

**SCOTTISH BORDERS COUNCIL**

**PLANNING AND BUILDING STANDARDS COMMITTEE**

**7 SEPTEMBER 2015**

**APPLICATION FOR PLANNING PERMISSION**

|                   |   |
|-------------------|---|
| <b>ITEM:</b>      | <b>REFERENCE NUMBER:</b> 15/00658/FUL                                     |
| <b>OFFICER:</b>   | Julie Hayward   |
| <b>WARD:</b>      | Hawick and Hermitage  |
| <b>PROPOSAL:</b>  | Erection of seven dwellinghouses  |
| <b>SITE:</b>      | Land South West of the Police Station North Hermitage Street Newcastleton |
| <b>APPLICANT:</b> | Midgee Ltd  |
| <b>AGENT:</b>     | Camerons Ltd  |

**SITE DESCRIPTION**

The site is situated on the north west side of North Hermitage Street within Newcastleton. It is an overgrown paddock and is 3,293 square metres in area. The site is outwith the Conservation Area, though the Conservation Area boundary runs along the south west boundary.

The former police station, a two storey flat roof building, is to the north east, currently divided into two residential units. There is a tree-lined embankment to the rear (north west) which slopes up to the former railway line. To the south west is Holmhead, a large stone villa. The former auction mart and Toll Bar Cottage, a one-and-a-half storey dwellinghouse, are situated on the opposite side of the public road to the south east.

There is a mature hedge on the road boundary and field gates. There is also a mature hedge on the boundary with Holmhead to the south west and a timber fence on the boundary with the former police station to the north east.

**PROPOSED DEVELOPMENT**

The proposal is to erect seven dwellinghouses on the site. These would be terraced, one-and-a-half storey properties that front onto the main road. There would be a terrace of four houses to the north and three to the south of a central vehicular access. The vehicular access from the public road would serve fifteen communal parking spaces to the rear (revised from thirteen). An area for allotments was allocated to the rear of the site.

The dwellinghouses would have three bedrooms. The walls would be render and re-constituted stone, the roof would be slate to the front and grey concrete tiles to the rear and the windows would be timber. The houses would be set back from the public road with gardens to the front.

The site plan shows the Root Protection Areas for the trees within the site. A section of the roadside hedge would be removed to form visibility splays. There would be a

1.2m fence along the rear boundary of the gardens. Hedges would be planted around the front gardens of plots 3 and 4 adjacent to the access at the front of the site.

Negotiations have taken place with the agent and the design of the dwellinghouses has been amended and the allotments have been removed from the proposal and replaced with an area of grass.

## **PLANNING HISTORY**

05/00975/OUT: Erection of two dwellinghouses. Approved 6<sup>th</sup> October 2005. Lapsed.

08/01562/OUT: Erection of two dwellinghouses (extension to previous consent 05/00975/OUT). Approved 5<sup>th</sup> November 2008. Lapsed.

11/01108/PPP: Erection of two dwellinghouses (renewal of previous consent 08/01562/OUT). Approved 7<sup>th</sup> March 2012. Lapsed.

11/01197/FUL: Erection of dwellinghouse with integral garage and swimming pool and detached double garage. Approved 16<sup>th</sup> December 2011. Lapsed.

## **REPRESENTATION SUMMARY**

Eight representations objecting to the proposal have been received and these are available to view on the Public Access System of the Council's website. The main planning issues raised are summarised as follows:

- Previous planning permissions have restricted the number of dwellinghouses on the site to two to ensure a development compatible with the character of the site. The application constitutes an over-development of the site, which will change this from a quiet semi-rural area one to an estate-style one and does not adhere to previous conclusions of the Council.
- The proposal will have a detrimental effect on the privacy of neighbouring properties and result in overlooking.
- The noise of up to thirteen cars starting up, turning and parking and the number of residents, including children, will cause unacceptable noise pollution.
- Loss of light to rear gardens.
- The site is prone to flooding and suffers from poor drainage, with water running off the old railway line. Additional hard standing for car parking will result in the site being susceptible to flash flooding with the water escaping into adjacent gardens and the allotments would not be suitable for cultivation.
- The design and character of the properties are out of keeping with the style and character of existing properties at the north end of North Hermitage Street. The shape and form of the village would be detrimentally affected by the building of a mini estate outwith the central part of the village and would be the first thing seen on entering the village from the north.

