

**SCOTTISH BORDERS COUNCIL**

**PLANNING AND BUILDING STANDARDS COMMITTEE**

**6 SEPTEMBER 2021**

**APPLICATION FOR PLANNING PERMISSION**

<b>ITEM:</b>	<b>REFERENCE NUMBER:</b> 21/00382/FUL
<b>OFFICER:</b>	Carlos Clarke
<b>WARD:</b>	Tweeddale East
<b>PROPOSAL:</b>	Erection of 4 no timber glamping pods with associated pathways and lighting
<b>SITE:</b>	Land South Of Glenormiston Coach House Innerleithen
<b>APPLICANT:</b>	Mr Erik Smolenski
<b>AGENT:</b>	Glampitect

**PLANNING PROCESSING AGREEMENT:**

A Planning Processing Agreement is in place until 4<sup>th</sup> October

**SITE DESCRIPTION**

The site is located approximately 1.3km north-west of Innerleithen, around 240m north-east of the A72. It is located south-east of the Glenormiston Farm residential grouping, with the nearest house to the north being the Coach House, and properties to the south and south-west comprising Velvet Hall Alpacas, and Velvet Hall Cottages. The site is accessed via two private roads from the A72, that via Glenormiston to the north (partly over which is a public right of way) and that via Velvet Hall to the south (which is a designated Core Path). The site comprises an existing access onto the road, a yard and stable block, adjacent to which (and outwith the site) is a riding arena. The glamping pods and path are proposed to the south of the stables, alongside a wooded area which is also within the application site.

**PROPOSED DEVELOPMENT**

The application seeks full Planning Permission for the development of four timber glamping pods and decks, along with a surfaced pathway and lighting bollards. The application also contains reference to use of the existing stables as a workshop area and cycle storage, and use of the existing access and parking area. A foul drainage scheme is specified within the application site, comprising a private treatment plant and land soakaway.

**PLANNING HISTORY**

The existing stable building was approved under planning consent reference 07/01986/FUL in 2008

**REPRESENTATION SUMMARY**

24 objections have been received, as have 22 supporting representations. A separate commentary on behalf of objectors on certain issues has also been received. All are

available to view on *Public Access* and a summary of the main points raised is noted below:

### Objections

- The access is inadequate, unsuitable for increased traffic, and previous application decisions for housing indicate the road is unsuitable. Visitors will add to the danger since they do not know the road. The existing stables were private and did not generate significant traffic.
- The road through Glenormiston is private, and the upkeep for it falls on the residents. The applicant is not the owner, and the owner's approval is required to upgrade it. The West Lodge junction should be upgraded, and the road upgraded to adoptable standards.
- More information is required on how the route via Velvet Hall is to be prevented from being used. It is contended that this won't stop access being attempted, and that signage will not be enough, and will need the landowner's permission too.
- Security risk
- Parties cannot be controlled
- Risk of anti-social behaviour, and impacts on the residential amenity of a community living in peace and tranquillity
- Noise impacts, for which a noise impact assessment should be required
- Litter, and it is queried how bins will be emptied
- Light pollution
- Foul drainage inadequate, and how it would be serviced is queried. It also runs across a private water supply
- Fire risk
- Impact on wildlife greater than the benefit from limited tree planting, and impact on bats and local residents' animals
- Impacts on nearby alpaca business, including noise, disturbance and security issues
- Water supply information insufficient, and the existing supply is at capacity
- Precedent for further expansion
- Impact on Special Landscape Area
- Brownfield sites/sites with existing infrastructure should be developed instead
- Unsustainable development
- No facilities for showers, toilets, washing/laundry
- Effect on views and natural light from planting
- Market research misrepresents/overplays positive impacts
- Most supporting representations are from non-residents

### Supporting comments

- Well thought out, much welcomed and will be a good addition to a growing market
- Benefit to the area and economy, including local businesses and will create jobs
- There is a need
- Positive for wildlife
- Low impact and good use of land
- The access road is unlikely to be inadequate

### **APPLICANT'S SUPPORTING INFORMATION**

- Design and Access Statement

- Market Research Report
- Biodiversity Statement
- Business Plan
- Photomontage and visualisation
- Traffic risk assessment
- Police Scotland Freedom of Information reply
- Preliminary Ecological Appraisal

