

**SCOTTISH BORDERS COUNCIL**

**PLANNING AND BUILDING STANDARDS COMMITTEE**

**2 MARCH 2015**

**APPLICATION FOR PLANNING PERMISSION**

<b>ITEM:</b>	14/01161/FUL
<b>OFFICER:</b>	Deborah Chalmers
<b>WARD:</b>	Jedburgh & District
<b>PROPOSAL:</b>	Change of Use, alterations and extensions to form two dwellinghouses from stables
<b>SITE:</b>	Stables West Nisbet Jedburgh Scottish Borders
<b>APPLICANT:</b>	Lothian Estates
<b>AGENT:</b>	Lothian Estates

**SITE DESCRIPTION**

The application site lies within the defined settlement boundary for Nisbet, as identified in the Consolidated Local Plan 2011. The site is located within the Nisbet Conservation Area, but the building within it is not listed.

The site is located on the edge of Nisbet, in its south west corner. There is a former stable block on the site, measuring 38m x 5.8m, with an extension on the rear, south elevation, measuring 5m x 4m. The building is 2.6m to the eaves and 5.6m in overall height and sited within the centre of the application site.

To the south of the stable there is a grassed area, bounded to the south by a 1m high timber post fence, separating the application site from the adjacent field. A timber post and wire fence surrounds the site to the west, with a field beyond and there is a stone dyke along the south east boundary with the B6400. To the north of the stable building, there are mature trees along the north west section of the boundary. A low stone wall runs along the north and eastern boundary with the B6400, which forms the boundary of the application site from the north west corner to the south east. There are currently two existing entrance points, located in the north west corner and in the eastern boundary. There is a raised section of planting/grassed area to the north of the building, bounded by a stone wall of around a metre in height. There are no immediate neighbouring properties adjacent to the application site. However, there are a number of properties located beyond the B6400, to the east of the application site.

The building is single storey, with a pitched roof and hipped on the gable elevations. The building is visually in a good condition, with all walls and roofing intact. The walls are finished in white render, the roof is slate and the majority of the remaining openings, are timber (painted brown). There are eight openings on the north elevation, with two openings on the south elevation. The extension on the south elevation

includes a hipped roof. There is a slight drop in levels from the north down to the south, which is minimal.

## **PROPOSED DEVELOPMENT**

Full planning permission is sought for the change of use, alterations and extensions to form two dwellinghouses from the existing stables.

The proposal proposes the reuse of the stable building and involves the addition of two extensions on the rear elevation. On the north elevation, the existing five openings will be retained, one door and four windows, with boarding proposed below the windows. There are two existing window openings on the north elevation, which will be retained as windows. The only new additional opening is an entrance door, serving Cottage No.1. One existing opening will be blocked up as part of the proposal.

On the south elevation, the two existing openings will be retained as a window and door, while three new windows are proposed. The proposal includes the demolition of the existing extension and the erection of two extensions on the south elevation, each measuring 8m x 6.5m. The extensions will be 2.4m to the eaves and 4.8m in overall height, which sits below the roof ridge of the existing building. The extension roofs will be hipped, to match the existing stable building. Two windows are proposed on the south elevation, of both extensions. On the inner elevations, a set of doors are proposed, while on the outer elevations, a window, door and set of double doors are proposed.

The cottages will be finished in slate roofing, cast iron rones and downpipes, with zinc verges and ridges. The applicant has yet to confirm the material and finish of the proposed windows and doors. The remaining walls will be re-pointed and painted. The proposed water supply is to connect to the existing main supply, while the surface water drainage and foul drainage is to be connected into the existing village system.

## **PLANNING HISTORY**

There is no planning history covering the application site.

## **REPRESENTATION SUMMARY**

Six letters were received in response to the application. Three supported the principle of the development but raised concerns in respect of road safety, while three objected to the proposal. A brief summary of the main planning issues raised is as follows:

- Impact on road safety;
- Inadequate access proposed;
- The new access will be dangerous, due to the speed of vehicles passing through the bends on the existing road;
- Visibility will be limited and hazardous; and
- Lack of provision for roadside delivery vehicles to park.

The full content of each letter can be found on the Council's *Public Access* website.

