

**SCOTTISH BORDERS COUNCIL**

**PLANNING AND BUILDING STANDARDS COMMITTEE**

**2 AUGUST 2021**

**APPLICATION FOR PLANNING PERMISSION**

<b>ITEM:</b>	<b>REFERENCE NUMBER:</b> 21/00417/FUL
<b>OFFICER:</b>	Mr C Miller
<b>WARD:</b>	Galashiels and District
<b>PROPOSAL:</b>	Residential development comprising 69 units with associated access, parking, landscaping and servicing
<b>SITE:</b>	Land North of 5 Hillside Drive, Galashiels (Phase 2 Buckholm Corner)
<b>APPLICANT:</b>	Buckholm Ltd
<b>AGENT:</b>	Farningham Planning Ltd

**PLANNING PROCESSING AGREEMENT**

A Planning Processing Agreement has been agreed for Committee presentation by 2 August 2021.

**SITE DESCRIPTION**

The site is located on the north-western edge of Galashiels, on the northern side of the A7 approximately one mile from the town centre. The site, known as Phase 2, occupies just over three hectares of steeply sloping land from north-east to south-west, lying in an elevated position above the A7. The site is surrounded by open and sloping grazing fields to the north, east and west. To the south, between the site and the A7, lies an existing small housing development (Hillside Drive) and an 11 house affordable housing development under construction. A large mature oak tree lies within the site, adjoining a watercourse passing through the site and close to both Hillside Drive and Phase 1. Woodland also adjoins the site to the south-east.

The site is peripheral to the town and not within the Conservation Area. It adjoins land that represents the north-western extent of the area defined under Policy EP6 "Countryside Around Towns". The site is allocated in the Local Development Plan for housing development, specifically as EGL17B (Buckholm Corner) with a maximum capacity of 60 houses – this includes the land that has been developed for Phase 1. A further allocated site extends to the north, EGL41 (Buckholm North) with a stated capacity of a further 180 houses. A Planning Brief was prepared for both sites in 2007 and is referred to throughout this report. It is also included in full within the applicant's Design and Access Statement.

**PROPOSED DEVELOPMENT**

The application is submitted in full for the development of 69 dwellinghouses for affordable rent by Eildon Housing Association. This is confirmed in a separate letter from the Housing Association dated 20 April 2021. The Design and Access Statement describes the development in detail, representing a linear terraced development running with the contours of the Gala Water valley.

The layout has a main access from Phase 1 which in turn connects with a single upgraded access point on the A7. This splits at the retained oak tree, the eastern access road then serving 16 terraced houses before the access turns north to connect with the ground immediately adjoining the site – allocation EGL41. The western access road runs along the contours, interrupted by a central landscaped island, before again turning at the western end and connecting with the land forming allocation EGL41. This access road serves the remaining 53 houses in terraced rows with frontage parking, some in curtilage and some as part of the street system. Changed surface treatments are used to mark junctions and different sections of the development.

The terraced blocks are of uniform two storey design with dual pitched roofs clad in dark grey concrete tiles, pitches varying between 33 and 35 degrees. The walls will be either buff or white smooth render with dark grey vertical feature panelling between windows and between the doors and the roof. Windows and doors will be dark grey uPVC with overhanging canopies above each front door.

The submitted site sections display the severe gradients on the site and how cut and fill is addressing them. Generally, the approach is the same level of cut as fill with the main western access road resulting in up to 5m of cut to the north of the road and, at worst, 6.9m of fill to the southern side of the road, in order to create level driveways, gardens and floor pads for the houses. The differentials are more severe in the centre of the site near to the open space and oak tree than at the eastern and western ends.

The difficult levels have resulted in a particular landscaping and planting scheme, based upon a planted “reinforced soil” filled embankment between the houses and the existing houses in Hillside Drive. This will be planted with over 1000 shrubs along the southern side and in addition, a varying width lower shelf of land at the foot of the embankment will be planted with native woodland trees. Similar woodland zones will be planted to the western boundary of the site, the north-eastern corner and south of the retained oak tree.

Elsewhere, the oak tree and adjoining trees around the watercourse will be retained and protected from development with an area of open space. One Category B tree will be removed to the north of the oak tree. Street shrub planting and garden boundary hedge planting are also proposed with areas of shrubs breaking up the street parking zones and trees planted in the central landscaping island within the western access road.

The drainage proposals have been explained in a combined Drainage Strategy and Flood Risk Assessment report. The foul drainage will be taken to an existing Scottish Water sewer on the A7. Surface water will be discharged to the Buckholm Burn, indirectly via attenuation and SUDs based impermeable surfacing built into the roads and paths in the development.

The application is classed as a ‘Major’ development under the Hierarchy of Developments (Scotland) Regulations 2009. The applicants publicised and held an online public event prior to the application being submitted, as well as consultation with Galashiels and District Community Council. The outcome of the public consultation exercise has been reported in a Pre-Application Consultation Report submitted with the application. The requirements of the Development Management Procedure (Scotland) Regulations 2013 have been satisfied. The applicant has held further discussions with the Community Council during the application process.

In addition to the submitted plans and drawings, there are also statements and reports in support of the application, as follows:

- Pre-Application Consultation Report
- Design and Access Statement
- Preliminary Ecological Appraisal
- Transport Assessment
- Tree report
- Drainage Strategy and Flood Risk Assessment

## **PLANNING HISTORY**

The current allocation for housing on the site has been through full public consultation during the Local Development Plan process, leading to designation as allocation EGL17B with an indicative site capacity of 60 units. The allocated site includes Phase 1 of the Buckholm Corner development which had an old extant permission from 1977, recently updated by a new consent for 11 houses which has now been commenced. The 1977 consent also extended slightly into the eastern part of Phase 2.

## **PLANNING BRIEF**

The site allocation is supported by a planning brief for both it and another larger site behind (EGL41) with the principal aim of achieving a high quality sustainable mixed residential development, requiring effort to be applied to its landscape integration and reduction of impact on the surrounding landscape. The Brief, amongst other advice, seeks:

- The use of Designing Streets
- Focal points in the street layout
- New planting on the boundaries and outwith the site, integrating with rural surroundings
- Designs should be one or two storeys, white/buff render, grey roofs and feature panels
- Frontages to the internal street system but also outward looking to the west and south
- Development with and not against contours
- No breaking of ridgeline
- Avoidance of unbroken front garden parking and encouragement of parking blocks to the rear
- 30 houses per hectare

## **CONSULTATION RESPONSES:**

### **Scottish Borders Council Consultees**

**Roads Planning:** No objections but seeks further information. The site, along with Phase 1, is allocated and the contours make compliance with Designing Streets challenging. Regrets only one connection with the A7 but welcomes better connectivity with later phases to the North. Topography allows for only a linear nature of development.

Accepts that right hand turning lane is not required onto the A7 for a number of reasons related to limited speed, pedestrian crossing etc. Details are required about pedestrian crossing of the A7. The development is outwith the 400m maximum distance from a

bus stop on the A7 and discussion should occur with Border Buses who operate the X95 re additional stopping points. There would be opposition to widening of the A7 if bus stops were created opposite each other. An additional footway required to connect with that from Hillside Drive alongside the A7.

The parking provision meets standards but states the size requirements and the need for equitable spread of disabled spaces. Also seeks litterbin provision, maintenance arrangements for drainage and provision of EV charging points.

