

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

6 DECEMBER 2021

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 20/00981/FUL
OFFICER:	Julie Hayward
WARD:	Leaderdale And Melrose
PROPOSAL:	Demolition of stable block and erection of dwellinghouse with associated works
SITE:	Land South West of Weathercote Rig The Loan Gattonside
APPLICANT:	Ms Barbara Johnston
AGENT:	Cameron Strachan Yuill Architects

PLANNING PROCESSING AGREEMENT:

A Planning Processing Agreement is in place until 6th December 2021.

SITE DESCRIPTION

Weathercote Rig is a large detached property of contemporary design set within an extensive plot situated on the northern edge of Gattonside, within the Development Boundary and National Scenic Area but out with the Conservation Area. The property is on the hillside surrounded by mature trees, many of which are protected by a Tree Preservation Order. The site is served by a private track (Core Path 138/Goat Brae drove road) accessed directly from the Loan. The modern housing development at Monkswood Road is to the south east and there are houses either side (Treetops to the north east and Oakfield to the west).

The site comprises an area of ground in the south west corner of the property, separated from the house by a high timber fence. There are currently sheds/stables on the land.

PROPOSED DEVELOPMENT

The proposal is to demolish the sheds/stables and remove the timber fence and to erect a single storey dwellinghouse. This would provide two bedrooms, a kitchen, dining room, living room, an en-suite shower room and a bathroom. A car port would be erected on the rear/north elevation that would accommodate two cars.

The ground would be excavated to provide a level surface. The proposal is for a contemporary design, with rendered walls, horizontal timber cladding, large areas of glazing with aluminium frames and a mono-pitch sedum roof. A retaining wall would replace the existing timber fence and new fencing is proposed to separate the site from the garden ground of Weathercote Rig.

The building would utilise the access off the private track that serves Weathercote Rig and Treetops. A passing place is proposed at the entrance to the site and the site plan shows two parking spaces for Weathercote Rig. A retaining wall would be erected to

the rear of the proposed dwellinghouse with garden ground to the north enclosed by a fence.

PLANNING HISTORY

03/00695/OUT: Erection of dwellinghouse. Stables Site Weathercote Rig Gattonside. Withdrawn 18th March 2003.

19/01313/FUL: Demolition of stable block and erection of single storey ancillary accommodation. Withdrawn 9th September 2020.

19/00496/TPO: Works to trees (Tweed Rig). Approved 4th June 2019.

REPRESENTATION SUMMARY

Thirteen individual letters of representation, objecting to the proposed development, have been received. These are available to view on Public Access and a summary of the main points raised is noted below:

- The existing property known as Weathercote Rig/Tweed Rig occupied as a holiday home/Air B&B, hired out to parties of up to 16 people, causing noise and disturbance to local residents. It is advertised as providing parking places for up to 6 cars, which are accommodated on the site of the stables. Parking regularly already overflows into Monkswood and the requirement for additional parking generated by the proposal will exacerbate this. The proposal refers to the status of Tweed Rig as being a private dwelling and suggests it is occupied by members of the applicant's family, which is not the case.
- The proposed house will become an extension to the holiday/party house not used for permanent/ long term residential use.
- It is stated that that the applicant's health issues will be improved by being near her family for support. Tweed Rig is not used as the family home and the location would not be suitable for a frail person in poor health.
- The proposed passing place will be used as another parking space for the party house.
- The development will result in increased traffic on Monksford Road, with an increased risk to residents and their children, especially from construction traffic. The link between Monksford Road and the Loan was meant to be for pedestrians and emergency vehicles, not through traffic, as confirmed at a public inquiry in 1962 and later by the developer.
- Traffic calming and signs should be introduced to slow traffic to 20mph and discourage non-residents of Monkswood from cutting through Monkswood.
- There was no extra traffic at the top of the Loan when there was a small market Garden many years ago. It was much further down the hill and it never produced additional traffic on Goat Brae.
- Refuse vehicle cannot access the lane in its present unaltered state. An improved road access could incorporate a turning circle sufficient to allow the refuse vehicle to drive up to the property to collect waste.

