

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

5 SEPTEMBER 2022

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 22/00019/AMC
OFFICER:	Carlos Clarke
WARD:	Selkirkshire
PROPOSAL:	Erection of 6 no. dwellinghouses (approval of all matters specified in planning permission 19/01687/PPP)
SITE:	Land North East Of The Lodge Philiphaugh Mill Ettrickhaugh Road, Selkirk
APPLICANT:	Rural Renaissance Ltd
AGENT:	J S Crawford Contracts (Borders) Ltd

SITE DESCRIPTION

The site is located at the south-westerly end of Selkirk, on the south-easterly side of Ettrickhaugh Road which it fronts, beyond which is a row of detached and semi-detached dwellinghouses. There are further residential neighbours to the north-east and south-west. The site includes stable buildings, a riding arena and undeveloped paddocks/field and is bound to the south-east and south-west with a mill lade, the boundaries for which are lined with existing trees and hedging. A hedge bounds part of the roadside boundary onto Ettrickhaugh Road.

PROPOSED DEVELOPMENT

This application seeks approval of all matters referred to in conditions imposed on the Planning Permission in Principle granted in March 2021 for development of this site (19/01687/PPP). The application proposes the erection of six detached houses, three of which were originally proposed as full two-storey houses (plots 1-3), and three being single-storey (plots 4-6). During the processing of the application, and in response to issues raised by this service regarding the design of the dwellinghouses, the proposals have been amended to five 1 ¾ storey houses (plots 1-5), with one single-storey house remaining proposed on plot 6. Neighbours were renotified of the amendments (given the material change to potential impacts on their amenity) and responses to the renotification are summarised further in this report.

Each house would be provided with individual vehicular accesses, served by Ettrickhaugh Road, which would be widened and be provided with a public footway to the front of plots 2-4.

PLANNING HISTORY

04/02026/OUT – Outline planning permission for eight dwellinghouses was refused in 2005 due to serious flood concerns

19/01687/PPP – Planning Permission in Principle was granted for six houses in March 2021

REPRESENTATION SUMMARY

In response to the original submission, nine representations were received. In response to the revised application, nine representations were also received. All are available to view in full on *Public Access*. A summary of the key issues raised is provided below:

- Road safety concerns, due to the road being busy, and several access points are proposed off it. The minor widening proposed will not resolve the issues of road and pedestrian safety concerns, and the footpath does not extend the full length of the site. The revised proposals will increase occupancy and, therefore, vehicle numbers
- The road is already in poor condition and will be affected further by construction vehicles, including HGVs, for which it is unsuitable. No improvement to the road's running surface is proposed
- There are no turning areas within each plot, and the turning head will serve plot 6 and risk residents' safety
- Loss of hedge, and development of the site, will result in natural habitat loss, including impacts on birds and other wildlife. Bats are also understood to roost in the stables and aren't mentioned in the ecology report.
- It is unwise to build on a flood plain and SEPA stand by their assessment. Water also risks flowing onto Ettrickhaugh Road and flooding the adjacent cottages. The lade can be 150mm below ground level during winter
- The original design of the houses was considered to be out of keeping and did not fit with surrounding residential properties. The revised proposals are also considered to be totally out of keeping.
- The revised proposals will affect natural light and privacy
- Queries are raised regarding information on tree protection and landscape plans including location of the lade and hedge; extent of tree belt; and, north point, scale bar, and license number omissions
- When the hedge is managed, the lade should also be, with its embankments trimmed

APPLICANT'S SUPPORTING INFORMATION

The application is supported by the following:

- Construction Environmental Management Plan (CEMP) which was updated during the processing of the application
- Tree Survey Report, Constraints Plan and Protection Plan, which were all updated during the processing of the application
- Drainage Strategy and Surface Water Management Plan
- Design Statement
- Written Scheme of Investigation for an archaeological Watching Brief and Metal Detecting Survey
- Engineer's letter addressing contamination risk

During the processing of the application, a Biodiversity Enhancement Plan was also submitted

DEVELOPMENT PLAN POLICIES:

Scottish Borders Council Local Development Plan 2016

PMD1 – Sustainability
PMD2 – Quality standards
PMD5 – Infill Development
HD3 – Protection of residential amenity
EP1 – International nature conservation sites and protected species
EP2 – National nature conservation sites and protected species
EP3 – Local biodiversity
EP8 – Archaeology
EP13 – Trees, woodlands and hedgerows
EP15 - Development Affecting the Water Environment
EP16 – Air Quality
IS5 – Protection of access routes
IS6 – Road adoption standards
IS7 – Parking provision and standards
IS8 – Flooding
IS9 – Waste water treatment standards and SUDS
IS13 – Contaminated Land

OTHER PLANNING CONSIDERATIONS:

Supplementary Planning Guidance:

Landscape and Development (2008)
Sustainable Urban Drainage Systems (2020)
Trees and Development (2020)
Waste Management (2015)
Placemaking and Design (2010)
Guidance on Householder Development (2006)
Designing out crime in the Scottish Borders (2007)

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Roads Planning Service: The principle of housing on this site has already been established. The drawings show the road being widened with appropriate drainage measures in place. The plans also show the existing hedgerow being removed with a new footpath being constructed behind this line. Each of the plots have a minimum of two parking spaces and a new formal turning head is proposed at the southern end of the site. They note that there are several objections. At present the existing properties park on street which reduces the width of the road down to single file. The driveways into each of the plots have been designed to ensure there is no loss of on-street parking, by increasing the width and allowing for a splayed entrance, thus reducing the amount of road width required for turning manoeuvres. The width of the road is being extended to approximately 5.2 – 5.3 metres. The desirable width of 5.5 metres can't be achieved due to the overhead cables, however the increased width will allow the road to continue to function appropriately and is a betterment to the existing arrangement

They advise that Road Construction Consent (RCC) will be required for the formation of the new footway outwith the public road boundary, along with the formal turning

head. This process will also cover the road widening and drainage aspects of the development. The existing street lighting arrangement should be reviewed to ensure there is sufficient lighting for the new footpath. Plot 6 would benefit from having car turning provision. They recommend conditions requiring the road widening to be undertaken prior to the development commencing, and new footpath formed before occupation of the first house, and an Informative Note highlighting the RCC requirements.

The RPS was consulted again on the revised application and have confirmed they are content with the amendments, though they note that plot 1's hedging is now hard up against the road edge which will impact on visibility, so will require set back to achieve 2.4m by 33m visibility splays. The RPS also advised that Plot 5 requires a splayed entrance.

Landscape Architect: The tree survey identifies only four trees that merit retention and eleven trees which are in poor condition or which are growing out of the lade wall, to both the trees' and the wall's detriment. The landscape architect does not disagree with this and acknowledges that more than two thirds of the trees along the south east boundary may need to be removed. However, it will be important to replace them.

The Tree Protection Plan (as originally submitted) was queried. Following submission of a revised protection plan, she now advises that this is adequate for the purpose.

With reference to the landscape plan (as originally submitted) the proposals were considered sketchy and had no replacement planting. Compensatory tree planting for trees removed, as well as additional front garden tree planting (at least one tree per plot), were recommended. She also considered that the proposed footpath along the frontage of plots 2-4 is awkward and not wholly satisfactory, with the path layout not being instinctive, though she considered that utilities could be overcome. Further beech hedging was also recommended.

In response to a revised landscape plan, the amendments are acknowledged, with replacement trees added to the rear and front gardens. These should be specified as rootballed on the plan, with further information added. A more detailed hedging schedule should be specified, including number per linear metre, protection, a plan of where each type of hedge is planted, and all should be cell grown. If native, then a more appropriate mix is recommended.

Outdoor Access Officer: No reply

Flood Officer: As regards Condition 3, the FO is satisfied that the applicants plan to build to a finished floor level of 199.15mAOD, which is above the requirement of at least 199 mAOD within Condition 3.

As regards Condition 8, there does not appear to be any information on greenfield/surface water run-off rates pre and post development within the Drainage Strategy & Surface Water Management Plan. The FO advised that the information contained within the original submission did not yet demonstrate "that surface water run-off from the site will be maintained at pre-development levels using sustainable drainage methods during construction of the development and subsequent occupancy". He asked for confirmation of treatment and attenuation of surface water prior to discharge to the lade; surface water discharge rates; that sufficient storage will be provided to attenuate to a 1:200 storm event with 30% climate change; and, restriction of flow will be achieved by hydrobrake on the disconnecting manhole.