**Education Officer:** Response awaited.

**Landscape Architect:** Concerns over the development. Whilst accepting the steep gradient of the site and the complexities of development, concerned over the visual impacts of the cut and fill especially to the northern and southern boundaries of the site and potential impacts on the oak tree. Concerned about the reinforced soil embankment and seeks more details about planting establishment within this bank and below Plot 80 next to the tree. Seeks further boundary treatment information including limits on fencing and the use of street hedges and trees/shrubs. Also requires more information on a management strategy for all landscaping.

**Housing Strategy:** Supports application, identified in previous and current SHIP with Eildon HA as delivery agent. Scottish Government will continue to grant aid Phase 2 for Eildon HA who now own site.

**Flood Protection:** SEPA flood maps show a surface water flow path in the NE corner of the site which requires either a re-routing or layout changes to Plots 12, 13 and 26-28. Think it unlikely that surface water will follow line of the existing culvert heading to the Buckholm Burn. Seeks further information on the existing and proposed culverts, a culvert assessment, culvert maintenance, Plot 30 being above the culvert and details of boundary drainage above and below the earth embankments.

In response to amended information, sought updated microdrainage, details of the detention basin and boundary drainage being added to the layout drawings.

**Ecology Officer:** Satisfied with the submitted ecological assessment. No concerns over lost habitat but considers an Appropriate Assessment necessary relating to potential impacts from the site on the River Tweed SAC and seeks an Outline Construction Environmental Management Plan (CEMP), utilising best practice mitigation. Species Protection Plans can cover badger, bird and reptile interests. Two trees have moderate bat roost potential and further bat survey and roost assessment is required pre-determination of the application. Biodiversity enhancement can be achieved through conditions.

In response to bat surveys and Outline CEMP, accepts the findings that there were no bat roosts and some activity of two species, but that no further survey or mitigation for bats is required. Continues to seek a detailed CEMP by condition together with conditions on Species Protection Plans and biodiversity enhancement. Carried out an Appropriate Assessment which showed no adverse effect on the River Tweed SAC.

**Access Officer:** No rights of way or claimed paths through the site but welcomes footpaths through the site and connecting with open spaces within

and adjoining. Seeks further information on path connections, including with Phase 1 and later phases.

**Archaeology Officer:** No objections. No previous evidence of features on the site so disturbance unlikely. Visible from Buckholm Tower Scheduled Monument but impacts on setting are peripheral. No conditions or informatives required.

**Forward Planning:** Response awaited.

**Environmental Health:** Response awaited.

**Neighbourhood Services:** No objection.

**Waste Services:** Two cul-de-sacs will either need collection points at their entrance or suitable turning heads to avoid need to reverse.

### **Statutory Consultees**

**SEPA:** Response awaited.

**Transport Scotland:** No objections.

**Scottish Water:** No objections. There is capacity in relation to public water but drainage capacity cannot be confirmed until a direct application is made to them. Surface water treatment should be SUDs. Further advice provided on the next steps re contact with Scottish Water.

**Nature Scot:** No comment as development does not meet their criteria for consultation.

### **REPRESENTATION SUMMARY**

One representation has been received from an adjoining resident, concerned about the drainage scheme not providing interception surface water drainage from the development and seeking an appropriate condition, should development be consented.

### **DEVELOPMENT PLAN POLICIES:**

#### **Scottish Borders Local Development Plan 2016**

- PMD1 Sustainability
- PMD2 Quality Standards
- PMD3 Land Use Allocations
- IS2 Developer Contributions
- IS4 Transport Development and Infrastructure
- IS6 Road Adoption Standards
- IS7 Parking Provision and Standards
- IS8 Flooding
- IS9 Waste Water Treatment Standards and Sustainable Urban Drainage
- EP3 Local Biodiversity
- EP6 Countryside Around Towns
- EP8 Archaeology
- EP13 Trees, Woodlands and Hedgerows

EP15 Development Affecting the Water Environment  
EP16 Air Quality  
HD1 Affordable and Special Needs Housing  
HD3 Protection of Residential Amenity

## **OTHER PLANNING CONSIDERATIONS**

SESplan Strategic Development Plan 2013  
Scottish Planning Policy 2014  
PAN 44 Fitting New Housing into the Landscape 2005  
PAN 61 Planning and Sustainable Urban Drainage Systems 2001  
PAN 65 Planning and Open Space 2008  
PAN 67 Housing Quality 2003  
PAN 75 Planning for Transport 2005  
Designing Streets 2010

SPG Affordable Housing 2015  
SPG Developer Contributions 2016  
SPG Trees and Development 2008  
SPG Landscape and Development 2008  
SPG Green Space 2009  
SPG Placemaking and Design 2010  
SPG Guidance on Householder Development 2006  
SPG Waste Management 2015  
SPG Biodiversity 2005

## **KEY PLANNING ISSUES**

The main determining issues with this application are compliance with Local Development Plan Policies, Supplementary Planning Guidance and the Planning Brief on development on allocated sites, density, traffic impacts, design, landscaping, drainage and development contributions.

## **ASSESSMENT OF APPLICATION**

### Planning Policy

The site is allocated in the Local Development Plan 2016 for housing as EGL17B (Buckholm Corner) with a maximum indicative housing capacity of 60 houses. This includes the land that has been developed for Phase 1. A further allocated site extends to the north, EGL41 (Buckholm North) with a stated capacity of a further 180 houses. A Planning Brief was prepared for both sites in 2007 and is referred to throughout this report. It is also included in full within the applicant's Design and Access Statement.

The density of the site, and detailed Planning Brief criteria are assessed further in this report, including landscaping, treatment of levels, street frontages, views into the site and parking arrangements. The allocation on the Proposals Maps also shows landscaping requirements to the western boundary of the site in the form of structure planting. Culvert removal and channel restoration are also mentioned in the allocation.

Although there is no site specific requirement relating to transport listed in the Local Development Plan, Appendix A clearly states that a Transport Assessment will always be sought for any development above 50 units and that the developer would be expected to pay for any off-site roadworks required as a result of their development. A Transport Statement has been submitted with the application.

Bringing the site forward for housing development reflects the SESPlan housing land requirements for periods to 2019 and a further five years beyond. In terms of the principle of a housing development on this site, the Policy background is one of full support. The proposal is for housing development in compliance with the intended use in Policy PMD3. The site provides a contribution towards the housing land targets identified in SESPlan and in line with “Key Outcomes 1 and 2” in the Local Development Plan i.e. effective housing land supply and opportunities for affordable housing.

The principle of the development should be assessed primarily against the provisions of the Development Plan in the first instance, as required by Section 25 of The Town and Country Planning (Scotland) Act 1997. It is only if there are material factors of sufficient significance that outweigh the provisions of the Development Plan, then determination could be against the provisions of the Plan. Much assessment from respondents and in this report will correctly focus on those material factors and, in particular, the impacts and consequences of both the challenging levels on the site and the increased number of housing units above the indicative capacity. This report will contend that those material factors are not demonstrating sufficient adverse effects to the extent that refusal of development of 100% affordable housing on an allocated housing site would be justified.

The allocation in the Local Development Plan provides a total indicative capacity of 60 houses, of which eleven houses have already been consented and are under construction in Phase 1. The residual indicative capacity is, therefore, exceeded by 20 houses with this development. However, as discussed with other developments on allocated sites recently that have been presented to Committee, indicative capacity figures should not be seen as absolute maximum figures or caps. They are designed to ensure that the Council meet their five year housing land supply obligations set by the Government and are included within SESPlan and the Local Development Plan to ensure sufficient effective housing land for the period of the Plan and beyond. The figures are not derived from an exhaustive analysis of the potential layout of every site but on general size and density parameters. Although there may be consequential impacts, the fact that a proposed development exceeds the indicative capacity is not, in itself, justification *per se* for rejection of an application.

