

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

29 MARCH 2021

APPLICATION FOR PLANNING PERMISSION

ITEM: **REFERENCE NUMBER:** 20/00665/FUL

OFFICER: Mr Scott Shearer
WARD: Galashiels And District
PROPOSAL: Demolition of existing flats and erection of 109 houses incorporating amenity housing and district air source heat pump with associated external works including parking and roads

SITE: Land at Beech Avenue and Laurel Grove, Galashiels
APPLICANT: Waverley Housing Association
AGENT: Camerons Strachan Yuill Architects

PLANNING PROCESSING AGREEMENT: There is a PPA in place for the application to be determined at the Planning and Building Standards Committee on the 29th March 2021.

SITE DESCRIPTION

The application site extends across Beech Avenue, Laurel Grove and Larch Grove within the western area of Upper Langlee in Galashiels. The site is enclosed by a mature woodland on the slopes of Wester Hill to the north. The site slopes in a southerly direction towards Melrose Road and benefits from a southerly aspect with views across the river valley.

The existing built development in the site consists of 4 and 5 storey flat roofed flatted blocks which run along the north side of Beech Avenue. Groups of 3 and 4 storey flatted blocks are located off Laurel Grove and Larch Grove and are set within open grounds populated by tree planting. These blocks also lie to the south and east out with the site boundary with flats also enclosing the western boundary of the site. There are two pockets of densely arranged lean-to bungalows adjacent to the site, one group lies in between Laurel Grove and Larch Grove and another further west on Beech Avenue. The existing buildings within and adjacent to the site are generally clad in light brown or light grey renders with brick base courses. A playground is located to the centre of the existing development.

PROPOSED DEVELOPMENT

The application has been brought forward by Waverly Housing Association (HA) as part of a regeneration of their existing housing stock within this part of Upper Langlee. Consent is sought to demolish all existing accommodation on the north of Beech Avenue, to the east of Laurel Grove and west of Larch Grove and to redevelop the site with 109 new residential units. The proposals are laid out on a master plan. The street layout of Beech Avenue will be adjusted with shared surfaces added. A 3 storey block of amenity flats with under croft parking is located on entrance to the site. The remainder of the site will be redeveloped with 14 blocks of terraced houses which

include a range of townhouse, terraced house and cottage flats building types. Each of these units will be provided with its own curtilage space. The proposed buildings are set under a combination of flat roof with parapets, flat roof and mono-pitched roof style. The buildings are to be finished with render and forticrete block with some areas of zinc cladding. A mixture of private and communal parking spaces are provided with pockets of landscaping.

All existing housing out with the application site is to be retained with most of these buildings refurbished internally and externally as part of the wider regeneration of Upper Langlee. These works do not require planning permission.

PLANNING HISTORY

The site formed part of a social housing development within Langlee by Wheeler and Sproson which commenced in the mid-1960s.

The following planning applications have been determined within the application site boundary:

- 09/01427/FUL - Land At Laurel Grove (Play Area) Beech Avenue – Erection of a ball wall – Approved
- 10/00471/FUL & 10/01497/FUL - Playground At Laurel Grove – Installation of Play Equipment – Approved
- 10/00472/FUL - Land East Of 13 Beech Avenue - Erection of boundary fence to enclose junior play area and installation of playground equipment – Approved
- 14/00547/FUL - Office 66 - 67 Beech Avenue - Change of use and alterations to form community centre from office and garage – Approved
- 14/00548/FUL - 60 Beech Avenue - Change of use from residential flat to community hub for multi-agency use – Approved
- 16/01050/FUL - Land West Of 34 Laurel Grove - Change of use of amenity land to garden ground and erection of fence

REPRESENTATION SUMMARY

No third party comments of objection or support have been received.

APPLICANTS' SUPPORTING INFORMATION

- Design and Access Statement
- Preliminary Ecological Impact Assessment
- Bat and Bird Survey
- Arboricultural Implications Assessment
- Foul and Surface Water Management Report

DEVELOPMENT PLAN POLICIES:

Scottish Borders Council Local Development Plan 2016

PMD1: Sustainability

PMD2: Quality Standards

PMD5: Infill Development

HD1: Affordable and Special Needs Housing

HD3: Protection of Residential Amenity

ED9: Renewable Energy Development

EP1: International Nature Conservation Sites and Protected Species
EP2: National Nature Conservation Sites and Protected Species
EP3: Local Biodiversity
EP13: Trees, Woodlands and Hedgerows
IS2: Developer Contributions
IS5: Protection of Access Routes
IS6: Road Adoption Standards
IS7: Parking Provision and Standards
IS8: Flooding
IS9: Waste Water Treatment and Sustainable Urban Drainage
IS13: Contaminated Land

OTHER PLANNING CONSIDERATIONS:

Supplementary Guidance

- Sustainable Urban Drainage Systems (2020)
- Waste Management (2015)
- Local Biodiversity Action Plan (2018)
- Housing (2017)
- Affordable Housing (2015)
- Development Contributions (2011) updated January 2018
- Placemaking and Design (2010)
- Green Space (2009)
- Landscape and Development (2008)
- Trees and Development (2008)
- Designing Out Crime in the Scottish Borders (2007)
- Renewable Energy (2007)
- Privacy and Sunlight Guide (2006)
- Biodiversity (2005)

Strategic Housing Investment Plan (SHIP) 2020 – 2025
Strategic Housing Investment Plan (SHIP) 2021 – 2026

Scottish Government Policy Statements on;

- Designing Streets 2010
- Designing Places 2013

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Contaminated Land Officer: The site previously housed glasshouses and associated buildings that were potentially contaminative. Should planning permission be granted a condition is recommended to ensure appropriate investigation and risk assessment of the ground conditions to demonstrate that the land is suitable for the proposed residential development.

Ecology Officer: The site is of a high suitability for bats and the buildings which are to be demolished may support breeding birds. Satisfied with the findings of the submitted bat and bird survey. The development would result in the destruction of non-breeding bat roosts therefore the development will be required to obtain a European Protected Species Licence will be required before works can commence. A Species Protection Plan to mitigate the impact of the new development on bats is

recommended. No breeding birds were recorded; however, precautionary mitigation is required via a Species Protection Plan for breeding birds should works be undertaken between March and August. Planting of wildflower within areas of greenspace would contribute to the Local Biodiversity Action Plan.

Environmental Health: The development does not result in any change of use which would negatively impact on amenity with the exception of installation of air source heat pumps which can be controlled via a condition specifying suitable noise levels for the operation of this equipment.

Housing Strategy: No objection. SBC have collaborated with Waverly Housing who own the majority of the housing stock in the application site. Scottish Government/More Homes Division have intended a willingness to grant assist the regeneration project. The site is included in the Council's Strategic Housing Investment Plan (SHIP) 2020/25 which estimates that the development would be delivered over 3 phases. The development will be rolled into the new SHIP 2021/26.

Landscape Architect: No objection. Concerns are raised that the development will result in the removal of 79 trees with only 31 replacement trees being planted. The submitted Arboricultural Impact Assessment (AIA) demonstrates identified trees can be retained, the retained trees are not shown on the masterplan. The volume of planting throughout the site should be increased. A detailed planting scheme and range of surface finishes should be agreed to create space hierarchies and boundary treatments to ensure the development positively contributes to the amenity of the surrounding area. Shadow may be cast over the rear gardens of the properties along the north of the site, there may be scope to provide improved curtilage space within front garden spaces.

Outdoor Access Ranger: No objection. One core path lies to the north of the site. Legislative powers protect this path being free from obstruction or encroachment to the satisfaction of the Local Authority. The provision of 3 paths to provide connectivity with the Langlee Woodland and core path network are welcomed.

Roads Planning Service: No objections to the principle of the proposal are raised. Recognise that Designing Streets cannot be fully implemented, particularly vehicle connectivity requirements. A Transport Assessment would normally be necessary but because this is a regeneration of an existing residential site this is not necessary. Existing public transport connections already serve this site with the site benefiting from good pedestrian connectivity. Development provides lower parking ratio than would be acceptable for a new development but this is an increase on current parking provision currently available within the site. A minor further reduction to parking spaces may be acceptable if this enhances the placemaking and design response of the development.

A range of general points covering surface finishes, road geometry, RCC, street lighting and potential for improving pedestrian connectivity to local services are noted. Concerns have been raised that

- access to undercroft parking is not wide enough
- vehicle movements at parking bays at the west of the site are problematic
- site level information is required to ensure gradients are suitable for pedestrians and vehicles
- parked cars conflict with bin collection areas
- improved turning at Larch Grove is required
- Existing parking rows at Laurel Grove and Larch Avenue should be broken up

Waste and Recycling Services: No objection. Collection vehicles should be able to negotiate the development without the need for reversing or the development provided a turning area for a RCV. Communal collection points will be required if suitable RCV access cannot be provided. Further correspondence identified a concern that the RCV vehicle could not access bin collection points between block 7 and 8 with the length of access requiring a turning head opposite block 7.

Statutory Consultees

Scottish Environment Protection Agency (SEPA): No objection however the following observations have been provided

- Galashiels Sewage Treatment Work has enough capacity to treat sewage effluent.
- A planning condition should seek to agree a Sustainable Urban Drainage System (SUDS) to appropriately handle surface water.
- The handling of demolition waste should be agreed with SEPA's local regulatory team and SBC.
- No flood risk concerns are raised.
- The applicant will be required to obtain a Controlled Activities Regulations (CAR) licence for the management of surface water run-off from the construction site.

KEY PLANNING ISSUES:

The principal planning issues with this application can be summarised as follows:

- Whether the proposals would represent a suitable redevelopment of an existing residential site within the Galashiels settlement boundary.
- Whether the proposal would have an adverse impact on the visual amenities of the area including its landscape setting.
- Whether the proposal would harm the residential amenity of neighbouring dwellings or conflict with the established land use of the area.
- Whether the proposals are acceptable in terms of parking, access and impacts on road safety.
- Whether adequate drainage and servicing can be achieved.

