

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

9 DECEMBER 2013

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 13/01062/PPP
OFFICER:	Barry Fotheringham
WARD:	Mid Berwickshire
PROPOSAL:	Erection of 32 Bed Care Home
SITE:	Land East of 1 Kelso Road, Coldstream
APPLICANT:	Mr Andrew Douglas-Home
AGENT:	Aitken Turnbull Architects Limited

SITE DESCRIPTION

This is an application for planning permission in principle for the erection of a 32 bed nursing home on land east of 1 Kelso Road, Coldstream. The site which extends to 0.88 ha lies on the western edge of Coldstream on the southern side of the A697 immediately east and south of No 1 Kelso Road. There is a significant and important tree belt along the road edge and there are mature trees which form part of the designed landscape of the Lees, on the eastern edge of the site. The site is currently used for grazing horses.

PROPOSED DEVELOPMENT

Although lodged as an application for planning permission in principle, elevation drawings and floor plans have been submitted to provide an indicative concept for the nursing home. These show a two storey building in an L plan form, finished using an artificial slate on the roof, sections of weathered sandstone coloured masonry blocks, off white dry dash render walling with salmon pink roughcast panels and vertical cedar boarding. The proposed care home would be a substantial building, but has attempted to follow a traditional design approach incorporating gabled elevations and vertically emphasised windows. A projecting gable is proposed on the south corner of the building housing communal lounge areas with large areas of glazing giving views over the land to the south. Visitor parking areas are also shown along with dedicated disabled parking bays, service access and a vehicular access link to possible future development.

PLANNING HISTORY

04/00482/OUT - Erection of Nursing Home. Application Withdrawn

04/02212/OUT - Erection of Nursing Home. Application Withdrawn

06/00111/OUT - Erection of Nursing Home. Refused for the following reason:

1. The proposed development is contrary to Policies 5 and 110 of the Berwickshire Local Plan 1994 and Policy BE7 of the Scottish Borders Local Plan: Finalised December 2005 in that the site lies outwith the defined

settlement boundary of Coldstream and that an overriding local need for the facility has not been identified or substantiated.

12/00281PPP – Erection of 32 Bed Care Home. Refused for the following reasons:

1. The proposed erection of a care home would be contrary to Policy G8 of the Consolidated Local Plan 2011 in the site is located outwith the development boundary of Coldstream as defined on the Local Plan Proposals Map and therefore the proposed development represents an unjustified intrusion into the woodland and countryside beyond the settlement edge. Furthermore, the proposed care home is not considered to offer significant community benefits that outweigh the need to protect the development boundary which is strongly defined in this location.
2. The proposed care home would be contrary to Policy D1 of the Consolidated Local Plan 2011 in that the erection of a care home on this site in the countryside has not been adequately justified. An economic and operational need specific to Coldstream has not been identified and it has not been demonstrated that the care home cannot reasonably be accommodated within the Development Boundary.
3. The proposed care home would be contrary to Policy R1 of the Consolidated Local Plan and Policy E1 of the Consolidated Structure Plan 2001-2018 in that the development would result in the permanent loss of prime quality agricultural land.

12/00049/RREF – The decision to refuse application 12/00281/PPP was reviewed by the Local Review Body on 18 February 2013. The LRB resolved to uphold the decision of the Officer and refused to grant planning permission for the proposed care home.

REPRESENTATION SUMMARY

One letter of objection has been received in connection with this application. The objections were submitted by the owner/occupier of No 1 Kelso Road, Coldstream. The principal grounds of objection can be summarised as follows:

1. There is no requirement for a Care Home in Coldstream, we already have 3 of the 30 in our region. This plan will make Coldstream the care home capital of the Scottish Borders.
2. The mature woodland around Ladiesfield is home to many animals and plants including bats, owls, hawks and frogs.
3. There will be no significant job benefits for the folk of Coldstream, the Health Centre, nearby only employs 2 local people.
4. The applicant and his agents refer to the 'ageing population and movement away from Coldstream by the young folk' however the latest figures available from Scotland's Census appears to indicate that we in Coldstream compare as an average population with the rest of Scotland.

