

**SCOTTISH BORDERS COUNCIL**

**DEVELOPMENT AND BUILDING CONTROL COMMITTEE**

**11 NOVEMBER 2002**

**APPLICATION FOR PLANNING PERMISSION**

<b>ITEM:</b>	<b>REFERENCE NUMBER:</b>	02/01265/REM
<b>OFFICER:</b>	Charles Johnston	
<b>LOCAL MEMBER:</b>	Councillor WD Smith	
<b>PROPOSAL:</b>	Conversion of former hospital to form 94 flats	
<b>SITE:</b>	Dingleton Hospital Melrose Roxburghshire	
<b>APPLICANT:</b>	Rivertree Developments Ltd	
<b>AGENT:</b>	Turley Associates	

**SITE AND APPLICATION DESCRIPTION:**

Outline planning consent was issued for residential development including the conversion of the former hospital buildings at Dingleton to residential and/or business use on 25 June 2002. The first two conditions attached to the consent required a Master Plan or Development Brief to be submitted as part of the submission of the first reserved matters application.

The Plan/Brief was to include details of the disposition of each of the proposed uses within the site, including residential, business, leisure and amenity uses, the phasing of the development, the type, size and number of residential units to be provided in each phase, a comprehensive landscape design and management plan, details of all footpaths, woodland walks and other areas designed for public access. The second reserved matter required that the conversion of the former hospital buildings were to be implemented as part of the first phase of the development. This application effectively seeks to satisfy these aforesaid conditions.

With regards to the former hospital buildings the plans submitted show the conversion to 94 flats. The flats are quite substantial in size incorporating a range of apartments sizes. Proposed external alterations are minimal other than the demolition of those parts of the building that are not considered suitable or appropriate for conversion. These generally relate to more modern links between parts of the buildings. These demolition works do not in themselves require planning consent although the agents have kept the Department updated on all such operations.

The large free standing building to the extreme north of the site is indicatively proposed for conversion to either residential or business use. The former boiler house building on the northern part of the site also remains available for appropriate conversion. When the outline application was being processed there were concerns that the conversion works would solely be for residential use. The aforesaid buildings continue to allow the opportunity for alternative conversions.

The main accesses to the site would be via the existing accesses directly from Chiefswood Road. In order to achieve an improved visibility splay part of the boundary wall to the north will

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have to be rebuilt. A third access to the site will be via the existing access next to the existing property called Ivanhoe located on Dingleton Road. Access to the main "new build" part of the site will be via the existing access half way up the Dingleton Road. A total of 177 parking spaces are proposed within the curtilage of the former hospital buildings to cater for the residents of those properties. Further parking proposals will require to be submitted in due course to cater for the new build elements of the scheme. Extended new footways are proposed on both Chiefswood Road and Dingleton Road to serve the current proposal.

All trees around the curtilage covered by Tree Preservation Orders are safeguarded and new planting in the vicinity is proposed.

With regards to the remainder of the open site to the south-west of the buildings, the Design Brief/Master Plan suggests mid-range and smaller family houses on level ground in the central part of the site organised in short terraces around existing avenues of trees and road/hedge positions. The average density would be in the order of 20 houses per hectare (eight per acre).

The developable land to the south of the site and the sloping land in the central part closest to the Dingleton Road would comprise of larger detached family homes. The average density would be in the order of 12 houses per hectare (five per acre).

Substantial planting is proposed throughout the proposed residential areas including planted avenues and tree belts specifically for long term screening. A play area and large amenity area are proposed around the extreme south-west corner of the site.

#### **PLANNING HISTORY:**

Outline consent was granted for the site in June 2002 of this year with 15 attached conditions. A Section 75 Agreement was also concluded which makes provision for financial contributions to upgrade Melrose Grammar School and carry out road improvements outwith the site boundary.

#### **DEVELOPMENT PLAN POLICIES:**

##### **Approved Structure Plan 2001-2011**

Policies C4, C6, C7, H1, H3, E12, N10 and N11 apply which state:

##### **POLICY C4 - Sports Facilities**

In accordance with identified existing and predicted future community needs, the Council will safeguard existing sports and recreation facilities and encourage new provision.