It is possible that, once detailed assessment has been carried out and layouts have been designed, development could prove to be acceptable in excess of the indicative capacity. This has happened on a number of sites throughout the Borders where developments in excess of the stated capacity have still been considered to be acceptable. It is very often the case that a higher density can lead to a better form and layout of development and may also result in a more efficient use of allocated land, reducing the need for further land release. The issue is whether the additional number of units causes significant and demonstrable harm that cannot be addressed or mitigated satisfactorily. In the case of a 100% affordable housing development, higher densities are likely as a result of economies of scale and the generally smaller house sizes.

The submitted Design and Access Statement acknowledges that the proposed development exceeds the LDP indicative capacity but states:

*“It is however anticipated that the additional numbers can be satisfactorily accommodated on the site, as presented in this document, without prejudice to sustainable planning policies and supplementary guidance on house and layout*

*design, residential amenity, private and public open space provision, landscaping and infrastructure particularly with regards to drainage, site access and car parking.”*

The Planning Brief for the site reiterates that suggested densities and capacities are indicative only. It suggests that the density for the site should be 30 houses per hectare for affordable housing, albeit this should relate only to the net developable area and not to landscaped buffer zones or other site constraints. It ultimately states that the final acceptable numbers of houses on the site can only be determined at the detailed development stage. The development proposes 69 houses on 3.08 hectares and, although the net developable area will be a reduced area, the density is not considered to be significantly excessive to the extent that major issues are caused with visual impact and containment. This report will accept that, through the design of the development and some amendments to the scheme, impacts are not sufficiently adverse from the increased number of units that refusal of the application would be justified. The impacts can be satisfactorily accommodated and mitigated where necessary to allow the development to be considered in compliance with relevant LDP Policies.

### Layout

Although the application proposes house numbers above the remaining indicative capacity for allocation EGL17B in the Local Development Plan, it is considered that the layout and density are in compliance with LDP Policies PMD2, HD3, the Site Planning Brief and the “Placemaking and Design” SPG. The submitted Design and Access Statement also considers the development in accordance with Policies and Guidance, continuing the vernacular terracing approach to development on the valley slopes enclosing Galashiels.

The density of the development has been discussed in the previous Section of this report. The use of terraced units makes more effective use of ground and minimises the detrimental visual effects of increased unit numbers by providing greater space in between houses. Had the application been submitted for the remaining indicative capacity of 49 units on a purely detached house basis, there would have been likely to have been more repetition of narrow gaps between gable walls and an impression of congestion and overdevelopment possible as a result, given that house types would have been likely to be larger in individual footprint.

It is not considered that the layout and density are contrary to Policies or Guidance, nor inappropriate for the area or causing any demonstrable harm to the surrounding residential areas or landscape. At 69 units across 3.08ha, this equates to 22.4 units per hectare which has parallels in recent approvals for housing developments elsewhere in the Borders. At Lauder for example, a density of 34.5 was recently consented for a private developer. Fully affordable developments can result in even higher densities per hectare, as consented recently at Chirnside for example.

To comply with Policies PMD2, HD3 and the “Placemaking” SPG, any layout and density have to be appropriate to their surroundings and be compatible with, and respect the character of the surrounding area and neighbouring built form. The SPG repeatedly uses reference to the built context. However, the Policies and Guidance do not intend to seek identical or replica layouts and densities throughout a settlement, the importance of interest and variety being stressed. The Planning Brief also states that whilst there is likely to be a reduced developable area on this site because of the slopes and site constraints, it still envisaged up to 30 houses per hectare would be acceptable, subject to detailed site assessment once the planning application was submitted.

The density does not represent any form of overdevelopment in relation to adjoining built context in Galashiels. Whilst the site does border a small lower density existing development at Hillside Drive, it also backs onto surrounding open agricultural land and there are traditional housing terraces of higher unit density to the east along the A7 approach into Galashiels. Generally, the garden sizes, central landscaped island, large central area of open space around the retained oak tree and new planting, prevent rigidity of layout and improve the ratio of built development to open land. They also help alleviate any impression of congestion or overdevelopment, all houses complying with the buffer privacy standards set down in the "Privacy and Sunlight" SPG – discussed in the appropriate section of this report. Whilst some of the rear gardens are small, these back onto landscaped boundaries which further assist in visual impacts.

The overall layout is significantly influenced by the rectilinear shape of the site, the large difference in levels from north-east to south-west and the need to connect the site both with Phase 1 and with future development above the site to the north. Although the layout has been informed by Guidance such as Designing Streets, the Planning Brief and the "Placemaking" SPG, the layout faces significant challenges and attempts to redress all constraints on the site, whilst still attempting to provide a development with visual interest and sense of place

The alignment of the houses takes the approach of terraced blocks along the site contours, to match with the historical expansion of Galashiels up the valley sides elsewhere. Terraced blocks tend to be more efficient in their use of land and often provide a more satisfactory streetscape with a stronger frontage than a series of detached or semi-detached houses. The Brief looks for street frontages which this development provides, albeit the alignment of blocks at the eastern and western ends turn with the road access approaches to the higher land to the north.

Given the vast majority of the site is rectilinear and relatively narrow, it was inevitable that there would be one main western access road with a single line of development either side of it. Much discussion at pre-application stage reflected how best to approach development of this part of the site without homogeneity and with interest and punctuation to the layout. One layout suggested bends in the roadway with staggered angled terraced blocks but this appeared over-engineered, conflicting with contours and led to significant proximity and level issues to the southern boundary.

Attention was then paid to the roadway itself and the requirement of the Brief to achieve focal nodal points, especially at access junctions. The Brief also advised against lines of unbroken street frontage parking and recommended, where possible, rear parking courts. The layout in this part of the site has improved through different iterations since the pre-application proposals and the main roadway is now interrupted by a central landscaped island which was recommended by the Council Landscape Architect, containing SUDS attenuation underneath. The road also has sections of elevated road tables in highlighted tarmac different from the main road surfaces and parking is formed in block pavements. The retention of the oak tree and open space at the junction of the eastern and western access roads also improves the layout and reduces the impact of the road and parking in both dominance and linearity.

It is accepted that the severe levels precluded the ability of the layout to accommodate rear parking courts but the layout does mix in-street parking spaces with curtilage spaces, especially at the south-eastern end. The terraced blocks are also broken up into individual blocks containing no more than four houses and their building lines are staggered with the contours to improve streetscape interest. Combined with the street

and front garden landscaping and hedging, including planting interspersed with the parking, it is considered that the layout provides interest and handles the constraints generally in line with the requirements of Policies, the Brief and Guidance Notes.

The greatest concern with the layout relates to the proposed development levels and whether the visual impacts caused by creating a level development platform, especially either side of the western access road, can be reduced and mitigated by slightly steeper road, parking and driveway levels, thus avoiding so much cut and fill which, in parts of the site, amount to 5-7 metres. Roads Planning did consider that a slight increase in road and driveway gradients would still be acceptable, in order to help lower the levels. There is also concern over the appearance and treatment of the faces of the cut and especially the fill, given the amount of retention and a concern that walling might have been required, thereby creating less sympathetic handling of the retained faces. There were also concerns over the ability of the “reinforced soil” embankment to accommodate the proposed planting and whether the gardens on the south side of the access road could either be sloped or stepped to reduce the height of the “reinforced soil” embankment.