ASSESSMENT OF APPLICATION:

Planning Policy

The application site is located within the Galashiels settlement boundary. The site is not allocated or designated for any particular use. This application is required to be principally assessed against Policy PMD5 Infill Development of the Local Development Plan 2016 (LDP). This policy is broadly supportive of suitable forms of infill development provided it meets a range of criteria a) to f) of Policy PMD5.

Currently there are 263 residential properties within the Beech Avenue part of Upper Langlee. This proposed masterplan redevelopment would reduce the total number of units to 213 (this figure includes 109 proposed new builds and the retained accommodation out with the application site).

The development is located within a residential area of the town where there has been a long established residential use on the site. The proposed regeneration of this site for residential purposes does not result in any change of use of the land. The proposal will not cause any land use conflicts within the surrounding area and therefore satisfies

criteria a) of Policy PMD5. The overall reduction in the volume of residential properties within the site ensures that the development does not result in over-development or 'town cramming' issues allowing the proposal to comply with criteria c) of PMD5. Items b), d), e) and f) of PMD5 will be assessed within relevant sections of this report covering placemaking and design, access and parking, infrastructure and residential amenity.

Although not forming part of the Councils development plan as an allocated housing site, it is promoted within the Councils current Strategic Housing Investment Plan (SHIP) 2021 – 2026. The SHIP sets out the key strategic housing investment priorities for both affordable housing and other tenures over a five year period to assist with meeting identified housing need within the Scottish Borders. This development will therefore make an important contribution to identified strategic housing demand within Galashiels.

In land use planning terms the proposed development is broadly considered to represent the suitable redevelopment of this existing residential site which satisfies the principal aims of Policy PMD5, subject to detailed consideration of the other identified criteria within this assessment.

Tenure

The existing accommodation is provided by Waverly Housing Association. They are leading this development proposal as a regeneration project of their existing housing stock. If consented, all the proposed residential units including the amenity flats will be managed and maintained by Waverly HA. The inclusion of the development within the Councils SHIP confirms that it is a priority affordable housing project.

If Members are minded to agree the recommendation, it is advised that a planning condition to control the occupancy of the development for affordable housing tenures only (which comply with the Councils definition of affordable housing listed in the SPG) is required. This control will ensure that the development is delivered in accordance with its proposed tenure avoiding the accommodation being available on the open market and being liable for developer contributions which affordable housing proposals are currently exempt from.

Placemaking and Design

The existing development within the application site has a strong identity within the surrounding area. The design of the existing buildings have a functional character and a layout specific to the site. The buildings proposed for demolition directly contribute to this character. The 4 and 5 storey blocks which are tightly packed along the northern side of Beech Avenue (referred to as 'wall' buildings in the Design Statement) enclose the development. The 3 and 4 storey vertical blocks in the foreground (referred to as 'object' buildings) which populate a 'parkland' type landscape towards Melrose Road. The existing development does have a distinct character that is encouraged by the placemaking and design agenda however the urban design principles used when this site was developed in the 1960s, are now outdated. The Design Statements advise that *"Waverly Housing Association (applicants) had found that the social housing at Upper Langlee was carrying a certain stigma stemming from increasing levels of anti-social behaviour and a number of problematic tenants. There were increased levels of property vacancies, a decrease of interest in certain house types and locations along with a perception of a lack of larger family properties available within the development."*

The primary driver behind this application is to positively regenerate the Western area of Upper Langlee with new-build, low rise housing which meets changing housing

needs within this part of Galashiels and responds to the issues faced by Waverly HA. The Scottish Government have sought to raise the quality of new development within Policy Statements on 'Designing Places' and 'Designing Streets'. These statements heavily influenced the Council's position on quality standards for all new development (Policy PMD2 of the LDP) and sets out specific criteria on Placemaking and Design in the approved SPG. Criterion b) of Policy PMD5 also requires development to maintain the character and amenity of the surrounding area and criterion d) requires proposals to respect the context of the surrounding area. The merits of these proposals are considered against current development plan policies and it is also important to consider the proposals against the contribution the existing development makes to the surrounding environment.

Layout

The layout of the proposals is constrained by the retention of existing buildings around the application site. These constraints limit the potential to provide clear circulation around a new street layout and new connections into the surrounding street network, aspects which are promoted within Design Streets. The emphasis of Designing Streets seeks to provide place before movement. By comparing the existing street layout with the proposed layout it is clear that the proposals present a more distinct sense of place and follow this principle. This is achieved by positioning buildings so that they positively address the street, improving road geometry of Beech Avenue, increasing pedestrian permeability throughout the development and creating a clearer hierarchy of private and public spaces.

