

**SCOTTISH BORDERS COUNCIL
PLANNING AND BUILDING STANDARDS COMMITTEE**

MINUTES of Meeting of the PLANNING AND BUILDING STANDARDS COMMITTEE held in Council Chamber, Council Headquarters, Newtown St Boswells and via Microsoft Teams on Monday, 3 July 2023 at 10.00 am

Present:- Councillors S. Mountford (Chair), J. Cox, M. Douglas, D. Moffat, A. Orr, N. Richards, S. Scott, E. Small, V. Thomson
In Attendance:- Lead Planning Officer (C. Miller), Lead Roads Planning Officer (D. Inglis), Senior Roads Planning Officer (A. Scott), , Solicitor (S. Thompson), Democratic Services Team Leader (L. McGeoch)

1. **MINUTES**

There had been circulated copies of the Minutes of the Meetings held on 5 and 15 June 2023.

DECISION

AGREED to approve the Minutes for signature by the Chairman.

2. **APPLICATIONS**

There had been circulated copies of a report by the Chief Planning and Housing Officer on applications for planning permission which required consideration by the Committee.

DECISION

DEALT with the applications as detailed in the Appendix to this Minute.

3. **APPEALS AND REVIEWS**

There had been circulated copies of a briefing note by the Chief Planning and Housing Officer on appeals to Scottish Ministers and the Local Review Body.

DECISION

NOTED that:-

(a) Appeals had been received in respect of:-

(i) Installation of illuminated signage (retrospective), 35 Horsemarket, Kelso; and

(ii) Erection of a double garage, 32 Dunglass Road, Coldstream.

(b) Appeal decisions had been received in respect of:-

(i) Change of Use of an existing agricultural building to dwellinghouse, The Old Cow Shed, Lennel, Coldstream – Dismissed; and

(ii) Installation of insulated plasterboard system to walls, 68 High Street, Coldstream – Sustained.

(c) Review request had been received in respect of:-

- (i) Erection of dwellinghouse with access, landscaping and associated works, Land South and West of Greywalls, Gattonside;
 - (ii) Erection of dwellinghouse, Land Northeast of The Bungalow, Crosshill, Chirnside;
 - (iii) Demolition of stable and erection of dwellinghouse, Site Adjacent The Steading Whiteburn Farm, Lauder;
 - (iv) Erection of raised decking (retrospective), 33 Weensland Park, Hawick;
 - (v) Change of use of shop and alterations to form 2 no dwellinghouses, Shop, 22 - 24 South Street, Duns;
 - (vi) Erection of dwellinghouse, W Pearce and Sons St Ronan's Works, 2 Miller Street, Innerleithen; and
 - (vii) Erection of a dwellinghouse with access, landscaping, garden space, and associated works, Land West of Greywalls, Gattonside.
- (d) the following reviews had been determined as shown:-
- (i) Erection of timber storage and processing facility with new access junction, yard area, landscaping, tree planting, SUDs and associated works and planning permission in principle for associated dwellinghouse with office for the timber processing facility, Land South West of West Loch Farmhouse, Peebles - Decision of Appointed Officer Overturned (Subject to Conditions and a Legal Agreement);
 - (ii) Alteration and extension to dwellinghouse, Ratchill Farmhouse, Broughton - Decision of Appointed Officer Overturned (Subject to Conditions);
 - (iii) Modification of condition No.1 of planning permission 15/01355/FUL to allow the holiday chalet to be occupied as dwellinghouse, Land at Disused Railway Line Rachan, Broughton - Decision of Appointed Officer Upheld; and
 - (iv) Installation of photo voltaic array to roof, Scott House, Douglas Square, Newcastleton - Decision of Appointed Officer Overturned (Subject to Conditions)
- (e) Decision were still awaited in respect of Reviews for the following as at 22 June 2023:-