## **DEVELOPMENT PLAN POLICIES:**

### Consolidated Local Plan 2011

G1 Quality Standards for New Development  
G2 Contaminated Land  
G5 Developer Contributions  
G7 Infill Development  
H2 Protection of Residential Amenity  
Inf 4 Parking Standards  
Inf 5 Waste Water Treatment Standards  
Inf 6 Sustainable Urban Drainage  
BE2 Archaeological Sites and Ancient Monuments  
BE4 Conservation Areas  
NE3 Local Biodiversity  
NE4 Trees, Woodland and Hedgerows

## **OTHER PLANNING CONSIDERATIONS:**

SPG Biodiversity  
SPG Developer Contributions  
SPG Trees and Development  
SPG Placemaking and Design  
SPG Guidance on Householder Development

## **CONSULTATION RESPONSES:**

All of which can be read in full on the *Public Access* website.

### **Scottish Borders Council Consultees**

#### **Environmental Health (Contaminated Land):**

Initially responded on the 30<sup>th</sup> October, requesting the completion of a Contaminated Land Survey.

According to the information provided by the site owner, fuel storage was undertaken on the site, with the remainder of the site having been used as stables. This fuel storage undertaken on the site is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose.

It is recommended that planning permission should be granted on condition that development, is not permitted to start until a site investigation and risk assessment has been carried out, submitted and agreed upon by the Planning Authority.

#### **Ecologist:**

Initially responded on the 14<sup>th</sup> October, requesting that a bat and bird survey is undertaken for the application site.

The Ecology Officer responded on the 12<sup>th</sup> January to the bat and bird survey submitted. A non breeding brown long eared bat roost was identified within the stables,

along with activity in the surrounding area. A number of barn swallows were recorded in the building. Based on the information submitted, the development is not considered to detrimental to the maintenance of populations of the bat species identified at favourable conservation status in their natural range. The Officer requests that the following conditions are attached to planning permission:

- Prior to development, the developer submits a protection plan for the bats;
- Prior to development, a copy of the license and statement in writing from SNH must be submitted;
- No works to commence during the breeding bird season;
- Provision of 10 nest cups/ledges for barn swallows.

### **Roads Planning:**

The Roads Planning Service have taken into consideration the comments raised by the objectors, regarding the proposed access to the site.

No objection in principle to the revised arrangements for a single access, provided that the following matters are addressed:

- A service lay-by, minimum of 3m x 6m with associated entry and exit tapers, must be constructed to the 'Service lay-by specification', at the access to cater for associated service vehicles;
- Parking and turning, excluding any garages, for a minimum of two vehicles per property must be provided within the curtilage of the property, prior to the property being occupied and retained thereafter in perpetuity;
- The construction of the parking and turning area must be confirmed and suitable drainage put in place if the surface is not free draining. This is to ensure that surface water does not drain from the site onto the adjacent public road;
- The visibility splays mentioned above must be kept clear of all obstructions over 0.75m above the adjacent carriageway at a distance of 2.4m back from the carriageway edge and retained thus in perpetuity;
- The existing accesses must be closed off to traffic to the satisfaction of the Council prior to occupation of the first dwelling;
- A drawing must be provided taking all of the above into consideration and showing how the applicant proposes to address the issues.

### **Landscape Architect:**

Notes that the northern access takes out a medium sized tree and opens up the proposed properties to view and exposure to the north. It was suggested that a better arrangement in terms of setting for the cottages would be to continue using the established access from the east side. This would allow retention of the tree and give some privacy to the frontages of the two cottages.

However, does not object to the proposed arrangement if the suggested alternative cannot be achieved.

**Education:**

No response to date. However, there is no education requirement towards Ancrum Primary School to Jedburgh Grammar School.

**Right of Way Officer:** No response to date.

**Development Negotiator:**

Advised that in terms of current policy, development contributions would be required, in respect of affordable housing commuted sum, for £3,875.

**Archaeologist:**

There are potential archaeological implications for this proposal and mitigation is required. The Officer concludes that there is a low potential for encountering human burials, and a moderate potential for medieval and post-medieval archaeology during development. This includes any ground works that may affect sub-soils. Given the low to moderate potential, it is recommended that a watching brief is needed on excavations needed for this development.