The FO subsequently discussed the drainage issues with the applicants and notes that the plan for drainage has changed since the PPP. The previous plan was to pipe run-off to the burn with a hydrobrake, with the new plan now to install a system that infiltrates on site. He is now content, having viewed porosity tests from the applicant, that the proposed drainage methodology is suitable. The surface water will be allowed to infiltrate on site, rather than being piped to the burn. This is the preferred method of drainage and is a suitable solution as the site is almost free draining. This would reduce the requirement for pre and post greenfield run-off rates as there would be no flow now heading to the burn. He notes that Building Standards will assess the porosity tests and assess whether this is suitable. Therefore, with regards to Condition 8, it appears that the applicant has now shown that their drainage uses “sustainable drainage methods during construction of the development” and with regards to the surface water, this will now be drained on site. From the position of his Flood and Coastal Management Team, Condition 8 appears now to have been met

Selkirk Flood Prevention Scheme: No reply

Ecology Officer: Queried minor elements of the CEMP (Condition 11) and Species Protection Plans (Condition 12) but, following submission of a revised CEMP (which includes the SPPs, now advises that both conditions can be discharged.

At the time of writing, no Biodiversity Enhancement Plan (BEP)(Condition 13) had been submitted, though this has since been submitted and considered by the Ecology Officer. The Phase 1 Habitat Survey carried out in 2019 noted (at least) two swallow nests in the stable block. The BEP proposes two bird boxes which are not suitable for swallows. Therefore, two swallow cups will be required, which would need to be below the eaves of one or two of the proposed dwellinghouses. The swallow cups should be an addition to the two nest boxes already proposed as the two swallow boxes would be a compensation for those lost, not a biodiversity enhancement. All of the proposed new trees seem to be within the private garden areas, which is not ideal at all, as the trees in the gardens could be removed at any time and without any consequences. It would be much more desirable to have the trees planted outside the garden grounds. The new hedges are proposed to be either 100% beech or a native mix. The native mix would be much more appropriate than 100% beech comprising, at the very least, 50% of the hedging.

Contaminated Land Officer: On the basis of the information provided, confirms he has no further comments to make

Archaeology Officer: Is happy that the methodology should afford the identification, recovery and recording of any archaeological finds, features and/or deposits from the area. There is the potential for battlefield features or finds, as well as other earlier periods. He is happy to confirm there are no issues with the Written Scheme of Investigation (WSI).The submission of the WSI is suitable for the first part of condition14 of 19/01687/PPP. Following the methodology, the fieldwork and reporting should be carried in due course for him to recommend upon the further parts of the condition.

Statutory Consultees

Royal Burgh of Selkirk and District Community Council: No comments on the original or revised application have been received.

Scottish Environment Protection Agency: Consider that they should not have been consulted, given their objection in principle to 19/01687/PPP. They understand that,

contrary to their advice, Planning Permission was granted following referral to the Scottish Ministers. Therefore, they are not going to comment.

Historic Environment Scotland: The proposed development will impact on the Battle of Philiphaugh Battlefield Site, but they do not consider the impact raises issues of national importance. The current application does not change this view (made for the PPP application) and they have no specific comments to offer.

KEY PLANNING ISSUES:

The key planning issues are whether the proposed development satisfies the specific requirements of conditions imposed on 19/01687/PPP, and for which the approval or agreement of the Planning Authority is required, particularly as regards the layout, scale, design and specification of the proposed houses; amenity impacts; road and pedestrian safety impacts; servicing; and ecology impacts.

ASSESSMENT OF APPLICATION:

Principle

The principle of development has been established with the granting of 19/01687/PPP. Considerations for this application are limited as to whether the proposals satisfy the requirements of all conditions imposed on the PPP consent that require the approval or agreement of the Planning Authority. This assessment is made against each of the relevant conditions in turn, the requirements of which are summarised in italics:

Condition 1

This requires approval of the details of the layout, siting, design and external appearance of the building(s), their means of access, including two parking spaces (excluding garages) per house, bin storage and the landscaping of the site

The application originally proposed two-storey houses on plots 1-3, with single-storey houses on plots 4-6. However, given the townscape here is fundamentally comprised of dormered cottages within a generally regular townscape (albeit with some departures, including single-storey houses), the applicants were asked to consider a more regular townscape to the roadside to reflect this. Their response has been positive, and the current proposal for 1 ¾ storey houses within plots 1-5, which also incorporate improved form, design and detailing, are considered a much more complementary fit. Albeit they are not full 1 ½ storey houses like the existing cottages, they are an appropriate response to this site, given its size and the number of houses. They are closely reflective of the indicative proposals considered at the PPP stage. The proposals also incorporate narrowed frontages, with all double garages being replaced with single garages, with some in recessed positions. Plot 6 remains single-storey and will have a 'backland' character. However, this proposal reflects that anticipated at the PPP stage and its positioning would be loosely characteristic of the discrete location of single-storey houses already existing to the south-west of the cottages. Its scale and design will mean its visual impact will be low-key from the public road.