- This section of the lane already serves two houses and one added property will add to the damage on this lane unless a properly constructed road surface is formed as part of the development.
- The proposal and construction works would increase traffic on the drove road and obstruct access to existing houses, damaging fences and increasing the wear and tear on this access road, which is unsuitable for heavy delivery vehicles and plant.
- The proposed access via Monkswood is not practical or safe as turning is too tight with no forward visibility for vehicles due to the presence of very mature trees and mounded topography, which presents significant safety concerns on a route heavily used by pedestrians and horses accessing from the Goat Brae footpath /bridleway.
- No construction traffic should use the Loan due to the nature of the road, being single track, steep and with blind bends. The Loan is already overused, often by vehicles travelling at high speeds and the measures taken by the Council have been totally ineffective.
- There has never been an operating market garden at the bottom of the Loan.
- The issues of the access to the site and the ownership of the access road have not been resolved. The applicant or her extended family do not have sufficient ownership of the access road to deliver the required upgrade and permission of other neighbours who have shared ownership rights is required.
- The proposed building would be to the detriment of the character and setting of the ancient drove road (SBC Core Path no.138), which is used by walkers and is a major path in the National Scenic Area, due to increased traffic, loss of trees and green areas and an increase in the 'built' environment.
- The three existing houses to the north of the drove road lie well back from it and are contained within mature gardens and trees, so that greenness, rather than buildings and tarmac, is the predominant impression.
- Overdevelopment and town cramming as the plot size is small and insufficient to provide space for a dwelling, garden and off-road car parking.
- The proposed dwellinghouse is substantially larger than the building it is replacing, is not in keeping with the area and would dominate the landscape.
- Dominant form of development, intrusive and unsympathetic to its surroundings.
- No tree survey has been submitted and trees have been removed. The development would impact on the row of mature trees and their root systems.
- Overlooking and noise nuisance to existing residents.
- The plans are inaccurate in terms of land ownership.
- The applicant has not demonstrated a specific requirement for this development.

- Neighbour notification has missed new houses.
- There is no material difference between this planning application and the previous application that was rejected by the Council.
- The supporting statement document is misleading.

APPLICANTS' SUPPORTING INFORMATION

- Supporting Statement
- Traffic Management Plan
- Tree Survey and Report
- Objections Rebuttal

DEVELOPMENT PLAN POLICIES:

Scottish Borders Council Local Development Plan 2016

PMD2: Quality Standards

PMD5: Infill development

HD3: Protection of Residential Amenity

EP4: National Scenic Areas

EP13: Trees, Woodland and Hedgerows

IS2: Developer Contributions

IS3: Developer Contributions Related to the Borders Railway

IS5: Protection of Access Routes

IS7: Parking Provisions and Standards

IS9: Waste Water Treatment Standards and Sustainable Urban Drainage

OTHER PLANNING CONSIDERATIONS:

Supplementary Planning Guidance:

Placemaking and Design 2010

Householder Development (Privacy and Sunlight) 2006

Trees and Development 2008

Developer Contributions 2021

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Roads Planning Service: This property is served by the Loan albeit a means of access is also currently available via Monkswood Road. It would appear that this route will remain upon the completion of the Monkswood development which will assist with the dispersion of traffic associated with this proposal by offering an alternative to the Loan.

The Roads Planning Service (RPS) has consistently recommended against any further development served via the Loan, which would result in additional vehicular traffic due to ongoing traffic issues highlighted by RPS and shared with residents of the Loan. There have been instances where site history has changed this stance, however RPS recommend against further development. The Loan is a very narrow (as narrow as

2.8m), constrained and is largely a single file shared surface road, with restricted visibility sightlines in either direction due to buildings and walls bounding each side of the road. There is a sign at the bottom of this road stating that it is "unsuitable for heavy goods vehicles". Furthermore, the Loan is also very steep (as steep as 1 in 6) and winding, with very limited passing opportunities resulting in vehicles having to reverse when they meet. In addition, there is almost no on-street parking available on the Loan, and any parked cars make the route even more torturous. These concerns are particularly relevant during inclement weather.

When considering my traffic and road safety concerns expressed over the Loan RPS are inclined to recommend against any new development served solely by the Loan. However, as explained, the site under consideration has the opportunity to take access via Monkswood Road.

There are also concerns regarding the parking available on the site. The area adjacent to the Stable appears to be utilised as parking for the existing property and there are concerns at the resulting loss of this parking. Some concern has been raised as to the current use of the existing dwelling in that it is used as a holiday let and not a dwelling. This may raise some doubt over the reliance on the "ancillary" basis of the property if the family are not resident in the adjoining property.