The surviving building itself is of local heritage significance, though it should be noted that there is potential for stones within the building to have been re-used from the medieval church. The building could therefore contain carved stones of regional importance. Given this potential, and the alterations proposed, it is recommended that an archaeologist undertake a BASIC level survey of the building but also examining the building fabric for carved stones once the existing render is removed. When stones are removed from the building during development, these should also be set aside and inspected for any surviving carved stones that might be associated with the former Nisbet Church and burial ground. This inspection could take place during the recommended watching brief above. The contract for all work can be conducted under a single Written Scheme of Investigation prepared by a suitably qualified archaeologist.

Therefore, two conditions are recommended; Developer Funded Watching Brief and Developer Funded Historic Building Survey.

**Statutory Consultees****Crailing, Eckford and Nisbet Community Council:**

The Community Council raise no objection in principle of the proposed development, but highlight “major concerns” over the proposed access arrangement, and so support representations made by the residents within Nisbet.

They advise that the proposed access is directly onto the B6400 and would be hazardous for the following reasons:

- Proximity to a blind corner;
- Visibility would be restricted in both directions;
- There is a busy intersection nearby;

- Traffic using the B6400 can travel at speeds of up to 60mph; and
- There is no provision at the roadside for delivery vehicles.

### **KEY PLANNING ISSUES:**

The key planning issues with this application are whether the proposal comply with the Development Plan Policies and Supplementary Planning Guidance (SPG), regarding the conversion of building for residential use within a settlement boundary, amenity, safe access, parking & turning provision, archaeological implications, ecological implications and contaminated land.

### **ASSESSMENT OF APPLICATION:**

#### **Planning Policy**

The application site is located within the defined settlement boundary of Nisbet, therefore the conversion provisions outlined within Policy D2, do not strictly apply in this instance, although the principles set out within it still provide a useful guide to appropriate conversion of rural buildings. However, the proposal must be assessed against Policy G1 and G7, along with SPG: Placemaking and Design.

Policy G7, advises that within Development Boundaries, development on non-allocated sites, infill or windfall sites, including the re-use of buildings, will be approved if;

- In the case of gap sites, it can be justified under Policies BE6 and Inf11
- In the case of employment land the proposed new use can be justified under Policy ED1 to prevent the loss of employment land with prospects of future use;
- In the case of garden ground or backland sites, it can be justified under Policy H2 to safeguard the amenity of residential areas.

In all cases, the following criteria will apply to proposed infill development;

- i) where relevant, it does not conflict with the established land use of the area; and
- ii) it does not detract from the character and amenity of the surrounding area; and
- iii) the individual and cumulative effects of the development can be sustained by the social and economic infrastructure and it does not lead to over development or town and village cramming, and
- iv) it respects the scale, form, design, materials and density of its surroundings; and
- v) adequate access and servicing can be achieved, particularly taking account of water and drainage and schools capacity; and
- vi) it does not result in any significant loss of daylight, sunlight or privacy to adjoining properties as a result of overlooking or overshadowing.

Policy G1 states that development must be compatible with, and respect the character of the surrounding area, neighbouring uses and neighbouring built form. Development

must be satisfactorily accommodated within the application site, incorporating hard and soft landscaping works, to help integrate the development with its surroundings and the wider environment. Development must provide appropriate boundary treatments to ensure attractive edges to the development that will help integration with its surroundings. The proposal must be of an acceptable scale, massing, height and density, with is appropriate to its surrounding and , where an extension or alteration is proposed, appropriate to the existing building.

### **Principle of development, layout, design and materials**

The proposal to change the existing stable building to two residential properties does not conflict with the established land use of the wider Nisbet area. The application site is located within the settlement boundary, which is characterised by residential properties, the majority of which lie to the east of the B6400. The proposed development is compatible with and respects the character of the surrounding area, neighbouring uses and neighbouring built form.

The proposal will bring a prominent range of buildings back into reuse, to the benefit not only of the site, but also to its wider conservation area setting. The proposed alterations to the building will generally enhance the character and appearance of the surrounding area, including through use of appropriate materials and finishes.

The applicant indicates that the materials include slate roofing, walls re-pointed, re-painted and the windows/doors will be replaced although details have yet to be agreed. A planning condition will ensure that appropriate materials, colours and finishes are used, the roofing is natural slate and the windows/doors are finished in timber.

The access point along the north boundary breaks into the existing raised grassed area and includes the removal of one tree. This raised area, combined with its trees, planting and stone dyke around the boundary to the north, all contribute to the character and amenity of the Nisbet, especially from the north west approach road. Furthermore, the existing trees along the north west boundary contribute to the amenity and form a natural boundary between the application site and adjacent field.