The proposals remodel the accommodation so it is provided in a series of linear blocks consisting of different dwelling units with private gardens. This pattern reflects arrangement of residential units elsewhere in Langlee to the east and south. The amenity block occupies a key position at the site entrance. The layout seeks to take advantage of the site's southerly aspect where possible while avoiding turning its back on the existing street network. The positioning of the buildings allows the blocks to provide more active frontage throughout the development and improve on street surveillance. Attention has been paid to Melrose Road to ensure the building frontages address this primary route through Langlee. The amenity flats also turn the corner of Hawthorn Avenue and present an elevation to this street which sinks into the landform. Within the layout some of the blocks are a little longer than would normally be preferred (such as Blocks 4, 8 and 9) but these blocks address long straight sections of the road and are adjacent to retained infrastructure which restricts their layout.

The development reduces the dominance of vehicles within the layout. This is achieved by adjusting the road geometry of Beech Avenue and introducing surfacing material changes and some shared spaces. This will slow vehicle speeds, provide visual interest and enhance pedestrian movements. Parking courtyards alongside Block 12 and 13, communal parking areas within the west of the site and undercroft parking at the amenity flats help to reduce the dominance of parked cars along Beech Avenue. Breaks are provided in the long rows of on nose in parking spaces at Laurel Grove and Larch Avenue. These provide visual relief and crossing points.

The layout provides bin stances within the curtilage of dwelling units with communal bin store locations provided throughout the site. Access is provided to allow bins to be presented to the street for collection within communal storage areas. Details of the means of enclosure of these spaces will be required to be agreed via planning condition.

Building design

The proposals will significantly alter the building offering within the site which will change from flats contained in large blocks to a collection of family homes with the exception of the amenity flats. The graphic presented in the Design Statement section on Demolitions & Massing articulates that despite the area of development increasing throughout the site, the scale and mass of the buildings are reduced. This directly addresses the overbearing impact of the existing wall structure along Beech Avenue and ensures that the scale of the new development does not appear as prominent in the wider landscape as demonstrated by the visual; 'View from Galafoot Bridge'.

The building designs do follow contemporary, linear forms with simple geometry. The proposals avoid attempting to introduce a more traditional design within the site. The form of the buildings take direct cues from the existing and retained built fabric within Upper Langlee and this helps to provide the development with a sense of continuity within the built context. Originally, the proposals included a dual inverted roof pitch however, this element has been removed. The proposals provide accommodation across 9 different buildings. While there are long terraced rows, the variation in roof form, height and material finishes provides interest and avoids the terraces appearing monotonous, especially when compared to the existing built forms. Recesses along their frontage also reduces their mass from street level.

The amenity flatted block is a long building however it is sufficiently broken up by its stepped elevations with the fenestration arrangement providing interest and verticality. The mono pitch roof detail on the entrance and corner columns adds interest to these public facades. Key buildings were identified at the end of terraced rows which include Plots 6, 12, 15, 23, 43, 48, and 89. The design response of these units has been improved through the introduction of a zinc material finish wrapping around the upper part of the building effectively creating a roof 'zone'. These units are now to be finished in a different render colour. These changes allow the units to punctuate the street scene at key locations.

Turning specifically to Block 9, the removal of one unit and the introduction of additional soft landscaping to reduce the extent of this long row would have been preferred. However, the house types do include recesses which, provide relief and this has been aided by handing Plot 58 and 59 with some in-curtilage parking spaces being removed to help soften the frontage of these blocks. On comparing this block with the building it replaces, the design is a considerable improvement. Elsewhere the building designs of the blocks appear sufficiently interesting. Fenestration has been improved with greater vertical emphasis and windows have added to previously blank gable elevations at the end of terraced rows, all of which help create more interesting elevations to the street.

The proposed architectural styles are not forms that are vernacular to the Scottish Borders however, its contemporary style clearly corresponds with the existing built forms within the site and elsewhere in Upper Langlee. The proposals provide a range of typologies which successfully integrate with the retained bungalows and flatted blocks and introduce a clear hierarchy of buildings throughout the western area of Upper Langlee. The proposals avoids the repetition and overbearing mass of the existing buildings to ensure the development more successfully integrates within its surroundings.

Materials

Some of the proposed material finishes have been revised through the course of the application. The volume of render has been increased with large areas of red brick coloured forticrete block removed. The use of render integrates with the primary building material finish within the surrounding area. A third render colour has been added which provides greater variety. The use of white and grey compliant existing colours with the addition of charcoal coloured render and zinc helping to punctuate the development. These small areas of darker finishes draw on the tones of Langlee Primary School which is located opposite the site. Sections of forticrete block have been retained with a flint colour proposed instead of red brick. This change of colour is agreeable and would sit comfortably with the palette of materials on offer. Greater use of street surface materials is welcomed and helps define the hierarchy of street spaces.

In principle the proposed material finishes compliment the architecture proposed development and are not out of keeping with the built context of the wider townscape. A condition to agree the precise details, including samples of the materials is recommended to ensure that the finishes respect the character surrounding area.