##### **POLICY C6 - Open Space**

In accordance with identified existing and predicted future local community needs, the Council will seek to safeguard amenity open space, including informal recreational areas, and encourage new provision.

## **POLICY C7 - Play Areas**

The Council will aim to ensure the availability of facilities for children's play that are safe, accessible and appropriate to the needs of children and young people.

## **POLICY H1 - Housing Land Shortfall**

In addition to the Effective Housing Land Supply as at March 1999, sufficient housing land will be allocated in Local Plans to meet the following identified shortfall to 2011:

### Housing Market Area Housing Land Shortfall<sup>2</sup>

Berwickshire	720
Central Borders	2,260
North Roxburgh	0
South Roxburgh	180
South Tweeddale	580
North Tweeddale	0
North Ettrick & Lauderdale	0
Scottish Borders Total	3,740

Figures are in house units and have been rounded to the nearest 10.

## **POLICY H3 - Housing Land Allocation**

Within settlements, Local Plans will assess sites for housing against the following criteria:

- i) Energy efficiency in terms of location, aspect and orientation.
- ii) Accessibility to public transport, and in particular the strategic public transport network.
- iii) The re-use of vacant, derelict, previously developed or contaminated 'brownfield' sites.
- iv) The avoidance of flooding.
- v) The non-sterilisation of mineral deposits.
- vi) The impact on biodiversity.
- vii) The impact on the man-made environment including archaeology.
- viii) The capacity of the landscape to absorb development.
- ix) Accessibility to services and facilities by foot, cycle or public transport.
- x) The relationship to business, industrial and other employment generating uses.
- xi) The capacity of individual settlements to absorb development, in particular in relation to thresholds of water, sewerage and education capacity.
- xii) The scope for more productive use of under-utilised town centre property.
- xiii) The need to retain open space within settlements to prevent town or village 'cramming'.
- xiv) Relevant socio-economic factors, such as employment, shopping, leisure and recreational facilities, health and social support systems.

## **POLICY E12 - Employment Land Supply**

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<sup>2</sup> The shortfall in Policy H1 represents a snapshot as at 1999. While the figures provide a good estimate of the housing land that will need to be found in Local Plans, the figures will be adjusted if necessary to account for any significant changes in the effective land supply arising from "windfall" development or changes in site capacities

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The Council, working in association or in partnership with other agencies, will seek to secure the provision of a range of marketable sites, of the right size and quality to meet the requirements of business and industry. Local Plans will identify appropriate sites to meet those requirements, taking particular account of the following criteria:

- (i) The relationship of the site to the development hubs and the principal public transport corridors
- (ii) The opportunities for brownfield development.

#### **POLICY N10 - National Scenic Areas**

Development in National Scenic Areas will only be permitted where

- (i) the objectives of designation and the overall landscape value of the site will not be compromised, or,
- (ii) any significant adverse effects on the qualities for which the site has been designated are clearly outweighed by social or economic benefits of national importance.

#### **POLICY N11 - Areas of Great Landscape Value**

In assessing proposals for development in Areas of Great Landscape Value, the Council will seek to safeguard landscape quality and will have particular regard to the landscape impact of the proposed development. Proposals which have a significant adverse impact will only be permitted where the impact is clearly outweighed by social or economic benefits of national or local importance.

#### **Ettrick & Lauderdale Local Plan 1995:**

Policies 2, 5, 9, 26, 56, 59, 80, 81, 82, 110 and 127 apply which state:

##### **Policy 2**

In the following settlements opportunities may exist for appropriate infill developments: Clovenfords, Earlston, Galashiels, Lauder, Melrose/Darnick, Newtown St Boswells, Oxtoun, Selkirk, St Boswells, Stow, and other villages as identified by Village Plans. Development proposals should normally satisfy the following criteria:

- 1 The proposal will not intrude into open countryside or have an adverse impact on the landscape;
- 2 The proposal will be consistent with, and complement, the character of the settlement;
- 3 The proposal will be consistent with, and conform to, the form of the settlement;
- 4 The proposal does not have a significant adverse effect on the amenity of adjoining property;
- 5 Adequate access and servicing can be achieved;
- 6 Other policies of the Local Plan are not prejudiced.

