

APPENDIX I
APPLICATION FOR PLANNING PERMISSION

| <u>Reference</u> | <u>Nature of Development</u> | <u>Location</u> |
|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 22/00518/FUL | Demolition of the existing school and swimming pool, erection of a community campus, external sports provision, including covered tennis facility, service access, car parking and landscaping. | Land North And East Of And Incorporating Galashiels Academy And Swimming Pool |

DECISION: Approved as per officer recommendation, subject to minor amendment to include the Applicant Informative as a Condition of consent – (Informative to be deleted) and the following conditions:

1. No development shall commence until precise details of the external materials (including colour) finishes for all buildings which include; the new Community Campus, Tennis Court enclosure and ancillary structures have first been submitted to and agreed in writing with the Planning Authority. This should also include large scale detailing for key junctions/features around the new Community Campus building. The development shall thereafter be carried out in accordance with the agreed finishes and detailing.
Reason: To ensure external materials are visually appropriate to the development and sympathetic to the surrounding area.
2. No development commence until a scheme of phasing has been submitted to, and agreed in writing by, the Planning Authority. This shall include a programme for completion of the main elements within the development – the community campus, outdoor sports facilities, all access roads and paths and the demolition of the existing Galashiels Academy. Once approved, the development then to be carried out in accordance with the approved scheme.
Reason: To ensure the development is carried out in a structured and orderly manner which ensures minimum disruption to educational and sporting facilities on site.
3. The new Gen2 Multi Sport pitch and 3G synthetic pitch shall be floodlit and shall be designed and constructed by a recognised (e.g., SAPCA* registered) specialist pitch contractor(s). Details of the contractor(s) and pitch specification shall be submitted for the written approval of the planning authority prior to the commencement of development. *SAPCA is The Sports and Play Construction Association (www.sapca.org.uk)
Reason: To ensure appropriate replacement provision is provided.
4. The 3G synthetic pitch shall include an appropriate shock pad to ensure IRB (International Rugby Board) standards compliance.
Reason: To ensure the pitch can be used for rugby use.
5. At least 4 tennis courts shall be marked to the recognised tennis court dimensions in the Gen2 Multi Sport pitch.
Reason: To ensure replacement of tennis courts.
6. No development shall commence until an Arboricultural Impact Assessment has been submitted to and approved in writing by the Planning Authority and thereafter,

no development shall take place except in strict accordance with those details. The submitted details shall include:

- a) A plan identifying the location of protective fencing in accordance with BS5837:2012 which is to be erected around trees identified for retention on Drawing No GCC_RFL-00-ZZ-DR-L-0003 and thereafter the fencing shall only be removed when the development has been completed.
- b) A programme of works to detail the removal of trees identified within the Drawing No GCC_RFL-00-ZZ-DR-L-0003 for removal.

Reason: Further information is required regarding tree removal and protection to ensure impacts on trees are minimised, in the interests of maintaining the landscape setting of the site and amenity of neighbouring properties.

7. Other than those identified for removal within Drawing No GCC_RFL-00-ZZ-DR-L-0003, no trees within the application site shall be felled, lopped, lifted or disturbed in any way without the prior consent of the Planning Authority

Reason: The existing tree(s) represent an important visual feature which the Planning Authority considered should be substantially maintained.

8. No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the Planning Authority and thereafter the development shall be completed in accordance with the agreed details. Details of the scheme shall include;

- i. Existing and finished ground levels in relation to a fixed datum preferably ordnance
- ii. Location and design, including materials, of walls, fences and gates
- iii. All surfacing materials for all roads, footpaths, steps and all other hard surfaces
- iv. Precise location of all new trees, shrubs, hedges and grassed areas
- v. Schedule of plants to comprise species, plant sizes and proposed numbers/density,
- vi. Comprehensive programme for completion, establishment and subsequent long term maintenance, completion being no later than the end of the concurrent or next available planting season to the new school building becoming operational.

Reason: To ensure the satisfactory form, layout and assimilation of the development.

9. The development shall be carried out in accordance with the archaeological evaluation and watching brief detailed within the approved Galashiels Community Campus Archaeological Desk-Based Assessment (Report No 4088) prepared by CFA Archaeology Limited. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to;

- Conduct a programme of evaluation prior to development. This will include the below ground excavation of evaluation trenches and the full recording of archaeological features and finds.
- Observe relevant below ground excavation during development, investigate and record features of interest and recover finds and samples if necessary

Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered the nominated archaeologist(s) will contact the Archaeology Officer for further consultation. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority.

Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

10. No development shall commence until a scheme of details to improve the appearance of the existing entrance in to Scott Park has been submitted to and agreed in writing with the Planning Authority and thereafter the works shall be completed prior to the development becoming operational.
Reason: To improve the appearance of the entrance to Scott Park which also provides access to the development.
11. No development shall commence until a scheme of details for a signalised pedestrian crossing on Scott Street have been submitted to and agreed in writing with the Planning Authority. Thereafter the crossing shall be installed and operational before the development becomes operational.
Reason: To ensure the pedestrian crossing required to safely assist pedestrian flow is designed and installed to the satisfaction of the Council.
12. The four parking bays to the southern side of the Community Campus at the Enhanced Drop Off area shall be marked out as disabled person spaces.
Reason: To ensure there is appropriate parking provision and accessibility for all at this location and to prevent miss-use.
13. No development shall commence until engineering details for all new roads (including car parking areas) and footways/footpaths have been submitted to and agreed in writing with the Planning Authority. Thereafter all routes shall be constructed in accordance with the agreed details before the development becomes operational.
Reason: To ensure that all new roads and footways/footpaths are constructed to an appropriate fit for purpose standard.
14. No development shall commence until a scheme of details for the provision of electric charging points have been submitted to and agreed in writing with the Planning Authority. Details shall include number, location, layout and associated infrastructure. Provision shall also be included for increasing the number of charging points to meet future demand.
Reason: To ensure the development hereby permitted caters for sustainable travel modes of transport.
15. No development shall commence until details of proposed cycle stands have been submitted to and agreed in writing with the Planning Authority. Thereafter the approved details to be installed and operational prior to the development becoming operational.
Reason: To ensure there is adequate secure and covered provision for cyclists and the development caters for sustainable forms of transport.
16. No development shall commence until a Traffic Management Plan (TMP), relating to construction traffic, has been submitted to, and approved by, the Council. Thereafter the works are to proceed in accordance with the approved plan unless otherwise agreed in writing.
Reason: To ensure the safety of all road users during the construction phase of the development and to ensure that the construction traffic does not have a detrimental impact on the existing traffic movements.
17. No development shall commence until a Path Planning Study has been submitted to and approved in writing by the Planning Authority and thereafter, no development shall take place except in strict accordance with those details. The submitted details shall include:

 - a) All existing core paths, rights of way, or other used paths/ tracks;

- b) Areas where statutory rights of access will apply and any areas proposed for exclusion from statutory access rights for reasons of privacy, disturbance or curtilage, in relation to proposed buildings, structures or fenced off areas;
- c) Any diversions of paths - temporary or permanent - proposed for the purposes of the development

Reason: To protect path access through the development site during development works.

18. The existing manhole access to the culverted Moss Burn shall be retained, unless an alternative access detailing to the burn are submitted to and agreed in writing with the Planning Authority and thereafter any new access shall be suitably retained.

Reason: In the interests of flood risk and to ensure access to the culverted burn is maintained.

19. No development shall commence on each phase of demolition of the existing school buildings (as agreed by Condition 2) or the felling of trees identified for removal under Condition 7, until the developer has provided the Planning Authority with either;

- a) a copy of the relevant European Protected Species licence,
- b) a copy of a statement in writing from Scottish Natural Heritage (NatureScot) (licensing authority) stating that such a licence is not necessary for the specified development

Reason: To protect the ecological interest in accordance with Local Development Plan policies.

20. No development shall commence until the following Ecological mitigation measures have been submitted to and approved in writing by the Planning Authority and thereafter, no development shall take place except in strict accordance with those details. The submitted details shall include:

- a) a Species Protection Plan (SPP) for bats
- b) a SPP for breeding birds which shall include a pre-development supplementary survey, in the event that development works are sought to be commenced during the breeding bird season (March to August)
- c) a SPP for red squirrel
- d) A sensitive lighting scheme to minimise impact of floodlights on bats and breeding birds

Reason: To ensure that species and habitats affected by the development are afforded suitable protection during the construction and operation of the development.

21. No works shall commence until a Biodiversity Enhancement Plan for the site has been submitted to, and approved in writing, by the Planning Authority. The scheme shall include the provision of compensatory bird nest boxes, bat boxes and details on the compensatory tree planting. The development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

Reason: To ensure the development accords with the requirements of policies within the Local Development Plan

22. No development shall take place until a construction environmental management plan, has been submitted to and approved in writing by the planning authority. The CEMP shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".

- c) Method Statements to avoid or reduce impacts during construction, the location and timing of sensitive works to avoid harm to biodiversity features and the use of protective fences, exclusion barriers and warning signs.
- d) The times during construction when specialist ecologist need to be present on site to oversee works.
- e) Responsible persons and lines of communication.
- f) The role and responsibilities on site of Ecological Clerk of Works (ECoW) or similar competent person.
- g) A Drainage Management Plan
- h) A Site Waste Management Plan

The approved CEMP shall be implemented throughout the construction period and operational phase, as appropriate, strictly in accordance with the approved details, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure all construction operations are carried out in a manner that minimise their impact on the environment.