As regards materials, an original proposal for concrete tiles and roughcast rendered walls has been amended to slate-effect tiles and smooth render finishes (albeit with an erroneous reference to roughcast still on the drawings). Though natural slate and stone predominate on the road now, there are also non-traditional finishes. Provided the tile is a good quality imitation slate and, preferably, earthy colours are specified for the

rendered walls, the result should be sympathetic to the context. Buff surrounds and buff block basecourses are proposed, the latter not being ideal but being a minor feature. The Yarrow house type, however, incorporates a projecting gable in a similar pitched block, which may not sit entirely comfortable with the house's character and nearby cottages, and requires further consideration by planning condition.

All plots incorporate two parking spaces, a tuning head is proposed and Plot 6 incorporates its own turning area, thus addressing the Roads Planning Service's original comments. Though concerns from residents are fully acknowledged, the RPS is content with the number of accesses proposed in terms of road safety. An adjustment to Plot 1's hedge route will need agreed in order to maintain splays, and the RPS's requirement for Plot 5's entrance, and conditions can cover these.

Bin storage is understood to be referred to on the site plan, though is not entirely clear for all plots. A condition can, however, suitably regulate their provision and retention.

The landscaping requirements of Condition 1 are addressed under Condition 4.

Condition 2

This prevents development until all conditions requiring approval of matters have been so approved, and does not require a submission in itself.

Condition 3

This requires a 1:500 site layout plan; plans and elevations of houses and garages including materials; a landscaping plan; phasing details; and levels, which should show that the buildings' finished floor levels are not less than 119m above ordnance datum.

Sufficient plans and drawings have been submitted to assess the proposals (and are covered more specifically under Conditions 1 and 4). Site and finished floor levels are appropriate, and specify all houses as having the same floor level which is 150mm above the condition requirement. Though phasing details have not been submitted, conditions can secure the phasing of services. Given the backland location of plot 6, this should only follow the development of plots 1-5 and is covered by condition.

In terms of neighbouring amenity impacts, the proposal will not have adverse impacts on the amenity of neighbouring properties as regards daylight, sunlight or outlook loss. It is also considered that, at the distances proposed (the closest is slightly less than 24 metres), the houses will not unreasonably intrude on the privacy of the facing cottages or on any other neighbouring property. The applicants slightly set the houses further back, on request by this service, during the course of the application in order to minimise effects, while still achieving a suitable townscape relationship.

Chimneys are specified, though these are referred to as dummy chimneys. If stoves are subsequently provided within the dwellinghouses, then any emissions are a matter for regulation under Environmental Health powers.

Condition 4

This requires a hard and soft landscaping scheme, including specifications, schedule, and a programme of completion and maintenance. It also refers to boundary treatments and bin storage (the latter is discussed under Condition 1).

The original landscaping and boundary treatment plan was amended during the application's processing in response to issues raised by this service, and now includes hedging along the entire roadside boundary, which will compensate for the hedging lost. To compensate for the eleven trees being removed, thirteen trees are to be planted, including one in each front garden. Driveways/parking areas will be in permeable paving, and rear gardens divided by post and wire fencing. Though, as our landscape architect notes, some further detail is required (and the specification for hedging should tally with that recommended for the Biodiversity Enhancement Plan required for Condition 13), the proposal is fundamentally an appropriate response to the site. The footpath route has not been changed, however, the acceptability of that has been established with the Roads Planning Service. It may be that prospective residents may wish to add screen fencing in rear gardens, but that would be subject to normal Permitted Development rights. As noted above, hedging to plot 1 will need adjusted to safeguard visibility splays (and may be best with an amendment to the plot boundary to suit).

In response to a point raised in a neighbour's representation, there is no justification for requiring management of the south-westerly hedge on the lade side, that being an issue relevant to the current site regardless of this development.

