

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Town and Country Planning (General Development Procedure) (Scotland) Order 1992

Application for Planning Permission

Reference : 08/01574/FUL

**To : Pearson Donaldson Properties Ltd per Domus Limited 24 Winton Terrace Edinburgh
EH10 7AP**

With reference to your application validated on **22nd September 2008** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Erection of 3 No office units with associated parking and landscaping

at : Land East Of EBSEurope Ltd Cavalry Park Peebles Scottish Borders

the Scottish Borders Council hereby **grant planning permission** in accordance with the approved plan(s) and the particulars given in the application and in accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 **subject to the following condition:-**

that the development to which this permission relates must be begun within five years from the date of this consent.

and **subject to the conditions on the attached schedule** imposed by the Council for the reasons stated.

**Dated 21st November 2008
Planning and Economic Development
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed



.....
Planning & Building Standards

Application reference : 08/01574/FUL

SCHEDULE OF CONDITIONS

- 1 Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the buildings have been submitted to and approved in writing by the Local Planning Authority, and thereafter no development shall take place except in strict accordance with those details.
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 2 Before any part of the development hereby permitted is commenced detailed drawings showing which trees are to be retained on the site shall be submitted to, and be approved in writing by the Local Planning Authority, and none of the trees so shown shall be felled, thinned, lopped, topped, lifted or disturbed without the prior written consent of the Local Planning Authority.
Reason: To enable the proper effective assimilation of the development into its wider surroundings, and to ensure that those existing tree(s) representing an important visual feature are retained and maintained.
- 3 Before any part of the permitted development is commenced, the trees to be retained on the site and those adjacent to the northern boundary of the site shall be protected by a chestnut paling fence at a location to be agreed by the Local Planning Authority and the fencing shall be removed only when the development has been completed.
During the period of construction of the development:
 - (a) No excavations, site works, trenches or channels shall be cut, or pipes or services laid in such a way as to cause damage or injury to the trees by interference with their root structure;
 - (b) No fires shall be lit within the spread of the branches of the trees;
 - (c) No materials or equipment shall be stored within the spread of the branches of the trees;
 - (d) Any accidental damage to the trees shall be cleared back to undamaged wood and be treated with a preservative if appropriate;
 - (e) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, or trenches excavated except in accordance with details shown on the approved plans.

Reason: In the interests of preserving the health and vitality of existing trees on the development site, the loss of which would have an adverse effect on the visual amenity of the area.
- 4 No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Local Planning Authority, and shall include:
 - I. indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration
 - II. location of new trees, shrubs, hedges and grassed areas

- III. schedule of plants to comprise species, plant sizes and proposed numbers/density
 - IV. programme for completion and subsequent maintenance.
 - V. Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.
- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and shall be maintained thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing.
Reason: To ensure that the proposed landscaping is carried out as approved.
- 6 The premises shall be restricted to a use within Class 4 of the Schedule of the Town and Country Planning (Use Classes) (Scotland) Order 1997 or to any other purpose in Class 6 (limited to no more than 235 square metres) of the Schedule to The Town and Country Planning (Use Classes) (Scotland) Order 1997.
Reason: To ensure that the use remains compatible within the site.
- 7 The existing bullnose kerbing at the end of the existing bellmouth must be replaced with 150mm x 125mm square channel kerbing to the specification of the Local Planning Authority before the offices become operational.
Reason: In the interests of road safety.
- 8 The position of 'Office 2' to be agreed on site with the Local Planning Authority before any works commence on site.
Reason: To safeguard the existing trees adjacent to the northern boundary of the site.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

It is possible that archaeological artefacts will be encountered when works are undertaken on site. Any such evidence found on the site should be brought to the attention of Scottish Borders Council for consideration.

Measures should be taken to prevent the flow of water onto the public road.

All work within the public road boundary must be completed by a contractor on Scottish Borders Council's approved list (attached) after obtaining the appropriate road opening permit (form attached).

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD
Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA
Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU

British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND

Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA

Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL

BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH

THUS, Susiephone Department, 4th Floor, 75 Waterloo Street, Glasgow, G2 7BD

Susiephone System – **0800 800 333**

If you are in a Coal Authority Area (Carlops or Newcastleton), please contact the Coal Authority at the following address:

The Coal Authority 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire. NG18 4RG

If the applicant is aggrieved by the decision of the Planning Authority, an appeal may be made to the Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997, within six months from the date of this notice. The appeal should be addressed to the Chief Reporter, Scottish Executive Inquiry Reporter's Unit, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part V of the Town and Country Planning (Scotland) Act