Members should be aware that the comments and objections received in connection with this proposal replicate those submitted by the same objector to earlier application (12/00281/PPP). The objector submits that the applicant and his agents

have in no way satisfied the decision given by the Local Review Body, ref; 12/00049/RREF and is therefore contrary to policy G8,D1 ,R1 and EI.

The proposal also refers to the mature trees north and east of the boundary, there is no mention of how many mature trees will have to be chopped down to accommodate this plan. There is also mention of views south and west over the River Tweed, in the objectors opinion the residents will not be able to view this beautiful river because of the trees on the south boundary of Ladiesfield, unless of course the intention is to also fell these trees.

The objector's comments are available for Members to view in full on PublicAccess.

APPLICANTS' SUPPORTING INFORMATION

The application has been accompanied by a supporting statement (dated August 2013). This statement provides some background to the proposal, a brief planning history of the site and attempts to demonstrate a need for this development. The statement also provides a sequential test of possible alternative sites within the town that might be suitable for this type of development.

Members should be aware that this supporting statement is, with the exception of an updated e-mail response from the Council's Social Work Department (dated 4 September 2013), identical to that submitted in respect of planning application 12/00281/PPP.

DEVELOPMENT PLAN POLICIES:

Consolidated Scottish Borders Local Plan 2011

Policy G1 – Quality Standards for New Development
Policy G8 – Development Outwith Development Boundaries
Policy BE3 – Gardens and Designed Landscapes
Policy BE7 – Care Homes
Policy NE3 – Local Biodiversity
Policy NE4 – Trees, Woodlands and Hedgerows
Policy EP3 – Countryside around Towns
Policy D1 – Business, Tourism and Leisure Development in the Countryside
Policy R1 – Protection of Prime Quality Agricultural Land

Scottish Borders Council Proposed Local Development Plan 2013

Policy PMD1 – Sustainability
Policy PMD2 – Quality Standards
Policy PMD4 – Development Outwith Development Boundaries
Policy ED7 – Business, Tourism and Leisure Development in the Countryside
Policy ED10 – Protection of Agricultural Land and Carbon Rich Soils
Policy HD5 Care and Retirement Homes
Policy EP3 – Local Biodiversity
Policy EP6 – Countryside around Towns
Policy EP10 – Gardens and Designed Landscapes
Policy EP13 – Trees Woodlands and Hedgerows

OTHER PLANNING CONSIDERATIONS:

SBC SPG – Biodiversity

SBC SPG – Countryside around Towns
SBC SPG – Landscape and Development
SBC SPG – Placemaking and Design
SBC SPG – Trees and Development

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Roads Planning Service:

Previous applications for a nursing home at this location (06/00111/OUT & 12/00281/PPP) raised no objections, providing certain measures were incorporated into the design. A suitable access can be taken from the A697 and the existing infrastructure can be extended into the site.

Given that the application is for outline consent, I have no objections in principle to the above development. Should it be minded to approve this application, it would be advantageous to arrange a meeting with the applicant/agent prior to the submission of the detailed application to discuss in more detail the design of the access and associated infrastructure.

Landscape Architect:

The Council's Landscape Architect refers to his previous reply to application 12/00281/PPP. As per that reply, a key issue for this application is the effect on the existing tree cover. I am therefore very surprised that no attempt has been made to assess this fundamental constraint through the application of an Arboricultural Impact Assessment as set out in BS5837 (now 2012 version - Section 5 sets out what is required.)

The applicant's Site Plan drawing AT1806-L-01 (significantly, dated June 2011) is presented as the proposed layout and it shows roads and car parking located within the existing woodland. Such a layout would entail extensive tree felling and would open up the existing stand of trees thereby necessitating further likely removals on grounds of health and safety. It indicates that the identified site boundary is not viable. The lack of site analysis is particularly surprising since, at the above site visit, I met the applicant and he expected only one or two trees to be removed so that access could be taken to the field beyond. Unfortunately this does not correspond to the submitted Site Plan layout!