Condition 5

A scheme of details detailing improvements to Etrickhaugh Road are required, and their implementation prior to occupancy of the first house. A related Informative Note recommended the widening of the road to 5.5 metres, with new footway, surface water drainage and enhanced street lighting provision.

The proposals include widening of Etrickhaugh Road to 5.3 metres, and incorporating a footpath. Though the widening is not as far as preferred, and the footpath does not run the full length of the site's frontage, the RPS is content with the proposal given the constraints posed by overhead cables. As Roads Construction Consent will be required for the footway, turning head, road widening and associated drainage and street lighting, the specific details of these works can be managed under that process. Ultimately, it is considered that the proposal will manage the additional traffic associated with the proposal by means of the road improvements now specified.

Condition 6

This requires that the path on the access road between the north-easterly boundary and Lauriston Cottage be kept free during and after the development.

This condition requires no submission and is not prejudiced by the detailed proposal. An Informative can refer to its requirements still being applicable.

Condition 7

This requires a scheme to identify and assess potential contamination

The applicant's engineer's submitted information regarding the site history and established that the contamination risk associated with past use is low. The Council's Contaminated Land Officer has accepted the information as sufficient. This condition is, therefore, satisfied.

Condition 8

Precise details of the water supply and a surface water and foul drainage scheme are required. The surface water scheme should demonstrate that run-off will be maintained at pre-development levels using sustainable methods

Mains water and foul drainage services are proposed, and a condition can secure evidence of connections having been granted by Scottish Water.

As regards surface water drainage, drainage for the road widening and footway are for the Roads Construction Consent. As regards the site, the proposals are for individual infiltration manholes for each plot on the basis the site is free draining. Permeable paving for parking areas is also proposed. The Flood Officer has, as noted above, endorsed the proposals as being sufficient to meet the requirements of Condition 8 as regards surface water. The drainage proposals have not been adjusted to suit the revisions to the site layout, though they will not be materially affected, and this can be covered by planning condition.

Condition 9

An Arboricultural Impact Assessment is required for trees to the south-east and south-west.

A survey report, constraints and protection plan have been submitted (and updated during the processing of the application) and are sufficient to fulfil the requirements of the condition. These identify that 11 of 15 trees to the south-east require removal due to their condition and pressure on the lade. Protective fencing is proposed for the remaining four, as well as the hedge to the south-west. As noted above under Condition 4, replacement trees will provide adequate compensation for those removed. The detailed maintenance of the south-westerly hedge is ultimately for the landowner, and, given its type, conditional control should not prohibit its reasonable management to ensure adequate amenity for adjacent householders.

Condition 10

This requires protection of trees to be retained, and includes a requirement to maintain soil levels around the boles of hedges, with no trees or hedging to be felled without the prior consent of the Planning Authority

As noted in Condition 9, protective fencing is proposed that should minimise risk of damage to hedging to the south-west and remaining four trees to the south-east. This is now shown on the site plan so, notwithstanding any apparent errors or omissions in the tree protection plan, compliance with this should achieve adequate protection during the works. As above, the control of the hedge to the south-west should not prevent reasonable management of its size, to maintain the amenity of existing and prospective residents.

The hedge to the roadside will be removed. However, this is to allow for the widening of the road and footway, both of which will be of benefit to existing and prospective residents. As noted under Condition 4 above, however, the proposal includes a greater degree of new hedging and, in the long term, this should ensure the existing hedging is more than compensated for.

Condition 11

A Construction Environmental Management Plan (CEMP) is required to address this condition

A CEMP has been submitted that addresses the Ecology Officer's original comments, and is now acceptable. Implementation is still required under Condition 11, so an Informative, rather than a further condition, is sufficient.

Condition 12

A Species Protection Plan for otter and breeding birds is required.

Species Protection Plans have been submitted that incorporate amendments to address the Ecology Officer's original comments, and are now acceptable. These are incorporated in the CEMP.