## **DEVELOPMENT PLAN POLICIES:**

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

PMD1 – Sustainability

PMD2 – Quality standards

ED7 – Business, tourism and leisure developments in the countryside

ED8 – Caravan and camping sites

HD3 – Protection of residential amenity

EP1 – International nature conservation sites and protected species

EP2 – National nature conservation sites and protected species

EP3 – Local biodiversity

EP5 – Special Landscape Areas

EP10 – Gardens and Designed Landscapes

EP13 – Trees, woodlands and hedgerows

IS5 – Protection of access routes

IS7 – Parking provision and standards

IS9 – Waste water treatment standards and SUDS

## **OTHER PLANNING CONSIDERATIONS:**

Supplementary Planning Guidance:

Landscape and Development (2008)

Local Landscape Designations (2012)

Sustainable Urban Drainage Systems (2020)

Trees and Development (2008)

Waste Management (2015)

## **CONSULTATION RESPONSES:**

### **Scottish Borders Council Consultees**

**Roads Planning Service:** Initially objected, concluding the proposal would fail Policy PMD2 of the Local Development Plan 2016 in that it would fail to ensure no adverse impact on road safety. They advise that the site can be accessed directly off the A72 via an entrance adjacent to Velvet Hall cottages to the south of the proposed development site and via Glenormiston to the west of the site. The most direct access is via Velvet Hall Cottages however, the RPS raised concerns over visibility from the access onto the A72 and also with regards to the standard of the private track leading to the development site. The alternative access is not without its own issues. Whilst the private track leading to Glenormiston has been improved as a result of the steading development and other residential development, the road beyond the steading would require upgrading, although it remains unclear whether the applicant has the control over this track to implement any necessary upgrades or has the permission to undertake such work if not. Having undertaken a site visit, the RPS confirm that any

use of the Velvet Hall access would not be supported due to the condition of the road, gradient issues and most importantly the visibility issues at its junction with the A72.

The alternative access via Glenormiston has been upgraded as part of recent residential developments but would require further upgrading works to allow safe passage for users. The applicant would have to confirm that they have the necessary permissions for carrying out these works and the appropriate rights of access are in place to serve the development. Improvement works would involve improving the running surface and providing additional passing places.

The RPS's overriding concern with this development is the Velvet Hall access. Whilst it is in a state of disrepair and the intention is not to use it, there is no viable means to prevent its use and it can't be closed off as it forms part of a Public Right of Way. Access via this route is likely to be the most desired route as it is shorter and avoids driving through the residential development at Glenormiston. Due to the horizontal and vertical nature of the A72 adjacent to the Velvet Hall, there is no straightforward solution.

Following the submission of further information subsequent to the above comments, the outcome of discussions with the RPS are explained in the Assessment section of this report.

**Environmental Health Service:** Initially objected, citing concerns due to the close proximity to, and potential impact on, the residential dwelling to the north, with impact on the other dwellings to the north and south (although not as close) also a concern. The potential noise that could be generated may negatively impact existing residential amenity. Whilst the applicant's stated desire not to allow party groups is noted, this is not a matter that can be controlled through the planning process, neither is it relevant as ownership of the site may change in the future. This is effectively an open air proposal with no physical means of noise attenuation.

The applicant has submitted outline information regarding intentions for a new private water supply and waste water treatment system to serve the development. Such matters could be dealt with by conditions should consent be awarded.

Further to the above comments, amendments were made to the proposals, and the outcome of discussions with the EHS resulting from these are explained in the Assessment section below.

**Economic Development Service:** The business case is adequate to show that this could be a viable development. Though there may be tourism benefits other concerns with this application appear to be more important. The EDS therefore neither supports nor objects.

**Ecology Officer:** Asked for a Preliminary Ecological Appraisal and, following its receipt, has advised that he is satisfied with the PEA that was submitted. Badger activity was recorded within and adjacent to the site. Habitat suitable for nesting birds may be affected by the development. No trees with potential bat roost features are likely to be affected by the development. The adjacent habitat is of moderate suitability for bats for roosting, foraging and commuting. Mitigation will be required to protect badger and breeding birds. A proportionate, sensitive lighting scheme should also be required which is designed to avoid light spill onto surrounding habitat that may be used by bats. Conditions are recommended requiring badger and breeding bird Species Protection Plans and a sensitive lighting scheme for bats.