Given the expected adverse impact of this layout on mature policy woodland and the consequent effects on the setting of Coldstream and associated designed landscapes, I can only maintain my objection. However, there is no objection in principle to the location of the proposed development, if it can be moved out into the field itself, with only minimal tree disturbance to allow an access road. Such a layout would be well contained by the woodland structure, physically sheltered and of south westerly aspect and would have very little visibility to sensitive receptors.

I recommend that an Arboricultural Impact Assessment is carried out, as outlined above, and that it is then used to inform a revised site layout that minimises tree loss. Without a clear understanding of effects on existing trees, I must continue to object until that assessment has been provided.

Environmental Health: No response.

Social Work:

There is some spare capacity in the independent sector care homes in Scottish Borders. There are only a few purpose built care homes in the Scottish Borders, most of the provision tends to be in older, adapted, properties.

We cannot guarantee to fund any placements in any care homes and this is therefore a factor that has to be taken into consideration by anyone who chooses to build a new care home.

Ecology Officer:

The site contains improved pasture and an area of mature broad-leaved, policy woodland. This woodland is shown on second epoch OS Historical maps (1891-1912) which indicates an age of over 100 years. The proposed development has the potential to impact upon protected species notably bats, badgers and breeding birds. There is a known bat roost (Daubenton's bats *Myotis daubentonii*) in the adjacent woodland. The River Tweed SAC and SSSI is approximately 230m to the South of the proposed development site.

Adopting the Council's Supplementary Planning Guidance for biodiversity, an Ecological Impact Assessment (EclA) is required. The EclA should adopt the methodology of the Institute of Ecological and Environmental Management (www.ieem.org.uk/) but with particular reference to the Borders Notable Species and Habitats of Conservation Concern. This should include the following information:

- An Extended Phase 1 habitat survey
- Full report of Borders Notable Species and Habitats of Conservation Concern
- Where appropriate, additional survey information for relevant Borders Notable Species and Habitats of Conservation Concern
- habitat corridors and links to local habitat network
- significance of ecological impacts
- avoidance, mitigation and compensation proposed
- residual significance of ecological impacts
- method statement to include details of how avoidance, mitigation and compensation are to be implemented and the long-term management of habitats and species created, enhanced or protected.

There are potential impacts on European Protected Species (bats) and long-established woodland, therefore, I recommend that an Ecological Impact Assessment (EclA) is carried out prior to determination.

Statutory Consultees

Coldstream Community Council:

The Community Council supports this application on the grounds that: there is a need for a purpose- built care home in the town which has an above average percentage of elderly residents; the location is suitable and would be a pleasant outlook for care home residents; it would provide much needed employment in the area.

We recognise the planning constraints in that the site is outside the town development boundary and that there are other sites within the boundary assigned for development. However, the fact that this piece of land is outside the town boundary is something of an anomaly, given its location. Also many of the development areas have remained undeveloped for some time now and there was a feeling amongst community councillors that if the designated development sites weren't being developed, some leeway should be given to those wishing to improve facilities and job opportunities in Coldstream.

Scottish Water: No response.

SEPA:

To assist with streamlining the planning process, we now focus our site specific advice in development management where we can add best value in terms of enabling good development and protecting Scotland's environment. We have therefore provided standing advice applicable to this type of small-scale local development which is available at www.sepa.org.uk/planning.aspx.

Other Consultees

NHS Trust:

NHS Borders have commented previously on proposals to establish care homes within the town of Coldstream, as before the comments from NHS Borders and the GP Practice are, that the additional Care Home capacity is welcomed but there are concerns regarding the implications on the workload of the local healthcare team, including the GPs and AHPs and their ability to meet the additional requirements.

KEY PLANNING ISSUES:

The main determining planning issues relevant to the consideration of this application is whether the proposed development complies with development plan policy relating specifically to development outwith development boundaries; business, tourism and leisure development in the countryside the protection of trees and woodlands as well as the protection of prime quality agricultural land.

ASSESSMENT OF APPLICATION:

Background

Members will be aware from the planning history detailed above that this application represents the fifth planning submission for the erection of a nursing/care home on this site. The first two submissions were withdrawn and the third submission was refused. These applications were followed by a fourth submission by the landowner and this was refused under the scheme of delegation to Officers with that decision subsequently being upheld by the Local Review Body (LRB).