##### **Policy 5**

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Where settlement boundaries are defined, they indicate the extent to which towns and villages should be allowed to expand during the Local Plan period. All development related to these settlements should be contained within this boundary.

#### Policy 9

The Regional Council will encourage the conversion of appropriate existing buildings, including agricultural and other non residential buildings, to residential use, the rebuilding for residential purposes of derelict residential buildings, and new residential building on derelict residential sites. Any developments in the countryside should meet the following criteria:

1. No adverse effect on the viability of a farming unit or conflict with the operations of a working farm;
2. Satisfactory access and other road requirements;
3. Satisfactory public or private water supply and drainage facilities;
4. In the case of conversions, the building is structurally sound, in a reasonable state of repair and capable of conversion without substantial rebuilding;
5. In the case of conversions, the building can be converted without alterations to its external appearance which would detract from its character and attractiveness;
6. In the case of conversions, the existing building makes a positive contribution to the landscape and has no adverse effect on countryside amenity or nature conservation;
7. In the case of rebuilding of derelict residential buildings or of new building on derelict residential sites, the new building would make a positive contribution to the landscape and have no adverse effect on countryside amenity or nature conservation;
8. No adverse impact on ancient monuments, archaeological sites or on gardens or designed landscapes in the Inventory of Gardens and Designed Landscapes in Scotland;
9. Appropriate siting, design and materials in accordance with Policies 63 and 64.

N.B. Conversions of redundant buildings to non-residential uses are covered by Policy 25

#### Policy 26

The Regional Council will encourage the development of Class 4 Business and Office uses on new sites, and where appropriate, on existing industrial sites, particularly in Tweedbank and Selkirk.

#### Policy 56

The Regional Council will ensure that existing Tree Preservation Orders are maintained and protected and new ones established where necessary. Management agreements with woodland owners and replanting programmes will be encouraged. Restrictions pertaining to TPOs are set out in Appendix 2.

#### Policy 59

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Developers should conform to British Standard 5837 with regard to trees on construction sites. Guidance should be sought from the Planning Authority where development is likely to adversely affect trees on, or adjacent to, a development site.

#### Policy 80

The Regional Council will not normally permit development proposals which adversely affect the landscape character of National Scenic Areas, and will consult with Scottish Natural Heritage on applications for certain specified classes of development.

#### Policy 81

The Regional Council will continue to support the Environmentally Sensitive Areas Scheme, operated by the Scottish Office, in order to promote environmentally beneficial farming practices in these areas.

#### Policy 82

Within National Scenic Areas, Areas of Great Landscape Value, and within Heritage Areas in the longer term, the Regional Council, in considering development proposals, will seek to safeguard the heritage significance of the area concerned. The heritage significance may relate to landscape quality or amenity, nature conservation, archaeology or cultural issues, or to a combination of these. The Regional Council proposes that:

1. Where conflict arises between development and conservation, precedence will generally be given to the protection of the particular aspect of heritage significance;
2. Landowners and farmers will be encouraged to balance the need for efficient land management with the need to conserve the essential elements of the landscape;
3. Large scale developments, including mineral workings, overhead power lines and industrial buildings, will not normally be permitted unless such development can be shown to be acceptable following an assessment of the environmental implications;
4. Any developments which are acceptable will be required to meet appropriate standards of siting, design, materials and landscape treatment.

N.B. The particular case of development by telecommunications operators is subject to Policy 104A.

#### Policy 110

The Regional Council will continue to support and encourage the use of existing health care facilities and the provision of new facilities in the District, and will liaise with Borders Health Board to ensure the adequate provision of land for health care facilities.

#### Policy 127

The Regional Council will ensure the preparation of a development brief for the Dingleton Hospital area should this area become available for development.