It is considered that the trees along the north west boundary should be retained and this can be controlled through a planning condition, as their removal would have an unfortunate visual impact on this part of the site, which is significant, given its prominent position at the western entrance to the settlement. Likewise, the raised areas and stone dyke boundary is an important feature and should be retained, acknowledging that the new access will need to be formed through it.

A condition should be attached to planning permission, requesting further details to be submitted in respect of a landscaping plan, including; existing trees, those to be felled, replacement planting, trees to be retained and all soft/hard landscaping proposals, which will also include the area to the north of the buildings. A suitable scheme will ensure that the proposed development does not result in an adverse impact upon the wider character of the Conservation Area. The proposed plans indicate a fence along the eastern boundary; however, it is considered that such a proposal would be out of keeping with the wider area, where stone dykes and timber post and wire fencing is characteristic. Therefore, a condition is proposed as a means of seeking details of the

means of enclosure, to ensure that the boundaries are more appropriate to the setting. This will also ensure that the existing access points are suitably closed off with an acceptable boundary treatment.

The proposal respects the scale, form, design, materials and density of its surroundings, utilising the existing building. The proposed extensions are in keeping with the scale and proportions of the host building and would remain a subordinate, but visible, element of the overall scheme. There is evidence of a previous single storey flat roofed extension, extending along the rear elevation of the stable building and there is an existing single storey extension. The flat roofed structure was removed in recent years, due to a poor condition. Therefore, given that the previous extensions were not aesthetically pleasing visually, it is considered that the proposed development will result in an improvement to the building and bring it back into use.

It is considered that subject to conditions, the proposed development complies with Policy G1 and G7, of the Consolidated Local Plan 2011 and SPG: Placemaking and Design.

### **Contaminated Land**

Policy G2, states that where development is proposed on land which is contaminated, or suspected of contamination, the developer will be required to carry out any necessary site investigations and assessments to identify any actual or possible significant risk to public health or safety, or to the environment.

The Environmental Health Officer (Contaminated Land) raised no objections to the proposal, however requests that a condition is attached to any planning permission, requesting a site investigation and risk assessment to be carried out. The condition will ensure compliance with Policy G2 of the Consolidated Local Plan 2011.

### **Archaeology**

Policy BE2 aims to give Scheduled Ancient Monuments and other archaeological or historical sites, strong protection from any potentially damaging developments. The Archaeology Officer advised that there are potential archaeological implications for this proposal and mitigation is required. He advised that two conditions must be attached to planning consent, to ensure compliance with Policy BE2, in respect of a Developer Funded Watching Brief and Developer Funded Historic Building Survey.

### **Amenity**

Policy H2 states that development which is judged to have an adverse impact upon the amenity of existing or proposed residential areas will not be permitted. It is not considered that the proposed development will result in any adverse impacts upon the wider residential properties within Nisbet, given the distance away or upon the amenity of the occupants in the proposed cottages. A condition will be attached requesting details of the means of enclosure. This will ensure compliance with Policy H2 and the SPG: Guidance on Householder Developments.

## **Water Supply, Foul Drainage and Surface Water Disposal**

The proposal includes utilising the existing public water supply and foul drainage, mains system within Nisbet. No exact details have been submitted in respect of the proposed surface water disposal proposed relating specifically to the site. Therefore, a condition is proposed requesting such details prior to the development, to ensure compliance with Policy Inf5 and Inf6.

## **Access, parking and turning area**

This is the key issue in the determination of this application and is the matter referred to in all representations received, including from the Community Council.

Policy Inf4 states that development proposals should provide for car and cycle parking in accordance with the Council's published adopted standards, or any subsequent standards which may subsequently be adopted by the Council. There are two existing access points in the site, one along the eastern boundary and one in the north west corner of the application site. However, the proposal includes closing off the existing access points and forming a new access along the northern boundary. Six letters of representation were received, raising concerns regarding the proposed access point. The concerns include: inadequate road safety, inadequate access, dangerous access point onto a fast road, poor visibility and lack of provision for roadside deliver vehicles to park.

Having regard to the concerns raised in the representations and by the Community Council, the Roads Planning Service undertook a road traffic survey in order to ascertain the average speed vehicles travel along the B6400 close to the application site.