- The roofing materials proposed, part tiles, part slate, go against previous planning agreements for this site which stipulated slate only.
- The proposal is for terraced properties when the density should be decreasing away from the village centre.
- The site borders the boundary of the Conservation Area and would adversely affect the integrity of the original planned village. The design, height, size and materials are not sympathetic with the village's Conservation status.
- The houses have not been designed for access by disabled persons.
- There are 13 parking spaces proposed for 14 houses at the rear of the properties, which is not enough, and visitors and deliveries are liable to park on the road causing a hazard to surrounding properties by blocking visibility for vehicles leaving the site, adjacent driveways and to other road users. The road is heavily used by timber lorries.
- The vehicular access is not wide enough and the existing hedge may have to be cut back further, having a much greater visual impact than shown.
- There is no spare capacity in the waste water treatment works to accommodate new development without contributions from developers to upgrade the works.
- Insufficient capacity in the local school.
- Impact on water pressure.
- Over supply of housing in the area, with many houses standing empty due to lack of employment, transport, community facilities and poor infrastructure. There appears to be no market for additional housing.
- Sheltered accommodation for the elderly community would be preferred to small "affordable" homes.
- The land is not allocated for housing in the Local Plan and preferred areas for future expansion is south of the village. The proposal contravenes policy G7 of the Local Plan as it would detract from the character of the conservation village.
- The proposal is contrary to SPP as developments should be sustainable and Council's should not allow "development at any cost".
- Management of the allotments if the householders do not want them. This area may be used for chickens and livestock attracting vermin and resulting in noise and smell nuisance.

#### **APPLICANTS' SUPPORTING INFORMATION**

- Design Statement June 2015.
- Protected Species Walk-over Survey May 2015.

- Root Protection Calculations.
- Drainage Strategy.

## **CONSULTATION RESPONSES:**

### **Scottish Borders Council Consultees**

**Roads Planning Service:** Whilst I have no objections to the principle of this proposal, I do have some concerns regarding the details submitted:

1. The access off the main road should be in the form of a formal junction. This will require 8m entry radii and a minimum throat width of 5m. Dropped kerbs for pedestrians will be required at the junction.
2. The initial 8m of the access must be surfaced using a bituminous construction as specified.
3. My general requirement for communal parking is 175% minimum. In this instance that figure (13) includes a disabled bay and I would request that the disabled parking be provided over and above the general requirement.
4. Visibility splays of 2.4m x 43m must be provided in either direction at the junction with the main road. This will require the relocation of the hedge to outwith these splays.
5. Parking should be provided in association with the allotments.
6. Drainage details are required to ensure appropriate drainage is provided and that the existing public sewer can cater for any additional surface water. Consideration must also be given to the surface water attributed to the existing main road.
7. Improvements may be required to the existing street lighting to ensure it is adequate for the additional pedestrian footfall.

Should the Council be of a mind to support the proposal, I will require drawings taking the above comments into account to be submitted for approval prior to any permission being granted. This is to ensure the access and egress to the site is satisfactory and safe.

Re-consultation:

Having reviewed the revised drawings, I have the following comments to make:

1. I still have some concerns regarding the proposed parking levels. Whilst the level of parking for the dwellings is what I would require for communal parking (13 spaces), it still includes the disabled bay as part of that provision and the layout may result in neighbour disputes given the apparent two spaces per plot.
2. Two spaces for the allotments is minimal, however it would be hoped that anyone using the allotments would walk to the site some of the time and most of the allotment users will not be on site at the same time.
3. Scottish Water has indicated that no surface water should enter the existing combined sewer. I note that an additional gully is proposed to the north east of the proposed access and whilst I welcome its inclusion, confirmation should be obtained from Scottish Water that they are content that the inclusion of this gully does not result in additional surface water entering the system