#### **OTHER PLANNING CONSIDERATIONS:**

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The site is within a National Scenic Area and the Eildon Hill/Bowhill Area of Great Landscape Value. Many of the trees within the site boundary are covered by a Tree Preservation Order.

## **CONSULTATION RESPONSES:**

### **Scottish Borders Council Consultees**

**Director of Transport and Environmental Standards (Roads):** Whilst having no objections in principle to this proposal there are a few issues that need to be addressed:

- Clarification is required as to whether the parking, roads, street lighting and pedestrian footways/paths associated with the current redevelopment is to be adopted or remain private. It appears that it is to remain private.
- Clarification is required as to whether a vehicular and pedestrian link into the adjacent green field site to the west of the buildings is to be maintained.
- Rather than provide a footway on Chiefswood Road between the two existing junctions, it is recommended that the road be widened to 7.5m to allow on-street parking and two way traffic flow. Due to severe level differences this option appears the more logical to construct and a site meeting would be most beneficial.
- The footway opposite the 'Fairways' development which then heads down Chiefswood Road for approximately 120m will still be required.
- A number of options have been discussed on the provision of a footway on Dingleton Road from Dingleton Cottages to the proposed access into the 'green field' development. Whilst a site meeting is essential to discuss this point, another possible option would be to form the 1.5m wide footway adjacent to the existing wall and widen the public road on the opposite side. This would mean that no road crossing would be required presenting a much safer.

**Landscape Architect:** Full comments enclosed.

### **Other Consultees**

**Scottish Natural Heritage:** No objections to the conversion works. There is however insufficient information to determine the surface drainage design for the proposed vehicle parking space which appears to cover a considerable area. They recommend that the design for this area incorporates Sustainable Urban Drainage Systems (SUDS) in accordance with SEPA's design manual and that this is made a condition of approval. They wish to be consulted on subsequent applications for the proposed new developments.

**Scottish Environment Protection Agency:** There should be an integrated surface water drainage serving the site as a whole, based on SUDS principles. There is no indication on the plans on how this will be achieved.

Notwithstanding this it is accepted that existing surface water drainage arrangements will be in place for the former hospital facility and there may be limited scope to alter these arrangements. However, SEPA expects that every opportunity should be taken to upgrade the existing system by incorporating SUDS features such as porous surfacing and peripheral French drains. This particularly applies to the proposed new car parking area.

**Scottish Water:** Gravity water available/sewer available.

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**Melrose Community Council:** Object. The Community Council raises very serious concerns again regarding road safety and the inadequacies of Dingleton Road and Chiefswood Road to cope with the existing volume of traffic. The possibility of future developments at Darnick Vale will only serve to increase this volume.

Concerns also include the inability of Melrose Grammar School to cope with the increase in role that this size of development may bring, and feel strongly that all children residing in the community should be given the chance to attend the same school. Full comments enclosed.

**OTHER RESPONSES:**

None.

**PLANNING ISSUES:**

Consideration must be given as to whether 94 flats is an acceptable number of units bearing in mind the scale and characteristics of the building and the requirements of the Director of Transport and Environmental Standards. Consideration must also be give as to whether the Master Plan/Design brief for the development of the remainder of the site is appropriate.

**ASSESSMENT OF APPLICATION:**

The Dingleton site has been earmarked for development for some time and the former hospital buildings are structurally sound and of some architectural merit which lend themselves well to conversion. It is pleasing to see the vast majority of the complex and certainly the most attractive parts are being safeguarded for conversion.

External alterations are minimal and the repairs currently being carried out, which include the re-roofing of part of the building with Spanish Slate, are helping restore and enhance the overall appearance of the complex.

The demolition works are generally for link corridors and the more minor ancillary buildings which do not lend themselves particularly well to conversion are not particularly worth retention. The applicants state they have much previous experience of conversions of buildings of similar scales and characteristics.

The hospital buildings are substantial in scale and the flats proposed are of a generous size. It is therefore not contended that 94 flats is an unreasonable number of units to be formed and could not be considered as over-development.