There is also a concern over the condition of the surfacing of the private access road leading to the site from the Loan, in particular with regards to the latter section. However this could be improved by the applicant/owner.

Taking all of the above into consideration, RPS is able to offer support for this application, subject to the following: improvements to the surface finish of the private access road, demonstration on how the private access road ties in with the Monkswood Road cul-de-sac, a passing place to be provided on the private access road and improved parking provision to serve both the existing dwellinghouse and proposed annex.

First Re-consultation: With regards the revised plan showing the access arrangement, RPS require the improvements to be carried out over the access route between the existing public road and the site, not just the section shown on the plan within the site boundary.

Second Re-consultation: Further to a recent site visit, RPS is satisfied that the initial section of the access drive is a suitable condition to cater for the additional traffic associated with this level of proposed development. The applicant should satisfy themselves that there is an appropriate regime in place between all interested parties with regards to future maintenance. This is to ensure the track is retained in a suitable condition for household vehicles. This will also include any repairs required prior to the construction period.

Director of Education and Lifelong Learning: No response.

Landscape Architect: Site photographs and a tree survey are required.

Re-consultation: This site is within the Eildon and Leaderfoot National Scenic Area, recognised for its high quality landscape which contributes to the landscape character and amenity of the area. It is also covered by the Gattonside (village edges) Statutory Tree Protection created to protect the tree resource and amenity of the area. The tree group shown on the Tree Survey Plan is contiguous with the woodland belt immediately north of Weathercote Rig and the wooded boundaries running south west

to south east along the southern edge of the site together forming a prominent feature of the area. Although the neighbouring trees are described in the Tree Report as not being of any 'notable value', as a group they provide a 'green corridor' with potential to link habitats for wildlife and they offer a level of filtered screening and containment to the site.

The Landscape Architect does not have any great issue with this proposal as long as the applicant can demonstrate that no trees on or adjacent to the site will be affected by the development. From aerial images it appears that there are more trees on the site than shown on the Tree Survey Plan, i.e. on the southern boundary and possibly on the eastern site edge.

It is understood that a tree works application was submitted in 2019, 19/00496/TPO, and approval given for crown raising. This appears to be for trees on the southern boundary, not marked on the plan. The applicant should provide a Tree Protection Plan (TPP) that accurately marks on all trees, their Root Protection Areas, the footprint of the proposed house, driveway, patio services and any other built structures including proposed permanent fencing. It should also show the proposed line of protective fencing erected to create a construction exclusion zone. Sufficient space should be allowed between the RPA's and the building footprint for the construction process, without risk of damage to the tree resource.

Access Officer: There is one core path adjacent to this area of land Core Path 138: Goat brae Gattonside to south of Earlston.

Statutory Consultees

Community Council: No comments.

Scottish Water: No response.

KEY PLANNING ISSUES:

The key planning issues are:

- Whether the principle of development would comply with policy PMD5 the Local Development Plan 2016;
- Landscape and visual effects;
- Impacts on protected trees;
- Impacts on neighbouring amenity;
- Road safety impacts;
- Whether the development would be adequately serviced.

ASSESSMENT OF APPLICATION:

Planning Policy

The site is within the development boundary for Gattonside and so the proposal must be assessed against policy PMD5. Within development boundaries development on non-allocated, infill or windfall sites will be approved if certain criteria are met. These criteria will be assessed within this report.

One criterion is that the proposal should not conflict with the established land use of the area. The site is on the northern edge of Gattonside and the area is characterised

by residential properties with countryside beyond. The proposal would be in keeping with the character of the area.

The other criteria will be assessed within the body of the report.

The Supporting Statement advises that the dwellinghouse would be occupied by the applicant, who is seeking consent at her former family home for health issues and to be able to spend her retirement closer to her family. She currently lives in rented accommodation in Yarrowford, which is remote from her family and GP. By building a house in this location the applicant will be closer to her relatives for care provision. The dwelling would effectively be ancillary to that of Weathercote Rig, however, as a standalone property it would continue to satisfy planning policy for appropriate infill development without this ancillary link.

Weathercote Rig is currently advertised as Tweed Rig, a holiday rental house for 9 guests, though the website advises that the accommodation is suitable for family groups and couples and not party people or hen/stag groups. The previous planning application on this site (19/01313/FUL) was for ancillary accommodation in connection with Weathercote Rig, for the same personal reasons as the current application. This application was withdrawn as Weathercote Rig was not occupied as a family home by family members of the applicant and so there was no ancillary link.