4. The existing gully on the south western side of the proposed access must be relocated so that it is outwith the running surface of the carriageway. It should be taken to the tangent point between the entry radii and the existing roadside kerb, approximately at level 100.40m.
5. The manhole which is within the junction area should ideally be relocated to ensure it is not affected by vehicles entering the site. If this is not achievable, details must be submitted for our approval to ensure that its construction and grade is suitable for the traffic anticipated.
6. The new bellmouth and footpath shall require Road Construction Consent.
7. The block paving should be brought out to the extent of adoption to highlight to drivers entering the site that the road is shared with pedestrian. Alternatively a footway should be provided between the housing blocks.
8. The existing hedge should be set-back a minimum of 1m to the rear of the visibility splay to allow for future growth of the hedge.

**Director of Education and Lifelong Learning:** The proposed development is located within the catchment area for Newcastleton Primary School and Hawick High School. There are no contributions sought for this application.

**Environmental Health:** Recommend an informative relating to noise during construction works.

**Development Negotiator:** I can provisionally advise that this application would appear to generate the following Development Contribution requirement: Affordable Housing Commuted Sum (Southern Housing Market Area) £6,000 x (7- 1) @ 25% = £9,000.

**Archaeology Officer:** There are no known implications for this proposal.

**Ecology Officer:** I am satisfied with the findings of the ecology walkover survey (Stone's Wildlife Management May 2015). The site consists of an improved field, regularly mown. The site is bounded by a mature hedge containing hawthorn, beech and snowberry. Several active nests were recorded in the hedge (blackbird, song thrush, chaffinch and robin). No signs of badger activity were recorded in the site, although badger activity is known to be widespread in the area.

Mitigation for badger and breeding birds is proposed in the report including buffer strips around the hedgerows and measures to protect badgers on site (covering pipes and providing access out of trenches etc.). Prior to the commencement of works a Species Mitigation and Management Plan (including a Badger Protection Plan and measures for breeding birds) should be submitted for the approval of the Planning Authority.

**Landscape Architect:** Response awaited.

**Housing Section:** Response awaited.

#### **Statutory Consultees**

**Newcastleton Community Council:** Concerns regarding the water supply and drainage. The design and layout are unimaginative. There is no demand for this number of houses and they will sit empty.

#### **Other Consultees**

None

**DEVELOPMENT PLAN POLICIES:**

**SES Plan Strategic Development Plan 2013**

Policy 1B: The Spatial Strategy: Development Principles

**Consolidated Scottish Borders Local Plan 2011**

Policy G1: Quality Standards for New Development

Policy G5: Developer Contributions

Policy G7: Infill Development

Policy BE4: Conservation Areas

Policy NE3: Local Biodiversity

Policy NE4: Trees, Woodlands and Hedgerows

Policy H2: Protection of Residential Amenity

Policy Inf4: Parking Provisions and Standards

Policy Inf5: Waste Water Treatment Standards

Policy Inf6: Sustainable Urban Drainage

**Proposed Local Development Plan 2013**

Policy PMD2: Quality Standards

Policy PMD5: Infill Development

Policy HD3: Protection of Residential Amenity

Policy EP3: Local Biodiversity

Policy EP9: Conservation Areas

EP13: Trees, Woodlands and Hedgerows

Policy IS2: Developer Contributions

Policy IS7: Parking Provision and Standards

Policy IS9: Waste Water Treatment Standards and Sustainable Urban Drainage

**OTHER PLANNING CONSIDERATIONS:**

Scottish Planning Policy June 2014

Supplementary Planning Guidance:

Affordable Housing January 2015

Placemaking and Design January 2010

Trees and Development March 2008

Biodiversity December 2005

Developer Contributions April 2015

Guidance on Householder Developments (Privacy and Sunlight Guide) July 2006

**KEY PLANNING ISSUES:**

- Whether the density, scale, layout, design and materials are appropriate for this part of Newcastleton.
- Whether the proposal would be harmful to residential amenities.

- Whether adequate access, parking, drainage and water supply can be achieved.