This application is brought before the Planning and Building Standards Committee following a Member Committee Referral under Section 43(A) 6 of the Town and Country Planning (Scotland) Act 1997 as amended.

Policy Constraints

Development Boundary

The proposed site lies outwith the settlement boundary as defined in the Consolidated Local Plan 2011 settlement profile for Coldstream. In this case, the proposed development must be assessed principally against Policy G8 - Development outwith Development Boundaries which aims to ensure that new development is located within defined development boundaries, unless there is exceptional justification to demonstrate that it cannot be so located. Policy G8 states:

Where Development Boundaries are defined on Proposals Maps, they indicate the extent to which towns and villages should be allowed to expand during the Local Plan period. Development should be contained within the Development Boundary and proposals for new development outwith this boundary and not on allocated sites identified on the proposals maps will normally be refused. However, any development proposals outwith the boundary have to comply with the exceptions criteria (below) contained within the policy:

1. it is a job-generating development in the countryside that has an economic justification under policy D1 or D2, OR
4. it is a development that it is considered would offer significant community benefits that outweigh the need to protect the Development Boundary

And the development of the site:

5. represents a logical extension of the built-up area, and
6. is of an appropriate scale in relation to the size of the settlement, and
7. does not prejudice the character, visual cohesion or natural built-up edge of the settlement, and
8. does not cause a significant adverse effect on the landscape setting of the settlement or the natural heritage of the surrounding area.

In line with the earlier refusals it is considered that the current proposals are considered contrary to Policy G8. Under Provision 1 (above) the applicant has not shown that under Policy D1 the need for a care home is specific to Coldstream or to this site in particular. There is acknowledgement in the supporting information and consultation response from the Council's Social Work Department that there is some spare capacity in the independent sector care homes in the Borders and there are only a few purpose built case homes in the region. It is reported that there is presently a requirement for a new 32 place care home in this area and that it *could* be located in Coldstream. However, following a request by the case officer for further clarification on this matter, the Social Work Department has not confirmed that the need is specific to Coldstream and, if there is spare capacity in existing homes, why is there a need for this facility.

In addition, Criterion 4 is not met because it has not been demonstrated that the development would offer such significant community benefits that would outweigh the need to protect the development boundary. Again this is due to the uncertainty over whether the care home need is specific to Coldstream. The consultation response from Social Work, whilst confirming that there is an identified need for this type of up to date facility advises that this *could* be located in Coldstream while having the potential to serve both the Western Berwickshire Area and Northern Cheviot area.

This would suggest that the proposed care home could be located in another settlement in this wider area as the need is not specific to Coldstream. It is also considered that the application is contrary to Provisions 5, 6, 7 and 8 of Policy G8 as the site is divorced from Coldstream due to the mature tree planting and the woodland policy planting that helps contribute to the setting of the western entrance to settlement and the River Tweed; it also plays a role in complementing the policies associated with Belmont House on the eastern side of the town. This strong woodland setting frames the town and its distinctive topographical location.

The current application site had also been put forward to be allocated for housing by the applicant as a part of the Local Plan Amendment. The Council rejected allocation of the site from the Consolidated Local Plan and at Examination the Reporter concluded that:

"..fundamentally site ACOLD002 remains separated from Coldstream by means of a very mature and substantial tree belt. The Development and Landscape Capacity Study identifies the site as constrained by the elevated location of the open field, its detachment from the settlement and the role which the rising ground and substantial woodlands play in creating a sense of containment for the settlement edge. Further, the policy woodlands also contribute to the wider setting of the town, and the River Tweed, as well as for The Lees, and provide a well used recreational resource for the settlement. In addition, it complements the policies associated with Belmont House on the eastern side of the town, as together they frame the town and its distinctive topographical location. Overall, the site is viewed as constrained in the Development and Landscape Capacity Study."

A request for consideration of the site as a formal housing allocation at the same location but covering a larger area was again put forward during the site call for the Main Issues Report, which was the first formal stage of the new Local Development Plan. This site has not been included in the Proposed Local Development Plan (LDP) because of the mature tree belt to the north which is seen to form a natural boundary to Coldstream and the fact that the independent Reporter has previously dismissed the site. It is accepted that the application in question is for a different type of development to that proposed at the Local Plan Amendment and the Proposed LDP but the reasons for refusal in that case are relevant to the consideration of the application in hand.