These concerns were raised with the agent and the response is to raise the crown of the main western access road, thereby allowing less cut and fill and allowing the house floor platforms to be more reflective of the natural fall of the ground i.e. all houses south of the road now have platforms below the road and all houses north of the road have platforms above the road. Whilst this has raised the height of the houses to the western and northern parts of the site, it has lowered the houses and gardens where it was considered most noticeable and necessary – to the rear of the existing houses in Hillside Drive. The lower levels have also been combined with a stepping of gardens to reduce the height and visual impacts of the reinforced soil embankments.

This is demonstrated in the revised drawings. Section 6 shows the embankment head drop from 5.3m to 3.6m, Section 5 shows a reduction from 7.1m to 5.48m and Section 2 embankment head reduces by 450mm. House floor levels immediately above the existing houses in Hillside Drive have also dropped by up to 550mm between Plots 72-78. The houses north of the site access road have largely increased in floor level by a similar amount which has the benefit of reduced retaining works to the rear of those houses. Further detail has now also been provided of the reinforced soil embankments which are designed by specialist sub-contractors.

It is fully accepted that the development will occupy a high and visually prominent site from across the valley and that there will be significant visual impact. Given that the site is an allocated housing site, some of these impacts will have to be acknowledged; the principle of the development is not in question and it is considered that the layout is generally acceptable and has been improved through several iterations. The additional changes to levels and reduced retaining embankments will minimise the visual impacts further, supported by the revised landscaping scheme.

For the aforementioned reasons, it is not considered that the density and layout of the development are inappropriate for the area nor incompatible with character. It is accepted that the site has very challenging levels and visibility but handles the constraints in a generally sympathetic manner. With the changes to levels and improved landscaping mitigation, it is considered that the development would be compliant with Local Development Plan Policies, the Planning Brief and relevant Guidance. Furthermore, the development for 100% affordable housing provides an important contribution to local and national targets.

## Design

The design of the development must comply with Local Development Plan Policy PMD2, the “Placemaking and Design” SPG and the guidance in the approved Planning Brief. PMD2 requires developments to be of a scale, massing and height appropriate to their surroundings. The Brief, which also covers the adjoining allocated land to the north, specifies one or two storey housing with grey roofs and white or buff walls and stone or timber features. Whilst it encourages street frontages, it also acknowledges the need for open outlooks to the west and south.

The Design and Access Statement considers the design approach to be in compliance with Local Development Plan Policy and the requirements of the Planning Brief. It introduces terracing along the contours to match with the approach along the valley of the Gala Water in Galashiels and in sympathy with that existing context, including the terracing south of the A72 intervisible with the site.

The submitted design of terraced houses are very similar to what has been permitted on Phase 1 which, in turn, was considered to be appropriate for the site in terms of surrounding house designs and the Brief requirements. There are three different house types. The roofs will be uniformly dark grey and dual pitched, with no hips and minimum angles of pitch of 33 degrees. Although shallower pitches had been investigated at pre-application stage, the benefits of lower ridge heights on an elevated site were offset by the inappropriate and out of context appearance of the roofs. The precise type and profile of tile will be agreed by submission of a sample by planning condition, dark grey remaining the default colour for all roofs.

Walls are proposed in dry dash render in a mixture of buff and white, a lower proportion of the houses (21 out of 69) being in white which is supported given the elevated and prominent nature of the site. The applicant has also agreed to provide a third darker render colour (reddish-brown) for four signature houses in the centre of the scheme to provide further variety and focus. The colours can be reserved for further agreement by sample submission through planning condition, also detailing the layout distribution of the three render colours.

The fenestration is generally proposed with vertical emphases, in dark grey uPVC and integrated with grey feature panelling. The windows are generally arranged in pairs and are ground level on the front elevations. The feature panelling will not be in timber but in a maintenance-free material which has been accepted in housing developments elsewhere. Ultimately, the vertical panelling features are useful in creating punctuation and interest to what may appear to be long groups of housing terraces on the hillside, their presence and dark colour being more important than the precise material being used in this instance. Dark grey doors and lean-to canopies add to interest. Finally, the eaves and rainwater detailing were initially proposed as some houses in dark grey and some in white. For interests of consistency and also the vernacular character of dark colours, it has been requested that the applicant considers only the dark grey colouring and they have now agreed to this.

In summary and subject to samples agreed by condition, the design of the units and the materials will allow connection and integration with the surrounding urban fabric whilst providing a sense of place and style of townscape and design, in keeping with Local Development Plan Policies and the Planning Brief.

## Landscape

The development should comply with the relevant Local Development Plan Policies on landscaping, especially PMD2 and EP13, but should also be mindful of its position on the edge of open countryside, covered by Policy EP6. The LDP allocation EGL17B suggests a structure planting belt down the western edge of the site and the Planning Brief also seeks belts to the eastern side and ensuring an organic and less uniform planting scheme throughout.

The development was submitted with a fully detailed landscaping scheme, backed by a Design and Access Statement and a Tree Survey. The Statement contains the following comments about the landscape design:

*“The landscape buffer will surround the site and help to visually blend the site boundary to the periphery of the development. The buffer will frame the site, as it forms the perimeter of the wider master-planned site.*

### *Boundary Treatments.*

*The site’s perimeter habitat reinforcement will help to enhance the proposed development’s edge. Retain and repair existing stone dykes on western and eastern boundaries. Post and wire fence to northern boundary (behind structured planting to form the landscape buffer.”*

With regard to tree retention, the Design and Access Statement and Tree Report identify only one tree within the development for removal but others around the watercourse are retained, including the Category A oak tree. A Tree Protection Plan is in place for Phases 1 and 2 and can be ensured by condition. This indicates the area of protection formed by open space around the oak tree and other Category B Trees adjoining Plot 80.

A detailed landscaping scheme was also submitted with planting specifications. This contains a number of main elements:

- Boundary native woodland plantations of varying width principally along the western and southern sides, but also south of the oak tree and a copse in the north-eastern corner.
- Native hedging boundary along the northern edge of the site
- Beech front garden hedging throughout the development
- Central landscaped island in the western access road with tree and wildflower mix
- Reinforced soil retaining banks with shrub planting
- Shrub planting in locations within the parking areas
- New tree planting in various roadside locations and footpath margins, especially at the north-eastern side of the site
- 1.8m timber fencing to the rear and side gardens of plots

In terms of compliance with Local Development Plan Policies PMD2, EP13 and the landscaping requirements of the Planning Brief, the landscape proposals are generally acceptable and address the main landscape impacts resulting from development in this location. They provide structure planting belts to the most sensitive sides of the development and utilise hedging, shrubs and new trees to soften the interior. Although there has been no objection from the Landscape Architect, a series of concerns have

been raised by her in relation to the levels and visual impacts arising, as referred to in the Layout section of this report. Her concerns specifically related to :

- the cut and fill which will create significant and very steep level changes along the north and south boundaries in particular.
- Lack of information regarding reinforced soil embankments and how they will be successfully planted and maintained.
- greater detail of the embankment along the south and eastern sides of Plot 80 and how the change in levels will work with the Tree Protection Area
- further information of the planting design objectives, avoiding predominance of timber fences along the highly visible southern boundary and how the beech hedges to the front gardens will be established
- A maintenance strategy for all public open space
- further detail of the Plot boundary treatments both at the street frontage elevations and where the transition to taller fences will be.

These matters were raised with the agent together with the concerns expressed in the Layout section of this report. In addressing how effective the landscaping would be to the southern exposed side of the development, the agent was also asked to increase the width of the narrowest part of the planted embankment/woodland screen and to reposition the associated terraced blocks which would, in turn, add further variety to the building line and street scene.