## **ASSESSMENT OF APPLICATION:**

### **Planning Policy**

The site is within the development boundary for Newcastleton and so must be assessed against policy G7 of the Scottish Borders Consolidated Local Plan Adopted 2011.

Policy G7 states that 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. In this case, the surrounding area is residential in character and so the proposed residential development of the site would be in keeping with this part of Newcastleton.

The concerns expressed in the representations received in respect of this application regarding the need for this number of new houses within Newcastleton is not a planning matter that can be taken into account in the assessment of this application. The demand for the proposed houses would be dictated by market forces.

### **Layout and Design**

Policy G1 of the Local Plan 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 G7 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 proposal is to erect seven terraced dwellinghouses on the site, grouped in a row of three on the south western part of the site and four on the north west side. The houses would front onto the road with a similar building line to the former police station and Holmhead, allowing for front gardens. There are other terraced properties in this part of Newcastleton, beyond Holmhead to the south west and beyond Northfield on the opposite side of North Hermitage Street to the south.

The density of the site would be low, taking into account the number of houses proposed and the size of the site. Although previous planning permissions for this site have included conditions limiting the number of dwellinghouses permitted within the site to two, each application must be assessed on its own merits and the site can adequately accommodate seven houses, parking, turning and garden ground.

Access would be from the public road via a central access between the two rows of houses. There would be a communal parking area to the rear, with the houses screening the parking area from public view. The initial proposal was for an area of allotments to the rear of the car parking area but concern was expressed regarding the need for the allotments, who would rent them and their long term management if

there was insufficient demand. The allotments have now been replaced with a communal grass area.

The layout of the site is considered to be acceptable and in keeping with the character of this part of Newcastleton and the proposal would not constitute an overdevelopment of the site.

The dwellinghouses would be one-and-a-half storey terraced properties in rows of three and four. The proposal as submitted was for each property to have an extended gable on the front and rear elevations and a variety of window designs. It was felt that the design was not appropriate for this part of Newcastleton as the windows were too small and lacking in vertical emphasis and each house was identical resulting in a long plain terraces lacking in architectural interest.

Discussions have taken place with the agent and a revised scheme has been submitted. This has removed the front projections and introduces bay windows to some of the properties. The wall-to-window ratio has improved, though there is scope for further improvement, and there is a vertical emphasis to the windows. The chimneys on the gable ends have been removed and skews added to define each property and to break up the expanse of the buildings. Wallhead dormers have been introduced in the front elevations.

The walls would be finished in render and reconstituted stone, the roofs would have slate on the front slope and grey cement tiles on the rear slope and the windows would be grey timber sash and case.

This part of Newcastleton is characterised by a variety of house designs and materials. The former police station is a two storey flat roof building whereas Holmhead is a two storey stone and slate villa. The terraced properties further along North Hermitage Street are a mix of traditional single and two storey cottages in stone and render and Toll Bar Cottage opposite is a traditional one-and-a-half storey stone and slate building.

The amended design is a significant improvement on that originally submitted and is now acceptable. The design incorporates traditional features seen in properties in this part of Newcastleton, such as wallhead dormers, sash and case timber windows with a vertical emphasis and bay windows. A condition would ensure that samples of the external materials are approved before the development commences and that the roofs are slate.

### **Impact on Visual Amenities and the Conservation Area**

Policy BE4 of the Local Plan states that development within or adjacent to a Conservation Area that would have an unacceptable adverse impact on its character and appearance will be refused.

The site is outwith the Conservation Area but the Conservation Area boundary runs along the south west boundary of the site with Holmhead and so any development on this site has the potential to affect views in and out of the Conservation Area.

As outlined above, the layout and design of the development are considered acceptable and in keeping with the character of this part of Newcastleton and, subject to appropriate external materials and planting, the proposal would not have a detrimental effect on the character or appearance of the Conservation Area or on the visual amenities of the area.



## **Impact on Residential Amenities**

Policy G7 of the Local Plan 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 H2 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.

