follows:-

Motion	*-*	*6 votes*
Amendment	*-*	*3 votes*

The Motion was accordingly carried and the application was approved.