

APPENDIX I
APPLICATIONS FOR PLANNING PERMISSION

<u>Reference</u>	<u>Nature of Development</u>	<u>Location</u>
23/00883/CON & 23/00884/FUL	Residential development comprising of 50 houses and flats with associated work and change of use to boiler house/engine house to commercial use	Site Of Former March Street Mills, March Street, Peebles

DECISION: Approved as per officer recommendation subject to an additional condition requiring revised plans of the allotments to be submitted to (in consultation with the March Street Mills Allotment Group & Chairman of the Planning & Building Standards Committee) and approved by the planning authority and an amendment to Condition 8 to include alternative footpath arrangements from the development site to the allotments/Rosetta Road.

23/00884/FUL – Approved subject to a legal agreement addressing the transfer of the March Street Allotment to the Peebles Civic Trust, affordable housing provision and development contributions towards education, traffic management improvements with Peebles and play space and the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. 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.
3. The development hereby approved shall only be carried out in strict accordance with a programme of phasing of all development works which has first been submitted to and approved in writing by the Local Planning Authority. The scheme of phasing shall agree the phasing of demolition, all development works and works to remove existing constraints from the March Street Allotments.
Reason: To ensure that the development proceeds in an orderly manner and secures a mixed-use development in accordance with the Local Development Plan and Supplementary Guidance.
4. All residential units identified as ‘Amenity’ housing on the Accommodation Schedule dated 5th December 2023 shall meet the definition of “affordable housing” as set out in the adopted Local Development Plan 2016 and Supplementary Planning Guidance “Affordable Housing” 2015 and shall only be occupied in accordance with arrangements (to include details of terms of occupation and period of availability) which shall first have been submitted to and approved in writing by the Planning Authority prior to development commencing.
Reason: The permission has been granted for affordable housing, and development of the site for unrestricted market housing would not comply with development plan policies and guidance with respect to contributions to infrastructure and services, including local schools.

5. No development shall commence until precise details (including samples where required by the Planning Authority) of all external materials and colours for all buildings within the development, and the plot layout distribution for those colours, has first been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the approved samples.
Reason: To ensure external materials are visually appropriate to the development and sympathetic to the surrounding area.
6. No development shall commence until precise details (including samples where required by the Planning Authority) of all surfacing materials for the proposed roads, footpaths and parking spaces to be submitted to, and approved in writing by, the Planning Authority before the development commences. The development is then to be completed in accordance with the approved details.
Reason: To ensure that the proposed development is laid out in a proper manner with adequate provision for traffic and in a manner which enhances the character and visual appearance of the development.
7. No development shall commence until revised drawings have been submitted to and agreed in writing with the Planning Authority to address the following elevational revisions on the following buildings:
 - Plot 37 requires agreement of a revised south elevation.
 - Plot 27 requires agreement of second wall material finish.
 - Plot 27 and 33 require agreement of additional openings on their south west elevation.
 - Plot 7, 16 and 17 requires agreement of a larger 1st floor window on its southwest elevation.Reason: Further refinements to the detailed design of these plots are required in the interest of placemaking and visual amenity.
8. No development shall commence until a scheme of details showing the introduction of footways at the following locations;
 - i. To the rear of Plot 4 to the parking courts behind Plots 1 – 4;
 - ii. The section of round to the south of the square at Plots 6 and 7; and
 - iii. To the north of the Plots 46 – 57 (identified as 12 Flat Block on the approved site plan).The details shall be agreed in writing with the Planning Authority and completed in accordance with the phasing proposals.
Reason: To ensure that the proposed development is laid out in a manner which offers adequate provision for pedestrians.
9. Prior to the use of the engine house becoming operational, the vehicular link from Ballantyne Place and the parking bays associated with the engine house must be fully implemented, unless otherwise agreed in writing by the Planning Authority.
Reason: To ensure that the engine house is suitably served by vehicular access and supporting infrastructure.
10. No development shall commence until a scheme of details showing the EV charging infrastructure which will be placed within the site has been submitted to and agreed by the Planning Authority. The details shall include how the charging points will be placed in relation to the parking bays and how it is proposed the charging points will be operated and maintained. The EV charging infrastructure to be put in place in a timeframe which is first agreed within a phasing plan.
Reason: To ensure that development is carried out in a manner which ensures the occupied units are provided with suitable EV infrastructure.