Privacy is primarily measured in terms of distances between windows in adjacent properties and those in the proposed development. As a rule, a minimum 18m privacy zone should be maintained between windows of principal rooms when directly opposite; this distance can be reduced where the windows are at an angle to each other.

There are no windows in the side elevation of the former police station and no windows in the gable end of the terrace of houses, though a floor-to-ceiling window is proposed in the rear wing (kitchen) of the house closest to the former police station (plot 7). This would be set further back onto the site than the former police station and 5m from the boundary so not directly facing a neighbouring window. It is considered that no loss of privacy to habitable rooms would occur to the residential units within the former police station.

Holmhead has windows in the side elevation and a single storey extension. The same style kitchen window is proposed for the house on plot 1 closest to the boundary with Holmhead and no windows in the gable end. This window would be 7m from the boundary and 14m from the side extension of Holmhead. No significant overlooking would occur from this window due to the distances involved and substantial planting on the boundary with Holmhead.

In respect of overshadowing and loss of light, the 45 degree rule can be applied to ensure the development does not lead to the unreasonable loss of a neighbour's light. This involves drawing a line, both horizontally and vertically, from the middle of the cill of a window which is potentially affected by an extension at an angle of 45 degrees. No part of the development should encroach beyond these lines.

Applying the 45 degree rule demonstrates that no significant loss of light would occur to the rear rooms of the neighbouring properties that would warrant refusal of the application.

## **Access and Parking**

Policy G7 of the Local Plan requires that adequate access and servicing can be achieved. Policy Inf4 requires that car parking should be provided in accordance with the Council's adopted standards.

A new access would be formed from the public road to serve the development. This would lead to a rear parking area with fifteen car parking spaces for residents and visitors, including one disabled space.

The Roads Planning Service has been consulted on the proposal and has no objections subject to their requirements regarding the specification of the access to the site, on-site parking, visibility splays, drainage and street lighting being met.

A revised drawing has been submitted by the agent and the Roads Planning Service has been re-consulted. They have raised further issues regarding parking, visibility and drainage. These matters would be controlled by planning conditions.

### **Natural Heritage**

Policy NE3 states that the Council will seek to safeguard the integrity of habitats within and outwith settlements which are of importance for the maintenance and enhancement of local biodiversity.

A Walk-over Survey has been submitted with the application which found no bat roosts, though they were recorded in the area, no signs of badgers but birds' nests in the hedgerows.

The Council's Ecology Officer was consulted on this survey and notes that several active nests were recorded in the hedge but there were no signs of badger activity within the site, although badger activity is known to be widespread in the area. He advises that mitigation for badger and breeding birds is proposed in the report including buffer strips around the hedgerows and measures to protect badgers on site and concludes that a Species Mitigation and Management Plan (including a Badger Protection Plan and measures for breeding birds) is required and this will be controlled by a condition.

### **Trees and Hedgerows**

Policy NE4 of the Local Plan seeks to protect trees and hedgerows from development.

There is a mature hedgerow along the road frontage of the site and mature trees along the south west boundary with Holmhead and along the north west boundary with the railway embankment outwith the site. These trees contribute significantly to the visual amenities of the area and it is important that they are not affected by the development.

The Root Protection Area has been calculated for these trees and plotted on the site plan. This shows that the development would be outwith the Root Protection Areas of all the trees within and overhanging the site and so no trees would need to be felled or cut back to accommodate this development.

The proposed access and visibility splays would require the replanting of the hedge on the road boundary outwith the visibility splay. A condition would ensure that the hedge is replanted once the development has been completed and that the remainder of the hedge is retained and protected during construction. A 1.2m hedge would be planted along the frontage and sides of plots 3 and 4 either side of the access by way of a replacement for the section of the hedge to be lost to form the access.

### **Water Supply and Drainage**

Policy Inf5 states that the preferred method of dealing with waste water associated with new developments would be the direct connection to the public sewerage

system and for development in the countryside the use of private sewerage provided that it can be provided without negative impacts to public health, the environment, watercourses or ground water. Policy Inf6 requires a Sustainable Urban Drainage System (SUDS) for surface water drainage.