The personal circumstances of the applicant however are not relevant in this case. The proposal must therefore be assessed against the current Local Development Plan policies as a separate, independent dwellinghouse.

Siting, Design and Impact on the National Scenic Area and Visual Amenities

Policy PMD2 of the Local Development Plan requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders townscapes and to integrate with its landscape surroundings. The policy contains a number of standards that would apply to all development.

Policy EP4 states that development that may affect the National Scenic Area will only be permitted where the objectives of the designation and overall landscape value of the site and its surroundings will not be compromised and any significant adverse effects on the qualities for which the site or its surrounds have been designated are clearly outweighed by social or economic benefits of national importance.

The existing stables/sheds are of no historic or architectural merit and so there are no objections to their demolition.

The surrounding area comprises of low density housing typical of the edge of a settlement, with houses set within large plots. However, Monkswood is to the south east, developed incrementally since the first approval in 1964, and the Loan is to the south, both characterised by a much higher density.

The site is part of the garden ground of Weathercote Rig, with Oakfield and Treetops either side, both large houses set within large plots and set back from the access road that serves them.

It is considered that the site is large enough to accommodate a dwellinghouse of this size, two parking spaces, a passing place and adequate garden ground without it constituting over-development. In addition, the development can be accommodated

within the garden ground of Weathercote Rig whilst retaining sufficient garden ground for the existing house.

The proposal is for a small scale, single storey dwellinghouse orientated to face south for solar gain. The design and materials are considered to be acceptable and in keeping with the existing dwellinghouse.

The site is well screened by mature trees and the dwellinghouse would be single storey, cut into the hillside, to reduce its prominence. The development would be to the north of the new Monkswood development so viewed in this context. It would not be prominent in the landscape or harm the visual amenities of the area or the special qualities of the National Scenic Area. A condition will secure appropriate boundary planting along the south eastern boundary with the access track.

It is considered that the proposed dwelling would be a sufficiently high standard, accounting for sustainability principles, to comply with the principal aims of Policy PMD2. Furthermore, the site would be well screened by mature trees, would sit comfortably within this built up edge of the settlement and will not have an adverse effect on the wider national scenic area. The proposals will comply with Policy EP4.

Trees

Policy EP13 seeks to protect trees and woodlands from development and there are a number of mature trees within and overhanging the site that are covered by a Tree Preservation Order. Consent was granted in 2019 (19/00496/ TPO) to prune and cut back some of the trees within the area of garden ground of Weathercote Rig that forms part of this application site.

A tree survey has been submitted showing 12 trees overhanging the western boundary and two on the northern part of the site. There are stumps along the eastern boundary that indicate trees have been felled adjacent to the access road at some point. The report outlines which trees (five in total) require protection measures. A site plan has been submitted demonstrating that the development (house, access and car port) are all out with the root protection areas (RPA) of these trees. An area of hard surfacing is shown to be within the RPA of several trees overhanging the site and so a condition will ensure that no below ground excavations take place and the proposed surface material does not harm the trees.

No tree works are proposed as all but two trees are out with the site boundary. Conditions will secure tree protection measures and ensure that none of the trees are felled. It should be possible to connect to the mains water supply and sewer without impacting on these trees. A condition will agree existing and proposed ground levels within the site to ensure no excavations take place within RPAs. Subject to compliance with the suggested conditions, the development will not impact on the woodland resource and will ensure compliance with EP13.

Impact on Residential Amenities

Policy HD3 states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted.

The Council's Supplementary Planning Guidance: Guidance on Householder Developments July 2006 contains guidance on privacy, overlooking and access to light that can also be applied when considering planning applications for new household

developments to ensure that proposals do not adversely affect the residential amenities of occupants of neighbouring properties.

There would be no loss light or overlooking/loss of privacy to Oakfield to the west or Treetops to the north east due to the distances involved and intervening tree planting. There are two plots to the south within the Monkswood development (plots 40 and 41) that are currently undeveloped, with no recent planning permissions (though the estate benefits from a 1964 extant consent). Nos 43 and 45 are to the south of these plots, beyond the Monkswood estate road. These are between 37m and 50m from the site boundary. No.42 to the south east is on lower ground separated by the track and trees/vegetation.