Landscaping

The existing development benefits from a large amount of communal green space which helps connect the site to the wider landscape. The purpose of this space was to provide residents within the flatted accommodation with access to outdoor amenity space. This development seeks to respond to current demand where existing and prospective tenant's preference is for a dwellinghouse with private garden ground. Landscaping around the retained 'object' buildings located at the outer edges of the site is being retained which will help to soften the edges of the development. Revisions to the layout have increased the pockets of soft landscaping, which in turn, softens the street scene. There are opportunities to increase planting throughout the site which will also compensate for tree loss. A detailed landscaping scheme which includes the agreement of boundary treatments will help create space hierarchies through the layout and ensure the development positively contributes to the amenity of the surrounding area. This can be addressed via planning condition.

An Arboricultural Implication Assessment (AIA) has been provided which confirms that the development will result in the loss of up to 79 trees. The AIA reports that 11 of these trees are either dead or decaying however the majority are noted to have been well managed. Policy EP13 does recognise that where significant tree loss is proposed this could be acceptable where the public benefit of the development outweighs the value to the existing tree resource. In this case, the tree removal helps to facilitate the regeneration of an existing affordable housing scheme. The existing trees are not protected by a Tree Preservation Order. The Council's landscape architect and ecologist have not raised serious concerns about the loss of these trees for landscape or ecological reasons. Clearly the loss of so many mature trees is regrettable but when considering the question of planning balance, the benefits of removing the identified trees to make way for regeneration of a large residential area carries significant weight. The loss of the trees can be justified against the criteria set out in Policy EP13. Importantly the proposal does not result in the full loss of all existing mature trees. The AIA confirms that trees identified for retention can be retained (NB these trees are not shown on the masterplan but are shown on Drawing No 20472 of the AIA). Suitable protective fencing will be required prior to the commencing of development, including demolition to ensure that these trees which will add to the landscape structure are adequately protected.

Overall, considering the placemaking and design response as a whole, the siting and design of the proposals represent significant improvements to the character and amenity of the surrounding area when compared to the existing development. The proposed regeneration establishes a clearer sense of place within the site but also draws on established linear built forms within Upper Langlee. Subject to conditions covering material finishes and landscaping, the proposals are in keeping with adopted policy and guidance in relation to placemaking and design, including criteria b) and d) of policy PMD5 and Policy PMD2 of the LDP.

Access and Parking

The proposed development maintains existing vehicle and pedestrian connections with the surrounding road and footpath network. These connections continue to serve this development without a need for further improvement. The development can still successfully utilise existing links to public transport connections.

Through the course of the application, refinements have been made to the road layout which sought to address the specific comments raised by Roads Planning (RPS). Site level information has also been provided which illustrates adequate access level details. There remain concerns that the access to the undercroft parking is too narrow and presents a collision risk for vehicles entering and existing this space. An amended detail to ensure that appropriate visibility is provided for drivers using this space can be agreed by a suspensive planning condition.

Additional information covering parking ratios and details have been provided. Whilst the development does not meet parking ratios normally expected for new residential developments, it does increase the volume of parking spaces across the site for a reduced number of residential units. RPS have accepted the level of parking proposed and no concerns have been raised in response to the revised masterplan with has removed a small number of parking spaces to assist with reducing the visual dominance of parked cars, improve pedestrian permeability and refuse collection movements.

The Councils Waste Strategy Team have confirmed that the access road towards the houses in Block 7 is too long for a Refuse Collection Vehicle (RCV) to reverse and has requested a turning head be formed. This could result in up to 4 parking spaces being lost in this part of the development. This area is reasonably well served with communal parking spaces and there does appear to be scope within the layout to relocate parking lost at this location. Roads planning have confirmed that a revision to the layout to accommodate the turning head is feasible.

The precise access and parking configuration detailed within the current proposals require revisions to ensure that sufficient safe access is provided throughout the site, including RCV movements. Nevertheless the proposed revisions are of a minor nature and importantly there is capacity for these changes to be absorbed within the site. Appropriately worded suspensive conditions can adequately address matters covering safe undercroft access, a turning head adjacent to Block 7 and compensatory parking provision to allow the development to proceed in compliance with Policies PMD2 and PMD5.

Residential Amenity

The existing buildings, which include the retained bungalows, are of a high density. Criteria f) of Policy PMD5 and Policy HD3 requires infill developments to protect the amenity of adjacent residential properties. The proposed development is judged to

meet the recommendations within the SPG on Privacy and Sunlight. This sets standards to ensure that the proposed development does not give rise to significant loss of light, sunlight or privacy to any existing neighbours or promote negative relationships between new units within the redevelopment. Whilst the proposed layout and house types are of a high density, appropriate for this location, they will not result in unacceptable adverse impacts on residential amenity of existing (or proposed) housing.

The development seeks to utilise air source heat pumps (ASHPs). Their use will positively contribute to the green credentials of the development and align with the aims of Policy ED9. These installations can however generate noise. Environmental Health Officers are satisfied that noise output can be controlled by planning condition to ensure that their operation does not pose a noise nuisance which has a detrimental impact on the amenity of this residential area.