A Drainage Strategy Report has been submitted. This states that foul water drainage would be to the public sewer and the foul water sewer network would be designed for adoption by Scottish Water. A letter from Scottish Water confirms that there is sufficient capacity in the Newcastleton Waste Water Treatment Works and the local network to serve the demands of the development for foul water only.

A SUDS will cater for surface water drainage, designed to comply with SEPA and Council standards. Surface water run-off will infiltrate into the ground at the rear of the development via permeable paving. The details of the scheme would be approved as part of the Building Warrant.

The site is outwith the area within Newcastleton at risk of flooding.

The development would connect to the mains water supply.

### **Developer Contributions**

Policies G5 the states that where a site is acceptable but cannot proceed due to deficiencies in infrastructure or due to environmental impacts the Council will require developers to make contributions towards the cost of addressing such deficiencies.

The Director of Education and Lifelong Learning has advised that no contributions are required towards education facilities in the local area but a commuted sum is required towards affordable housing and this would be secured via a Section 69 Legal Agreement.

### **CONCLUSION**

The proposed development, subject to the imposition of planning conditions, is considered acceptable and in compliance with policies G1, G7, H2, BE4 and Inf4 of the Scottish Borders Consolidated Local Plan Adopted 2011. It is considered that the proposal would be in keeping with the established use of the area and would not negatively impact upon the character or the appearance of the Conservation Area or the visual amenities of the area. It is considered that the proposal would not have a detrimental impact on the residential amenities of occupiers of neighbouring properties and adequate parking and drainage can be achieved.

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

I recommend the application is approved subject to a legal agreement addressing the contribution towards affordable housing and the following conditions:

1. A sample of all materials to be used on all exterior surfaces of the development hereby permitted, including the render colour, slate and the colour of all external joinery, shall be submitted to and approved in writing by the Planning Authority before the development commences. The roofs to be finished in natural slate. The development then to be completed in accordance with the approved samples.

Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.

2. Details of the size, proportions, material, method of opening, thickness and colour of frames and glazing pattern of the windows to 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 details.

Reason: To protect and enhance the visual amenities of the area.

3. Details of the proposed fencing between the plots to the front and rear and front entrance gates (height, material, colour/finish) to be submitted to and approved in writing by the Planning Authority before the development commences. The fencing then to be erected before the dwellinghouses are occupied.

Reason: In the interests of neighbouring amenity.

4. No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include (as appropriate):

- 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. programme for completion and subsequent maintenance.

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

5. No trees within or overhanging the application site shall be felled, lopped, lifted or disturbed in any way without the prior consent of the Planning Authority.

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

6. Before any part of the permitted development is commenced, the trees to be retained on and overhanging the site shall be protected by hedges or fencing 1.5 metres high, or similar, placed at a minimum radius of one metre beyond the crown spread of each tree, and the fencing shall be removed only when the development has been completed. During the period of construction of the development:

- (a) No excavations, site works, trenches or channels shall be cut, or pipes or services laid in such a way as to cause damage or injury to the trees by interference with their root structure;

- (b) No fires shall be lit within the spread of the branches of the trees;
- (c) No materials or equipment shall be stored within the spread of the branches of the trees;
- (d) Any accidental damage to the trees shall be cleared back to undamaged wood and be treated with a preservative if appropriate;
- (e) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, or trenches excavated except in accordance with details shown on the approved plans.

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.

7. The existing hedge on the road boundary of the site to be removed and replanted a minimum of 1m to the rear of the visibility splay to allow for future growth in accordance with a revised drawing that has first been submitted to and approved in writing by the Planning Authority. The hedge to be replanted upon completion of the dwellinghouses. Before any part of the development is commenced, the remainder of the hedge to be retained on the front boundary of the site shall be protected by Heras fencing, or similar, 1.5 metres high placed at a minimum distance of 2.0 metres from the edge of the hedge, and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soil levels around the boles of the hedge so retained shall not be altered.

Reason: In the interests of preserving the hedge which contributes to the visual amenity of the area.