No windows are proposed in the side elevations of the proposed dwellinghouse, which faces south. Given the distances involved and screening from trees and other vegetation there would be no direct overlooking or loss of light to existing properties ensuring compliance with HD3 and the approved supplementary planning guidance.

Access and Road Safety

Policy PMD2 requires a development to incorporate adequate access and turning space for vehicles and policy IS7 requires that car parking should be provided in accordance with the Council's adopted standards.

The site would be served by the private drove road to the south east. An access with passing place would be formed and two car parking spaces provided within a car port on the northern elevation of the proposed dwellinghouse. Two on-site parking spaces are shown on the site plan for Weathercote Rig. The agent advises that the site would be served from Monkswood, including construction traffic.

Representations have been received disputing whether Monkswood can be used as a vehicular link through to the Loan and that the original 1964 consent intended that this was to be a narrow link for service and delivery vehicles and pedestrians only.

The Roads Planning Service has consistently recommended against any further development served via the Loan, which is narrow, steep, single file with restricted visibility and limited passing opportunities. However, a means of access is also currently available via Monkswood and it would appear that the link with the Loan from the Monkswood estate will remain open upon the completion of the Monkswood development. This will assist with the dispersion of traffic associated with this proposal (as well as existing properties) by offering an alternative to the Loan.

It should be noted that the residential development at Monkswood has not taken place wholly in accordance with the 1964 approved layout. Several subsequent approvals have revised the original layout and house designs. However, the originally approved site plan did show a vehicular access onto the Loan and this has not been superseded by any subsequent approvals.

The Roads Planning Service are satisfied that the initial section of the access drive is a suitable condition to cater for the additional traffic associated with this level of proposed development. They advise that the applicant should satisfy themselves that there is an appropriate regime in place between all interested parties with regards to future maintenance to ensure the track is retained in a suitable condition for household vehicles. The applicant will be advised of this by way of an informative note.

Water and Drainage

Policy IS9 states that the preferred method of dealing with waste water associated with new development would be a direct connection to the public sewerage system.

The proposals indicate that the dwellinghouse would connect to the public water supply and public drainage network, though no details of the surface water drainage have been provided; this would be secured by condition.

Developer Contributions

Financial contributions, in compliance with policies IS2 and IS3, are required in respect of Education and the Borders railway. Should consent be granted these would be secured by a legal agreement.

Other Issues

Third party representations suggest that the neighbour notification process was not carried out correctly. Premises within 20m of the application site boundary were duly notified as per the regulations and the application was also advertised in the Southern Reporter, again in accordance with the regulations. Those properties more than 20m from the application site boundary were not served notice.

CONCLUSION

Subject to a legal agreement and 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 a legal agreement addressing contribution towards education and the Borders railway and the following conditions:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
2. Details of all materials/colour finishes to be used on all exterior surfaces of the development hereby approved (walls, roofs, windows, doors) to be submitted to and approved in writing by the Planning Authority before the development commences. The development then to be completed in accordance with the approved details.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
3. The exact details of any retaining walls, fencing and gates (position, extent, height, design, materials/finish) to be submitted to and approved in writing by the Planning Authority before the development commences. The development then to be completed in accordance with the approved details.
Reason: To safeguard the visual amenities of the area.

4. Drawings showing existing and proposed ground levels and finished floor levels to be submitted to and approved in writing by the Planning Authority before the development commences.

The drawings to include:

- (i) the proposed finished floor level of the consented dwellinghouse;
- (ii) the existing and proposed ground levels throughout the application site; and
- (iii) a clearly identifiable datum point, or clearly identifiable datum points, located out with the site and sufficient for the purpose of establishing the height(s) of the proposed finished floor level(s) and ground level(s) relative to the level of the existing landscape.

The development then to be completed in accordance with the approved drawings.
Reason: To enable the proper effective assimilation of the development into its wider surroundings.

5. No trees within or overhanging the application site shall be felled, removed, lopped, lifted or disturbed in any way without the prior consent of the Planning Authority.

Reason: The existing trees represent an important visual feature which the Planning Authority considered should be substantially maintained.

6. Tree protection measures for the construction phase (in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction – Recommendations) and a Tree Protection Plan for the trees within and overhanging the site to be submitted to and approved in writing by the Planning Authority before the development commences. The protection measures to be implemented before the development commences and retained until completion of the development. The development to be carried out in accordance with the approved Tree Protection Plan.