Subject to the attachment of a planning condition controlling the noise levels of the ASHPs, the development is not considered to have a detrimental impact on the amenity of any surrounding neighbouring properties and complies with relevant LDP policy provision covering residential amenity.

Phasing

The Housing Strategy Officer has indicated that the development is to be delivered across 3 separate phases. It would be expected that a development of this scale were to be delivered in a phased basis. The provision of existing accommodation immediately surrounding the development site may make the construction process slightly more awkward, particularly in relation to access and egress being maintained for immediately adjoining neighbours. The precise phasing of the redevelopment of this site can be controlled by an appropriately worded planning condition to ensure that the development follows a sensible programme which does not cause any unnecessary impacts on neighbouring residents.

Ecology

Policies EP1 to EP3 seek to protect sites and species afforded international and national protection from adverse forms of development and also aim to safeguard and enhance local biodiversity.

The application site is not located within or immediately adjacent to any internationally or nationally protected ecological sites. The buildings identified for demolition and the location of the site next to a mature woodland could provide habitat potential for bats and breeding birds. Following the submission of a preliminary roost assessment and activity surveys it has been identified that the presence of bat roosts within the buildings will require the developers to obtain a European Protected Species Licence from NatureScot or relevant approval from NatureScot as relevant regulatory authority before demolition works commence. To compensate for the loss of potential bat habitats a Species Protection Plan (SPP) is recommended to agree suitable mitigation measures which can be incorporated within the redevelopment, i.e. bat boxes and bat bricks etc. Although no breeding birds were recorded at the time of the survey there still remains potential for the site to be used as habitats for breeding birds, therefore it is recommended that demolition works should not commence during the breeding season (March – August) unless a SPP to assess the potential impact on breeding birds has first been carried out.

The impacts of the development on protected species can be addressed through suspensive conditions to ensure that the required licences or relevant approval is provided along with SPPs for bat and breeding birds if necessary, in accordance with the requirements of Policy EP1. Policy EP3 also seeks to ensure that developments deliver biodiversity enhancements. Planting of wildflower within areas of greenspace would provide enhancement in accordance with the aspiration of Policy EP3 and the Local Biodiversity Action Plan. Areas of wildflower meadow, including planting species, can be agreed as part of a soft landscaping condition.

Water Supply and Drainage

Policy IS9 of the LDP covers waste water treatment standards and sustainable urban drainage. The development seeks to utilise existing water supply and drainage connections. There are known issues with the existing infrastructure currently serving existing housing on this site. However, the proposed development would reduce the total number of units using the connections to existing infrastructure. All new development should however be SUDS complaint. The precise details of SUDS, as well as details of public water and foul drainage connections can be covered via a standard planning condition.

Land Contamination

The Councils Contaminated Land Officer has identified that historic use of the site previously housed glass houses and associated buildings. These uses may have resulted in land contamination. Contamination may be encountered during development works however this can be addressed by a planning condition which will ensure that an appropriate site investigation and remediation strategy is in place (if required) prior to work commencing on site, in accordance with Policy IS13 of the LDP.

Developer Contributions

Policy IS2 of the LDP is relevant and is supported by SBC's approved SPG on development contributions. A residential development in this location would normally trigger financial development contributions towards local schools. However, as the proposed dwellings represent an affordable housing scheme and it is the intention to control this occupation via a suitably worded planning condition, this development is exempt from developer contributions towards Education.

New affordable housing development is not however exempt from making financial contributions towards Play Space where contributions are set at £500 per new dwelling unit. The existing play area serving this part of Upper Langlee is unaffected by the proposed development. This area is managed and maintained by the Langlee Residents Association on behalf of the applicants and will be retained in this manner. This proposal does not result in a loss of play provision and no extra demand is being placed on the retained space as the number of units overall will be reduced. In this context a developer contribution is not required.

CONCLUSION

The proposed development is considered to provide an appropriate form of infill development, which facilitates the positive regeneration of existing residential accommodation within this part of Upper Langlee. The proposals provide affordable residential units, which respond to current demands faced by Waverly HA as a result of poor quality existing housing stock. The building types may not be forms which are necessarily vernacular or traditional to the Scottish Borders, however, they

satisfactorily integrate with the buildings proposed for retention as well as the wider Upper Langlee area. The proposals provide a clear hierarchy of buildings types within the site and result in reduction to the scale and mass of the buildings which are being removed. The development is considered to provide an enhanced sense of place and richness within this urban area and align with achievable placemaking and design principles.