**Landscape Architect:** Objects to the application. Notes that the site lies within the Tweed Valley Special Landscape Area (SLA) which is recognised as having a strong sense of place and together with a variety of landscape elements which all contribute to its special qualities. It is also within the Glenormiston Designed Landscape which is formed of robust tree belts and woodlands enclosing parks (fields) of similar size next to the A72, all of which *'forms an important component of the landscape within the Tweed valley seen from the A72'*

The sloping nature of the field means there is potential for the pods to be visible from the A72 and from other elevated areas to the south west. While, in themselves, the pods are not large, they would however introduce further development into the landscape and would be fully exposed to views from the south west. Given the potential visibility of the proposed development in what is parkland that is largely unaltered since it was originally laid out and that the Glenormiston designed landscape contributes to the special qualities of the Tweed Valley SLA, the landscape architect suggests the proposed development would have a negative impact on these qualities and it is not, therefore, supported.

### **Statutory Consultees**

**Innerleithen and District Community Council:** Consider this a well put together application, and that there is a need for a better tourist infrastructure locally with different accommodation options. They don't think it will be visible from the road as it's a couple of fields back and the units are low profile. The four glamping pods on the 8-acre site have been designed to be low impact and low visibility. The existing road is used, modified to serve the new houses built in recent years at Glenormiston. The issue of access was raised but the CC felt it to fall in the province of the roads department to assess its suitability

### **Other Consultees**

**Visit Scotland:** No reply

### **KEY PLANNING ISSUES:**

The key planning issues are:

- Whether the principle of development would comply with Policies ED7 and ED8 of the Local Development Plan 2016
- Ecological impacts
- Impacts on neighbouring amenity
- Landscape and visual effects
- Road safety impacts
- Whether the development would be adequately serviced

### **ASSESSMENT OF APPLICATION:**

#### Principle

Policy PMD1 of the Local Development Plan 2016 applies sustainability principles that are applicable to the proposed development, and consideration of these is embedded in the assessment below, accounting too for other relevant subject-specific LDP policies.

Policy ED7 principally applies to development in the countryside. The pods proposed here are of a size and construction that would also define them as 'caravans' and, therefore, Policy ED8 also applies. Their definition as caravans also means they would be subject to a requirement for a caravan site licence.

As regards ED7, the relevant criterion for the development type is (b) and this allows for tourism, recreation and leisure developments that are appropriate to a countryside location and are in accordance with the Scottish Borders Tourism Strategy and Action Plan. This development type is acceptable, in general principle, in a countryside location and, though Visit Scotland have not commented on the application, it is reasonable to consider that the provision of additional holiday accommodation such as this will contribute to tourism objectives, by increasing the number of overnight visitors and their spend in the area.

Other criteria in ED7 governing impacts on character, amenity and nearby uses, as well as accessibility and siting/design matters (criteria a, b, e and f) are considered further below. As regards criterion (c), the applicant's land ownership (as specified in the application submission), does not suggest scope to develop existing buildings or brownfield sites. The existing stable block is, however, to be used for purposes related to the development, including workshop and cycle storage, and the existing access and parking area are to be used. Within the same building the application also initially proposed an art workshop, also referred to as an 'outlet for local art works to be sold'. However, the information doesn't demonstrate that this art workshop and retail element should be in a countryside location, and could not be sited within a settlement. This matter was queried with the applicant, and the response has been to delete the art workshop and sales element. A condition should secure the use of the stables for purposes ancillary to the management (and related storage associated with), the pods. As the potential impact on neighbouring amenity from use by visitors has not been assessed, this should specifically preclude any leisure or entertainment use. The adjacent riding arena is to retain its current private use and its siting and size would suggest it is not suitable for the proposed development. The applicant's choice of the current site has been made having had regard to its potential impacts, being what they consider to be more secluded and capable of being more effectively screened.