The site is outwith the settlement boundary, beyond a substantial woodland belt which provides an edge to and containment of the settlement and it has not been demonstrated that the care home would offer significant community benefits that outweigh the need to protect the Development Boundary.

Business Development in the Countryside

Since the application concerns land outwith the Coldstream settlement boundary it must be considered as development in the countryside and so Policy D1 Business, Tourism and Leisure Development in the Countryside is also relevant. The following criterion needs to be addressed:

"Proposals for business, tourism or leisure development in the countryside will be approved and rural diversification initiatives will be encouraged provided that:
3. the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational

need for the particular countryside location, and that it cannot reasonably be accommodated within the Development Boundary of a settlement
4. the development must respect the amenity and character of the surrounding area,
6. where a new building is proposed, the developer will be required to provide evidence that no appropriate existing building or brownfield site is available..."

It is considered that the application is contrary to Policy D1 (Provision 4) above in that the development proposed would not respect the amenity and character of the surrounding area. It would be located on land that plays an important role in the setting of Coldstream, the River Tweed and that complements policy land at Belmont House on the east side of the town.

In terms of provision 3 and 6 it is noted that alternative sites have been considered in the supporting statement through sequential testing (this will be discussed in more detail later in this report) and it would appear that suitability of these sites are not appropriate for the intended use. The supporting statement does not provide sufficient justification in terms of economic and/or operational need for this particular countryside location that would satisfy the planning authority's concerns in this regard. As such, the proposed development fails to meet Provision 3 of Policy D1.

Care Homes

Policy BE7 - Care Homes, states:

"Proposals for new or extended care homes or supported accommodation provision will only be supported where this meets an identified local need as defined by agreed joint strategies and commissioning plans by the Council and NHS Borders. Where local need has been identified, developer contributions to address deficiencies may be required from those proposing to develop or extend care homes in accordance with Policy G5."

The purpose of Policy BE7 is to ensure that applications for care homes take account of identified local need and the impact they may have on support services and facilities. It is noted that the Council's Social Work Department have confirmed that there is a need for a 32 bed care home inclusive of an 8 bed dementia facility, however, as already noted, this need could be met in any location within the Berwickshire and North Cheviot Area. Also, NHS Borders advise that the additional Care Home capacity is welcomed but there are concerns regarding the implications on the workload of the local healthcare team and their ability to meet the additional requirements. In this instance, the proposal fails to meet the terms of Policy BE7 as an identified need specific to Coldstream has not been identified and there are concerns over the impact the proposed development on existing support services.

Even if there were considered to be a need, the case has not been made so strongly as to justify the case for this particular site.

Sequential Test

As part of the applicant's submission the agent carried out a sequential test of possible alternative sites within Coldstream that may be suitable for this type of development. It is accepted that there are a number of constraints associated with some of these sites such as their location outwith the settlement boundary and land allocation for immediate and longer term housing that would render them unsuitable for the development of a care home, but it is felt that the sequential test is not robust

enough to justify the application site as being the only viable option and therefore an exception to prevailing policy.

It is accepted that six out of the nine suggested sites are, for a variety of reasons, not appropriate for the intended use. However, the remaining three sites (Lees Mill Farm, Trafalgar House and Duns Road) have been identified as redevelopment opportunities in the Consolidated Local Plan, are close to the town centre and therefore closer to amenities and would appear to be a sufficient size to develop the proposed care home. It is accepted that there is an extant residential planning permission on the redevelopment site at Trafalgar House on Guards Road, but the fact that this consent has been issued and development commenced, is not a robust enough argument to discount this site as a suitable alternative.

Lees Mill Farm has been discounted on the grounds that the site is liable to flooding but no evidence has been provided to substantiate this claim. It is accepted however, that the existing buildings on this site are listed and it is unlikely that the planning authority, or Historic Scotland, would agree to these buildings being removed to make way for a purpose built care home. The existing buildings could of course be converted to provide the proposed care facility.

