

From: Dods, Ranaid <Ranaid.Dods@scotborders.gov.uk>
Sent: 02 May 2023 10:56
To: localreview
Cc: Henderson, Fiona
Subject: RE: 11 Tweed Avenue, Peebles - 22/00788/FUL and
23/00014/RNONDT

In response to your request of 18th April for further information relating to the impact of NPF4 on the above planning application and subsequent review, the proposal is assessed for its potential impacts on the character and appearance of the conservation area and, as there may be European Protected Species present, account must be had of those as well.

The relevant policies from NPF4 are noted below with commentary on their relevance and a conclusion below
Policy
Commentary
4 - Natural places

The lack of ecological information submitted with the application means the potential impact on the natural environment could not be gauged. The development proposes significant works to the roof of a building which is within 200m of woodland, water, parkland or gardens and, therefore, the works may have an adverse effect on the natural environment of the area and on species protected by legislation.

The planning authority must establish whether European Protected Species (EPS) such as bats are present and what the implications of this might be. It is not possible for the planning authority to use planning conditions to set out survey requirements. Applications for planning permission may be recommended for withdrawal or refused without adequate information, including relevant surveys

The review documentation does not demonstrate that the development proposals are not likely to have an adverse effect on species protected by legislation or that the proposal would meet the relevant statutory tests or that the level of protection required was factored into the planning and design of the development. The development would, therefore, be contrary to the terms of policy 4.
7 - Historic assets and places

This policy aims to protect and enhance historic environment assets and places and to enable positive change as a catalyst for the regeneration of places. It recognises the social, environmental and economic value of the historic environment, to our economy and cultural identity.

Criterion (a) requires development proposals with a potentially significant impact on historic assets or places to be accompanied by an assessment which is based on an understanding of the cultural significance of the place and that identifies likely visual or physical

impacts as a basis for managing impacts of change. Proposals should be informed by national policy and guidance on managing change in the historic environment.

Criterion (d) indicates that proposals in or affecting conservation areas will be supported only where the character of appearance of the conservation area and its setting is preserved or enhanced. Relevant considerations include the: architectural and historic character of the area; existing density, built form and layout and; context and siting, quality of design and suitable materials.

The proposal is to raise the ridge height to the property to provide bedroom and bathroom accommodation in the roofspace. That would result in a significant alteration to the roof form, being taller in height,

with a steeper roof slope and distorted proportions between the walls and roof. That would be particularly apparent because the building forms part of a group of five buildings with matching form and proportions. The uniformity of the group contributes to the character of this part of the conservation area. The proposal would erode that characteristic and would therefore neither preserve nor enhance the conservation area.

14 - Design, quality and place

Criterion c) states that development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported. As noted above, the proposals would be detrimental to the character and appearance of this part of the conservation area. The development would not, therefore, be consistent with the six qualities of successful place set out in NPF4.

16 - Quality homes

Criterion g) i) states that householder development proposals will be supported where they do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials. As this property is within the conservation area, the proposal to raise the ridge height to the property to provide accommodation in the roofspace would result in a significant alteration to the roof form, being taller in height, with a steeper roof slope and distorted proportions between the walls and roof. That would be particularly apparent because the building forms part of a group of five buildings with matching form and proportions. The uniformity of the group contributes to the character of this part of the conservation area. The proposal would be detrimental to the character of the area and would not, therefore, be compliant with policy 16

The principle of the proposed development is not supported by NPF4 since developments within conservation areas require to comply with the criteria in policies 7, 14 and 16, which this proposed development does not meet. As noted above, the design of the proposed development would be

detrimental to the character and appearance of the conservation area.

Further, the appellant was advised of the need for ecological information during the application stage.

The appellant was also advised that as the proposal was not acceptable, the submission was not requested. That having been said, the information has not been submitted with the review documentation and an assessment of the likely impacts on protected species cannot be made and the proposal fails to comply with policy 4.

Whilst the appellant notes in later submissions that the area is subject to flooding, the proposal needs to be assessed for its impact on the character and appearance of the conservation area. The matter of flooding does not enter into that consideration, as it would not had the application been for the installation of rooflights in the existing roof. Were the application to have been recommended for refusal, NPF4 policies relating to flooding would not have been relied on as they are not relevant in this instance.

Ranald

From: Henderson, Fiona <FHenderson@scotborders.gov.uk>
Sent: 18 April 2023 09:03
To: Dods, Ranald <Ranald.Dods@scotborders.gov.uk>
Subject: 11 Tweed Avenue, Peebles - 22/00788/FUL and 23/00014/RNONDT
Importance: High

Good Morning

Further to the Local Review Body held on 17 April 2023, as you will be aware the Scottish Government adopted, with effect from 13 February 2023, the National Planning Framework 4 (NPF4). As this supersedes previous guidance and has been incorporated into the Local Development Plan, we must, in terms of Section 25 of the Planning Act 1997, ensure that Planning Decisions and Reviews take account of this new Framework.

To this end, comments on the impact of NPF4 on the above planning application and subsequent review are being sought from the Officer and Applicant. In order that the application be continued to the earliest Local Review Body Meeting, the further information must be provided by Wednesday, 3 May 2023 and be sent to the Clerk of the Local Review Body by email to localreview@scotborders.gov.uk. This will then be forwarded to the Applicant for

comments and they have further 14 days in which to respond.

Should you require any further assistance, please do not hesitate to contact me.

Thanks Fiona

Fiona Henderson
Democratic Services Officer
Democratic Services
Resources
Council Headquarters
NEWTOWN ST BOSWELLS TD6 0SA
? DDI : 01835 826502
? fhenderson@scotborders.gov.uk