

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

MINUTE of MEETING of the PLANNING AND BUILDING STANDARDS COMMITTEE held in the Council Headquarters, Newtown St. Boswells on 3 August 2015 at 10.00 a.m.

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Present: - Councillors R. Smith (Chairman), J. Brown, J. Campbell, J. Fullarton, I. Gillespie, D. Moffat, S. Mountford, B. White.  
Also Present: Councillor Bell (for para 2)  
Apology:- Councillor M. Ballantyne.  
In Attendance:- Chief Planning Officer, Development Standards Manager, Forward Planning Manager, Roads Planning Officer (J. Frater), Chief Legal Officer, Democratic Services Team Leader, Democratic Services Officer (K. Mason).

**MINUTE**

1. There had been circulated copies of the Minute of the Meeting held on 29 June 2015. With regard to paragraph 2, the Democratic Services Officer advised that the name Karen Niven should be replaced with Karen Ruthven.

**DECISION**

**APPROVED the Minute for signature by the Chairman, subject to the above amendment.**

**DRAFT SUPPLEMENTARY GUIDANCE: GLENTRESS MASTERPLAN**

2. There had been circulated copies of a report by the Service Director Regulatory Services which proposed the approval of Draft Supplementary Guidance: Glentress Masterplan, as detailed in Appendix A to the report, to be used as a basis for public consultation for a period of 12 weeks. The purpose of the Supplementary Guidance (SG) was to guide the future sustainable development of the Glentress forest visitor attraction located in the Tweed valley between Peebles and Innerleithen. The Masterplan presented a strategic context for this part of the valley and set out proposals for development to enhance the visitor experience. The Masterplan included indicative proposals for an enhanced centre, a new site for cabins and parking. The SG had been developed in partnership with Forest Enterprise Scotland (FES). Following consultation, it was intended to bring back a report to Planning and Building Standards committee seeking final agreement. Once the Local Development Plan was adopted the Masterplan would be formal Supplementary Guidance and part of the Local Development Plan. The Forward Planning Manager answered Members' questions. Mr Hugh MacKay from Forest Enterprise Scotland, who was present at the meeting, confirmed that Forest Enterprise Scotland had been fully involved with the stakeholders in relation to the Draft Supplementary Guidance. The Executive Member for Economic Development, who was also present, referred to the enthusiastic and effective co-operation between the Forestry Commission and Scottish Borders Council in meeting the aspirations of the Glentress Masterplan. The Chairman thanked Mr Wanless, Trish Connolly, Planning Officer (Planning Policy and Access) and the team for their excellent work on the Draft Supplementary Guidance.

**DECISION**

**AGREED to:-**

- (a) **approve the Draft Supplementary Guidelines: Glentress Masterplan as a basis for public consultation;**
- (b) **note the Environmental Report as detailed in Appendix B to the report; and**
- (c) **to receive a further report following consultation for formal agreement of the guidance.**

### **APPLICATIONS**

3. There had been circulated copies of reports by the Service Director Regulatory Services on applications for planning permission requiring consideration by the Committee.

### **DECISION**

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

### **APPEALS AND REVIEWS**

4. There had been circulated copies of a report by the Service Director Regulatory Services on Appeals to the Scottish Ministers and Local Reviews.

### **DECISION**

**NOTED that:-**

**(a) there remained two appeals outstanding in respect of:**

- **Land West of Kingledores Farm (Glenkerie), Broughton, Biggar**
- **Land South East of Halmyre Mains Farmhouse (Hag Law), Romanno Bridge**

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

- (i) Wind farm development comprising 7 No wind turbines 11m high to tip with ancillary equipment, access track and association works. Land West of Muircleugh Farmhouse, Lauder;**
- (ii) Erection of dwellinghouse and detached garage on Land West of 3 Nethermains Cottage, Duns – 14/00934/FUL.**

**(c) There remained 3 reviews outstanding:-**

- (i) Land West of Tibbieshiels Inn, St Marys Loch, Selkirk ;**
- (ii) Land West of 3 Nethermains Cottage, Duns;**
- (iii) Land South West of Milldown Farmhouse, Coldingham.**

### **PRIVATE BUSINESS**

#### **6. DECISION**

**AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A to the aforementioned Act.**

### **SUMMARY OF PRIVATE BUSINESS**

#### **Minute**

1. The Planning and Building Standards Committee approved the private section of the Minute of 29 June 2015.

*The meeting concluded at 11.20 a.m.*

## APPENDIX I

### APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
15/00531/FUL	Erection of three dwellinghouses (change of house type to previously approved 11/00983/AMC)	Land South West of Carnethy, Medwyn Road, West Linton

Decision: Approved subject to the attached conditions and subject to re-assignment of Legal Agreement in relation to requirement for developer contributions in respect of education provision.

