

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

MINUTE of Meeting of the PLANNING AND
BUILDING STANDARDS COMMITTEE held
via Microsoft Teams on Monday, 31 May
2021 at 10.00 a.m.

Present:- Councillors S Mountford (Chairman), A. Anderson, J. Fullarton, S. Hamilton, H. Laing, D. Moffat, C. Ramage, N. Richards, E. Small.

In Attendance:- Planning and Development Standards Manager, Lead Planning Officer (B. Fotheringham), Senior Roads Planning Officer, Solicitor (Fraser Rankine), Democratic Services Team Leader, Democratic Services Officer (F. Henderson).

1. MINUTE

There had been circulated copies of the Minute of the Meeting held on 26 April 2021.

DECISION

APPROVED for signature by the Chairman.

2. APPLICATION

There had been circulated copies of a report by the Chief Planning and Housing Officer on applications for planning permission requiring consideration by the Committee.

DECISION

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

MEMBER

Councillor Anderson left the meeting.

3. APPEALS AND REVIEWS

There had been circulated copies of a briefing note by the Chief Planning Officer on Appeals to the Scottish Ministers and Local Reviews. Mr Fotheringham advised that, following feedback from a member of the public that the summary in respect of 20/00067/FUL Land North West of Willowdean House, Foulden was incomplete, an amended summary had been included.

DECISION

NOTED that:-

(a) Appeals had been dismissed in respect of:-

(i) the Erection of 22 dwelling houses with new access road and associated work on Land East of Knapdale, 54 Edinburgh Road, Peebles – 20/00753/FUL; and

(ii) the Erection of 52 holiday lodges with office reception, shop and formation of associated roads and parking on Land North West of Willowdean House, Foulden – 20/00067/FUL

(b) There remained one appeal previously reported on which a decision was still awaited when the report was prepared on 20 May 2021 and related to the site at:

- Land West of 8 Ballantyne Place, Peebles

(c) review requests had been received in respect of:-

- (i) replacement windows and door at Linden, Causewayend, Ancrum – 20/00962/FUL;
- (ii) the Erection of dwelling houses with associated access on site East of Dogcraig Cottage, Scotsmill, Peebles – 20/01350/PPP;
- (iii) erection of dwelling house on Land East of the Bungalow, Edington, Chirnside – 21/00045/FUL;
- (iv) erection of dwelling house on Land West of the Old Barn Westware, West Linton – 21/00295/PPP;

(d) The decision of the appointed Officer had been upheld in respect of the erection of boundary fence (retrospective) at 1 Raeburn Lane, Selkirk – 20/01234/FUL

(e) There remained one review previously reported on which a decision was still awaited when the report was prepared on 20 May 2021 and related to the site at:

- Angling Club, 5 Sandbed, Hawick

(f) There remained one S36 PLI previously reported on which a decision was still awaited when the report was prepared on 20 May 2021 and related to:-

- Crystal Rigg Wind Farm, Cranshaws, Duns

4. SUPPLEMENTARY PLANNING GUIDANCE: TWEEDBANK – VISION FOR GROWTH AND SUSTAINABILITY – A COMMUNITY FOR THE FUTURE & DELIVERING DEVELOPMENT QUALITY- DESIGN GUIDE

- 4.1 The Chief Planning Officer, Mr Aikman accompanied by Mrs Ruthven, Planning officer presented the report by the Executive Director Corporate Improvement & Economy, which had previously been circulated and explained that a 34ha site was allocated within the Council's adopted Local Development Plan (LDP) 2016 to the north of Tweedbank for mixed use development which included housing and business uses. The site was incorporated into the LDP as part of Supplementary Guidance (SG) on Housing, as required by the Planning and Environmental Appeals Division of the Scottish Government following Examination of the LDP. The Housing SG was approved by the Council and was cleared by Scottish Ministers in November 2017. The LDP stipulated the requirement for Supplementary Planning Guidance (SPG) to be provided for the site. The purpose of the SPG was to set out the Council's vision for the site and gives greater clarity on measures to achieve a high quality development. This included identifying site constraints to be addressed, the identification of zones for specific uses, indicative housing densities for the residential zones, a possible area for a care home facility, placemaking and design guidance and a pre-application checklist.
- 4.2 A draft version of the SPG was approved by the Council in January 2020 as the basis for consultation. A 12 week public consultation followed thereafter which included a public exhibition in the Tweedbank Community Centre. All representations received during the consultation period were summarised in a table within Appendix B along with Officer responses to the representations submitted. The table also confirmed changes to the SPG proposed by Officers in response to the representations received and the consequent amended version of the SPG was included in Appendix A to the report.