As regards criterion (d), this requires consideration of expansion and intensification impacts, though as this is a new development, these need not be accounted for. That said, the siting of the development and availability of additional land alongside it does suggest the theoretical potential for future expansion. However, as noted further in this assessment, landscape mitigation requirements will serve to reduce the potential for expansion and, in any case, this application must be considered on its own merits.

The application is supported by a business case, key elements of which are that the development will focus on the mid-priced luxury glamping market, with the site's accessibility for countryside leisure and particularly the mountain biking network, and prospect of quiet seclusion in a small scale development, being features of the economics underpinning the proposal. As noted above, our Economic Development Service accept that the business case appears to demonstrate financial viability (albeit they acknowledge other issues related to the development that are considered further in this assessment). Given the type of development and constraints on this site, the potential fallback to residential use would not be a realistic option in any case. A condition should impose a standard holiday use limitation to regulate future use. Accounting for all the above, the proposal does not conflict with Policy ED7.

Policy ED8 also applies. This supports caravan developments (which the pods would be defined as) that support the local economy and regeneration of towns, in

accordance with the tourism strategy. It also favours sites within or immediately outwith development boundaries that can help support local shops and services, over countryside locations. This proposal would not be a 'favoured site', given its distance from the nearest settlement. However, this is a relatively small scale development, and it appears suited to a location such as this where the relative seclusion and scenic qualities will contribute to its viability for visitor accommodation. The fact it is not in a preferred location does not conflict directly with Policy ED8. There will be an indirect benefit to the local economy with additional tourist spend, and the application makes reference to one full and one part time job being created. On other ED8 requirements (criteria a-c), the first two of these relate to environmental and infrastructure impacts, and these are considered further in this report. The final criterion refers to flood risk, and this is not a concern here. Ultimately, while not being in a preferred location, the proposal does not conflict with ED8 in principle.

### Ecology

There are no formal designations on or nearby the site, no buildings to be demolished or trees to be felled. A Preliminary Ecological Appraisal has been submitted and this identifies potential for nesting birds; the surrounding habitat has potential suitability for bats; no trees suitable for bats; evidence of badgers using the site for foraging and commuting; no evidence of other protected or notable species; and that there are not likely to be significant impacts on habitats during or after construction. As noted above, our Ecology Officer endorses the development subject to conditions. The application is also supported by proposals for habitat enhancement. However, though welcome (provided they do not conflict with planting requirements required for landscape and visual mitigation, as noted below), this is not required by way of planning condition.

### Services

The application originally referred to a public water supply, but a private water supply is now proposed via a new borehole in a location to be determined. A condition can require a report demonstrating a suitable supply will be provided.

As regards foul drainage, a treatment plant and soakaway are proposed. If provided, this will satisfy the planning requirements and a condition can require its implementation and maintenance. Technical approval is for the Building Warrant process though it is understood that, on the basis the applicant will have a contractor in place to service the plant using the existing roads, the location appears to be agreeable in principle. If the proposal does need subsequently amended to suit the Building Standards, then confirmation of a suitable alternative can be sought by the planning condition. Potential crossing of an existing private water supply is a separate matter for the applicant to address.

Gravel borders around the pods will provide for sustainable storm water drainage, the path is to be permeable, and there do not appear to be any other surface water drainage issues likely to arise given the small scale of this development.

Given the landscape and visual sensitivities (noted below), it would be prudent to require that any power routes are undergrounded, and do not require overhead lines.

### Amenities

The pods all have sanitary facilities, and there is no planning policy requirement to provide laundry facilities. Should the applicant propose additional buildings to provide

for any additional amenities, then these would have to be subject to a separate planning application.

#### Neighbouring amenity

The development will not adversely affect neighbouring properties directly as regards privacy, daylight, sunlight or outlook loss to any determinative degree. Low level lighting bollards are proposed and these are unlikely to have amenity effects on surrounding properties, though a condition can secure details of the lights and potential light spread. Effects on daylight from planting are not governed by this application since planting is not a consent matter, though efforts can be applied to minimise any effects of planting requirements (which are explained further in the landscape/visual section of this assessment).