8. Prior to the commencement of works a Species Mitigation and Management Plan (including a Badger Protection Plan and measures for breeding birds) to be submitted to and approved in writing by the Planning Authority. Any works shall thereafter be carried out in accordance with the approved scheme.

Reason: To protect badgers and breeding birds within the site

9. A revised parking layout drawing to be submitted to and approved in writing by the Planning Authority before the development commences. The parking then to be completed in accordance with the revised drawing before the first dwellinghouse is occupied

Reason: To ensure adequate parking is provided within the site.

10. The access, visibility splays and surface water drainage at the entrance to the site and within the public road to be completed in accordance with a revised drawing that has been submitted to and approved in writing by the Planning Authority before the development commences. The access, visibility splays and surface water drainage then to be completed in accordance with the approved drawing before the first dwellinghouse is occupied.

Reason: To ensure safe access and egress to and from the site and to ensure that the site is adequately drained and that no surface water drains onto the public road from the site in the interests of road safety.

## Informatives

In respect of conditions 9 and 10, the consultation response from the Roads Planning Service is attached for the information of the applicant. Improvements may be required to the existing street lighting to ensure it is adequate for the additional pedestrian footfall. The applicant is advised to contact the Roads Planning Service to discuss this issue. The new bellmouth and footpath shall require Road Construction Consent. Nose-in parking is preferred for the spaces adjacent to the area of open space.

The Control of Pollution Act 1974 allows the Council to set times during which work may be carried out and the methods used.

The following are the recommended hours for noisy work:

Monday – Friday      0700 – 1900  
Saturday              0700 – 1300  
Sunday (Public Holidays) – no permitted work (except by prior notification to Scottish Borders Council.

Contractors will be expected to adhere to the noise control measures contained in British Standard 5228:2009 Code of practice for noise and vibration control on construction and open sites.

## DRAWING NUMBERS

|                     |                    |
|---------------------|--------------------|
| 9199.1.01 Rev A     | Proposed Site Plan |
| 9199.1.02 Rev B     | Floor Plans        |
| 9199.1.03 Rev B     | Floor Plans        |
| 9199.1.04 Rev B     | Elevations         |
| 9199.1.05 Rev B     | Elevations         |
| 9199.1.06 Rev B     | Street Elevations  |
| 9199.2.01           | Location Plan      |
| 111057/SK1000 Rev A | Site Access        |
| 111057/SK2000 Rev A | Drainage Layout    |

## **Approved by**

| Name       | Designation            | Signature |
|------------|------------------------|-----------|
| Ian Aikman | Chief Planning Officer |           |

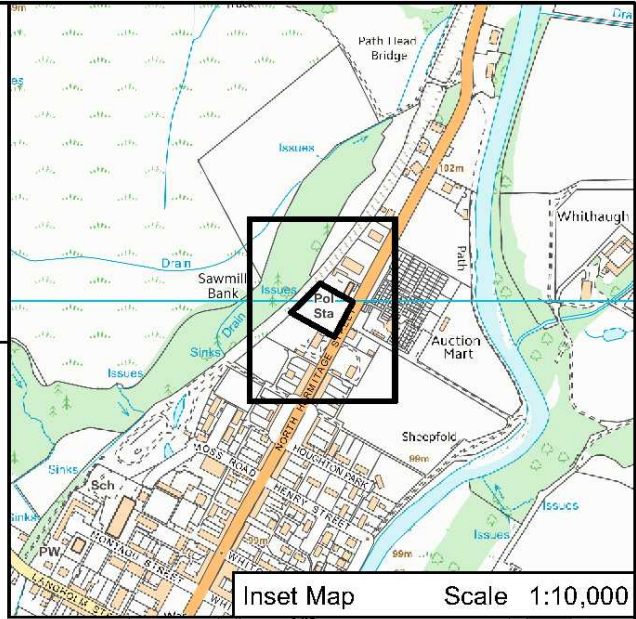
The original version of this report has been signed by the Chief Planning Officer and the signed copy has been retained by the Council.