- 4.3 Although the Draft SPG incorporated a section on placemaking and design it was considered this should be expanded upon and consequently a Design Guide had been prepared which gave more detailed advice along with good practice examples and references other related material considerations. The Guide would help ensure a high quality sustainable development which was sensitively designed within the attractive landscape setting of the site and met the Council's aspirations for a high quality community for the future. The Design Guide was attached as Appendix C to the report.
- 4.4 In considering the purchase of Lowood Estate it had been agreed that all future strategic decisions relating to the Estate would be considered by Council. Consequently the final approval of the SPG / Design Guide required to be made by Council. At the meeting of the Council in January 2020 it was agreed that at the conclusion of the consultation period all consultation responses and any proposed consequential amendments to the Draft SPG would be reported initially to the Planning and Building Standards Committee for their review and comment. Thereafter the SPG and any comments from the Planning & Building Standards Committee would be reported to the Council. It was therefore proposed to submit the SPG and associated Design Guide to Council at its meeting on 17th June 2021. Once approved by the Council the SPG and the Design Guide would be significant material considerations in guiding planning applications for the development of the site.
- 4.5 A number of decisions had been taken by the Council in respect of the purchase of the Lowood Estate and the terms of the Full Business Case for the Edinburgh & South East Scotland City Region City Deal, which allowed draw down of £15m of funding for the Central Borders Innovation Park that had an interrelationship with the proposed SPG. However, this report solely focussed on the Planning Guidance that would help shape development on the site and ensure that it became an integral part of Tweedbank. Further reports on the Development and Marketing Strategy would be forthcoming later in the year. The Committee were very positive about the report and commended Officers for their hard work in putting it together. Mr Aikman and Mrs Ruthven answered Members' questions on Education, the proposed care village and the importance of a community area. Members requested a site visit when Covid restrictions allowed.

DECISION

- (a) **NOTED** the officer responses to the representations received and the consequent proposed amendments to the SPG as set out in Appendix B to the report.
- (b) **APPROVED** for submission to Council:-
- (i) the Supplementary Planning Guidance set out in Appendix A to the report; and
- (ii) the Design Guide set out in Appendix C of the report.
- (c) **AGREED** that a site visit be arranged, once Covid restrictions allowed.
5. **TECHNICAL PAPER: PLANNING (SCOTLAND) Act 2019 – NATIONAL PLANNING FRAMEWORK 4 (NPF4): HOUSING LAND REQUIREMENT CONSULTATION**
- 5.1 There had been circulated copies of a report which sought approval for the response to the Scottish Government's consultation on the proposed housing numbers/targets and methodology for their calculation to be incorporated in the draft National Planning Framework 4 (NPF4), which was scheduled for publication in Autumn 2021.
- 5.2 The response was an interim measure and there would be further opportunities to review and confirm the final figure in due course as a result of the publication of the draft NPF4 and the production of guiding documents yet to be finalised such as the Housing Need and Demand Assessment 3 (HNDA). The deadline for the response to be submitted to Scottish

Government was 4 June 2021. The Principal Officer, Plans and Research answered Members questions.

DECISION

AGREED the proposed response to amend the initial default estimates contained within the Scottish Government's consultation to increase the housing land requirement to be 440 units per annum with a 10 year requirement of land for 4,400 homes.

The meeting concluded at 11.30 a.m.