Reason: As the trees are worthy of retention and contribute to the visual amenities of the area.

7. A drawing showing the location of the site compound for storing materials, machinery and equipment, any staff accommodation/facilities and parking for staff and delivery vehicles to be submitted to and approved in writing by the Planning Authority before the development commences. The site compound, staff accommodation and parking then to be provided in accordance with the approved drawing.

Reason: In the interests of preserving the health and vitality of existing trees on the development site, the loss of which would have an adverse effect on the visual amenity of the area.

8. No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include (as appropriate):

- (i) indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration
- (ii) location of new trees, shrubs, hedges and grassed areas
- (iii) schedule of plants to comprise species, plant sizes and proposed numbers/density
- (iv) programme for completion and subsequent maintenance.

Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.

9. The construction of the development hereby approved shall only take place in accordance with the Revised Construction Traffic Management Plan dated 6th April 2021, unless otherwise agreed in writing by the Planning Authority. Access to the site during construction shall only be permitted from Monkswood Road and there shall be no access to the site of any kind (vehicle or pedestrian) permitted from the Loan.
Reason: To limit potential impacts on road and pedestrian safety.
10. The parking and access shown on Drawing 9387-3.02 Rev E must be completed prior to the occupation of the dwellinghouse and be retained in perpetuity.
Reason: To ensure the development hereby approved is served by an adequate level of parking at all times.
11. No drainage system other than the public mains sewer shall be used to service the dwellinghouse hereby approved without the written consent of the Planning Authority. Prior to occupation of the dwellinghouse, written evidence shall be submitted to and approved in writing by the Planning Authority that the dwellinghouse has been connected to the public water drainage network.
Reason: To ensure that the development is adequately serviced and does not have a detrimental effect on public health.
12. No development shall commence until a report has been submitted to and approved in writing by the Planning Authority that the public mains water supply is available and can be provided for the development. Prior to the occupation of the dwellinghouses, written confirmation shall be submitted to and approved in writing by the Planning Authority that the development has been connected to the public mains water supply. No water supply other than the public mains shall be used to supply the development without the written agreement of the Planning Authority.
Reason: To ensure that the development with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.
13. Details of all surface water drainage shall be submitted to and approved in writing by the Planning Authority before the development commences. The surface water drainage arrangements shall follow sustainable urban drainage techniques. The surface water drainage shall then be installed as approved before the dwellinghouse is occupied.
Reason: To ensure that the development is adequately serviced.

Informatives

1. In respect of condition 6, the Tree Protection Plan should contain the following:
 - (a) No excavations, site works, trenches or channels shall be cut, or pipes or services laid in such a way as to cause damage or injury to the trees by interference with their root structure;
 - (b) No fires shall be lit within the spread of the branches of the trees;
 - (c) No materials or equipment shall be stored within the spread of the branches of the trees;
 - (d) Any accidental damage to the trees shall be cleared back to undamaged wood and be treated with a preservative if appropriate;
 - (e) Ground levels within the root protection area of the trees shall not be raised or lowered in relation to the existing ground level, or trenches excavated except in accordance with details agreed as part of condition 4.

- (f) No hard surfacing shall be formed within the root protection area of any of the trees unless the details of the surfacing materials and any excavations have first been agreed with the Planning Authority
 - (g) No part of the retaining wall shall be formed within root protection area of any of the trees unless the details of its construction and any excavations have first been agreed with the Planning Authority. In order that levels are not radically altered, both above and below the site a free draining aggregate should be put behind the retaining wall with a robust drain in the bottom to stop a build-up of moisture.
2. In respect of condition 8, planting is required along the south eastern boundary of the site adjacent to the access road.
 3. In respect of condition 10, the applicant should satisfy themselves that there is an appropriate regime in place between all interested parties with regards to future maintenance. This is to ensure the track is retained in a suitable condition for household vehicles. This will also include any repairs required prior to the construction period.

DRAWING NUMBERS

Plan Ref	Plan Type
9387-3.01 E	Location Plan
9387-3.02 E	Proposed Site Plan
9387-3.03 B	Proposed Floor Plan and Site Section
9387-3.04 A	Proposed Elevations
9387-3.05 A	Proposed Perspective

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
Julie Hayward	Team Leader Development Management



20/00981/FUL

Land South West Of Weathercote Rig
The Loan
Gattonside

