

**SCOTTISH BORDERS COUNCIL**

**DEVELOPMENT AND BUILDING CONTROL COMMITTEE**

**14 JANUARY 2002**

**APPLICATION FOR PLANNING PERMISSION**

**ITEM:** REFERENCE NUMBER: 01/00963/OUT

**OFFICER:** Mr C Johnston  
**LOCAL MEMBER:** Councillor W D Smith  
**PROPOSAL:** Residential development and conversion of hospital buildings to residential and/or business use  
**SITE:** Dingleton Hospital, Melrose  
**APPLICANT:** Rivertree Developments Limited  
**AGENT:** Robert Turley Associates

**SITE AND APPLICATION DESCRIPTION:**

This is an outline application for the re-development of the former Dingleton Hospital site and its associated land. The overall site area is 25ha and comprises of the former Hospital and its ancillary buildings on the northern third with open grassland and minor internal roads and associated boundary hedges in the central area. To the west is an open area with woodland and hedging on the perimeter. The site has a considerable amount of woodland dispersed throughout together with a paddock of some 1.5ha in size on the southern corner.

Approximately one third of the site is covered by a Tree Preservation Order which extends from the southern boundary of the site and along its eastern boundary. A number of individual trees within other parts of the site are also protected.

The grassland within the central area of the site is reasonably flat other than an area immediately to the south of the detached property known as Hazeldean, which has a considerable downwards slope from Dingleton Road to the centre of the site.

There are several detached properties within the site, which have previously been used as ancillary outbuildings for the Hospital. The former Hospital buildings are predominantly constructed of natural stone with slate roofs. The former boiler house, designed by Womersley, is located on the extreme northern part of the site.

The site is bounded by Chiefswood Road and properties forming the southern residential part of Melrose to the north, Dingleton Road and Melrose Golf Club to the east, woodland surrounding the Harley Burn to the south and the Broomy Brae Plantation to the west. The site is within an Area of Great Landscape Value, and a National Scenic Area.

Although only an outline application, an indicative plan has been submitted showing the conversion of the majority of the former Hospital to residential use. A smaller section of the existing buildings on the north-eastern side of the complex are to be considered for conversion to business use whilst it is envisaged that the "Womersley" boiler house will either be

demolished or converted to a gymnasium. Some ancillary and link buildings within the overall Hospital complex are proposed to be demolished. Detached former ancillary buildings within the grounds are proposed for conversion to residential use.

The main central part of the site, including the open area of land to the south-west, and the paddock on the southern corner are proposed for residential use. These greenfield sites in total area take up just less than half the overall site area. A slightly elevated open area of land some 2.5ha in size on the western boundary is proposed as an amenity area.

More specifically the applicants have submitted a statement of Development Intent which lists the following objectives:

- To refurbish the distinctive existing Hospital buildings and convert them to residential use, with limited new infill where necessary.
- To remove inappropriate modern additions to the original buildings, respecting and re-establishing their original character.
- To build sensitively designed new residential properties which will provide towards the otherwise uneconomic and unsustainable refurbishment work.
- To respect the high environmental quality of the site including existing landscape features such as the existing trees and woodland.
- To provide additional amenity areas not previously accessible to the public.
- To establish a development which is directed towards physical and economic sustainability by responding positively to the existing features of the site and ensuring that new features to be introduced are suitably composed.
- To enhance the existing extent of housing available within the development hub of Melrose and the Central Borders.

The main access to the site will be from the existing access to the north onto Chiefswood Road which will require considerable upgrading. A second access from Dingleton Road will require the upgrading of the existing access next to the property known as Ivanhoe. An independent Traffic Assessment has been carried out by Ove Arup & Partners Scotland Ltd, Transport Planners. The salient points of their Assessment are summarised in the accompanying papers.

Although this application does not seek consent for a specific number of houses, the main conclusions of the Ove Arup report are that given the previous Hospital use of the site at its operational peak, 300 houses could be built on the overall site without creating an increase in traffic generation.

A further supporting statement by the agents compiled by the agents in September 2001 is also copied for member's attention.

Rivertree Developments were founded in 1982 concentrating initially on works in Hertfordshire and Essex. The Company has since developed some 60 sites producing over 2,000 homes together with some self-contained freehold offices. 90% of the sites have contained listed buildings and the Company state this has helped them gain expertise in dealing with all matters from acquisition planning and design construction and final sales to the purchasers.

