

**From:**Hayward, Julie  
**Sent:**2 Mar 2022 18:46:59 +0000  
**To:**Alasdair Rankin  
**Subject:**RE: 2022.02.23/Land North of Ivanhoe, Dingleton Road/

Good afternoon

I apologise for the delay in responding to your initial e-mail.

The previous application was for one house on this site, though no tree survey was submitted. This application is the first time that a tree survey has been submitted, which contains a full assessment of the trees within the site. In assessing whether a site is suitable for development, the first stage is always the tree survey, which would inform the layout. In this case the indicative site plan shows two houses within the site, with trees felled to accommodate the development in contradiction with the tree report's recommendation that only 6 trees should be felled and 3 more categorized as U. I note your argument that Category A and B trees should be regarded as Material Constraints and that may be the case for other sites. However, this site is within a Designed Landscape and the trees are covered by a Tree Preservation Order, neither designation are referred to in the report. All the trees are protected regardless of age, size or species. The designations are in place to protect the tree resource and amenity of the site.

Our Landscape Architect was consulted on this application but I have not yet received a response. If you could submit a replacement planting plan I will chase this up.

No bat and bird survey has been submitted for the trees to be felled; this was requested as part of the previous application and cannot be dealt with by a condition, as per government guidance.

The application will have to be determined by the Planning and Building Standards Committee due to the number of objections received, should the recommendation be for approval.

I accept this approach may not be acceptable to your client. As you have not confirmed agreement of the Planning Processing Agreement then your client can appeal for non-determination.

Thanks

Julie

Julie Hayward

Team Leader

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**From:** Alasdair Rankin <arankin@aitken-turnbull.co.uk>

**Sent:** 23 February 2022 14:30

**To:** Hayward, Julie <JHayward2@scotborders.gov.uk>

**Subject:** 2022.02.23/Land North of Ivanhoe, Dingleton Road/

**CAUTION:** External Email

REFERENCE EML-OUT/AT3533/20220223-140202-539

Dear Julie,

**Ref: 21/01846/PPP - Land North of Ivanhoe, Dingleton Road, Melrose**

I write following our conversation yesterday and in response to your letter of 1<sup>st</sup> February. As discussed yesterday we were unaware of your letter until yesterday so have been unable to address it earlier.

We have discussed this and taken instruction from our client on the matter.

We agree with your comment that this is a logical infill plot in keeping with the existing development pattern.

Following the previous withdrawn application, this application is for two dwellinghouses, as discussed in earlier preapplication discussions where three houses was felt to be too many for the site.

We believe that two dwellings can comfortably be accommodated on the site, with sufficient parking and amenity space, as shown in the proposed plan submitted.

We note that your principle concern relates to the loss of trees on the site with a total of 17 trees being removed. We agree that, as requested, an arboricultural assessment was provided with the submission. Of the 17 being removed, 6 are categorised as U – trees for removal - and the remaining 13 as Category C – Trees of Low Quality and Value. It is worth noting that the report specifically mentions that only Category A and B trees should be regarded as Material Constraints and that Category C Trees should generally not influence layout or design, only being retained where they do not cause conflict or design difficulties.

We agree to compensatory tree planting on a 2 for 1 basis – giving a total of 34 replacement trees.

We believe that the remaining items noted can be addressed through conditions attached to a planning consent.

We are content with the developer contributions noted, and in securing these through a legal agreement.

Given the categorisation of the trees affected by the works and an agreement to replace them on a 2 for 1 basis, I would be grateful if you confirm if you would be able to revise your view and recommend the application in its current format for approval.

I would be happy to discuss this further with you this afternoon, the best number for me is 07794022359.

Kind regards

Alasdair

**Alasdair Rankin**

Managing Director



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