Subject to the compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

RECOMMENDATION BY CHIEF PLANNING AND HOUSING OFFICER:

I recommend the application is approved subject the following conditions:

1. The proposed residential units shall meet the definition of "affordable housing" as set out in the adopted Scottish Borders Local Development Plan 2016 and accompanying supplementary planning guidance and shall only be occupied in accordance with arrangements (to include details of terms of occupation and period of availability) which shall first have been submitted to and approved in writing by the Planning Authority.
Reason: The permission has been granted for affordable housing, and development of the site for unrestricted market housing would attract contributions to infrastructure and services, including local schools.
2. No development shall commence until precise details (including samples where requested by the Planning Authority) of all external wall and roof finishes for the approved buildings, and full details of the surfacing of all shared surfaces and footways have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be completed in accordance with the approved details unless otherwise agreed in writing with the planning authority.
Reason: To ensure the material finishes respect the character and appearance of the surrounding area.
3. No development shall commence until a revised masterplan has been submitted to and agreed in writing by the Planning Authority to address the following access and parking matters;
 - a) A turning head shall be provided in front of Block 7, capable of serving Refuse Collection Vehicle movements.
 - b) Parking spaces displaced as a result of item a) shall be repositioned at suitable locations elsewhere within the development, where necessary.
 - c) The vehicular access to the undercroft parking area shall be amended to allow appropriate visibility for drivers entering and existing the access.Once agreed the development shall be completed in accordance with the approved details unless otherwise agreed in writing with the planning authority.
Reason: To ensure provide safe vehicle movements throughout the application site and ensure sufficient parking provision is provided.
4. No development shall commence until a site plan identifying the precise location of protective barriers in accordance with BS5837:2012 to protect trees identified for retention on Drawing No 20471 of the Arboricultural Implication Assessment and Tree Protection Proposals has first been submitted to and agreed in writing with the Planning Authority. Thereafter the protective barriers shall be erected prior to the commencement of any development works (including demolition works) and the barriers shall only be removed when the development has been completed.

Thereafter, the trees shall be retained in perpetuity unless otherwise agreed in writing with the Planning Authority.

Reason: To protect and retain trees which enhance the visual amenity of the surrounding area.

5. 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, thereafter the development shall be completed in accordance with the approved details unless otherwise agreed in writing with the planning authority.

Details of the scheme shall include:

- a) location and design, including materials, of all walls, fences and gates;
- b) soft landscaping works including planting schedules;
- c) existing and proposed services such as cables, pipelines, sub-stations;
- d) other artefacts and structures such as street furniture, play equipment;
- e) the design and location of all bin stores including their means of enclosure;
- f) a programme for completion and subsequent maintenance.

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

6. Prior to occupation of the first dwellinghouse hereby approved, a scheme of street lighting details (including a programme for completion) shall be submitted to and agreed in writing by the Planning Authority and thereafter the lighting shall be installed as per the approved details.

Reason: In the interests of road and pedestrian safety and to safeguard residential amenities and limit light pollution.

7. No development shall commence until written evidence is provided to the Planning Authority that mains water, foul and SUDS complaint surface water drainage connections are available to serve the development. All public mains services shall be provided prior to occupancy of the dwellinghouses hereby approved and shall be maintained thereafter throughout occupancy of the dwellinghouses

Reason: To ensure the development is adequately serviced and to maintain existing surface water run-off levels from the site.

8. Any noise emitted by air source heat pumps installed at the dwelling units hereby approved shall not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR 30 at all other times when measured within all noise sensitive properties (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2. All air source heat pumps shall be maintained and serviced in accordance with the manufacturer's instructions so as to stay in compliance with the aforementioned noise limits.

Reason: To protect the residential amenity of nearby properties.

9. No development shall commence until the developer has provided the Planning Authority with either;

- a) a copy of the relevant European Protected Species licence,
- b) a copy of a statement in writing from Scottish Natural Heritage (NatureScot) (licensing authority) stating that such a licence is not necessary for the specified development

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1 and EP3.

10. No development shall commence until the following Ecological Mitigation Measures have been submitted to and approved in writing by the Planning Authority and thereafter, no development shall take place except in strict accordance with those details. The submitted details shall include:

- a) a Species Protection Plan (SPP) for bats
- b) a SPP for breeding birds which shall include a pre-development supplementary survey, in the event that development works are sought to be commenced during the breeding bird season (March to August)

Reason: To ensure that species and habitats affected by the development are afforded suitable protection during the construction and operation of the development.

11. No development shall commence until a scheme submitted by the Developer (to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the planning authority, and is thereafter implemented in accordance with the scheme so approved.

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 developer 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 with 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.

DRAWING NUMBERS

Plan Type	Drawing No	Date Received
Master Plan	9328-0-08 Rev J	09.03.2021
Elevations	9328.0.35 B	09.03.2021
Elevations	9328.0.37	09.03.2021
Elevations	9328.0.34 B	09.03.2021
Elevations	9328.0.30 B	09.03.2021
Elevations	9328.0.33 B	09.03.2021
Elevations	9328.0.38	09.03.2021
Elevations	9328.0.31 B	09.03.2021
Elevations	9328.0.38	09.03.2021
Elevations	9328.0.32 B	09.03.2021
Elevations	9328.0.53 B	09.03.2021
Site Levels	9328-0-24	02.02.2021
Tree Proposals and Protection	20472	02.11.2020

