

Granton Homes Ltd
per APT Planning & Development Ltd
Per Tony Thomas
6 High Street
East Linton
EH40 3AB

Please ask for: Ranald Dods
01835 825239
Our Ref: 19/00182/PPP
Your Ref:
E-Mail: ranald.dods@scotborders.gov.uk
Date: 12th March 2021

Dear Sir/Madam

**PLANNING APPLICATION AT Site in Grounds of Kingsmeadows House Kingsmeadows Road
Peebles Scottish Borders**

PROPOSED DEVELOPMENT: Erection of residential apartments (renewal of previous
consent 15/00822/PPP)

APPLICANT: Granton Homes Ltd

Please find attached the decision notice for the above application.

Please read the schedule of conditions and any informative notes carefully.

Drawings can be found on the Planning pages of the Council website at
<https://eplanning.scotborders.gov.uk/online-applications/>. Please see the requirement for notification
of initiation and completion of development as well as for Street naming and numbering as
appropriate.

It should be noted that before works commence, where applicable, all necessary consents should be
obtained under the Building (Scotland) Act 2003. If you require any further information in this respect,
please contact the relevant Building Standards Surveyor.

Yours faithfully

John Hayward

Planning & Development Standards Manager

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (as amended)

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

Application for Planning Permission

Reference : 19/00182/PPP

To : Granton Homes Ltd per APT Planning & Development Ltd Per Tony Thomas 6 High Street East Linton EH40 3AB

With reference to your application validated on **14th February 2019** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of residential apartments (renewal of previous consent 15/00822/PPP)

at : Site in Grounds of Kingsmeadows House Kingsmeadows Road 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 (as amended), subject to the following direction:

- That an application for approval of matters specified in the conditions set out in this decision shall be made to the Planning Authority before whichever is the latest of the following:
 - a) The expiration of three years from the date of this permission, or
 - b) The expiration of six months from the date on which an earlier application for approval of matters specified in the conditions set out in this decision notice was refused or dismissed following an appeal.Only one application may be submitted under paragraph (b) of this condition, where such an application is made later than three years after the date of this consent.
- The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the matters specified in the conditions set out in this decision.

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

**Dated 5th March 2021
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 19/00182/PPP

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
design statement	Report	Approved
329-028 b	Location Plan	Approved
329-009	Site Plan	Approved
329-004	Proposed Site Plan	Approved

REASON FOR DECISION

Subject to a legal agreement and compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

SCHEDULE OF CONDITIONS

- 1 No development shall commence until the details of the layout, siting, design and external appearance of the building(s), the means of access thereto, car parking, bin storage and the landscaping of the site have been submitted to and approved in writing by the planning authority.
Reason: To achieve a satisfactory form of development, and to comply with the requirements of section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 2 No development shall commence until all matters specified in conditions have, where required, been submitted to and approved in writing by the planning authority. Thereafter the development shall only take place except in strict accordance with the details so approved.
Reason: To achieve a satisfactory form of development, and to comply with the requirements of section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 No development shall take place within the development site as outlined in red on the approved plan until the developer has secured a written scheme of investigation (WSI) detailing a programme of archaeological works. The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA). The WSI shall be submitted no later than 1 month prior to the start of development works and approved by the planning authority before the commencement of any development. Thereafter the developer shall ensure that the programme of archaeological works is implemented fully and that all recording, recovery of archaeological resources within the development site, post-excavation assessment, reporting and dissemination of results are undertaken per the WSI.
Reason: The site is within an area where development may damage or destroy archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.
- 4 No finished floor levels to be below 159.02m AOD.
Reason: The site is partially at risk from flooding.
- 5 The development hereby permitted shall not be commenced before fully detailed design proposals for foul and surface water drainage, including SUDs measures, have been submitted to and approved by the planning authority.
Reason: To ensure the site is adequately serviced.