As regards noise and disruption, general comings and goings of visitors will have some effect on the amenity of nearby residents particularly at peak periods but they would use a route that is already available for public access and this is a relatively small scale development. The Environmental Health Service do not raise concerns with amenity effects in that regard, though they did raise concerns regarding noise from the activity of residents around the pods during the quieter periods of the day. Potential mitigation from noise barriers, different siting and planting has been considered, as has the need/benefit of a noise assessment. However, the current proposal now incorporates the following amendments from the original submission – setting the site boundary away from the nearest house (Coach House) to the north and marking its extent by post/wire fencing; and, screen barriers alongside each deck. Though the fence can clearly be easily scaled (and visitors will have a separate right to countryside access), this will provide a clear buffer between the lawful use for visitors and the Coach House, and the EHS has confirmed these measures sufficiently address their concerns. Beyond that, it will remain for the operator to manage visitor activity in a manner which is reasonable and neighbourly.

Concerns regarding noise impacts on the nearby alpaca business to the south-east are understandable, though the business is beyond trees and the public right of way, and there are examples nationwide of glamping developments being sited alongside and as part of alpaca farms. Again, the relatively small scale of this development is a mitigating factor as regards potential noise effects. Control of visitors' dogs, unauthorised feeding of alpacas and injury to them by visitors are not planning issues. There is insufficient justification for determining that this development would inevitably lead to harm to the alpaca business.

#### Anti-social behaviour and security concerns

Concerns from residents regarding possible anti-social behaviour and security issues are understandable but there is insufficient justification to consider that this development, by being sited in this location and of the small scale proposed, would inevitably lead to conflicts in such regards. The existing routes to the site already have public access now and, ultimately, the behaviour of visitors, including where this may directly affect the nearby alpaca business, is beyond the scope of determining whether this site is suitable for the proposed development.

#### Access and road safety

As noted above, the site is not within or alongside a settlement, and this location is likely to generate car-borne visitors in the main, albeit there will be cyclist visitors, and the option of bus travel via the A72. Cycle storage within the stable block is also



proposed. The resulting increase in car borne travel does count against the site to an extent, but this is balanced out by the small scale of the development and the benefits of the relative seclusion offered to visitors by the site's location. However, the increase in car traffic is a concern that requires particular consideration as regards road safety impacts.

The site has two routes available to it from the A72. That from the north and west via Glenormiston, and that to the south and east via Velvet Hall. The Roads Planning Service initially objected for the reasons noted above in their consultation comments, their chief concerns being the visibility available at the Velvet Hall junction and the condition of this route, and the condition of the Glenormiston route.

As regards the Glenormiston route, the applicant appears to have the legal right to access the site via this road, and also considers that he has the right to upgrade it, though the latter point is disputed by residents. However, a suspensive condition that requires the road be upgraded in accordance with details agreeable to the RPS, as well as further legal confirmation that categorically establishes the right to keep the upgrading works intact, will address this as regards this planning application. With the upgrading works, this will render this access route suitable for the proposed development.

In terms of the Velvet Hall route, the key issue is to minimise risk that visitors will use it, though it cannot be stopped up itself given it is a public right of way and there may be private rights of vehicular access that cannot be undermined. The applicant, therefore, proposes measures that include instructions to visitors and for service deliveries, information packs to visitors and staff training, all designed to discourage use of the Velvet Hall route. These measures are welcome, though unenforceable.

Also proposed, however, are an adjustment to the junction into the site itself so to discourage right hand turns, as well as signage designed to do the same, and signage at the Velvet Hall and Glenormiston junctions with directions to use the Glenormiston route. The junction alteration should be capable of being carried out in a manner that does not intrude on the road (and right of way) itself, though details will be required. The signage may involve third party land, likely need Advertisement Consent, and their visual and road safety impacts will need accounted for in their siting, scale and specification. The potential for statutory road signage will first need explored, and the signage itself should be for directional, not advertisement, purposes, with the number minimised.

Ultimately, a suspensive condition can require these measures be carried out in accordance with acceptable details and evidence of there being no legal hindrance to keeping them in place. With these measures, traffic using the Velvet Hall route will be discouraged to the extent that the Roads Planning Service are now able to endorse the proposal.