The redevelopment opportunity on Duns Road would appear to be the most suitable site for the proposed care home development. This site was previously deemed suitable for residential development under application reference number 07/02343/OUT and an earlier application for housing was also approved in 1999. In 2005 an application was made for the erection of a nursing home on this site but this application (05/00282/FUL) was only refused on the grounds that it would result in the loss of employment land. This land allocation has now been superseded by the redevelopment opportunity in the consolidated local plan and policy H3 – Land Use Allocations will support alternative or mixed uses that are appropriate for town centre locations. Alternative uses would include housing, employment, retail and community facilities depending on the location and the need of the community. They may also be suitable for a single use. It is suggested by the agent that the site has difficult ground conditions that would prevent the site from being development and despite there being a suggestion that investigative works have taken place, no evidence has been provided to substantiate this.

Based on the information submitted, it is argued that the applicant has not provided sufficient evidence to suggest that no appropriate existing building or brownfield site is available to accommodate the proposed development. In this case it is considered that the proposed development is contrary to Provision 6 of Policy D1.

Trees, Woodland and Hedgerows

The Council's Landscape Architect makes it clear in his consultation response that the proposed development may have direct and indirect impact on the policy woodland along Kelso Road and the area to the east of the application site at The Lees. No assessment of the existing trees has been carried out in the preparation of this application despite this process being clearly set out in our approved SPG 'Trees and Development' and BS5837:2005 Trees in Relation to Construction'.

A key issue for this application is the effect of the development on the existing tree cover but unfortunately the applicant has not submitted an Arboricultural Impact Assessment to assess the effects.

Members should be aware that Site Plan drawing AT1806-L-01 (dated June 2011) is presented as the proposed site layout and shows access roads and car parking located within the existing woodland. Such a layout would entail extensive tree felling and would open up the existing stand of trees thereby necessitating further likely removals on grounds of health and safety.

An amended site plan has been submitted and this shows the proposed internal access road and parking areas located outwith the existing woodland. However, trees will be required to be removed to allow for the proposed new access from Kelso Road. The amended site plan indicates that only one tree needs to be removed however the proposed access route encroaches into the root protection area of at least two trees either side of the entrance. These are tall trees and could cause significant damage if they were to become unstable would almost certainly have to be removed to accommodate the road. There are also potential effects of wind blow to be considered and precautions for health and safety take priority. The only way to ascertain the actual effects of the proposed development on existing trees is to carry out an Arboricultural Impact Assessment. Members are advised not to rely on the amended site plan as an accurate representation of existing trees and the likely impacts of the development on tree removals.

The Council's Landscape Architect does not object in principle to the location of the proposed development if it can be moved out into the field itself, with only minimal tree disturbance to allow an access road. Such a layout would be well contained by the woodland structure, physically sheltered and of south westerly aspect and would have very little visibility to sensitive receptors. However, this would fail to address the wider issue of the relationship to the wider settlement and the development boundary in particular, which would be likely to worsen as a result.

Accordingly, given the expected adverse impact of this layout, and in particular the proposed new access road, on mature policy woodland and the consequent effects on the setting of Coldstream and associated designed landscapes, it is considered that the proposed development would fail to comply with Policy NE4 of the Local Plan.

Prime Quality Agricultural Land

Policy R1 aims to protect prime quality agricultural land for productive farming use. This is a particularly valuable resource which is in relatively short supply. Although the application site is currently used for grazing it is identified as prime quality agricultural land and should be afforded the same level of protection as productive arable land. Policy R1 will not permit development that will result in the permanent loss of prime quality agricultural land unless the site is allocated within the Local Plan to meet strategic plan requirements. As discussed earlier, this land has been discounted by the Council and the Scottish Government Reporter for inclusion in the Local Plan and as such the proposed nursing home and subsequent loss of Prime Quality Agricultural Land would not comply with Policy R1.

Ecology

The Council's Ecologist advises that the proposed development has the potential to impact upon protected species notably bats, badgers and breeding birds. Adopting the Council's Supplementary Planning Guidance for biodiversity it is recommended that an Ecological Impact Assessment is carried out prior to determination. However, given the planning history associated with this site and the fact that there has been no shift on policy or a change in circumstances that would warrant a different

recommendation in this case, the view was taken that it would be unreasonable to ask for this level of information at this stage.