Concerns raised in representations regarding bats are acknowledged. However, during the course of the PPP application, the suitability of the existing buildings for bats had established that this was negligible, and the Ecology Officer accepted the findings at that time. Implementation of SPPs is still required under Condition 12, so an Informative, rather than a further condition, is sufficient

Condition 13

This condition requires a Biodiversity Enhancement Plan

A Biodiversity Enhancement Plan has been submitted and specifies proposals for two bat and two bird boxes, as well as new hedge and tree planting, which are all specified on the landscape plan (Condition 4). The Ecology Officer also recommended two swallow cups in addition to the bat and bird boxes, and this would be reasonably required by condition. Though her concerns regarding the risk of removal of trees within gardens is acknowledged, all such trees would be regulated by planning condition. The hedging mix can be addressed in a revised landscape plan which, as noted under Condition 4, requires some further clarity as regards hedging in any case. A condition requiring these adjustments can be imposed. The implementation of the BEP is, otherwise, regulated by Condition 13, so an Informative is noted to that effect.

Condition 14

This requires a Written Scheme of Investigation (WSI) detailing a programme of archaeological works

A Written Scheme of Investigation for a Watching Brief and Metal Detecting Survey has been submitted and (albeit the planning reference is incorrect on the submission), this satisfies the requirements of the condition, as confirmed by the Archaeology Officer. Implementation and reporting will be required in order to fully satisfy Condition 14.

CONCLUSION

Subject to compliance with the schedule of conditions, the development will satisfy Conditions 1, 3-5 and 7-14 of Planning Permission in Principle 19/01687/PPP and 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 to the following conditions and informatives:

1. No development shall commence until evidence confirming that mains water and foul drainage connections have been approved by Scottish Water has been submitted for the written approval of the Planning Authority. The development shall be serviced only using the approved mains water and foul drainage connections, unless otherwise agreed in writing with the Planning Authority.
Reason: To ensure the development is adequately serviced
2. Prior to development commencing, further details of the landscaping specified on drawing number P063/001 rev B shall be submitted for the written approval of the Planning Authority. The details shall comprise:
 - a) staking and protection specifications for new tree planting;
 - b) density of hedging;
 - c) location of hedge species;
 - d) a revised hedge route for Plot 1 that safeguards 2.4 metres by 33 metres visibility splays for the plot entrance in both directions
 - e) hedging protection;
 - f) implementation timescale; and, maintenance scheme.All trees shall be rootballed; all hedging shall be cell grown; and at least 50% of the hedging shall be of native mix (not Beech). All failed planting within the first five years shall be replaced on a like-for-like basis. All planting shall be implemented and maintained in accordance with the approved details and plan, and none of the trees or hedging shall be subsequently felled, lopped or otherwise disturbed unless in accordance with the approved maintenance scheme or otherwise agreed in writing with the Planning Authority.
Reason: To ensure the development has a sympathetic landscape and visual impact, and compensates for biodiversity loss associated with removal of existing trees and hedging
3. Prior to development commencing, details of two swallow cups (location and specification) shall be submitted for the written approval of the Planning Authority. The swallow cups shall be implemented in accordance with the approved details prior to occupancy of any dwellinghouse, and shall be retained and maintained in the same manner as bird and bat boxes specified in the Biodiversity Enhancement Plan (BEP) approved under this consent. Notwithstanding the landscape scheme specified within the approved BEP, the landscaping shall accord with the details approved in pursuance of Condition 2.
Reason: To provide appropriate biodiversity enhancement within the development
4. Surface water drainage within each plot shall be provided in accordance with the measures (adjusted to suit the approved revised site layout shown on drawing number P063/001 rev C) specified in the Drainage Strategy & Surface Water Management Plan 2021-501-R001 Revision 0 Christie Gillespie, and parking areas/driveways shall be constructed with permeable paving in accordance with the landscape plan (P063/001 rev B) unless alternative means are otherwise agreed in writing with the Planning Authority.
Reason: To ensure sustainable management of surface water
5. Protective fencing, of a specification that accords with BS5837:12, shall be erected along the routes shown on the approved site plan (P063/001 rev C) prior to development commencing and shall be retained until development is complete.

No works shall be carried out within the protected areas unless compliant with BS5837:12. Hedging to the south-west and the four trees being protected shall be subsequently retained and shall not be felled, lopped or otherwise disturbed without the prior written consent of the Planning Authority.

Reason: To minimise risk to trees and hedging with public amenity value

6. Bin storage shall be provided within each plot prior to each dwellinghouse being occupied sufficient for one general waste and one recycling wheelie bin, behind the principal elevation (i.e. to the side/rear of the house), in a location that does not affect the parking area, and shall be retained free from obstruction for the storage of bins associated with each approved dwellinghouse.