11. No development shall commence, (notwithstanding the details provided in the approved drawings), until a detailed scheme of boundary treatments has first been submitted to and approved in writing by the Planning Authority. The scheme shall include;
- i. the location of all proposed walls (including gabion baskets), fencing, gates and hedges
 - ii. the detailed design, height and materials of all walls and fences
 - iii. use of any salvaged stone within boundary enclosures
 - iv. the precise means of boundary treatments and gates to enclose the March Street Allotments.

All boundary treatments within the application site shall accord with the approved scheme and shall be implemented in accordance with an agreed schedule.

Reason: Further information is required to achieve an acceptable boundary treatment scheme for the site.

12. No development shall commence until a scheme of hard and soft landscaping works has first been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
- i. existing and finished ground levels in relation to a fixed datum preferably ordnance
 - ii. existing landscaping features and vegetation to be retained and, in the case of damage, restored.
 - iii. soft and hard landscaping works
 - iv. final location of gatepiers and all public art and street furniture
 - v. A programme for completion and subsequent maintenance.

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

13. No development shall commence until a scheme of details to demonstrate the treatment of the eastern part of the application site identified for 'Future Development' on Drawing No MAST-SSM-DR-AR-00050 Rev P11, following demolition the completion of demolition and site removals from this part of the site. The scheme shall include provision for a temporary footway from the development to Dovecot Road.

Reason: To ensure this part of the site is treated appropriately so it does not detract from the setting of the Conservation Area and provide connectivity to Dovecot Road.

14. No development to be commenced until a fully designed and detailed surface water drainage scheme with SUDs features, attenuation and outfall, is submitted to, and approved in writing by, the Planning Authority. The scheme shall include an implementation and maintenance programme. The scheme then to be implemented in accordance with the approved details.

Reason: To ensure the sustainable disposal of surface water in a manner that safeguards neighbouring land/property and to ensure future maintenance for the scheme.

15. No development shall commence until written evidence is provided on behalf of Scottish Water that the development will be serviced by mains foul drainage and public mains water supply.

Reason: To ensure the development can be adequately serviced.

16. Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.

The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents.

This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-

- a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition. and thereafter
- b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.
- c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).
- d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.
- e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.

17. No development shall take place on the site until either of the following has been provided to the Planning Authority:
 - a European Protected Species (EPS-bats) or
 - a copy of a statement from SNH stating that such a licence is not necessary for the specified development.

Reason: To safeguard European Protected Species on the site.

18. Prior to the commencement of development, the developer shall submit in writing to the Planning Authority a detailed Species Protection Plan for bats. Thereafter, no development shall take place except in strict accordance with the protection plan so approved.

Reason: To safeguard European Protected Species on the site.

19. Prior to commencement of development, a Species Protection Plan for breeding birds shall be submitted to and approved by the Planning Authority. Any development shall, thereafter, be carried out in accordance with the approved SPP. The SPP shall include provision for a pre-development supplementary survey and a mitigation plan, where any works are proposed within the bird breeding season (March to August). No development shall commence during the bird breeding season unless the development is implemented wholly in accordance with the approved SPP.

Reason: To safeguard breeding bird interests on the site.

20. Prior to the commencement of development, the developer shall submit for approval by the Planning Authority, details of the proposed Biodiversity Enhancement scheme for the site which shall include measures for soil management, breeding birds, bats, badgers and reptiles. Thereafter, no development shall take place except in strict accordance with the approved scheme.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and NPF4 policies 3 and 4.

21. The Engine House and Boiler House shall be used for Class 4, 5 and 6 uses as stipulated within the Town and Country Planning (Use Classes) (Scotland) Order 1997, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that order.

Reason: To ensure these buildings are used for appropriate employment uses in accordance with Policy ED1 of the Local Development Plan and the required uses of these structures within the sites allocation.