CONCLUSION

The key policy constraints with this application are clearly the protection of the development boundary, development in the countryside, the protection of agricultural land and the protection of existing trees and woodland. Given the planning history associated with this site it is clear the development of a care home on this site, outwith the development boundary, cannot be supported. This is further endorsed by the Reporters decision not to allocate this site for residential development on the grounds that the site would be outwith the identifiable limits of the settlement which is defined by the robust policy woodland boundary.

There has been no shift in development plan policy or a change in circumstances since the earlier refusal and appeal dismissal that would warrant a different recommendation in this case.

RECOMMENDATION BY HEAD OF PLANNING AND REGULATORY SERVICES:

I recommend that the application is refused for the following reasons:

- 1 The proposed care home would be contrary to Policy G8 – Development outwith Development Boundaries of the Consolidated Local Plan 2011 in that the site is located outwith the development boundary of Coldstream as defined on the Local Plan Proposals Map and would represent an unjustified intrusion into the woodland and countryside beyond the settlement edge. Furthermore, the proposed care home is not considered to offer significant community benefits that outweigh the need to protect the development boundary which is strongly defined in this location.
- 2 The proposed care home would be contrary to Policy D1 – Business, Tourism and Leisure Development in the Countryside of the Consolidated Local Plan 2011 in that the erection of a care home on this site in the countryside has not been adequately justified. An economic and operational need specific to Coldstream in general, and the application site in particular, has not been identified and it has not been demonstrated that the care home cannot reasonably be accommodated within the Development Boundary.
- 3 The proposed care home would be Contrary to Policy NE4 – Trees, Woodlands and Hedgerows of the Consolidated Local Plan 2011 in that the development would cause the loss of, or serious damage to the woodland resource and the benefits of the development have not been demonstrated to outweigh the loss of landscape value.
- 4 The proposed care home would be contrary to Policy R1 – Protection of Prime Quality Agricultural Land of the Consolidated Local Plan in that the development would result in the permanent loss of prime quality agricultural land.

DRAWING NUMBERS

Plan Reference No	Plan Type
AT1806-L-Loc	Location Plan
AT1806-L-01-A	Site Plan
AT1806-L-02	Ground Floor Plan
AT1806-L-03	First Floor Plan
AT1806-L-04	Elevations
AT1806-SA	Site Appraisal
Supporting Statement	

Approved by

Name	Designation	Signature
Brian Frater	Head of Planning and Regulatory Services	

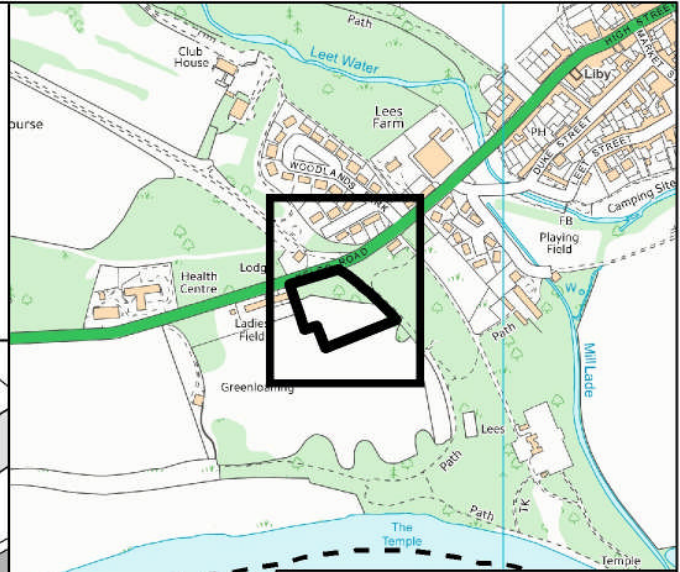
The original version of this report has been signed by the Head of Planning and Regulatory Services and the signed copy has been retained by the Council.