## **Author(s)**

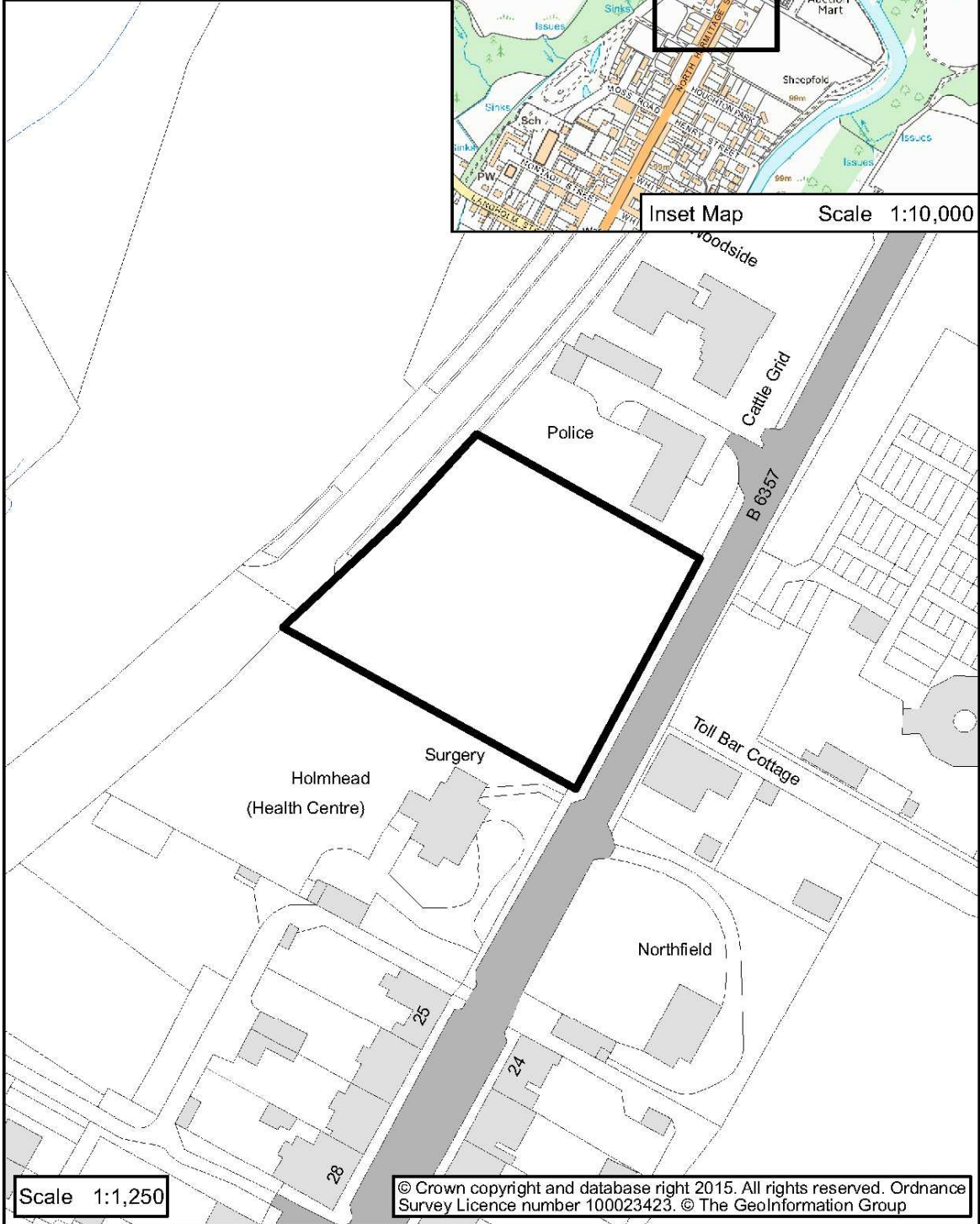
| Name          | Designation           |
|---------------|-----------------------|
| Julie Hayward | Lead Planning Officer |



15/00658/FUL  
Land South West Of  
The Police Station  
North Hermitage Street  
Newcastleton



Inset Map Scale 1:10,000



Scale 1:1,250

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