APPENDIX I
APPLICATION FOR PLANNING PERMISSION

Reference

20/01024/FUL

Nature of Development

Erection of 2 glamping pods

Location

Land North West of
Drummonds Hall, Lauder

Decision: Approved subject to the approval of Scottish Ministers and the following conditions and informatives:

1. The development hereby approved shall be occupied for holiday use only and shall not be used as a person's sole or main residence or as temporary or permanent residential accommodation. The occupation of the holiday units shall be restricted to genuine holidaymakers for individual periods not exceeding 4 weeks in total within any consecutive period of 13 weeks. The operator shall maintain an up-to-date register of the names of all holiday makers staying in the holiday units and their main home addresses. This information shall be made available for inspection at all reasonable times by an authorised officer of the Planning Authority.
Reason: The accommodation on the site is not designed for permanent occupation and permanent residential use would be contrary to the council's housing in the countryside policies.
2. Prior to the development becoming operational the junction of the private access with the A697 to be improved to the following specification: the bellmouth at the junction to be widened to 5.5m with 8m radii and surfaced for the first 5m.
Reason: To allow two vehicles to pass within the bellmouth and prevent vehicles looking to turn into the junction having to wait on the A class road should another vehicles be emerging from the access, thereby ensuring the free flow of traffic on the A class public road, in the interests of road safety.
3. Prior to the development becoming operational the private access to the site to be upgraded to provide a smooth running surface capable of withstanding 14 tonne axle loading and the passing place on the private access to be extended so as to be 6m long with 6m tapers on either side to provide an overall road width of 5.5m.
Reason: To the private access is of a standard suitable for serving the development proposed.
4. A maintenance programme for clearing the flood arch at the bridge and for clearance of fallen or leaning trees upstream and downstream of the bridge, including a timetable for the works, to be submitted to and approved in writing by the Planning Authority before the development commences. The requirements within the maintenance programme then to be carried out in accordance with the approved timetable.
Reason: To mitigate potential flood risk at the site.
5. A maintenance programme for the road, including the clearance of the existing drainage grille at the bottom of the road and a timetable for these works, to be submitted to and approved in writing by the Planning Authority before the development commences. The requirements within the maintenance programme then to be carried out in accordance with the approved timetable.
Reason: To mitigate potential flood risk at the site.
6. Details of any proposed signage within or around the site to be submitted to and approved in writing by the Planning Authority before the signage is erected (location,

dimensions, material, design, colours and method of illumination). The signage then to be erected in accordance with the approved details.

Reason: To protect the visual amenities of the area.

7. No development shall commence until a report, by a suitably qualified person, has been submitted to and approved in writing by the Planning Authority, demonstrating the provision of an adequate water supply to the development in terms of quality, quantity and the impacts of this proposed supply on surrounding supplies or properties. The provisions of the approved report shall be implemented prior to the occupation of the buildings hereby approved.

Reason: To ensure that the development is adequately serviced with water without a detrimental effect on the water supplies of surrounding properties.

8. None of the buildings hereby approved shall be occupied until the foul water drainage arrangements, shown on the approved plans, have been completed and are operational.

Reason: To ensure that satisfactory arrangements are made for the disposal of surface foul water.

9. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the buildings have been submitted to and approved in writing by the Local Planning Authority, and thereafter no development shall take place except in strict accordance with those details.

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

10. No development shall commence until an accurate and detailed site plan is first submitted to and approved in writing by the planning authority. The development shall be located a minimum of 10 metres from the riverbank of the Earnsclough Water in accordance with SNH guidance River Tweed SAC and SSSI Guidance for Planners and Developers (2017). Thereafter, no development shall take place except in strict accordance with the approved plan.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.

Informatives

1. In respect of condition 2, it should be borne in mind that only contractors first approved by the Council may work within the public road boundary.
2. In respect of condition 6, the signs may require Advertisement Consent depending upon the size, location and illumination.
3. In respect of Condition 11, the works hereby approved should be carried out in a way that prevents pollution of the watercourse (Earnsclough Water/Lauder Water Special Area of Conservation and SSSI). Impacts on the water environment can be avoided by following SEPA regulatory advice, e.g. GPP 5 and SNH guidance note River Tweed SAC and SSSI Guidance for Planners and Developers (2017)
4. The applicant/developer is reminded that where works are proposed to existing trees within or adjacent to the application site (including felling, lopping, topping, thinning etc.), no development should be carried out during the breeding bird season (March to August). Further advice on is available directly from NatureScot at <https://www.nature.scot/professional-advice>