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning and Housing Officer	

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

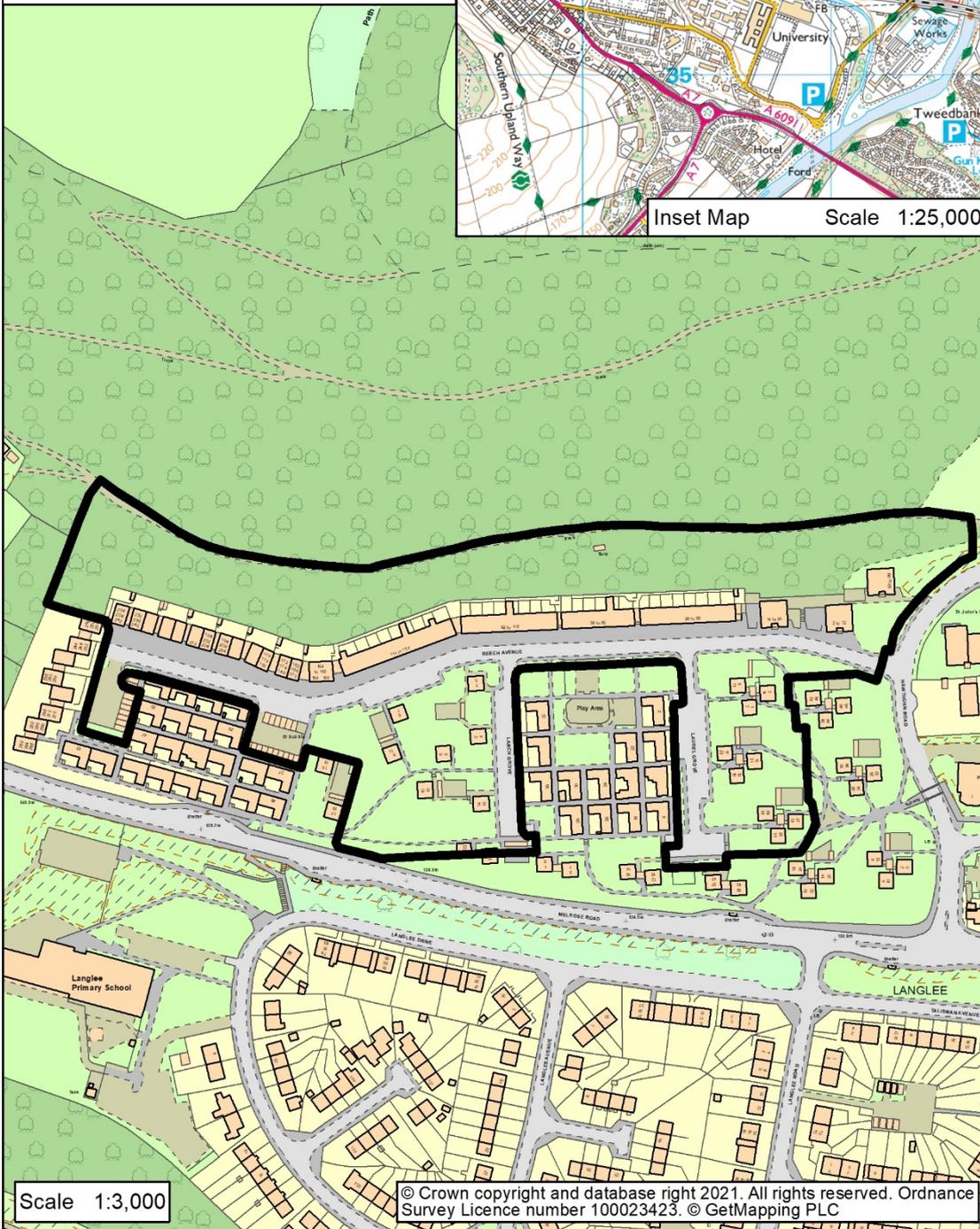
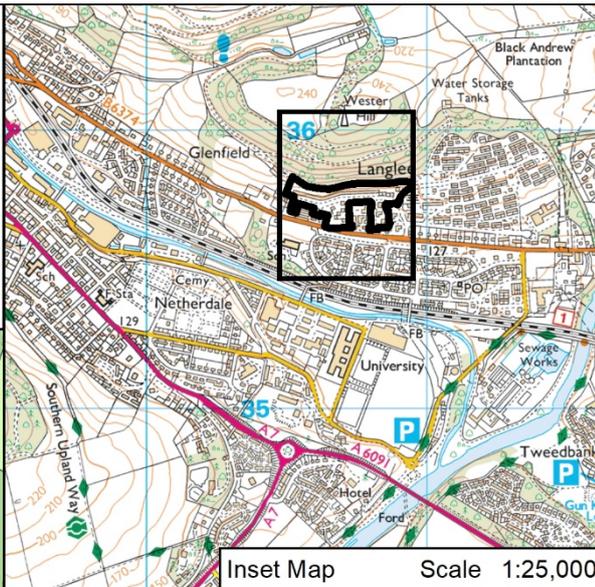
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20/00665/FUL

Land Development At Beech Avenue
And Laurel Grove
Galashiels



Scale 1:3,000

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