### Mobility

An unstepped path is proposed, and the width and specification have been adjusted to maximise potential for wheelchair access. The surfacing will be compacted stone which, though not ideal as regards wheelchairs, should achieve a balance between visual impact and mobility requirements. A condition can secure the detailed specification.

## Landscape and visual impacts

The site comprises an undeveloped, exposed field within Glenormiston Designed Landscape and Tweed Valley Special Landscape Area. The development would comprise a linear arrangement of pods, with lighting and path link originally in a sweeping arrangement, all of which may not sit comfortably with the existing settlement pattern. The development will be exposed to the A72 on passing (largely depending on roadside hedge height) and to the B7062. As noted above, the resulting landscape and visual consequences have led to an objection from our landscape architect.

In mitigation, it is noted that the development will incorporate the existing parking area and stables building, thus limiting new hardstandings to a single path, avoiding the need for new parking areas. The pods themselves are relatively small scale, with limited ground works apparently required, and the agent confirms no ground level changes are needed to achieve the 1 in 20 path gradient (if approved, a condition should regulate level changes and ground reinstatement). The pods would be constructed of timber and, if they maintain a natural colour (and a similar specification is applied to decks and deck fencing, with dark colours to glazing framing), this will minimise their visual intrusion. The lights would be low level bollard types, and a condition can secure details of these and their light spread, as well as incorporate efforts to limit their number, all with the aim of minimising their visual impact. The path's route has changed during the processing of the application, such that it extends much less into the field, and would follow a tighter route than originally proposed. It would be surfaced in compacted stone, and a condition can ensure an appropriate stone type is used. Fencing is limited to a post and wire fence which will have minimal visual impact.

Of more significance in terms of mitigation is the location of the site itself and the potential extent of any visual impacts. The site has a wooded backdrop when viewed from the A72, with the pods to be set tight alongside the trees, towards the corner of the field. A tree survey has been submitted that suggests that there should be no reason why trees would be damaged by the development, and a condition can secure a protection plan to that effect. Also, the overall site is framed by woodland which limits the potential for exposure to the A72 to fleeting, indirect views when passing. Views from further afield, from the B7062, will be filtered by existing trees, and the development will be small scale in the overall landscape when seen from that route.

Though extending out into the open field in a somewhat arbitrary arrangement such as this would detract from the existing landscape structure, there is the potential to absorb the development in a parkland type landscape scheme within the applicant's land, albeit outwith the application site itself. This should incorporate new parkland trees in the remainder of the applicant's field to the north, west and south-west, along with some ground shrubbery. In time, the development will be integrated into that new parkland landscape and, provided the landscape design is professionally produced with care as regards density and specification, this will serve to both significantly mitigate the landscape and visual impact of the development itself, and also curtail any potential risk of expansion further into the field that does not respect the parkland landscape. This will require a landscape scheme that is much improved on the planting implied on the proposed site plan. On balance, therefore, while acknowledging the obvious initial landscape impacts, but also accounting for the relatively limited visual effects on the public realm from what is a small scale development of only four pods, the proposal is considered acceptable as regards particularly to Policies PMD2, EP5 and EP10.

### Bin storage

This is proposed alongside the stables. How the size of area has been calculated is not known, but there is further room alongside this if required. It is understood there are options available via Council or private means for the emptying of the bins and, given it would be entirely in the applicant's interests to ensure the bins are regularly emptied, and the site licence will require suitable facilities for waste collection, there is no particular concern as regards feasibility of the proposed waste storage area.

### Safety matters and fire risk

Health and safety issues and fire risk associated with the operation and occupancy of the development are not planning considerations. A site licence will require all facilities to be maintained to the Council's satisfaction, and will require proper facilities to prevent and detect the outbreak of fire and for fire fighting. Also, the granting of a licence will be subject to consultation with the fire service and if the licence is issued the operator will have a statutory duty to comply with fire regulations.