22. No development shall commence until precise details of the March Street Mills Allotment site has first been submitted to and approved (in consultation with the March Street Mills Allotment Group and Chairman of Planning & Building Standards Committee) in writing by the planning authority. The scheme of details shall include a revised site plan showing an amended allotment plot layout, all access arrangements and vehicle parking, pedestrian access routes from the housing site to Rosetta Road and community food growing area. The approved scheme shall then be implemented in accordance with the scheme of phasing required under Condition 3 of this planning permission.

Reason: To ensure that the development progresses in an appropriate manner and to ensure that adequate provision is made for allotments and community food growing.

23/00883/CON - Approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 16 of the Town and Country Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

2. The buildings and walls to be demolished are only those as shown on the approved plans, no other buildings shall be demolished without the prior approval of the Planning Authority.

Reason: To ensure satisfactory preservation of historic buildings and walls within the site and to safeguard the character of the Conservation Area.

3. No demolitions to take place until a scheme for the salvaging and retention of stone from the demolitions has been agreed with the Planning Authority, the demolitions and retention of salvaged stone within the site then to proceed in accordance with the agreed scheme.

Reason: To ensure that replacement development incorporates salvaged stone from the development and to safeguard the character of the Conservation Area.

4. No development shall take place until the applicant has secured the implementation of a programme of archaeological work (which may include excavation) in accordance with a Written Scheme of Investigation outlining a Historic Building Survey which has been formulated by, or on behalf of, the applicant and submitted to and approved in writing by the Planning Authority. Access should be afforded to allow archaeological investigation, at all reasonable times, by a person or persons nominated by the developer and agreed to by the Planning Authority. Results will be submitted to the Planning Authority for review in the form of a Historic Building Survey Report.

Reason: To preserve by record a building of historical interest.

5. No development shall take place on the site until either of the following has been provided to the Planning Authority:

- a European Protected Species (EPS-bats) or

- a copy of a statement from SNH stating that such a licence is not necessary for the specified development.

Reason: To safeguard European Protected Species on the site.

6. Prior to the commencement of development, the developer shall submit in writing to the Planning Authority a detailed Species Protection Plan for bats. Thereafter, no development shall take place except in strict accordance with the protection plan so approved.

Reason: To safeguard European Protected Species on the site.

7. Prior to commencement of development, a Species Protection Plan for breeding birds shall be submitted to and approved by the Planning Authority. Any development shall, thereafter, be carried out in accordance with the approved SPP. The SPP shall include provision for a pre-development supplementary survey and a mitigation plan, where any works are proposed within the bird breeding season (March to August). No development shall commence during the bird breeding season unless the development is implemented wholly in accordance with the approved SPP.

Reason: To safeguard breeding bird interests on the site.

8. Prior to the commencement of development, the developer shall submit for approval by the Planning Authority, details of the proposed Biodiversity Enhancement scheme for the site which shall include measures for soil management, breeding birds, bats, badgers and reptiles. Thereafter, no development shall take place except in strict accordance with the approved scheme.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and NPF4 policies 3 and 4.

NOTE

Mr Ian Mewitt, Chairman of March Street Mills Allotment Association, spoke as an objector to the application. Ms Eve McCurrich and Mr John Lancaster spoke as supporters of the application.

Reference

23/01613/FUL

Nature of Development

Formation of new access road and entrance to farm cottages and formation of improved access to farmhouse and yard

Location

Baillieknowe Farm, Stichill, Kelso

DECISION: Approved as per officer recommendation subject to the following conditions and informatives:

Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. 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.
3. No development shall commence until;
 - a. precise construction details of the proposed road between Baillieknowe Cottages and the C46;
 - b. precise construction details of the proposed amended junction on to the B6364;
 - c. precise details of the proposed turning head and stopping-up of the road adjacent to no.1 Baillieknowe Cottages;
 - d. precise details of the stopping up of the existing vehicular access to Baillieknowe Farmhouse from the B6364; and
 - e. precise details of the stopping up of the existing field access onto the C46 (including details of a vehicular passing place) have first been submitted to and approved in writing by the Planning Authority.Thereafter the approved in writing scheme of details shall be fully implemented within 6 weeks of the new/improved accesses hereby approved becoming operational, unless otherwise agreed in writing with the Planning Authority.
Reason: To ensure the accesses are formed to an appropriate standard and the existing substandard accesses are closed off.
4. Prior to works commencing, visibility splays of 2.4m by 97m north-west and 100m south-east at the junction with the carriageway of the C46 Ednam Road (as shown in DSW PA03) must be provided and retained thereafter in perpetuity unless otherwise agreed in writing with the Planning Authority.
Reason: To ensure the development is served by an acceptable form of access.
5. No development shall commence until precise construction, landscape and boundary treatment details (plan, elevation and section) of visibility splays of 2.4m by 132m north and 73m south at the junction with the carriageway of the B6364 (as shown in DSW PA04) have been submitted to and approved in writing by the Planning Authority. Thereafter the approved scheme of details shall be fully implemented within 6 weeks of the new access becoming operational, unless otherwise agreed in writing with the planning authority.
Reason: To ensure the development is served by an acceptable form of access and suitable levels of compensatory planting is provided.