#### **PLANNING HISTORY:**

The Hospital has operated from the site since 1872 but, largely due to the new Care in the Community Legislation, it has become surplus to requirements. Subsequently there has been a decanting of staff and patients which has resulted in a number of planning applications predominantly for changes of use of premises elsewhere in the Borders. The likely re-development of the site has been known for some time and was acknowledged in the Ettrick & Lauderdale Local Plan 1995.

Planning consent was issued for a change of use to a residential unit for a detached property within the grounds, known as Kiloran, in November of this year by the Eildon Area Committee. The property was previously a Hospital outbuilding.

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

##### **Finalised Structure Plan 2001-2011:**

Policy 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>1</sup>**

Berwickshire	720
Central Borders	2,260
North Roxburgh	0
South Roxburgh	180
South Tweeddale	580
North Tweeddale	0

<sup>1</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

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**

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, Earliston, Galashiels, Lauder, Melrose/Darnick, Newtown St Boswells, Oxton, 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**

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

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:**

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

A Development Brief was prepared for the sellers by Knight Frank Property Consultants. Whilst the Council were involved in the preparation of this brief, its conclusions were not agreed with the Council and, in particular, it was not presented to any Committee of the Council for approval.

Interim Housing Policy 2001 applies.

#### **CONSULTATION RESPONSES:**

##### **Scottish Borders Council Consultees:**

**Director of Transport and Environmental Standards (Roads):** The initial views stated the following concerns:

- Access onto Dingleton Road is severely restricted by existing stone walls which require to be realigned (within the grounds of the Hospital) in the interests of road safety.
- No mention of parking difficulties and visibility problems which exist along the entire length of Dingleton Road have been identified in any report to date.

- The traffic generated by the two large housing developments at Fairways and Eildon Terrace again needs to be mentioned.
- Due to the gradients and length of the existing pedestrian link into the centre of Melrose it is difficult to accept the conclusion of the TA report. This is a tortuous route which is already over 800m in length and could be extended by a further 800m by this proposal.
- The traffic assessment conclusion that 300 houses will generate the equivalent traffic is questioned.
- No account has been included in the TA report that when the Hospital was fully operational a large proportion of doctors, nurses and other staff lived locally, and walked to work.
- Traffic volumes and car ownership have steadily increased since 1990 and this must also be taken into account.
- No reference to the substandard road network of Chiefswood Road and the road through Darnick has been included, nor has a sustainable road improvement link to the by-pass been considered, even though it has been the subject of discussions with the developers. Further to the above point, I would like to emphasise the need for improvements to the road network, especially Chiefswood Road to the by-pass, as I consider this a very important and necessary link for this development to be both sustainable and more economically viable.
- In general, nothing has been proposed to improve the existing road and pedestrian infrastructure external to the site, which causes considerable concern considering the scale of the development
- Bus links and stopping areas will need to be reassessed depending on the 'actual' road layout.
- With the close proximity of the Golf Course it is likely a fair percentage of the new residents may want to become members, thus adding to the already saturated parking availability which in turn causes problems onto Dingleton Road.

Since this initial response was made, further meetings and discussions have taken place with the applicants who have clarified certain matters and suggested improvements to the road network in the vicinity. This is discussed in more detail in the Assessment part of this report.

**Director of Transport & Environmental Standards (Landscape Architect):** The trees covered by TPO's should be adequately protected throughout site development works. The trees on the site boundary should be protected and in order that they do not overshadow or cause potential problems for new houses, the building line should be kept back 20 metres from such boundary woodland areas. The existing mature hedges on the site should be retained. The stone walls round the site should be retained as well as the stone gateways into the site. The proposed amenity site and the meadow to the south proposed for housing should be swapped around. This would contain the development better and would reduce the visibility of the development from the road. There is a path marked along the Harleyburn to the north-west. The possibility of making a link with this path to create a circular route should be investigated.

**Director of Lifelong Learning:** Melrose Grammar School is the only Primary School in the area. It has recently been extended to cope with a rising roll. The site at the school is very limited in size for future development.

The Head Teacher estimates that she could cope with a maximum of 20-25 pupils in the present accommodation without once again feeling pressure of space. This assumes that the

additional pupils would be fairly evenly distributed throughout each of the 10 classes. In reality it doesn't always work out like this.