The applicants remain agreeable to allowing alternative uses on the site for the wider benefit of the Melrose community and indeed are currently having discussions with an interested party to consider a non-residential unit within the curtilage of the hospital. The former boiler house and free standing building to the north are not part of the current conversion proposal and the plans indicate alternative business use in these buildings remains a possibility.

Probably the major part of concern to the conversion is that the local community remains concerned as to whether the capacity of the surrounding road network can satisfactorily accommodate the number of vehicles the 94 flats will generate.



The present use class of the former hospital buildings is Class 8 – Residential Institutions, which comprises of:

- a. The provision of residential accommodation and care to people in need of care other than in Class 9 (houses).
- b. A hospital or nursing home or,
- c. A residential school, college or training centre.

Legally the current buildings could be converted into any of the aforementioned uses without formal planning consent. It must therefore be accepted that the established and potential alternative uses of the site could generate a substantial volume of traffic.

Members may recall a Traffic Assessment Report by independent traffic consultants Ove Arup relating to the outline application along with a covering statement from the agent concluded that the overall site, comprising of all conversion works and new build, could accommodate 300 houses without causing insurmountable traffic difficulties. Whilst having some initial reservations about the possibility of 300 houses on the overall site the Director of Transport and Environmental Standards acknowledged the reasoning and findings of the Traffic Assessment.

The precise number of new build houses will be tested when a subsequent approval of reserved matters application is submitted, although on the basis of the current proposal and the housing densities shown on the master plan, it would appear that the total number of units is likely to fall short of the 300 mentioned in the TIA. The Director of Transport and Environmental Standards has raised no objections to the current conversion works proposed provided certain conditions are imposed and the upgrading works covered by the Section 75 Agreement are carried out.

The Section 75 Agreement requires the developers to contribute a sum of £35,000 towards the cost of carrying out the necessary road improvements in the vicinity of the property. This payment has to be made to the Planning Authority following the conclusion of missives for the sale of ten residential units in the former hospital buildings. The nature and extent of the improvements are to be at the discretion of the Planning Authority, although it is envisaged that the works will relate to providing parking spaces at the lay-by opposite Dingleton Cottages, lengthening existing lay-bys at Cherrytrees and Wembley Terrace along Dingleton Road, and relocating the existing 30mph speed limit along Dingleton Road to incorporate the new access on the eastern part of the site. This also includes a contribution towards improved parking in the town centre.

At the time of writing I am discussing the detailed comments of the Director of Transport and Environmental Standards with the applicants. However the matters raised relate only to points of detail and matters requiring clarification and there do not appear to be any insurmountable difficulties. It may be that further planning conditions are required to resolve any matters that cannot be resolved before the Committee date. I will also discuss the comments of Scottish Borders Council's Landscape Architect with the applicants and report further.

The Section 75 Agreement requires funds towards increasing the capacity of the Grammar School require to be submitted by the developers during different stages of the new build element of the project. Statistics gathered prior to the conclusion of the section 75 Agreement show that families with children of school (particularly primary school age) are much less likely to purchase flatted properties such as those being formed at Dingleton. In view of this information, and having regard to the fact that the Director Education and Lifelong Learning

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indicated that there was limited capacity within the school, it was not considered necessary to require any payments during the conversion phase of the project.

Finally, the Master Plan/Design Brief sets out the parameters for the development of the open area of land to the southern part of the site. Obviously the development of this will be the subject of a formal Approval of Reserved Matters application and extensive consultations and notifications will be carried out when these specific details are submitted.

However, it is felt that in principle the Master Plan/Design Brief follows the advice given and agreements made during the outline application and generally the layout strategy is satisfactory.

**RECOMMENDATION BY HEAD OF DEVELOPMENT CONTROL:**

Approve subject to the following condition:

1. Details of the means of surface water drainage for the car parking to be submitted for the prior approval of the Planning Authority.  
Reason: To ensure the site is adequately serviced.

*Original copy of report signed by  
BRIAN FRATER (Head of Development Control)*

**Dingleton Hospital Melrose**  
**02/01265/REM**



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