The two existing accesses serving the site are significantly sub-standard, owing to poor junction visibility and would not be suitable for re-use. The replacement access will be of a higher standard and, in that sense, would be an improvement on the current situation, regardless of the intended use of the buildings.

The speeds of vehicles as they travel through the s-bends at this location are relatively low, with the result that, whilst the available visibility is limited, it is acceptable given the speeds involved. Approaching the proposed junction from the west, traffic speeds are between 25 and 30mph. The sight distance required for exiting vehicles associated with these speeds is 43m. From the south east, traffic speeds are slightly slower being between 20 and 25mph. The sight distance required in this direction is 33. A driver approaching from the west has a minimum of 43m forward visibility in which to see any vehicle which may be sitting on the main road waiting to turn right into the site.

The Service concluded that the existing access points are not suitable for the proposed development and could use of the existing openings could not be supported. However, the formation of a new access point along the northern boundary was supported, subject to conditions. The Roads Planning Officer advised that the following conditions require to be attached to any planning consent, to ensure that the proposal complies with Policy Inf4;

- A service lay-by must be created, as per the approved drawings, to the Council's specification;
- A drawing showing the required visibility splays must be submitted to and approved by the Planning Service, showing 2.4m x 33m to the east and 2.4m x 43m to the west;
- Parking and turning area to be provided and retained;
- The existing access points must be closed off prior to occupation;
- Details of the levels within the parking and turning area must be submitted.

### **Conservation Area**

Policy BE4, outlines that development within or adjacent to a Conservation Area that would have an unacceptable adverse impact on its character and appearance will be refused and all new development must be located and designed to preserve or enhance the special architectural or historic character of the Conservation Area.

The proposed conversion of the building will have a positive impact on the site and the wider Nisbet Conservation Area, in accordance with Policy BE4. The proposed design, materials and finish will respect the existing building. It is considered that the area to the north of the building, which includes the raised landscaped area, contributes to the amenity, character and appearance of the Nisbet Conservation Area, especially from the western approach. However, subject to a condition, requesting the submission of a satisfactorily landscaping plan, it is not considered that the wider proposal will result in any adverse impact upon the character or appearance of the wider Conservation Area, in accordance with Policy BE4.

### **Ecology**

Policy NE3 states that the Council will seek to safeguard the integrity of habitats both within and outwith settlements which are of importance for the maintenance and enhancement of local biodiversity. The policy aims to safeguard and enhance local biodiversity in line with the council's policies.

The applicant undertook a bat survey, as requested by the Council's Ecology Officer. The Officer was re-consulted and advised that there was evidence of bats and swallows within the existing building. However, he was content that, subject to conditions, the proposal will not result in any adverse impacts upon the local biodiversity, including habitats and species within the application site, in accordance with Policy NE3 and SPG: Biodiversity.

### **Landscape Architect**

The Landscape Officer advised no objection to the removal of one tree to accommodate the proposed access, given that the existing access points are not satisfactory for the proposed development. A condition will be attached to planning consent, requesting the submission of a Landscape Plan, including; trees to be felled, trees to be retained and all hard and soft landscaping to be undertaken within the site.

The condition will also ensure that no trees are felled, without the consent of the Planning Service, to ensure that the proposal does not adversely impact upon the amenity or character of the Conservation Area. The condition will cover the raised area to the north of the building and ensure that a satisfactory landscaping proposal is achieved for the proposal which respects the surrounding area, in accordance with Policy NE4 and SPG: Trees and Development.

### **Development Contributions**

There are no contributions sought towards education, however development contributions of £3,875 will be sought towards affordable housing. The applicant intends to settle this via a Section 69 legal agreement, to ensure compliance with Policy G5, as contained within the Consolidated Local Plan 2011.

### **REASON FOR DECISION :**

The proposed development complies with Policies G1, G2, G5, G7, H2, Inf4, Inf5, Inf6, BE2, BE4, NE3 and NE4 of the contained within the Consolidated Local Plan 2011 and Supplementary Planning Guidance: Biodiversity, Developer Contributions, Trees and Development, Placemaking and Design and Guidance on Householder Development. The principle of development is acceptable and it is not considered that the proposed use will conflict with any surrounding land uses or result in an adverse impact upon the surrounding area, Conservation Area, occupants in neighbouring residential properties or visual amenities of the wider area. Suitably worded conditions, will ensure the proposal does not give rise to adverse impacts in respect of; contaminated land, access, parking, surface water drainage, archaeology, ecology or biodiversity.