The up-to-date roll projections for the Melrose School is as follows:

Aug 2001	Aug 2002	Aug 2003	Aug 2004
235	240	242	244

**Archaeologist:** The proposals have no archaeological implications.

**Other Consultees:**

**Scottish Environment Protection Agency:** Sewage Disposal – should be connected to the public foul sewer subject to the agreement of East of Scotland Water. Surface Water – surface water will probably be disposed of via a drainage system that is separate from the public sewer. The drainage system must comply with the design manual for sustainable urban drainage systems. A planning condition should state this. A planning condition could be attached to ensure the small burn crossing the site should remain free flowing and should not be culverted. Full comments are enclosed.

**East of Scotland Water Authority:** Initially stated they required further details of the proposed development before comments can be given with regard to the water and drainage services. However, following discussions with the applicants and bearing in mind much of the conversion works will involve the re-use of existing links to the public system they have no objections in principle to this outline application.

**Scottish Natural Heritage:** It is particularly important that the scale and design of new development at Dingleton should not detract from the value and character of this designated landscape. Scottish Natural Heritage have no objection in principle provided a design brief satisfies the following points:

- New housing and its associated infrastructure should be sensitively sited and well integrated into the landscape.
- The overall development design to take account of the potential landscape and visual impacts from all directions, but especially from the Eildon's, Melrose and the north side of the Tweed.
- There should be a retention of a substantial proportion of the existing trees and wildlife sites since these contribute to the landscape character of the area, biodiversity and amenity value of the site. The arboreal component at Dingleton also forms part of a more extensive network of cover which contributes to overall biological and visual diversity on these north facing slopes.
- Consideration should be given to further plantings of native and amenity species.
- Inclusion of designated public green/open spaces.
- Incorporation of safe cycling and pedestrian routes linking new housing areas with town centre facilities, the Borders General Hospital and schools.
- Opportunities for development of local bus transport links.
- At least a proportion of building designs using sustainable material and technologies.
- Sustainable urban drainage systems used throughout the development in accordance with SEPA's design manual.

- Should consent be granted the developer should liaise with the Scottish Borders Council's Biodiversity Officer and the Biological Records Centre for information and that an ecological survey is carried out. A condition should require a comprehensive landscape design and management plan is prepared and implemented for the site.

**Melrose & District Community Council:** Object on the following grounds:

- A planning brief has not been produced by Scottish Borders Council as required.
- The proposal would be contrary to the provisions of Supplementary Policy Note 1 regarding Housing policy.
- The proposal should have a much wider range of facilities other than being predominantly housing. The site offers greater opportunities.
- Proposal of 300 new houses would increase the population by 50% which would totally alter the character of the town and the balance between population and local facilities/services.
- The current school and road network cannot cater for the increase in population.

Whilst the re-development of Dingleton is inevitable the current scheme should be refused.

**Association for the Protection of Rural Scotland:** This is a sensitive site and given the scale of development it will have significant amenity and traffic implications and a development brief is essential. The brief should tackle issues such as the capacity of the landscape to absorb the development, consider accessibility to services and facilities by foot, cycle and public transport, and identify particularly high standards as regards layout, design, materials and landscaping and structural planting. If 300 houses are built this could increase the population by 50% which in turn will have serious service provision implications. There should be a much reduced scale of housing and for a greater mix, incorporating leisure/tourism/recreation use perhaps some small business units.

#### **OTHER RESPONSES:**

6 letters of objection have been lodged stating the following:

- The large-scale proposal will cause a significant problem in terms of traffic generation. The existing road network in the area, particularly the substandard condition of Dingleton Road and Chiefswood Road, is not capable of accommodating the development.
- Melrose Grammar School is not capable of accommodating a significant number of extra pupils which the proposal will undoubtedly generate.
- More information should be provided before even an outline permission could be considered.
- Given the distance from the town centre residents will be almost totally dependent on the car for access.
- The proposal will fundamentally change Melrose and diminish its attraction to tourists. The town centre will continue to become even more congested with the rapid and massive uplift in population.
- Consideration must be given as to whether the endless encroachment of green land between Galashiels, Melrose and the surrounding villages is having any beneficial effect on the environment and economy of the area.