Author(s)

Name	Designation
Barry Fotheringham	Principal Planning Officer

13/01062/PPP

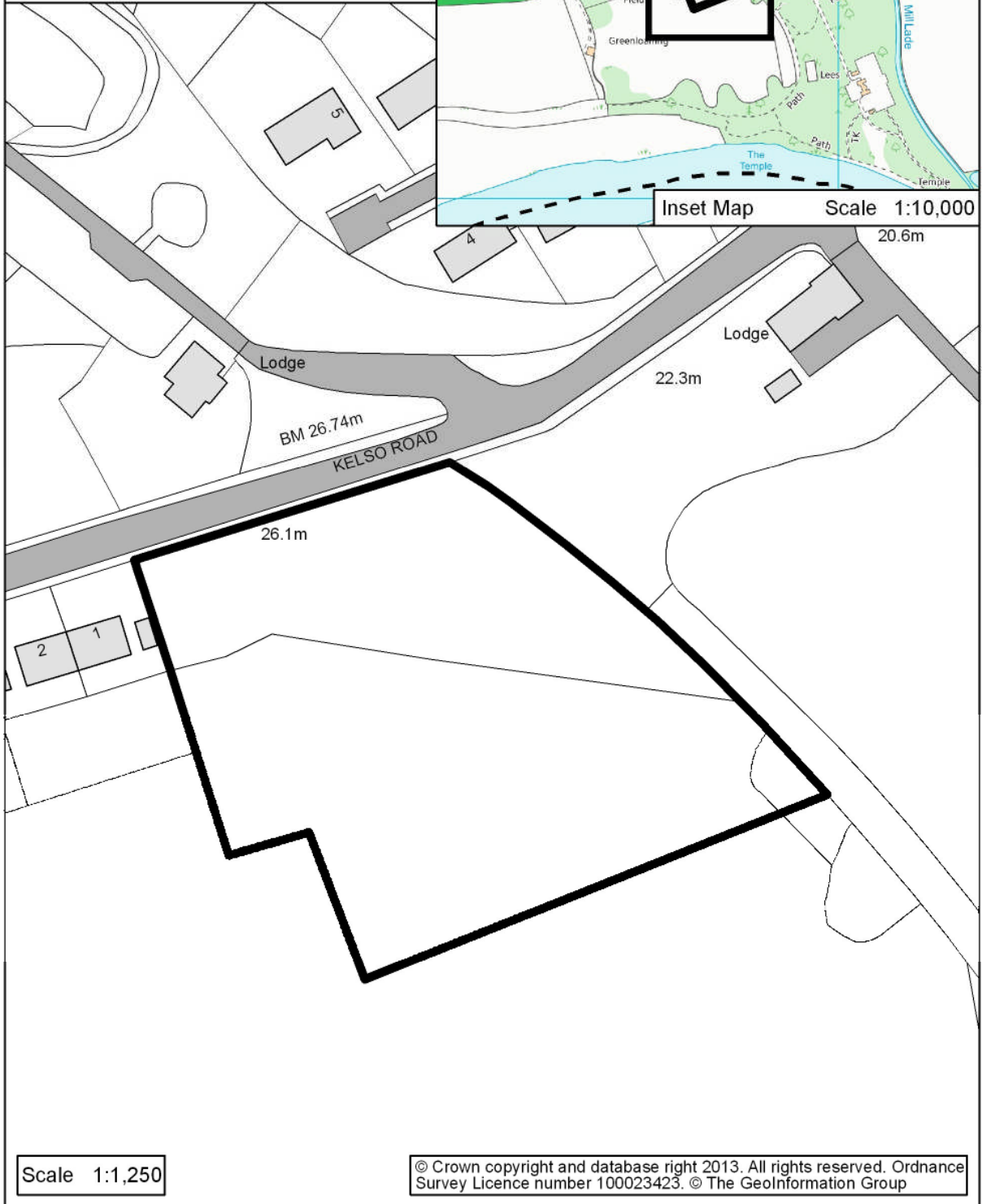
Land East Of 1 Kelso Road
Coldstream
Scottish Borders



Inset Map

Scale 1:10,000

20.6m



Scale 1:1,250

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