### **RECOMMENDATION BY SERVICE DIRECTOR (REGULATORY SERVICES):**

I recommend the application is approved subject to the following conditions, informatives and legal agreement in relation to affordable housing contributions:

1. No development shall be commenced until a scheme to deal with potential contamination on the site has been submitted to and approved in writing by the Planning Authority. The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include: -
  - a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d and e of this condition; and thereafter
  - b) Where required by the desk study, undertaking a detailed investigation of

the nature and extent of contamination on site, and assessment of risk such contamination presents;

- c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan);
- d) Submission of a Validation report (should remedial action be required) by the development which will validate and verify the completion of works to a satisfaction of the Council;
- e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented, completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing by the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and ecological systems arising from any identified land contamination have been adequately addressed.

- 2. No development shall be commenced until a full species protection plan for bats has been submitted to and approved in writing by the Planning Authority. Any approved protection plan must be implemented prior to works commencing and no development shall take place except in strict accordance with the approved protection plan, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure that the proposed development does not adversely impact upon bats or birds within the site.

- 3. No development shall be commenced until the developer has provided to the Planning Authority;
  - a. a copy of the relevant European Protected Species Licence; or
  - b. a copy of a statement in writing from SNH (licensing authority) stating that such a licence is not necessary for the specified development.

Reason: To ensure that the proposed development does not adversely impact upon bats or birds within the site.

- 4. No development shall commence during the breeding bird season (March – August) without the express written permission of the Planning Authority. A supplementary breeding bird survey and subsequent mitigation may be required if works are to commence during the breeding season.

Reason: To ensure that the proposed development does not adversely impact upon bats or birds within the site.

- 5. No development shall be commenced until a plan showing the location of 10 nest cups/ledges for barn swallows, to be located at suitable locations within the redeveloped site or on other suitable buildings within the immediate vicinity, has

been submitted and approved by the Planning Authority.

Reason: To ensure that the proposed development does not adversely impact upon bats or birds within the site.

6. The service lay-by shall be completed as per the approved drawing 'WNS002', before the development hereby approved is first brought into use. The bay so approved shall be available for the use of vehicles at all times and shall be constructed to the following specification;  
' 40mm layer of 14mm size close graded bituminous surface course to BS 4987 laid on a 100mm layer of 28mm size dense base (roadbase) to the same BS laid on a 310mm layer of 100mm broken stone bottoming blinded with sub-base, type 1'.

Reason: To ensure that deliveries can be made without obstruction of the public road.

7. No development shall be commenced until a drawing showing the required visibility splays, 2.4m x 43 metres to the west and 2.4m x 33 metres to the east, for the new access, have been submitted and approved by the Planning Authority. The development hereby approved shall not be brought into use until the visibility splays approved have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level and therefore maintained free of obstruction at all times.

Reason: In the interests of road safety and to ensure adequate visibility for and of emerging vehicles.

8. Parking and turning for two vehicles, excluding garages, must be provided within the site prior to the occupation of the dwellinghouse and thereafter in perpetuity.

Reason: To ensure sufficient parking and turning area within the site.

9. No development, other than the formation of a new access, shall be commenced until the existing vehicular access points to the site have been stopped up and their use permanently abandoned. Such works shall be completed concurrently with the provision of the new vehicular access hereby approved being first brought into use.

Reason: To ensure that the development is carried out as proposed and to minimise the number of accesses into the development, in the interests of road safety.

10. No development shall be commenced until the applicant has secured a programme of archaeological work in accordance with a Written Scheme of Investigation (WSI) outlining a Watching Brief, which has first been submitted to and approved in writing by the Planning Authority and must be implemented during relevant development works. The requirements of this are:
  - The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Institute for Archaeologists (IfA) approval of which shall be in writing by the

Planning Authority;

- Access shall be afforded to the nominated archaeologist to supervise, relevant development works, investigate and record features of interest, and recover finds and samples;
- If significant finds, features or deposits are discovered all works shall cease and the nominated archaeologist(s) will contact the Council's Archaeology Officer immediately for consultation which may result in further developer funded archaeological mitigation;
- If significant archaeology is identified by the contracted archaeologists and in agreement with the Planning Authority, a further scheme of mitigation subject to an amended WSI shall be implemented; and
- Results shall be submitted to the Planning Authority for approval in the form of a Data Structure Report (DSR) within one month following completion of all on-site archaeological works.

Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

11. No development shall be commenced until the applicant has secured and implemented a programme of archaeological work in accordance with a Written Scheme of Investigation outlining a Historic Building Survey. This will be formulated by a developer contracted archaeologist(s) and approved in writing by the Planning Authority. In accordance with the WSI, access shall be afforded to the nominated archaeologist(s) to allow archaeological investigation, at all reasonable times. Results will be submitted to the Planning Authority for review in the form of a Historic Building Survey Report prior to development commencing. The results of the DSR will be used by the Council's Archaeologist to make recommendations to the Planning Authority for further archaeological investigations, reporting and dissemination of results as required. The developer will be expected to fund and implement all further archaeological work.

Reason: To preserve by record a building of historical interest.

12. No development shall commence until samples of all materials, finishes and colours, to be used on the exterior surface of the development hereby approved, have been submitted to and approved in writing by the Local Planning Authority. The development thereafter to be completed in accordance with the approved materials.

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

13. The windows and doors hereby approved shall be timber and the roof shall be natural slate.

Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.

14. No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
- i. existing and finished ground levels in relation to a fixed datum preferably ordnance, including the parking and turning area;
  - ii. existing landscaping features and vegetation to be retained, felled and restored;
  - iii. location and design, including materials, of existing and proposed, walls, fences and gates within the site;
  - iv. soft and hard landscaping works;
  - v. A programme for completion and subsequent maintenance.

Reason: To ensure the satisfactory form, layout and assimilation of the development.

15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and shall be maintained thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing.

Reason: To ensure that the proposed landscaping is carried out as approved.

16. No trees within the application site, other than that shown to be removed on the approved drawings, shall be felled, lopped, lifted or disturbed in any way without the prior consent of the Local Planning Authority.

Reason: The existing trees represent an important visual feature which the Local Planning Authority considered should be substantially maintained in the interests of maintaining the character of the Conservation Area.

17. No development shall take place until details of the proposed means of enclosure around the site have been submitted to and approved in writing by the Planning Authority. The development then to be completed in accordance with the approved details.

Reason: To enable the proper effective assimilation of the development into its wider surroundings, having regard to the location of the site within the conservation area.

18. Notwithstanding the details approved, no development shall commence until precise details of the surface water disposal have been submitted to and approved in writing by the Planning Authority and thereafter no development shall take place except in strict accordance with the approved details.

Reason: To ensure that the site is adequately serviced.

Informatives:

1. A copy of the consultation response from the Environmental Health Officer is attached for the attention of the applicant.
2. A copy of the consultation response from the Ecology Officer is attached for the attention of the applicant. In respect of condition no.2, the applicant should note that, any mitigation required should at least provide a 'like for like' replacement of what will be lost. This should include the provision of bat boxes additional to any licensing requirements, as enhancements.
3. A copy of the consultation response from the Roads Planning Officer is attached for the attention of the applicant.
4. A copy of the consultation response from the Archaeology Officer is attached for the attention of the applicant.

DRAWING NUMBERS

WNS001: Existing and Proposed Elevations (28.01.2015)

WNS002: Access Details (13.10.2014)

WNS003: Location Plan (13.10.2014)