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- Chiefswood Road should be upgraded over its entire length with direct access onto the Melrose by-pass. Consideration could be given to making Dingleton Road one-way with traffic calming measures carried out. The proposal is an ideal opportunity to upgrade the road network in the area including improved town centre parking provision.
  - Community facilities such as forestry walks, a leisure centre, "kick-about" areas could be considered on the site.
  - The burden of additional investment in roads and education infrastructure will fall on local taxpayers simply to allow an English property development company to make large profits from an oversized inappropriate and unnecessary development in one of the most beautiful rural areas of Scotland.

#### **PLANNING ISSUES:**

Bearing in mind that this is an outline application, the primary issues for consideration are whether the uses proposed for the site are acceptable in principle. If they are, consideration must be given to whether the scale and nature of the development can be adequately controlled by appropriate conditions or agreements.

Specific matters that require particular attention include traffic generation and the adequacy of the existing transport infrastructure, the adequacy of other infrastructure in the area including Melrose Primary School, and the impact of any new building on the National Scenic Area.

#### **ASSESSMENT OF APPLICATION:**

The Dingleton Hospital site has been earmarked for re-development for some time and given its location, setting and site characteristics it was considered to offer excellent development opportunities.

Policy 127 of the Local Plan requires the provision of a development brief for the overall site. The brief could be prepared either by the Council or by a party acting on behalf of the landowner. The most important issue is that any brief that is prepared is considered and approved by the Council. A development brief was prepared in this instance by Knight Frank & Rutley on behalf of the then owners, Borders Health Board, and this provides some useful contextual information relating to the site. However, whilst the Planning and Development Department was consulted and involved in the early stages of the preparation of the brief, the issuing of the final report was not sanctioned by the Department and, importantly, was not placed before any Committee of the Council for approval. The Council should not therefore feel bound by the terms of the brief.

During the preparation of the Development Brief the Council had in principle given particular encouragement to the site's use for business, leisure or educational purposes. Similar facilities elsewhere in the country have been redeveloped for such purposes, notably the former Chrichton Hospital in Dumfries. Despite this encouragement the successful bidders for the site were the current applicants who, although proposing an element of business use, consider housing to be the most appropriate and viable use for the site. The Council must now consider this application on its merits.

The former Hospital buildings are of some architectural merit and are structurally sound and lend themselves well to conversion. Complete or substantial demolition would be most regrettable and the applicants have stated they are very keen to preserve the buildings as much

as possible. Indeed the only parts of the complex proposed to be demolished are the more minor ancillary buildings which do not lend themselves particularly well to conversion or are not particularly worthy of retention. The applicants state they have much experience in this line of work and have successfully converted buildings of similar scales and characteristics previously. Residential use is the most obvious and appropriate re-use of these buildings and in general terms this part of the proposal complies with Policy 9 of the Local Plan.

The land to the south-west of the existing buildings is shown for residential development. This includes the open areas of land in the central part of the site, the land in the south-west corner of the site and a paddock to the extreme south. All this land is contained within the settlement boundary of Melrose thereby Policy 2, which in principle allows for residential use, applies.

Given that the land subject to this application is acknowledged as a prime site with great re-development potential there is disappointment in some quarters that perhaps the application could have covered a greater variety of uses and that it may be an opportunity lost.

The applicants have considered alternative uses including the possibility of incorporating a more significant element of business use within the site. The applicants' supplementary submission however, which includes comment and advice from Scottish Enterprise Borders and the Council's own Economic Development Service, suggests that there is little demand for business space in the Dingleton area. Whilst indicating that they would be happy to try and accommodate any business demand that existed, the applicants are reluctant to commit to something that may not be economically viable. Not only is this understandable from the applicants point of view, but it would be undesirable in a planning sense to have an economically unviable element of the development which may present difficulties in itself and which might undermine the implementation of other elements of the overall development.

The applicants have included on the indicative layout plan a large amenity area on the western part of the site which, as well as meeting the standards set out in the Local Plan for the provision of open space in new developments, could also be used for a range of uses for the benefit of the wider public of Melrose. The applicants have also suggested that the existing wooded areas could be used as, for example, woodland walks, nature trails, trim tracks and pony trekking. The applicants are keen to consider these and other options at the Approval of Reserved Matters stage, should this outline consent be granted.

The possible use of the former boiler house as a public gymnasium has also been suggested. There is some difference of opinion as to the merit of this building with one view being that it should be protected as an example of Peter Womersley's work. There is however a contrary view that the building is unsightly and should be demolished. A gymnasium or other leisure facility could then either be erected in its place or accommodated elsewhere in an existing building within the site.