## **CONCLUSION**

Subject to 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 to the following conditions and informatives:

1. The occupation of the pods shall be restricted to genuine holidaymakers for individual periods not exceeding 4 weeks in total within any consecutive period of 13 weeks. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times.  
Reason: A permanent residential development in this location would conflict with the established planning policy for this rural area.
2. The existing stables building shall be used only for purposes ancillary to the management of the development (excluding any leisure or entertainment use by visitors), including provision of storage facilities associated with its operation, and shall not be used for any other purpose  
Reason: To ensure the development complies with the Local Development Plan 2016 with regards to development in the countryside and safeguards neighbouring amenity
3. No development shall commence except in strict accordance with a landscape scheme (which shall comprise a parkland planting scheme incorporating the application site and the applicant's land to the north, west and south-west), which shall first have been submitted to and approved in writing by the Planning Authority, and shall include:
  - i. location of new trees, shrubs, hedges and grassed areas

- ii. schedule of plants to comprise species, plant sizes and proposed numbers/density
- iii. programme for completion and subsequent maintenance.

Reason: To enable the effective assimilation of the development into its wider surroundings, all to minimise its landscape and visual impacts within the Special Landscape Area and Designed Landscape.

4. No development shall commence until the following have been implemented in accordance with details first submitted to and approved in writing by the Planning Authority:

- i. improvements to the surfacing of the Glenormiston road;
- ii. alterations to the site junction,
- iii. and provision of signage at the site entrance and both road entrances (Glenormiston and Velvet Hall junctions) onto the A72

Details shall include specifications for all the works, and legal confirmation that the works can and will subsequently be retained in perpetuity throughout the operational use of the development

Reason: To ensure the site is accessed in a manner which minimises potentially adverse effects on road safety

5. Prior to commencement of development, a Species Protection Plan for badger shall be submitted to and approved in writing by the Planning Authority. The SPP shall incorporate provision for a pre-development supplementary survey and a mitigation plan. No development shall be undertaken except in accordance with the approved SPP.

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

6. No development shall be undertaken during the breeding bird season (March to August), unless in strict compliance with a Species Protection Plan for breeding birds, including provision for pre-development supplementary survey, that shall be submitted to and approved in writing by the Planning Authority.

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

7. No lighting shall be installed until further details have been submitted to and approved in writing by the Planning Authority that include their number and location (notwithstanding the approved plan), height, design, colour and light spread, and demonstrate compliance with good practice guidelines for bat impacts (Guidance Note 8/18 (2018): Bats and artificial lighting in the UK)

Reason: To limit the potential visual impact of the lights on the Special Landscape Area, Designed Landscape and neighbouring amenity and to protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3

8. Trees shall be protected during the construction period in accordance with a Tree Protection Plan which has been submitted to and approved in writing by the Planning Authority prior to development commencing. No trees within the application site shall be felled, lopped or otherwise disturbed during or after construction without the prior written approval of the Planning Authority

Reason: To safeguard trees that provide landscape value to the setting of the site, Special Landscape Area and Designed Landscape

9. No pod shall be occupied until the parking area, path and bin storage area have all been implemented/made available for use, and until the deck fencing and post and wire fencing have been implemented in accordance with the approved plans and drawings and all shall be retained throughout occupancy of the development. The use of the site for tourist accommodation (and incidental activities) authorised under this consent shall be limited to the application site and shall not extend into the remaining field beyond the path and post and wire fencing

Reason: To ensure the development is adequately serviced with parking provision, path facilities and bin storage, and to mitigate potential impacts on neighbouring amenity

10. No pod shall be occupied unless with a) the approved foul drainage scheme in operation (unless an alternative arrangement has been submitted to and approved in writing by the Planning Authority), and b) unless with an approved water supply in operation, in accordance with a report demonstrating an adequate water supply in terms of quality and quantity (and any necessary mitigation measures), which has been submitted to and approved in writing by the Planning Authority. The foul drainage shall be maintained in accordance with a scheme which shall be agreed in writing with the Planning Authority prior to development commencing

Reason: To ensure the development is adequately serviced

11. All pods, decks and deck fencing shall be unstained/naturally stained timber; all glazing framing shall be to the same specification as the pods or dark grey or black in colour; all servicing (including power routes) of the development shall be underground, and, the surfacing of the path shall comprise compacted stone of a detailed specification first agreed in writing with the Planning Authority

Reason: To minimise the landscape and visual impacts of the development on the Special Landscape Area and Designed Landscape