The agent has now submitted responses and amended planting plans and specifications. These include:

- More detail on the landscaping design objective to establish a woodland tree belt around the development especially when visible across the valley from the south, and an interior of beech hedging.
- Clarification that Eildon Housing Association will maintain and factor the communal landscaping.
- more detail on the reinforced soil embankments which are being provided by specialist sub-contractors (formed by wire terramesh) and the ability for vegetation to become established
- Reductions in levels and embankments/retaining as described in the Layout section of this report
- A relocation of the houses on plots 73-80 to increase the width of the embankment landscaping and vary the internal street scene
- Hand digging in the vicinity of the oak tree
- Clarification of no retention being required along the western boundary
- Enhanced planting between parking spaces
- Childrens' play space at the retained oak tree

The amended landscaping proposals have been sent to the Landscape Architect for her comment. Members will be updated on her response at the Committee meeting and, should her response be positive, then it would be considered that the landscape treatment of the site is acceptable and in compliance with Policies and guidance. Any remaining matters will be able to be addressed by agreement through suspensive planning conditions. The proposals generally protect the few existing landscape features and provide an acceptable new scheme of hard and soft landscaping, based around woodland perimeter planting and internal landscape features

## Residential Amenity

Policies PMD2 and HD3 contain safeguards regarding residential amenity, both in terms of general use compatibility but also direct impacts such as privacy and light. In terms of PMD2, the development of the site for housing is compatible with and respects the housing site immediately to the south at Hillside Drive, as well as individual residential properties on the A7 nearby. However, the amenity of the nearest existing houses to the development at Hillside Drive should be respected in accordance with the Council's "Privacy and Sunlight" SPG, as should the amenity between all proposed houses within the development.

The area of the site where there is most impact on existing residential amenity relates to Plots 72-80 which are directly north of the four existing houses that lie below on Hillside Drive. Although there have been no neighbour objections to the development, potential privacy loss is still a material factor to be considered. The issue with the development is the severe slope and the level difference between the site and the existing houses, without any intervening screening at present. The initial cross sections submitted with the application show that, whilst the separation distance between existing and proposed houses would be at least 30m, there would also have to be an allowance for the minimum 18m privacy distance between windows in the "Privacy and Sunlight" SPG being increased by two metres for every one metre difference in vertical height.

Because the proposed house floor levels are even above the existing house ridge lines, the window differential in levels, at worst, is approximately 9m which means the addition of 18m to the initial 18m minimum. At their closest points, separation between the nearest houses on the initial layout was about 32m, which is very close to the minimum. It is also noted, however, that intervening woodland and shrub planting are proposed both on the steep slopes of the new reinforced soil embankments but also at the foot of the embankments in a strip of varying width. It is also noted that the acute potential angle of overlooking and the presence of screen fencing at the foot of the proposed gardens may minimise the impacts.

The applicant was, nevertheless, asked to investigate this issue further and provide exact separation distances for further assessment. Appropriate Section drawings have now been received which demonstrate compliance with the "Privacy and Sunlight" SPG, aided by reduced levels and movement of the houses on Plots 73-80 further north. Separation distances are now 36-40m and the Sections demonstrate how the differential in house levels still allows for adequate separation. Further screening will be achieved through fencing and the embankment/woodland planting scheme.

In terms of impacts on daylight and sunlight, the separation distances and the northerly location of the new development are unlikely to cause any significant loss of light to the existing houses. The proposed houses are also not above the hillside horizon line which continues to rise northwards into the adjoining LDP land allocation. There will be a visual effect of some dominance to the houses below in Hillside Drive but this is an inevitable consequence of the allocation of the site for housing development. The Brief allows for two storey housing which is what is proposed, unlike some hillside sites in Galashiels where taller houses have been developed to address the severity of slopes. The finished levels of the houses have also been reduced immediately to the rear of Hillside Drive

There also needs to be consideration of residential amenity within the development, ensuring adequate separation of proposed houses from each other to enable compliance with the SPG. The vast majority of houses will only overlook each other

across public streets and, because the houses are at similar levels, 18m separation distances are comfortably achieved. There are two locations adjoining Phase 1 and at the north-western end of the development where alignment of new houses may cause some closer overlooking but this is mitigated by blank gables and intervening screening. Overall, it is considered that the scheme provides sufficient and acceptable residential amenity in terms of the design, layout and separation of new houses.

It is concluded that the development provides levels of residential amenity in compliance with Policies PMD2, HD3 and the relevant Supplementary Planning Guidance.

### Access

Policies PMD2 and IS6 require safe access to and within developments, which should also be capable of being developed to the Council's adoptable standards and in accordance with the guidance in "Designing Streets" and various other relevant Government publications and Guidance Notes. In terms of compliance with relevant Policies and Guidance, it is necessary to consider the potential impacts of the development on the traffic network leading to the site, then at the actual road, footpath and parking layout of the development itself.

As previously mentioned, the site is an allocated site for housing development with an indicative remaining capacity of 49 houses for Phase 2. It is clear from the LDP allocation that there is in-principle acceptance of the potential traffic impacts of a development of up to 240 houses across both allocations, utilising a single access formed from the A7. This is also the requirement in the Planning Brief, together with the provision of a right-hand turning lane and supporting the development with a Transport Assessment. The Brief supports the provision of connectivity within the development, together with traffic calming and specific parking standards for spaces both within and outwith property curtilage.

The Transport Assessment concludes that the existing road network and new junction onto the A7 have the operational capacity to safely accommodate the 69 proposed houses, having carried out trip generation analysis. It also concludes that the development site will be accessible by sustainable modes of travel and integrate well within the existing transport network. Internally, it considers that the development layout is based on the principles of Designing Streets whilst providing compliant roads, paths and parking despite challenging levels. Traffic speeds along the main western access road will be calmed through changes in surfacing and the central landscaped island.

Members will note the response from the Roads Planning Service who have no objections, albeit further information is sought and a need for Roads Construction Consent. They acknowledge that the site is allocated for housing development as part of a larger development and that the steep contours and rectilinear site shape make compliance with Designing Streets very difficult. Whilst they would have preferred more than one vehicular access point, they accept that there are constraints and that other connectivity to the next phase beyond Phase 2 offsets any disadvantages.

Roads Planning also accept the current newly designed junction with the A7, approved as part of the planning application for Phase 1. They ultimately accept the conclusions of the Transport Assessment that a right hand turning lane on the A7 is not required, even for the full development beyond Phase 2. They accept that any delays as a result of right turning traffic will be short at this location and that provision of an additional lane would increase road width and speeds, making pedestrian crossing much more

difficult. However, Roads Planning still seek pedestrian crossing provision. They also consider public transport access and bus stop locations, concluding that there should be dialogue with bus providers in consideration of the distance of the site from the existing bus stop on the A7. Finally, Roads Planning seek a connecting footpath along the A7 to Hillside Drive, a more equitable spread of disabled parking spaces, confirmation of drainage maintenance requirements and the provision of electric vehicle charging points.

All these matters were raised with the applicant and there was subsequent dialogue between them, Roads Planning and Border Buses. The applicant has now responded with the following adjustments:

- An A7 pedestrian crossing point in the form of dropped kerbs and an ability to convert to a controlled crossing to cater for future development.
- Statement of reasons why a central crossing island is not possible.
- Creation of two new bus stops without lay-bys in staggered locations and confirmation of stopping distance visibility.
- New footway connecting Phase 1 to Hillside Drive
- Addressing other points including parking dimensions, disability spaces and EV charging.

These amendments have been passed to Roads Planning for further comment and their responses will be reported at the Committee meeting. In addition, a footpath has now also been provided to connect the eastern part of the development with the farmland to the north, in response to the Access Officer's comments about improving connectivity.