• Ravelaw Farm, Duns	• Land West of Greenburn Cottage, Auchencrow
• The Millers House Scotsmill Kailzie, Peebles	• Land South of Ebbastrand, Coldingham Sands, Coldingham
• Land West of The Old Barn Westwater, West Linton	• Paddock West of Hardens Hall, Duns
• 11 Tweed Avenue, Peebles	• Land North of Belses Cottage, Jedburgh
• 2 Rowan Court, Cavalry Park, Peebles	• Land South of 1 Kelso Road, Coldstream
• Church House, Raemartin Square, West Linton	• Land South of Greenbraehead Farmhouse, Greenbraehead, Hawick

<ul style="list-style-type: none">• Land North West of Rosebank Cemetery Lodge, Shedden Park Road, Kelso	<ul style="list-style-type: none">• Land at Rachan Woodlands, Broughton
<ul style="list-style-type: none">• Land South of Headshaw Farmhouse, Ashkirk, Selkirk	<ul style="list-style-type: none">• Land South East of Tarf House, West Linton

- (f) there remained One S36 PLI previously reported on which a decision was still awaited as at 22 June 2023 in respect of Land West of Castleweary (Faw Side Community Wind Farm), Fawside, Hawick.

The meeting concluded at 11.10 am

APPENDIX
APPLICATION FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
23/00479/FUL	Change of use of garage blocks and alterations to form three dwellinghouses	Garage Blocks, Bothwell Court, Hawick

Decision: Refused for the following reasons:

1. The development is contrary to Policy PMD2 (i) of the Scottish Borders Local Development Plan 2016 in that it is inappropriate for the surrounding area due to its scale, mass and density
2. The development is contrary to Policy PMD5 of the Scottish Borders Local Development Plan 2016 in that it will result in the loss of privacy to adjoining properties, detract from the character and amenity of the surrounding area and lead to overdevelopment
3. The development is contrary to Policy HD3 b.ii of the Scottish Borders Local Development Plan 2016 in that it will result in overlooking, a loss of privacy and sunlight provisions to existing and surrounding properties.

VOTE

Councillor Mountford, seconded by Councillor Scott moved approval of the application.

Councillor Richards, seconded by Councillor Thomson, moved as an amendment that the application be refused for the reasons detailed above.

On a show of hands Members voted as follows:-

Motion - 4 votes
Amendment - 5 votes

The amendment was accordingly carried.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
22/01588/FUL & 22/01587/LBC	Reinstatement, alterations and alterations to dwellinghouse	Cavers House

Decision: Continued to a future meeting of the Planning and Building Standards Committee to enable the submission and consideration of further ecological surveys.

Note

Declaration of Interest - Councillor Cox declared an interest in the application detailed above in terms of Section 5 of the Councillors Code of Conduct and left the Meeting during the discussion.

Councillor Richards stated that he did not consider he had an interest to declare and remained in the Chamber.

Councillor Cox re-joined the meeting for consideration of the following application.

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
22/01887/FUL	Variation of Condition 1 to extend operational life of wind farm by additional 10 years	Land East of Kingledores Farm (Glenkerie), Broughton

Decision: Approved subject to the following conditions and a S75 legal agreement:

1. This permission shall be for a period of 35 years from the date of final commissioning. Within twelve months of the end of the period, unless a further planning application is submitted and approved, all wind turbines, ancillary equipment and buildings shall be dismantled and removed from the site and the land restored to its former condition, or other such condition as may agree, to the satisfaction of the Planning Authority.

Reason: The anticipated design life of the wind farm is 35 years.

2. With the exception of the Condition hereby amended as above, the development shall be implemented in accordance with the plans, drawings, supporting information and schedule of conditions approved under application 07/02478/FUL and in accordance with all agreements/approvals under the terms of those conditions.

Reason: To ensure the development is implemented and operated in accordance with all measures within the approved schedule of conditions under the original wind farm planning consent, to ultimately ensure compliance the Development Plan and relevant planning policy guidance.

Informative

1. The Community Fund contribution per MW should match current Government guidance at the time when the ten year operating life extension commences.

NOTE

The Committee also asked for it to be noted in general that any agreed monitoring of Habitat and Woodland Management Plans should be carried out fully in accordance with the agreed schedules and timescales. The Planning Officer undertook to raise the matter with the Enforcement and Ecology Officers in this regard.