6. Measures to be put in place to prevent the flow of water onto the public road boundary.
Reason: It is an offence to deposit water on to the public road and in the interest of road safety.

7. Prior to the commencement of development, a scheme of details for hard and soft landscaping and boundary treatments shall be submitted to and approved in writing by the Planning Authority. The scheme of details shall include:
 - a. A site plan showing all proposed hard and soft landscaping, including the location of new trees, shrubs, hedges and grassed areas, and fencing/ walling.
 - b. A schedule of plants to comprise species, plant sizes and proposed numbers/density. (Two for one replacement of removed trees)
 - c. Details of fence/ wall materials and heights; and
 - d. Details of hardstanding materials.
 Thereafter, all planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following completion 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, and fencing/ walling shall accord with the agreed details.
Reason: To ensure satisfactory form, layout and assimilation of the development.

8. Prior to commencement of development, a pre-development survey for bats, breeding birds and barn owls (and any corresponding Species Protection/ Mitigation Plan) shall be submitted to and approved in writing by the Planning Authority. No development shall be undertaken except in accordance with the approved in writing SPP.
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.

9. No development shall commence until further details of bin storage facilities are submitted to and approved in writing by the planning authority. Thereafter the roads hereby approved shall not come in to use until the agreed bin storage facilities are in place. The waste storage facilities shall remain in perpetuity.
Reason: To ensure suitable bin storage arrangements are provided, in the interests of visual amenity.

10. Prior to the commencement of development, details of a scheme of post-construction ecological enhancements, including timescale for implementation, have been submitted to and approved in writing by the Planning Authority. The approved details shall be implemented within the approved timescale.
Reason: To provide a reasonable level of ecological enhancement relative to the environmental impact of the development in accordance with the statutory development plan.

Informative note:

The Roads Authority advise that should a subsequent application for residential development of the Baillieknowe site be received, suitable consideration to be given to a vehicular link between the cottages and farm.

NOTE

Mr Ray Licence spoke as a supporter of the application.

Reference

23/01340/FUL

Nature of Development

Modification of Condition 15
pertaining to pedestrian
links to bus stop and
condition 20 pertaining to
contamination land
assessment of planning
permission 20/00109/FUL

Location

Land North of Jedforest
Hotel, Jedburgh

DECISION: Approved as per officer recommendation subject to the following conditions and informatives:

Conditions:

1. With the exception of the conditions hereby approved by this consent, the development shall be implemented in accordance with the plans, drawings, supporting information and schedule of conditions approved under application 20/00109/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 planning consent, to ultimately ensure compliance the Development Plan and relevant planning policy guidance.

2. No development shall commence until detailed plans are first submitted to and approved writing by the Planning Authority in consultation with Transport Scotland. The plans shall illustrate the following information:

- how the existing access road will be physically stopped up and a programme for completion.

Thereafter the development shall be carried out in complete accordance with the approved details before the development hereby approved is operational.

Reason: To ensure sufficient access to the development by sustainable transport methods and in the interests of road safety.

3. Unless otherwise agreed in writing and in advance by the Planning Authority, prior to the development of each phase of works, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved. The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:

A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, and d of this condition; and thereafter;

- a) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.

- b) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).
- c) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.
- d) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and ecological systems arising from any identified land contamination have been adequately addressed.

NOTE

Mr Ruaraidh Thompson spoke as a supporter of the application.