As Members will note, the main issues raised by Roads Planning are relatively minor and relate largely to off-site issues. The basic layout and parking provision are acceptable, addressing challenging levels successfully and even allowing some connectivity throughout the development and with adjoining land and development. The changes and reductions in levels sought in the aforementioned landscaping and layout sections of this report should not affect the basic acceptability of the layout, in that reductions in level are still possible whilst maintaining acceptable gradients.

Assuming the amendments are acceptable to Roads Planning and subject to relevant conditions, it is considered that the proposals are in compliance with the provisions of the Local Development Plan in relation to safe and acceptable access to, and within, the site. It is not considered that there are other material factors of such significance in relation to road safety and access that would outweigh the terms of the Local Development Plan in this instance.

### Drainage and Flood Risk

Local Development Plan Policies IS8 and IS9 are the most relevant in consideration of the impacts of development of this site on the water environment. Policy IS8 relates to flood risk and IS9 to Waste Water Treatment Standards and Sustainable Urban Drainage. There is one letter of representation from an adjoining resident below the site, concerned about drainage impacts and adequate surface water interception. Given the severe slope on the ground, the presence of a watercourse and the position of houses and roads below, such concerns are entirely understandable. Furthermore the very significant levels of earthworks involving cut and fill determine that the issue of surface water drainage must be fully assessed and adequate provision made, before the development can be considered to be in compliance with Policies IS8 and IS9.

Policy IS8 requires development not to be at risk of flooding but also not to materially increase the risk of flooding elsewhere. Whilst the Planning Brief did not consider that the slope of the site would result in any flood risk, a Flood Risk Assessment was still provided with the application, combined with a Drainage Strategy report.

The strategy was based upon foul drainage being taken to the existing Scottish Water sewer on the A7. Whilst Scottish Water have not confirmed capacity at the Galashiels Waste Water Treatment Works, they have stated that consideration will be given once direct application has been made to them. They support the use of SUDS to treat surface water which the applicant intends to channel into the Buckholm Burn, attenuated by a variety of permeable surface treatment means throughout the development in accordance with storm water guidance. This includes a detention basin underneath the landscaped central island and permeable parking surfaces. The Drainage Strategy report also details predicted and existing run-off rates.

The details were sent to SEPA and the Flood Risk Officer for comment. Whilst there has been no response from SEPA, the Flood Risk Officer raises no objections to the development generally but has a series of queries which require more information from the applicant. These relate to apparent interference with the surface water flood risk area in the eastern and north-eastern parts of the site and the positioning of five house plots within this area. They also query culvert assumptions and proposals and what the intentions are with regard to interception “crest and toe” drainage dealing with the altered levels along the northern and southern boundaries of the site. This is of particular concern given the amount of earthworks proposed and the elevation of the development above the A7 and the existing houses in Hillside Drive.

Further details were requested from the applicant and those details were passed back to the Flood Risk Officer. The details included an intercept field drain along the northern boundary, a connection with the existing burn and improvements to the outfall into the burn. Overland flow routes were also shown and the previously assumed culvert was found to be a stone drain. The applicant points out that the new interception drainage is maintaining the status quo of diversion of field drainage around and through the development. The applicant also confirms land drains will be provided at the top and bottom of the embankments.

The Flood Risk Officer responded with further requests including requests for an updated microdrainage model, details of the detention basin and adding boundary drainage to the layout drawings. The agent responded with amended drawings and details of the detention basin, but maintained that the drawings should not show boundary drainage as the development is not connected to that. However, they state that the boundary drainage will be shown on construction drawings.

This information has been passed back to the Flood Risk Officer and any further response will be reported to Members at the Committee meeting. Subject to the details being accepted by the Flood Risk Officer and any relevant conditions, the drainage and flood attenuation proposals would be considered to be in compliance with Policies IS8 and IS9 of the Local Development Plan in relation to drainage of the site and avoidance of creating a material surface water flood risk within or below the site.

### Ecology

The application requires assessment principally against Local Development Plan Policies EP1-EP3 covering international, national and local nature conservation and protected species. The Planning Brief also required the submission of an Ecological

Impact Assessment and advised that new planting be native species and that opportunities for habitat enhancement exist along the edges and through the centre of the site. The application was supported by a Preliminary Ecological Appraisal.

The Council Ecology Officer was satisfied with the Appraisal. He had no concerns over any lost habitat on the site and felt that compensation could be achieved through relevant biodiversity enhancement conditions. However, given the slope of the ground and the presence of the watercourse running through the site, there were concerns over connectivity and potential harm to the qualifying interests of the River Tweed SAC. As a result, an Appropriate Assessment was considered necessary in relation to these potential impacts, informed by an outline Construction Environmental Management Plan (CEMP), utilising best practice mitigation. This CEMP was subsequently submitted by the applicant and the Ecology Officer then completed the Appropriate Assessment which revealed no significant effects on the River Tweed SAC. However, he still seeks a detailed CEMP by condition.

In terms of fauna, the Ecology Officer accepted the Appraisal's recommendations that Species Protection Plans could cover badger, bird and reptile interests during development. However, in terms of bats, two trees were identified with moderate bat roost potential and the Ecology Officer sought further bat survey and roost assessment pre-determination of the application. The survey has now been submitted and the Ecology Officer accepts the findings that there were no bat roosts and some activity of two species, but that no further survey or mitigation for bats is required.

Given the responses from the Ecology Officer and subject to appropriate conditions covering these matters, it is considered that the proposals would comply with the Local Development Plan with respect to ecology.

### Archaeology

The Archaeology Officer raises no objections to the application after considering the site and proposals against Local Development Plan Policy EP8. Any features and finds have tended to be north around the Scheduled Buckholm Tower or south within the Gala Water valley so there are no concerns over direct impacts on archaeology. As the houses are being developed along the contours, the Archaeology Officer also considers there to be no significant impacts on the setting of Buckholm Tower. It is concluded that the proposals would not conflict with Policy EP8 and there are no conditions or informatives necessary.

### Developer Contributions and childrens' play space

Local Development Plan Policy IS2 requires all housing developments to contribute to infrastructure and service provision where such contributions are considered necessary and justified, advised by the Development Contributions SPG. The Planning Brief also states that on-site play facilities must be provided, albeit the Brief was written in different Policy circumstances where on-site facilities were still being adopted by the Council.

In the case of schemes that are 100% affordable housing, it is not the Policy of the Council to seek any developer contributions except those involving play space. The applicant had initially suggested in the Design and Access Statement that a play area would be provided on site within the open space around the retained oak tree, in

compliance with the Planning Brief. However, there was no reference to a play area on any of the submitted drawings and the agent had subsequently confirmed that the issue would be addressed by £500 contribution per house, secured through a Section 69 Agreement.

This was considered against the following factors

- The current Policy of the Council is not to adopt small play facilities on site.
- There was no objections to the proposals from Neighbourhood Services.
- The site is provided with a central open space area around the oak tree, providing informal unequipped play opportunities.
- The site adjoins and has access to surrounding fields.
- Allocation EGL41 contains the bulk of the housing development at this location and, given the capacity of 180 houses, there would be greater need for a play area to serve the increased population on that site, also serving Phases 1 and 2.

Nevertheless, given the originally stated intention to provide play facilities around the retained oak tree, the applicant was asked to clarify their intentions and has now responded with revised proposals to provide play equipment to the north-west and south-west of the tree. The Neighbourhood Services Officer has been consulted on these proposals and any response will be reported to Members at the Committee meeting. The play facility should be installed and controlled by planning condition, to be completed before the development is completed and a scheme of maintenance firstly agreed.