23. No development shall take place until precise details of the location and specification of screening to be erected to minimise noise during construction at noise sensitive receptors identified in the Noise Assessment. The screening shall be installed before the commencement of demolition works and shall remain in place until the works have been completed.

Reason: To safeguard surrounding residential amenity.

24. Any noise emitted by plant and machinery used on the premises will not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR 30 at all other times when measured within all noise sensitive properties (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component.

Tonality shall be determined with reference to BS 7445-2

Reason: To safeguard on-site amenity and surrounding residential amenity.

25. No development shall commenced until a scheme of noise mitigation measures for the equipment to be installed and used at the Sports Pitches in accordance with paragraph 4.7.2 of the Noise Assessment (Report No 4633 prepared by ITP Energised – dated 24 March 2022), has been submitted to and agreed in writing with the Planning Authority and thereafter the mitigation shall be installed and suitably maintained before operation of the facilities.

Reason: To safeguard surrounding residential amenity.

26. Within 12 months of the school hereby approved becoming operational, a School Travel Plan shall be submitted to and approved in writing by the Planning Authority. The Plan shall be implemented in accordance with approved details unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure the school operates in a sustainable manner with regard to travel and transport.

NOTE

Councillor David Parker spoke in support of the application. Mr. John Campbell QC, on behalf of Friends of Scott Park, spoke against the application, and Mr Steven Renwick, the applicant, and Mr Stewart Davie, on behalf of the applicant, spoke in support.

| <u>Reference</u> | <u>Nature of Development</u> | <u>Location</u> |
|------------------|----------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| 22/00019/AMC | Erection of 6 no. dwellinghouses (approval of all matters specified in planning permission 19/01687/PPP) | Land North East Of The Lodge Philiphaugh Mill, Ettrickhaugh Road, Selkirk |

DECISION: Approved as per officer recommendation 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 plays 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 Ettrickhaugh 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 typeThe 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 rugosa*) 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.

| <u>Reference</u> | <u>Nature of Development</u> | <u>Location</u> |
|------------------|--------------------------------------------------------------|----------------------------------------|
| 22/00372/FUL | Erection of ticket booth, access gates, and overflow carpark | Bowhill House Estate, Bowhill, Selkirk |

DECISION: approved as per officer recommendation subject to the following conditions and applicant informative:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Local Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
2. The external surfaces of the development hereby permitted shall be completed in the materials shown on the plan hereby approved, and no other materials shall be used without the prior written consent of the Local Planning Authority.
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.
3. Further details of the automatic number plate recognition cameras and supporting structure as well as out of hours intercom units, shall be submitted to and approved in writing by the planning authority before they are installed. The development shall thereafter take place only in strict accordance with the details so approved.
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.
4. The entrance and exit gates to the overflow car park, shown on drawing number PL002 Rev A, shall remain unlocked at all times, unless otherwise agreed in writing by the planning authority.
Reason: To ensure adequate access is maintained at all times to the overflow car park.
5. No development shall take place until the applicant has secured and implemented a programme of archaeological work and reporting in accordance with a **Written Scheme of Investigation (WSI)** outlining an **Archaeological Battlefield Survey**. The requirements of this are:
 - The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Institute for Archaeologists (IfA) approval of which shall be in writing by the Planning Authority.
 - The developer shall allow sufficient time in advance of development for all archaeological works to be conducted to the satisfaction and written approval of the Planning Authority.
 - The developer shall allow the archaeologist(s) access to all areas where development is to be undertaken.
 - Results will be submitted prior to development to the Planning Authority for review and agreement in writing in the form of a **Battlefield Survey Report**.
 - In the event that the report highlights areas of archaeological potential these will require further targeted evaluation prior to development.
 - If significant archaeology is identified by the contracted archaeologists and in agreement with the Planning Authority, a further scheme of mitigation subject to an amended WSI shall be implemented.

Reason: The site is within an area where ground works may interfere with, or result in the destruction of, battlefield remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

Informatives

1. In relation to Condition 5 above the applicant/developer shall account for the guidance below when completing groundworks required to form the bell-mouth junctions:
 - if anything going below topsoil depths then a systematic metal-detector sweep over would be suitable together with watching for, recovery and reporting of any finds as per the usual law of the land for archaeological finds in Scotland (as per previous Philiphaugh recommendations – the standard wording of the battlefield metal-detecting survey condition below).
 - if purely within topsoil depth then an informative for the watching for, recovery and reporting of any finds as per the usual law of the land for archaeological finds in Scotland.

The site should be stripped and left to weather a few days in case any features and/or deposits reveal themselves as the likes of different coloured soils, and if so revealed then excavations/recording might be necessary.