Reason: To ensure the visually sympathetic and accessible storage of bins

7. The widening of Etrickhaugh Road and turning head into plot 6 shall be implemented in accordance with the Council's adoptable standards prior to development commencing on the erection of any dwellinghouse, with their final wearing course laid within a timescale first agreed with the Planning Authority prior to such works commencing and; the footway and visitor parking shall be implemented in accordance with the Council's adoptable standards prior to the occupation of the first dwellinghouse, all unless otherwise agreed in writing with the Planning Authority

Reason: To ensure the increased road width and formal turning head are in place to accommodate the increase in traffic during and after construction and ensure the dwellinghouses have the benefit of an appropriate pedestrian link and visitor parking

8. The accesses and parking spaces within each plot shall be implemented prior to the occupancy of each dwellinghouse in accordance with the approved site plan (P063 /001 rev C), ensuring that each dwellinghouse is served by at least two parking spaces and plot 6 served by a turning area. Plot 5 shall incorporate splays to match entrances to plots 2, 3 and 4. All accesses, parking spaces and turning area shall be retained free from obstruction for the movement and parking of vehicles

Reason: To ensure the development is adequately serviced with off-street parking and turning in a manner that safeguards road safety

9. The development shall be implemented in accordance with the external material specifications approved under this consent, subject to the following having been submitted to and approved in writing by the Planning Authority:

- a) A specification, and sample where required by the Planning Authority, of the slate-effect tile
- b) Colours of the external wall renders, which shall be smooth render finishes
- c) An amended specification for the front projecting gable on the Yarrow house type

The development shall be implemented only in accordance with the approved details. The detached garage on plot 6 shall be finished in roof and wall materials to match plot 6's dwellinghouse and shall have a finished floor level no higher than that of plot 6's dwellinghouse, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure the development has a sympathetic visual impact

10. Plot 6 shall not be completed prior to the completion of all houses within plots 1-5

Reason: To ensure the development has a sympathetic visual impact

Informatives

- 1 Conditions 2, 11, 12 and 13 (19/01687/PPP) remain applicable in requiring that the development be implemented in accordance with all approved plans and drawings, including the approved CEMP, Biodiversity Enhancement Plan and Species Protection Plans
- 2 For native mix hedging (Condition 2) a mix of Crataegus monogyna and Prunus spinosa (45% of each) with 5% of each Rosa canina and Ilex aquifolium (rather than Rosa rugose) is recommended
- 3 For Condition 2 (d), adjustment to the plot boundary to accord with the adjusted hedge route, is likely to be agreeable, rather than only relocating hedging.
- 4 Condition 6 (19/01687/PPP) requires that the path to the north-east be kept free during and after construction, and this remains applicable.
- 5 Condition 14 (19/01687/PPP) remains applicable as regards implementation and recording requirements which should be carried out in accordance with the approved WSI.
- 6 The new footway, turning head, road widening, drainage and any enhanced street lighting required will be subject to a Road Construction Consent as these features will potentially be adopted by the Council upon satisfactory completion. The carriageway widening will have to tie in with the existing carriageway in a manner acceptable to the Council as Roads Authority. All prospectively adoptable work must be undertaken by a contractor first approved by the Council.

DRAWING NUMBERS

- Location Plan
- P063/001 rev C Proposed Site Plan
- P063/001 rev B Landscaping Plan
- P063 / 1 / 201 rev A Proposed Plans & Elevations
- P063 / 2 / 201 rev A Proposed Plans & Elevations
- P063 / 3 / 201 rev A Proposed Plans & Elevations
- P063 / 4 / 201 rev A Proposed Plans & Elevations
- P063 / 5 / 201 rev A Proposed Plans & Elevations
- P063 / 6 / 201 Proposed Plans & Elevations
- Watching Brief and Metal Detecting Survey Written Scheme of Investigation 14th September 2021 AOC Archaeology Group
- Biodiversity Enhancement Plan 22nd August 2022 Ellendale Environmental V1.0
- Construction Environmental Management Plan 16th August 2022 Ellendale Environmental V1.2
- Drainage Strategy & Surface Water Management Plan 2021-501-R001 Revision 0 Christie Gillespie

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
Carlos Clarke	Team Leader



22/00019/AMC

Land North East Of The Lodge
Philipphaugh Mill
Ettrickhaugh Road
Selkirk

