

Notice of Review Supporting Statement

Land north of Ivanhoe, Dingleton Road, Melrose, Scottish Borders

Erection of two dwellinghouses

Application Ref. 21/01846/PPP

On behalf of

Rivertree Residential Ltd

April 2022

Aitken Turnbull Architects

Introduction

This Notice of Review is submitted on behalf of Rivertree Residential Ltd, based upon non-determination of an application for planning permission in principle for the erection of two dwellinghouses (application ref.21/01846/PPP, registered 2nd December 2021) at land north of Ivanhoe, Dingleton Road, Melrose, Scottish Borders. The determination deadline was 1st February 2022. The Notice of Review is submitted within 3 months of the target determination date.

Site Description and Location

The site forms part of the grounds of the Former Dingleton Hospital, now converted into a successful apartment complex, with new build housing developments in the grounds. The proposed site was formerly an orchard for the hospital but has not functioned as an orchard for a number of years.

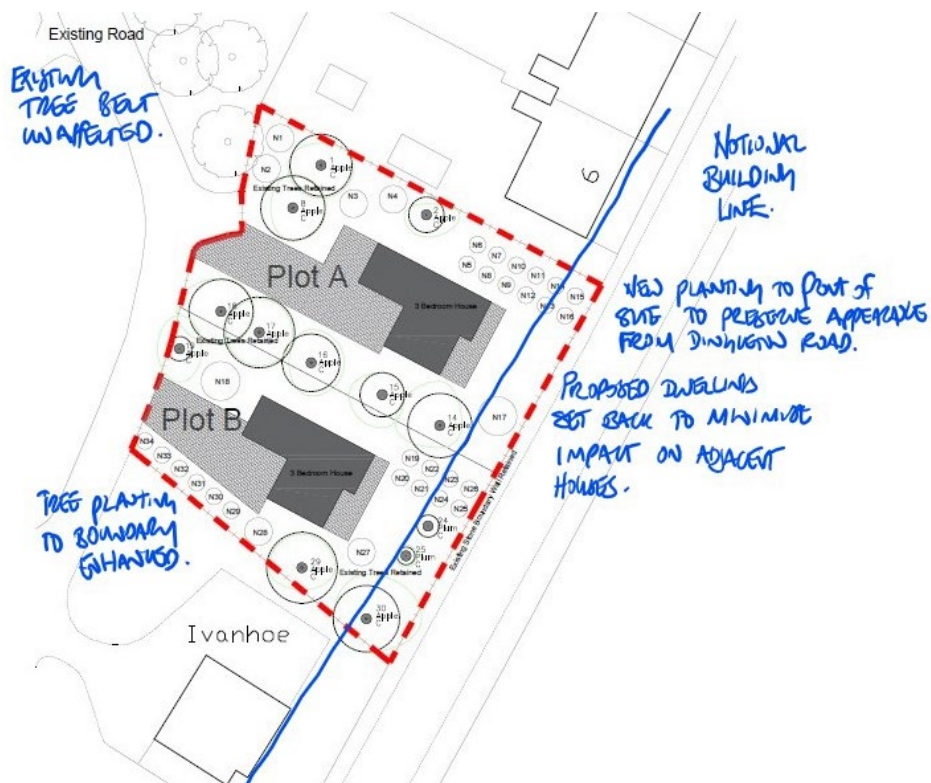


The proposed development site lies between the existing Dingleton Cottages to the North and the detached property Ivanhoe to the South, forming a logical Infill plot in the existing development.



Proposed Development

The proposed site is access from the existing road to the rear through the former hospital site, the same road currently serves the existing property Ivanhoe to the south. The site is approximately 0.1Ha providing sufficient space to accommodate 2 three-bedroom house plots with parking and amenity grounds.



The two proposed houses are set back from the notional building line, reducing their impact on the existing adjacent properties and maintaining areas for replacement tree planting to the Dingleton Road side of the site, preserving the appearance from the road. The existing stone wall to Dingleton Road is to be retained, further reducing any impact on the streetscape.

The proposals are illustrated in the application documents that support this Notice of Review.