12. All pods and decking shall be sited in accordance with the approved levels, and the path shall be provided to a maximum 1 in 20 gradient on existing ground levels, unless otherwise agreed in writing with the Planning Authority. Any ground altered to facilitate the pods shall be graded to the minimum practicable slope and grass seeded during the first planting season following commencement of development

Reason: To minimise the landscape and visual impacts of the development on the Special Landscape Area and Designed Landscape

### Informatives

1. It is the applicant's responsibility to ensure no existing services (such as drainage or water supply routes) within the site are affected by the development.
2. With regard to Condition 3, the applicant is recommended to commission a professional landscape architect in order to achieve a suitable landscape scheme that sympathetically integrates the development into the Special Landscape Area and Designed Landscape
3. The provision of signage to address the requirements of Condition 4 may require Advertisement Consent.

4. The water supply requirements for Condition 10 shall comprise:
  - 1) A description of the source(s) / type of the supply – i.e. whether the supply is taken from a watercourse, loch, spring, well or borehole, or any other source or combination of sources.
  - 2) The location of the source(s) of the supply – i.e. the appropriate eight figure Ordnance Survey National Grid Reference(s).
  - 3) The estimated maximum average volume of water provided by the supply in cubic metres per day (m<sup>3</sup>/day), including the details of any pump tests / flow rate tests undertaken to determine this estimate. For boreholes / wells, refer to BS ISO 14686:2003 “Hydrometric determinations - Pumping tests for water wells - Considerations and guidelines for design, performance and use”.
  - 4) The intended use of the proposed building(s) – e.g. owner-occupied domestic dwelling(s), rented domestic dwelling(s), holiday accommodation, etc.
  - 5) Where there are existing users of the supply:
    - (a) the addresses of all properties served;
    - (b) the existing occupancy levels of all such properties, as far as is reasonably practicable. As a minimum, the provision of the number of bedrooms per property will allow an estimate to be made of potential occupancy levels;
    - (c) the current use of all properties served – i.e. as above;
    - (d) information identifying if and how the development will impact on the existing users; and
    - (e) the details of any mitigating measures to be implemented to ensure the quality, quantity and continuity of the water supply to the existing users will be secured.
  - 6) Where there are other properties’ private water supplies in the vicinity of the development that may be affected thereby (e.g. neighbouring boreholes, wells, springs, etc.):
    - (a) information identifying if and how the development will impact on these other supplies; and
    - (b) the details of any mitigating measures to be implemented to ensure the quality, quantity and continuity of the water supply to these other properties will be secured.
  - 7) Details of all laboratory analysis / tests carried out to demonstrate that the water supplied to the development will be wholesome. For clarification, the quality of the water throughout the building(s) must conform to the requirements of the legislative provisions appropriate to the use of the supply, as described below.
  - 8) Details of all water treatment systems to be installed to ensure that the water supplied to the development will be wholesome.

For information, the minimum daily volume of water that requires to be supplied by a private water supply must be equivalent to 200 litres of water per person per day who will be using the supply. It is the provision of this quantity that must be ensured and, as such, water storage facilities may be necessary for this purpose. When designing storage facilities, the minimum recommended capacity is three days’ reserve, in order to allow for supply interruption / failure.

If the supply only serves owner-occupied domestic dwellings, the quality of the water must comply with the requirements of The Private Water Supplies (Scotland) Regulations 2006 (“the 2006 Regulations”). For all other supplies, the water quality must comply with the requirements of The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 (“the 2017 Regulations”).

If the supply falls under the remit of the 2017 Regulations, it will also require to be sampled / monitored on at least an annual basis, and the local authority will also require to carry out a risk assessment of the supply. As such, if the development is the sole reason for the supply falling into this category, the applicant should contact the Environmental Health Department of Scottish Borders Council prior to the occupation of the building(s) to ensure that compliance with the legislative provisions is able to be secured.

### DRAWING NUMBERS

210136-00-00 Location Plan  
210136-01-01 Rev C Proposed Site Plan  
210136-04-01 Rev B Proposed Plans  
210136-02-01 Proposed Plans & Elevations  
210136-08-01 Rev A Proposed Plans & Elevations

### **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
Carlos Clarke	Team Leader



21/00382/FUL

Land South Of  
Glenormiston Coach House  
Innerleithen

