

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

**Town and Country Planning (Development Management Procedure) (Scotland) Regulations
2013**

Application for Planning Permission

Reference : 13/00332/FUL

**To : RM & JS Partnership per John Thompson & Partners Per Ross Peedle Venue Studios 21
Calton Road Edinburgh EH8 8DL**

With reference to your application validated on **25th March 2013** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Erection of 54 dwellinghouses and associated infrastructure

At : Land South Of The Old Manse Gavinton 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 direction:

- That the development to which this permission relates must be commenced within three years of the date of this permission.

And subject to the conditions on the attached schedule imposed by the Council for the reasons stated

**Dated 11th July 2016
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed



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Chief Planning Officer

APPLICATION REFERENCE : 13/00332/FUL
Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
00620_MP_05	General	Approved
00620_MP_01	Location Plan	Approved
00620_MP_02	Site Plan	Approved
00620_MP_04	Other	Approved
ED10970-002	General	Approved
00620_EW_01	General	Approved
00620_SE_01	Elevations	Approved
00620_SE_02	Elevations	Approved
00620_SE_03	Elevations	Approved
00620_HA_01	Elevations	Approved
00620_HB_01	Elevations	Approved
00620_HB1_01	Elevations	Approved
00620_HC_01	Elevations	Approved
00620_HC1_01	Elevations	Approved
00620_HD_01	Elevations	Approved
00620_HD1_01	Elevations	Approved
00620_HE_01	Elevations	Approved
00620_HE1_01	Elevations	Approved
00620_HF_01	Elevations	Approved
00620_HF1_01	Elevations	Approved
00620_HG_02	Elevations	Approved
00620_HG_01	Elevations	Approved
00620_HG1_02	Elevations	Approved
00620_HG1_01	Elevations	Approved
00620_HH_02	Elevations	Approved
00620_HH_01	Floor Plans	Approved
00620_MP_07	General	Approved
00620_G_01	Elevations	Approved
00620_HJ_01	Elevations	Approved
00620_HK_01	Elevations	Approved
ED10970-005	General	Approved

REASON FOR DECISION

The proposal is considered to provide an attractive and sensitive form of development, which is respectful of the character and appearance of the Conservation Area and its setting within the wider landscape. Notwithstanding the increase in the number of units above the indicative capacity outlined in the Local Plan, the design and layout of the proposed residential development is considered to make the proposal acceptable in terms of house numbers, layout, design and landscaping. The proposal is compatible with the character of the surrounding area, neighbouring uses and neighbouring built form and accords with development plan policy, and supplementary planning guidance. It also assists the Council in meeting targets for securing the development of new and affordable homes.

SCHEDULE OF CONDITIONS

- 1 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 as specified in the drawing list on this consent notice.
Reason: To ensure that the development is carried out in accordance with the approved details.
- 2 The development hereby approved shall only be carried out in strict accordance with a programme of phasing which has first been submitted to and approved in writing by the Local Planning Authority.
Reason: To ensure that the development of the estate proceeds in an orderly manner.
- 3 Upon completion of each phase, as required by Condition 2, the developer carrying out the development shall give notice of that completion to the planning authority.
Reason: To comply with Section 27B of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
- 4 A site notice or sign shall be displayed in a prominent place at or in the vicinity of the site until the completion of the development, which shall be readily visible to the public, and printed on durable material. The Notice shall take the following form:

Development at (Note 1)

Notice is hereby given that planning permission has been granted, subject to conditions (Note 2) to (Note 3) on (Note 4) by Scottish Borders Council.

The development comprises (Note 5)

Further information regarding the planning permission, including the conditions, if any, on which it has been granted can be obtained, at all reasonable hours at Scottish Borders Council Headquarters, Newtown St. Boswells, Melrose. Telephone (01835) 825060, or by visiting <http://eplanning.scotborders.gov.uk/publicaccess>, using the application reference (Note 6).
Reason: To ensure compliance with Section 27C of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
- 5 No development shall commence 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 Planning Authority, and thereafter no development shall take place except in strict accordance with those details unless otherwise agreed in writing with the Planning Authority.
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 6 All trees and hedging within the site shall be retained as specified on drawing 00620_Mp_05 Revision D. No development shall commence until a Tree Protection Plan has been submitted for the approval of the Planning Authority which demonstrates measures to be undertaken to protect the trees during construction in accordance with BS5837:2012. During the period of construction of the development the following requirements will apply:

(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: The existing trees and hedging represent an important visual feature which the Planning Authority considered should be substantially maintained.

7 No trees within the application site shall be felled, lopped, lifted or disturbed in any way without the prior consent of the Planning Authority.

Reason: The existing tree(s) represent an important visual feature which the Planning Authority considered should be substantially maintained.

8 The three Ash trees numbered 6546, 6547 and 6548 upon Drawing Number; 00620_MP_07 shall not be felled, lopped, lifted or disturbed until bat checking surveys have been carried out by a suitably qualified person and submitted for the approval of the Planning Authority. Once the biological value of each of these trees has been established it shall thereafter be agreed with the Planning Authority if these trees should be retained with reduced crowns or removed, through the submission of a Tree Works Plan for the approval of the Planning Authority. Once approved, all works to the three Ash trees shall be carried out in accordance with the approved Tree Works Plan.

Reason: To ensure local habitats are protected and trees with biological value are retained.

9 No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which 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. location and design, including materials, of walls, fences and gates
- iv. soft and hard landscaping works
- v. existing and proposed services such as cables, pipelines, sub-stations
- vi. other artefacts and structures such as street furniture, play equipment
- vii. A programme for completion and subsequent maintenance.
- viii. Expected water levels to be retained within the SUDS pond.

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

10 All planting, seeding or turfing comprised in the approved details of landscaping required by Condition 9 shall be carried out in strict accordance with the programme of implementation set out in the phasing plan required by condition 2 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.