The trees covered by Tree Preservation Orders will not be affected by any part of the development although proper precautions would require to be taken during and after construction works. This would require safety fences to be erected around trees during the construction period and would require any new buildings to be kept far enough away from trees to ensure the protection of root systems and minimise subsequent pressure for felling from the occupants of new properties.



Whilst a formal brief has not been prepared by the applicants/agents it is accepted that much of the information that would be included in a brief is now available through a combination of the original Knight Frank Rutley submission and the applicants' submissions which set out their general approach to conversion, general development layout, access arrangements and improvements, safeguarding of Tree Preservation Ordered trees, location of the amenity area, provision of leisure and Class 4 business use and the Statement of General Development Intent. In this context it is considered that the preparation of a formal Development Brief at this stage would add little to the planning process for the site and be of limited benefit in determining whether the proposed development is acceptable.

However, should the Committee be minded to approve the current application it is recommended that a condition should be imposed requiring that a more detailed Master Plan be submitted with the first reserved matter application submitted. Such a Master Plan should include a clear indication of the disposition of different uses within the overall development site, the nature and density of new building, and the phasing of the development. A suitably worded condition should ensure that the Master Plan is approved by the Department prior to the submission of any other reserved matter.

The Director of Lifelong Learning has stated his concerns as to the effect the proposal may have on the Melrose Grammar School role in that it is unlikely to be able to accommodate a development of a significant scale. This Council does not presently have a set formula for predicting the number of children of school age to be generated by new housing developments. In practice previous attempts to do so have proved extremely difficult. However, if the Council is not to be left to bear the full cost of accommodating new development, some attempt needs to be made to predict likely school roles. The Department has considered the position of other planning authorities in this matter.

In calculating potential school roles The City of Edinburgh Council use the figure that 100 houses will generate 28 primary school children and 100 flats will generate six primary school children. It may be that an urban area such as Edinburgh has a higher number of business orientated individuals/couples than the Scottish Borders which is much more family orientated and therefore figures in the Scottish Borders may be higher. In West Lothian, which is generally more family orientated than central Edinburgh, the Council uses a figure of 100 houses generating 40 primary school children.

In calculating the number of primary school children flats may generate, consideration must be given as to the nature of the flats in question. For example, a ground floor flat at a main entrance and with garden ground, or a maisonette, are more likely to attract families with children as opposed to a mid-storey flat.

Clearly as the exact ratio of number of conversions and new build is unknown at this point in time it is difficult to forecast with any absolute accuracy with this outline application how this may affect the Melrose Grammar School role and what steps will have to be taken to resolve the issue. Without doubt however, a development of anywhere near 300 houses would require significant upgrading of the school.

The applicants have offered £50,000 towards upgrading the existing school facility, which would be provided through a Section 75 Agreement. This figure is based on the assumption that there is some, albeit limited, capacity within the school and that a significant proportion of the

new development will be conversion to flats which is likely to generate few children of school age.

Initial indications from the Director of Lifelong Learning and the Architects Service would suggest that such a figure may not be adequate. However until further details of the number, nature and the timing of houses and flats to be provided is known a more accurate indication of what may be required is difficult to establish. At this stage it is considered that the most appropriate way to address this matter would be through a Section 75 Agreement which triggers a payment or payments at a certain point depending on the number and type of houses or flats provided. Agreement on the appropriate sum(s) required would need to be reached at this stage and would clearly have to be discussed with the Director of Lifelong Learning.

Probably the major point of concern with the proposed development in the local community is the capacity of the surrounding road network to satisfactorily accommodate the number of vehicles this proposal could generate. Although no specific number of houses has been applied for the report by Ove Arup and a covering statement by the agents suggest that they feel the overall site comprising of all conversion works and new build, could accommodate 300 houses.

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 within Class 9 (houses), b) a hospital or nursing home, or c) a residential school, college or a 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. The question of how many residential units must reasonably be accepted without the need to substantially upgrade the existing roadwork infrastructure is the main crux of the matter.