To ensure the Policy on development contributions is complied with, the standard condition will be applied to ensure that all units on the site will be developed and occupied as “affordable” within the Council SPG definitions.

## **CONCLUSION**

The proposals are considered to be an acceptable development of an allocated housing site within the Local Development Plan, providing additional affordable houses to meet local need. The density, design and layout of the development comply with Policies and Guidance and the impacts on landscape and residential amenity are considered acceptable, mitigated by conditions where required.

In conclusion and subject to compliance with the proposed schedule of conditions, and Informatives, the development is considered acceptable when assessed against the Local Development Plan and other material factors.

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

I recommend the application is approved subject to the following conditions and Informatives:

### **Conditions**

1. All approved residential units shall meet the definition of “affordable housing” as set out in the adopted Local Development Plan 2016 and Supplementary Planning Guidance “Affordable Housing” 2015 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 prior to development commencing.

Reason: The permission has been granted for affordable housing, and development of the site for unrestricted market housing would not comply with development plan policies and guidance with respect to contributions to infrastructure and services, including local schools.

2. No development shall commence until samples of materials and colours for all buildings within the development, and the plot layout distribution for those colours, has first been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved samples.

Reason: To ensure external materials are visually appropriate to the development and sympathetic to the surrounding area.

3. No development shall commence, (notwithstanding the details provided in the approved landscaping drawings), until a detailed scheme of landscaping and boundary planting (incorporating protection of existing trees and hedges, layout, location, species, schedule, implementation date(s) and future maintenance of all new planting and communal open space within the site and details of any retaining features such as walls, timber crib or reinforced soil embankments) has first been submitted to and approved in writing by the Planning Authority. The development shall only be carried out in accordance with the approved details in implementation and maintenance of the approved scheme.

Reason: Further information is required to achieve an acceptable landscape scheme for the site.

4. The development shall remain outwith the Root Protection Area of the trees identified on the Tree Protection Plan dated 3 March 2021 prepared by Adam Riedi, the trees to be protected in accordance with BS5837 during construction work. Only those trees identified for removal within the site shall be so removed, and all other trees shall be retained and shall not be lopped or felled unless with the written approval of the Planning Authority

Reason: To safeguard existing trees within the site.

5. No development shall commence, (notwithstanding the details provided in the approved drawings), until a detailed scheme of boundary treatments (walls and fencing) has first been submitted to and approved in writing by the Planning Authority. The scheme shall include the layout/route of all existing and proposed walls and fencing, and their detailed design, height and materials. All boundary treatments within the application site shall thereafter accord with the approved scheme.

Reason: Further information is required to achieve an acceptable boundary treatment scheme for the site.

6. The development to be carried out entirely in accordance with a Construction Environment Management Plan which should firstly be submitted to, and approved in writing by, the Planning Authority before the development is commenced.

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

7. Prior to commencement of development, a Species Protection Plan for badger, breeding birds and reptiles shall be submitted to and approved in writing by the

Planning Authority. The SPP shall incorporate provision for a pre-development supplementary surveys and a mitigation plan. No development shall be undertaken except in accordance with the approved in writing SPP.

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

8. Prior to commencement of development, a Landscape and Habitat Management Plan (LHMP) shall be submitted to and approved in writing by the Planning Authority. The LHMP shall incorporate provision for native woodland planting and bird boxes within the new properties. No development shall be undertaken except in accordance with the approved scheme.

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

9. No development to be commenced until a scheme of phasing has been submitted to, and agreed in writing by, the Planning Authority. This shall include a programme for completion of all roads, parking spaces, EV charging points, footpaths, drainage, the SUDs/open space features, new planting and all, or a substantial proportion, of the dwellinghouses within each phase.

Reason: To ensure the development is carried out in a manner which ensures that occupied residential units are provided with necessary infrastructure, services and landscaping.

10. No development shall commence until further details of proposed levels within the site have first been submitted to, and approved in writing by, the Planning Authority. These details shall include existing and proposed ground, road and other hardstanding levels; proposed house and finished floor levels, garden levels and surface water flow paths. The levels shall relate to a fixed, off-site datum point. The development shall be carried out in accordance with the approved details

Reason: To ensure levels within the site achieve a sympathetic visual appearance and make satisfactory provision for surface water drainage.

11. Samples of the surfacing materials for the proposed roads, footpaths and parking spaces to be submitted to, and approved in writing by, the Planning Authority before the development commences. The development is then to be completed in accordance with the approved details.

Reason: To ensure that the proposed development is laid out in a proper manner with adequate provision for traffic and in a manner which enhances the character and visual appearance of the development.

12. The proposed roads, footpaths and parking spaces/areas indicated on the approved drawings shall be constructed to ensure that each dwellinghouse, before it is occupied, shall be served by a properly consolidated and surfaced carriageway, parking area and footpath/shared surface.

Reason: To ensure that the proposed development is laid out in a proper manner with adequate provision for traffic and pedestrians.

13. Prior to the occupancy of any dwellinghouse, the approved surface water scheme shall be implemented in accordance with the drawings 52003, 52004 and 52012 Revisions PO2 dated July 2021 prepared by Will Rudd Davidson and the responsibilities for maintaining the scheme to ensure it remains operational shall be agreed in writing with the Planning Authority. The scheme shall be maintained accordingly.

Reason: To ensure the sustainable disposal of surface water in a manner that safeguards neighbouring land and to ensure future maintenance for the scheme.

14. No development shall commence until written evidence is provided on behalf of Scottish Water that the development will be serviced by mains foul drainage and water supply. The development then to be implemented fully in accordance with the drawings contained within Appendix A of the Drainage Strategy dated February 2021 prepared by Will Rudd Davidson.

Reason: To ensure the development can be adequately serviced and minimise risk of off-site surface water run-off

15. No development to be commenced until a scheme of maintenance for the play facilities shown on the drawing submitted 8 July 2021 is submitted to, and agreed in writing by, the Planning Authority. Once approved, the play facilities then to be completed in accordance with the drawing before the development is completed and maintained thereafter in accordance with the agreed scheme.

Reason: To ensure that the development is provided with childrens' play facilities.

16. No dwellinghouses to be occupied until the footpath extension to link with the existing path to the west and pedestrian crossing points on the A7 are completed in accordance with Drawings 20029-004 and 20029-005.

Reason: In the interests of road and pedestrian safety and to provide effective connection between the development and the existing footpath and public transport network.

17. Details relating to the location and type of north and southbound bus stops on the A7, as indicated on Drawings 20029-004 and 20029-005, should be submitted to, and approved in writing by, the Planning Authority and then completed in accordance with the approved details, all before occupation of the first dwellinghouse.

Reason: In the interests of road and pedestrian safety and to provide effective connection between the development and the existing footpath and public transport network.

### Informatives

1. All prospectively adoptable roads, pavements and associated infrastructure will require Road Construction Consent. The applicant should discuss this separately with the Council's Roads Planning Service to establish the scope and requirements of Council adoption.

All works within the public road boundary must be undertaken by a contractor first approved by the Council.

2. Development should be carried out in a manner consistent with British Standard guidance on construction works, to maintain neighbouring amenity, in particular BS5228
3. Regarding Condition 6, the CEMP should be produced by a suitably qualified ecologist or environmental specialist (e.g. as part of a construction environmental management system).