1. Two parking spaces shall be provided within the curtilage of each dwellinghouse and retained in perpetuity.  
Reason: to ensure that there is adequate off road parking in the interests of road safety.
2. The garage/studios hereby approved shall only be used as ancillary accommodation in connection with the use of the main properties as single private dwelling houses and shall at no time be converted to self-contained units.  
Reason: A separate dwelling would conflict with established planning policy for this area.
3. Before construction commences on the garage on Plot 3, the exact location shall be pegged out on the ground for approval by the planning authority. If it is found that any part of the garage is located within the area allocated for planting/trees on the approved site layout plan for 11/00983/AMC or within the tree protection area required by that permission, an alternative site for the garage will be agreed with the planning authority.  
Reason: to ensure that the development does not have an adverse impact on the existing trees and the proposed landscape planting.
4. The existing trees on the site as depicted on Drawing No 1146/1 shall be retained and protected to BS 5837:2005 during the construction period and thereafter in perpetuity to the satisfaction of the Planning Authority. Details of the phased works for new/replanting on site as per the approved Woodland Management Plan, type of weed control to be used (hand weeding, chemical or mechanical), and a programme for completion and long term management shall be submitted to the Planning Authority prior to development within one month of the date on this consent. The approved planting scheme shall be implemented in the next planting season (Autumn 2015- Spring 2016).  
Reason: To ensure the satisfactory form, layout and assimilation of the development, and to protect existing trees that represent an important visual feature that the Planning Authority considers should be substantially maintained.
5. The proposed post and wire fence to delineate the housing plots and woodland shall be erected within one month of the date on this consent and retained thereafter. Once the protective fence is in place the belt shall become an exclusion zone free from any work or storage of material or plant on the site.  
Reason: To protect the existing woodland strip which acts as a screening buffer to ensure the development integrates well into the surrounding landscape.
6. No dwelling shall be occupied until the vehicular access to the site, the visitor parking areas and the vehicular turning area shown on the approved drawings have been completed.  
Reason: In the interests of road safety.
7. The proposed soakaways shall be located in the positions as previously agree under planning consent 11/00983/AMC unless alternative locations are agreed in writing with the planning authority prior to the soakaways being installed.  
Reason: To protect the existing trees on site and safeguard the visual amenity of the area.

8. A sample of all materials to be used on all exterior surfaces of the development hereby permitted shall be submitted to and approved in writing by the Planning Authority within one month of the date on this consent.  
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
9. The roofing material on the main dwellinghouses to be natural slate.  
Reason: To safeguard the visual amenity of the area.

**15/00020/S36**

**Wind farm comprising 14 wind turbines  
substation, control room, two temporary  
compounds, access tracks, four borrow  
pits and meteorological mast**

**Land at Whitelaw Brae  
3km south of Tweedsmuir  
and west of Fruid Reservoir.**

Decision: That the Council indicate to Scottish Government that it **objected** to the application for a 14-turbine wind farm on the Whitelaw Brae Site. The reasons for the objections are as follows:

Reason for Objection 1: Impact on Landscape Character:

The proposed development would be contrary to Policies G1, EP2 and D4 of the Scottish Borders Local Plan 2011 and Policy 10 of the South-East Scotland Strategic Development Plan (SESplan) 2013 in that, taking into consideration the following factors, it would unacceptably harm the Borders landscape:

- Significant impacts on the perception, setting and qualities of identified wild land (Area 2 Talla Hart Fell) to the south and east of the site in an area with high fragility to change.
- Significant impacts on the designated Tweedsmuir Uplands Special Landscape Area and contrary to the management recommendations seeking to maintain wildness and limit impacts of tall developments, both in relation to the higher summits/wild land to the south and to the more localised intimate landscapes centred around the reservoirs to the east and north-east

Reason for Objection 2: Adverse Visual and Amenity Impacts:

The proposed development would be contrary to Policies G1, D4, BE2 and H2 of the Scottish Borders Local Plan 2011, Policy EP8 of the Local Development Plan 2013 and Policy 10 of the South-East Scotland Strategic Development Plan (SESplan) 2013 in that, taking into consideration the following factors, the development would give rise to unacceptable visual and amenity effects:

- Low containment within the 5km range and consequent significant visual impacts from sensitive receptors including public roads (such as the main tourist route of the A701 and the Fruid minor road), a right of way, hill summits and dwellinghouses. In respect of the identified residential receptors, the developer has failed to demonstrate that the impacts would not be overbearing and significantly adverse.
- Significant cumulative and scale impacts on sensitive receptors and on a unique landscape character type and capacity to the east of the A701 corridor, inappropriately extending the existing Clyde/Clyde Extension/Glenkerie cluster into previously undeveloped land, bridging a strong visual boundary between landscape character types and setting precedent for further inappropriate incursion.
- Significant detrimental impacts to two archaeological sites of national significance, Asset HA5 and the Scheduled Hawkshaw Castle.

Advisory Note:

Should the development be considered for approval, then conditions and the need for a Legal Agreement have been identified covering a number of different aspects including noise limits, roads matters, ecology and archaeology.