Following meetings with Transport and Environmental Standards, the applicants have confirmed they are agreeable to upgrade the surrounding road network by carrying out the following works:

- Provide seven parking spaces at the lay-by opposite Dingleton Cottages at an estimated cost of £7000.
- Lengthen existing lay-bys at 'Cherrytrees' and Wembley Terrace along Dingleton Road at the cost of £6000.
- Relocate the existing 30mph speed limit along Dingleton Road to incorporate the new access on the eastern side of the site. It is estimated this will cost £2000.
- Contribute £20,000 towards the emerging Scottish Borders Council car parking strategy for Melrose town centre. (This is in acknowledgement that many residents of the new development will drive into the town centre.)
- Additional parking will be formed for Dingleton Cottages to the rear of the property known as 'Ivanhoe' with a footpath link.
- The applicants are willing to provide a 7.3m wide carriageway for the eastern access and run a footway from this access to the existing footway. Visibility splays must be improved.
- A footway would be formed along Chiefswood Road between the existing northern access and the western site boundary within the limits of the public road and the land owned by them.

The aforementioned works which are contained within the site boundary can be controlled by planning conditions. Those outwith the site boundary would require to be covered by a Section 75 Agreement.

Whilst having some initial reservations about a possible development of 300 houses on the overall site, the Director of Transport and Environmental Standards has acknowledged the reasoning and findings of the Traffic Assessment and all the road improvements the applicants have agreed to carry out. Consequently, whilst the actual number of houses to be formed remains to be addressed at the Reserved Matters application stage, bearing in mind the aforementioned points the Director does not consider he has sustainable grounds to oppose the current application.

It is unfortunate that a more imaginative development with the potential to provide clearer benefits for the wider Borders economy is not being achieved on this site. This may be seen by some as a missed opportunity. However, the reality of the situation is that the commercial viability of an alternative scheme was not proven and the investment required for an alternative development was not forthcoming despite it being known for a number of years that the site would soon be available for redevelopment. The applicants have submitted a scheme that does not preclude the possibility of an element of business use and it will be for the business community to determine how attractive the site is for their needs.

The fact that the bulk of the site is likely to be given over to residential use should not be seen as a negative factor provided that such housing is properly serviced and is of an appropriate standard for this important site. The provision of a new housing opportunity which provides enhanced choice for local people or people wishing to relocate to the Borders, and new business for building trades during construction and local services businesses when completed, should in principle be welcomed.

The Finalised Structure Plan 2001-2011 highlights that in excess of 2200 houses are required within the Central Borders over the plan period. Whilst the first draft of the new Local Plan is currently being prepared and a number of site options for residential development in the central hub of the Borders are being considered for formal inclusion, it is clear that the Dingleton site has the potential to make a contribution towards achieving this figure.

**RECOMMENDATION BY DIRECTOR OF ECONOMIC DEVELOPMENT AND ENVIRONMENTAL PLANNING:**

Provided a Section 75 Agreement relating to financial contributions to upgrade Melrose Grammar School and carrying out road improvements outwith the site boundary is concluded, I would recommend the application is approved subject to the following conditions:

1. A Master Plan or Development Brief to be submitted for the approval of the Planning Authority as part of the submission of the first reserved matters application. The Plan/Brief 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.

Reason: To ensure the satisfactory development of the site.

2. The conversion of the former Hospital buildings to be implemented as part of the first phase of the development.

Reason: To ensure the retention and safeguard the character of the existing buildings.

3. The subsequent approval by the Planning Authority of the means of access, the layout of the site, the design and siting of any buildings and the landscape treatment of the site.

Reason: Approval is in outline only.

4. The layout of the site to include adequate play area and open space provision in accordance with the Ettrick and Lauderdale Local Plan 1995.

Reason: To ensure the satisfactory development of the site.

5. The means of water supply and of both surface water and foul drainage to be submitted for the approval of the Planning Authority, the disposal of the surface water to comply with the SUDWP/CIRIA design manual for sustainable urban systems.

Reason: To ensure the site is adequately serviced.

6. The stone walls around the northern and eastern boundaries and the stone gateways to the site to be retained to the satisfaction of the Planning Authority. No demolitions or alterations to these features to be carried out without the prior written agreement of the Planning Authority.

Reason: To safeguard the visual amenity of the area.

7. No hedges to be removed on-site without the prior written agreement of the Planning Authority.

Reason: To safeguard the visual amenity of the area.

8. Details of demolition works of buildings within the site to be submitted and agreed with the Planning authority prior to such works commencing.

Reason: To ensure a satisfactory development of the site and to ensure the retention of significant buildings on the site.

9. Details of the accesses to the site from Dingleton Road and Chiefswood Road to be submitted for the approval of the Planning Authority prior to the commencement of the development. The submission to include details of the timing of the provision of each access.