## DRAWING NUMBERS

Location Plan	LL(00)002
Masterplan Roads Layout	90001 P01
Road Levels Sheet 1	90003 P01
Road Levels Sheet 2	90004 P01
Bus Stop Locations	20029-004
Bus Stop Locations	20029-005
Site Sections Sheet 1	LL(90)110 Rev A
Site Sections Sheet 2	LL(90)111 Rev A
Site Sections Sheet 3	LL(90)112 Rev A
Sketches	L(90) 301 Rev A
Existing Topography	LL(90)007
Parking	LL(90)010 Rev A
House Types	LL(90)011 Rev A
Site Plan with satellite imagery	LL(90)012 Rev A
Site Plan with existing contours	LL(90)EC 003 Rev A
Site Plan West with existing contours	LL(90)EC 005 Rev A
Site Plan East with existing contours	LL(90)EC 006 Rev A
Site Plan with Proposed Contours	LL(90)PC 003 Rev A
Site Plan East with Proposed Contours	LL(90)PC 005 Rev A
Site Plan West with Proposed Contours	LL(90)PC 006 Rev A
Planting Plan	Figure 1 July 2021
Planting Schedule	Figure 2 July 2021
Tree Protection Plan	
Terrace 4 Elevations	L(00) – T4 01 Rev A
Terrace 5 Elevations	L(00) – T5 01 Rev A
Terrace 6 Elevations	L(00) – T6 01 Rev A
Terrace 7 Elevations	L(00) – T7 01 Rev A
Terrace 8 Elevations	L(00) – T8 01 Rev A
Terrace 9 Elevations	L(00) – T9 01 Rev A
Terrace 10 Elevations	L(00) – T10 01 Rev A
Terrace 11 Elevations	L(00) – T11 01 Rev A
Terrace 12 Elevations	L(00) – T12 01 Rev A
Terrace 13 Elevations	L(00) – T13 01 Rev A
Terrace 14 Elevations	L(00) – T14 01 Rev A
Terrace 15 Elevations	L(00) – T15 01 Rev A
Terrace 16 Elevations	L(00) – T16 01 Rev A
Terrace 17 Elevations	L(00) – T17 01 Rev A
Terrace 18 Elevations	L(00) – T18 01 Rev A
Terrace 19 Elevations	L(00) – T19 01 Rev A
Terrace 20 Elevations	L(00) – T20 01 Rev A
Terrace 21 Elevations	L(00) – T21 01 Rev A
Terrace 22 Elevations	L(00) – T22 01 Rev A
Terrace 23 Elevations	L(00) – T23 01 Rev A
Terrace 24 Elevations	L(00) – T24 01 Rev A

### **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.

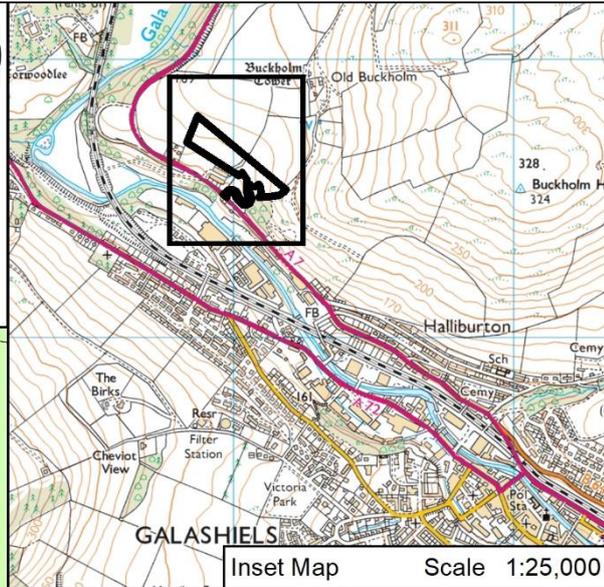
**Author(s)**

Name	Designation
Craig Miller	Principal Planning Officer



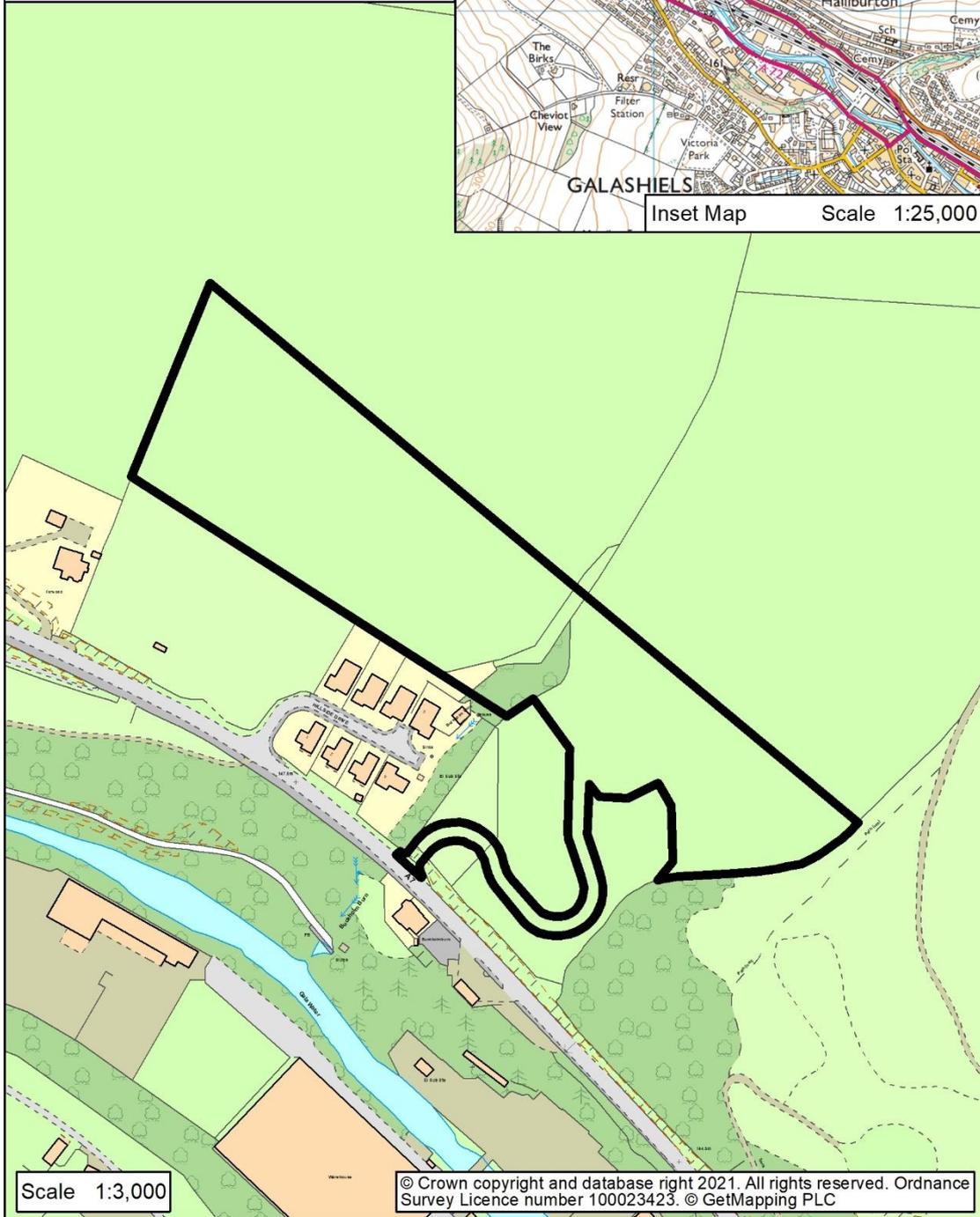
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Land North Of  
(Phase 2 Buckholm Corner)  
5 Hillside Drive  
Galashiels



Inset Map

Scale 1:25,000



Scale 1:3,000