Planning History

Planning application ref.21/00768/PPP for a similar proposal was submitted in May 2021 and withdrawn in August 2021. This was to allow for a tree survey and planting replacement plan to be provided with a new application which was subsequently provided with the current application.

Statutory Consultees & Third Party Representations

The Applicant notes and accepts the following statutory consultee responses and associated conditions:

- SBC Archaeology – no objection (informative added regarding approach to potential findings during construction works).
- SBC Contributions – request an agreement for the sum of £21,472 relating to affordable housing commuted sum, education and Waverley Line reinstatement.
- SBC Roads Planning – no objection (recommended conditions relate to detailed design of parking, access and any gates).
- SBC Landscape Architect – concerns relating to loss of trees – this is addressed further below.
- Scottish Water – no objection (PDE required to confirm waste water connection capacity)
- Melrose Community Council – no objection (would like to see wall on roadside to be reinstated to match existing walls as part of development).

Third party representations focus primarily on the loss of trees which is addressed below.

Planning Designation

The site forms an infill site within the defined Melrose urban area in the Adopted Local Development Plan (LDP).

The proposal can meet the general design requirements of LDP Policy PMD2 (Quality Standards) and requirements of LDP Policy PMD5 (infill development). In particular, with regard to infill development:

- a) The proposed use does not conflict with surrounding uses.
- b) The proposal does not detract from the character or amenity of the local area – this is achieved through the replacement of poor quality trees on a 2 for 1 basis.
- c) There are no cumulative social or economic impacts.
- d) The indicative plots respect the scale, density and context of its surroundings. Detailed design in relation to form, design and materials will be the subject of further approval.

- e) Adequate access and servicing can be achieved.
- f) The proposal does not result in loss of daylight, sunlight or privacy to adjoining properties.

The site falls within a wider designated scenic area but the scale of the proposals would have no significant adverse impact on this wider designation.

Main Planning Issue

Pre-application discussions with the Scottish Borders Council Planning Department confirmed that the site was a logical infill plot, suitable for residential development. The only issue raised related to the removal of existing trees on the site to facilitate the development.



The proposed development site -outlined in red - lies outwith the primary mature tree planting area- highlighted in green above, which remains unaffected by the proposed

development.

An arboricultural assessment has been undertaken and all trees on the site assessed. All trees have been categorised according to the British Standard BS5837:20012 as either C or U. Category U are described as trees for removal. Category C are described as trees of low quality or value and it is further noted that Category C trees generally should not influence layout and design, and should only be retained where they do not cause conflict or design difficulties.

The proposals require the removal of 17 trees, of which 9 are Category U – trees for removal. Proposals have been submitted demonstrating a replanting plan providing replacement planting on a 2 for 1 basis, incorporating 34 new trees. The proposed trees are native fruit trees in keeping with the former use as an Orchard.

It is considered that the proposals which comprise a combination of tree retention, replacement of poorer quality specimens and a 2 for 1 replanting approach is wholly proportionate and appropriate to support the development proposal.

The supporting Application documents fully illustrate proposals, including Arboricultural Assessment (October 2021), existing site plan, proposed site plan, proposed tree removal plan and proposed plan with replacement planting. A copy of these documents are provided for review.

It should also be noted that a breeding bird and bat roost potential survey have been instructed and is being carried out (April being the start of the appropriate survey season). As such, this report will be made available to the Local Review Body ahead of any determination.

The proposal would accord with LDP Policy EP13 (Trees, Woodlands and Hedgerows) on the following basis:

- a) The proposal would aim to minimise adverse impacts on the biodiversity value of the woodland resource. Only poor quality tree specimens are to be removed.
- b) Appropriate replacement planting on a 2 for 1 basis will be provided to maintain the setting.
- c) The Applicant accepts any condition in relation to enhance the woodland resource.

Summary

The proposal is a proportionate development within an urban infill site. The proposals provide for removal of poorer quality tree specimens and replacement on a 2 for 1 basis. The proposal accords with LDP policy and on the basis of the foregoing, it is respectfully requested that the submitted planning application be viewed positively and approved by the Local Review Body.