Reason: In the interests of road safety.

10. Details to be submitted of additional parking to be formed for Dingleton Cottages to the rear of the property known as Ivanhoe with a footpath link to the public road prior to the commencement of the development. The submission to include details of the timing of the provision of the parking.

Reason: In the interests of road safety.

11. The eastern access to include provision for a carriageway and a footway to the existing footway outside Dingleton Cottages which shall be formed to the specification and

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satisfaction of the Planning Authority. The new carriageway and footway to be formed prior to the occupation of the first new dwellinghouse.

Reason: In the interests of road safety.

12. Details to be submitted to the planning authority of a footway along Chiefswood Road between the existing northern access and the western site boundary within the limits of the public road or application site. The footway to be completed prior to the occupation of the first new dwellinghouse within the site.

Reason: In the interests of road safety.

13. The existing trees on-site covered by Tree Preservation Orders to be protected to the specification and satisfaction of the Planning Authority during the construction period and thereafter.

Reason: To safeguard trees protected by Tree Preservation Orders.

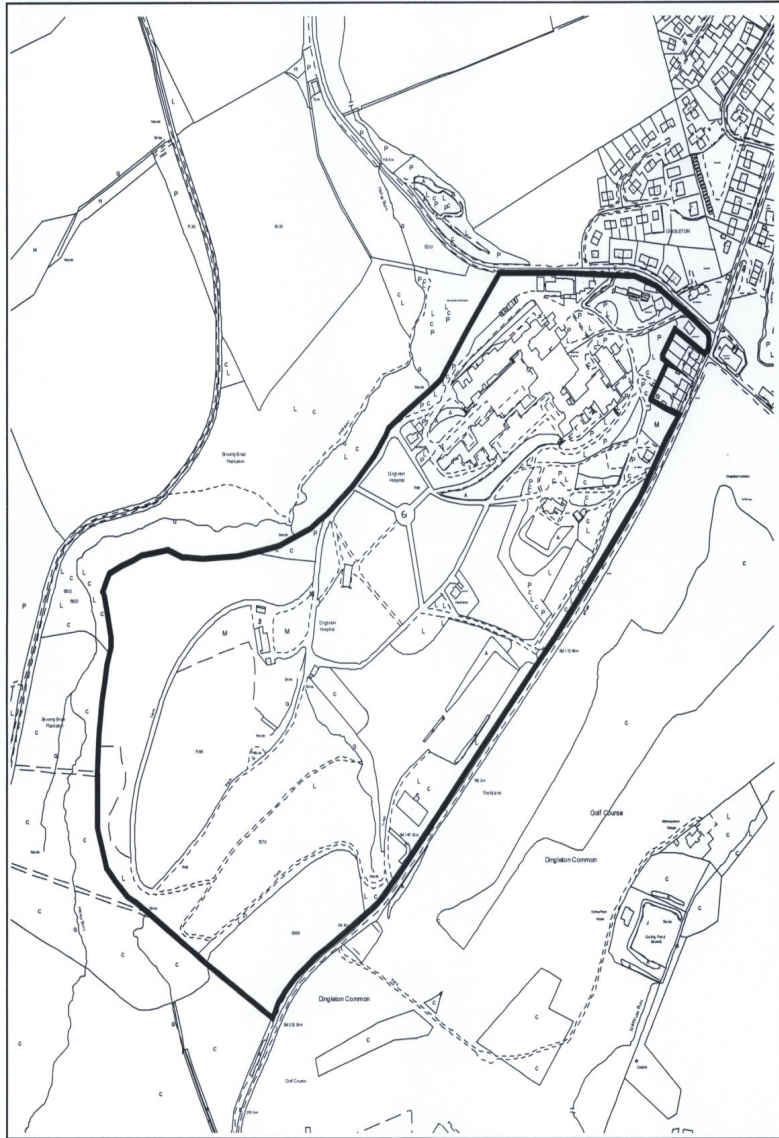
14. The positions of new houses and any other new buildings, together with new roads and associated services on site to be designed to avoid damage to protected trees.

Reason: To safeguard trees covered by the Tree Preservation Order.

15. The small burn which runs through the site to remain open and not to be culverted.

Reason: In the interests of flood prevention.

**Dingleton Hospital Melrose**  
**01/00963/OUT**



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