**Approved by**

Name	Designation	Signature
Brian Frater	Head of Planning and Regulatory Services	

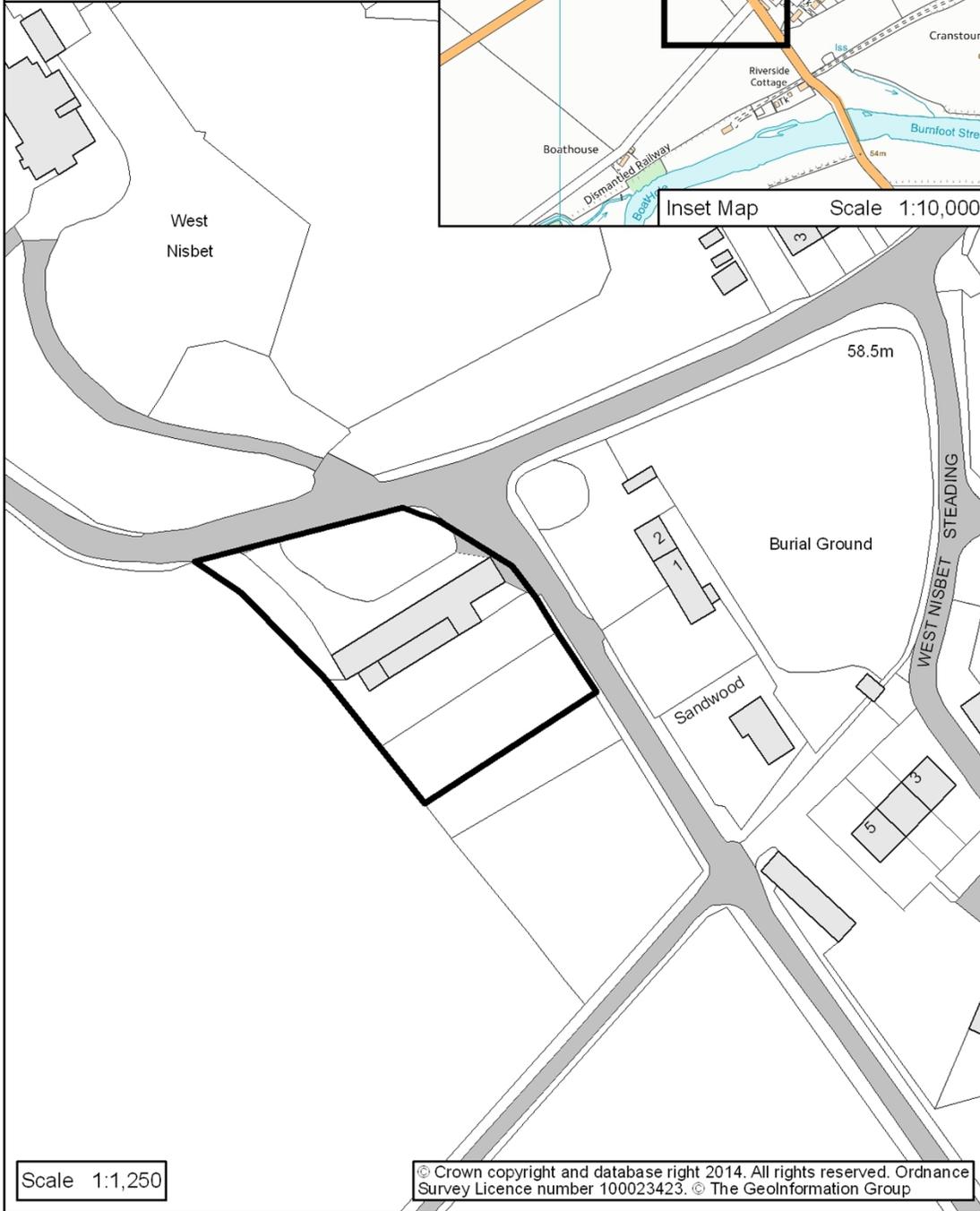
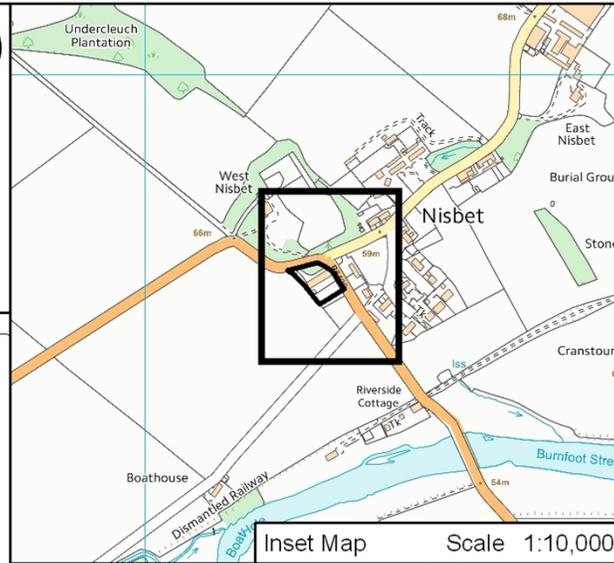
The original version of this report has been signed by the Head of Planning and Regulatory Services and the signed copy has been retained by the Council.

**Author(s)**

Name	Designation
Deborah Chalmers	Planning Officer

14/01161/FUL

Stables  
West Nisbet  
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Scale 1:1,250

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