- 6 The first application for matters specified as conditions application should be accompanied by: An updated and detailed tree survey in accordance with BS 5837:2012 clearly demonstrating the impacts of the proposed development on existing trees within the site. The tree survey must include an arboricultural impact assessment (AIA); an arboricultural method statement (AMS) which show how any development, including the upgrading and widening of the access from Kingsmeadows Road and parking areas would be carried out while minimising impact on retained trees; the easterly communal parking area to be located wholly outwith the root protection areas of trees T818, T822 and T823.
Reason: To ensure that existing trees within the site are safeguarded and protected from and during the development, in the interest of the setting of the listed building and the character and appearance of the conservation area.
- 7 The first application for matters specified as conditions application should be supported by a management plan for the site and the remainder of the parkland/woodland, detailing maintenance, curtilage, access and boundary treatment proposals. That should include for an open plan area along the riverbank north of the development, free from individual gardens, fences, gates and other structures.
Reason: To maintain the character and open nature of the grounds within and surrounding the site and to protect the character and appearance of the conservation area..
- 8 The development submitted with the application for approval of matters specified as conditions to be based upon the location, scale and general design principles shown in the supporting plans and design statement submitted with this application.
Reason: To ensure a form and scale of development appropriate to the setting of the listed building and the character and appearance of the conservation area.
- 9 The development to be served throughout by roadways, footpaths and parking to adoptable standards. Included within the requirements are the following:
- o Detailed route of the proposed access road, including detailed design of the junction with Kingsmeadows Road;
 - o visibility splays of 2.4 by 43 metres to be provided in both directions onto Kingsmeadows Road at the new junction;
 - o proposed access road to be 5.5 metres wide for the first 15 metres or other agreed distance. Thereafter the road may taper down to a minimum width of 3.7m and can be shared surface in nature - or 3.2m with a remote footpath/service strip of a minimum of 2m width;
 - o new road to include satisfactory drainage measures and appropriate SUDS feature;
 - o allowance to be made for street lighting and other utilities. The detailed layout of street lighting will be covered by Road Construction Consent which is required for the development;
 - o parking provision to be 175% for communal parking - only 25% to be adopted;
 - o swept path analysis to be provided to demonstrate that the turning area at the end of the proposed public road
- all details to be agreed in writing with the planning authority before the development is commenced and completed before the fifth residential unit is occupied.
Reason: In the interest of road and pedestrian safety.
- 10 No development shall commence until a construction environmental management plan (CEMP) incorporating the latest good practice guidelines and statutory advice (as outlined in Ecology Baseline Report, ITP Energised, November 2019 and GPP5: Works and maintenance in or near water) to protect the River Tweed SAC/SSSI has been submitted to and approved in writing in writing by the planning authority. Any works shall thereafter be carried out strictly in accordance with the approved in writing scheme
Reason: To protect the ecological interest in accordance with LDP policies EP1, EP2 and EP3.

- 11 No development shall commence until the following has been provided to the planning authority:
copy of the relevant European Protected Species licence (or Bat Low Impact Licence confirmation, as appropriate) or, a copy of a statement in writing from Scottish Natural Heritage (licensing authority) stating that such a licence is not necessary for the specified development.
Reason: To protect the ecological interest in accordance with LDP policies EP1 and EP3.
- 12 No development shall commence until a species protection plan (SPP) for bats, otter, badger and breeding birds has been submitted to and approved in writing by the planning authority. The SPP shall incorporate provision for a pre-development supplementary survey and a mitigation plan. No development shall be undertaken except in accordance with the approved in writing SPP.
Reason: To protect the ecological interest in accordance with LDP policies EP1, EP2 and EP3.
- 13 No development shall commence until a landscape and habitat management plan (LHMP) has been submitted for the written approval of the planning authority. Thereafter, no development shall take place except in strict accordance with the approved LHMP.
Reason: To protect the ecological interest in accordance with LDP policy EP3.
- 14 No development shall commence until a conservation lighting scheme for bats, in accordance with good current practice, has been submitted to and approved in writing by the planning authority. Thereafter, no development shall take place except in strict accordance with the approved plan.
Reason: To protect the ecological interest in accordance with LDP policies EP1 and EP3.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

Road construction consent shall be required for the associated roads and footways.

In order to comply with condition 14 above, reference should be made to Bats and artificial lighting in the UK: Guidance Note 08/18. (2018) BCT and ILP

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.

Notice of Initiation of Development

Section 27 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable. A form is available on the Council's website for this purpose.

Notice of Completion of Development

Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

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 to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice.

The notice of review must be submitted on the standard form and addressed to the Clerk of The Local Review Body, Democratic Services, Scottish Borders Council, Council Headquarters, Newtown St Boswells. TD6 0SA or sent by email to localreview@scotborders.gov.uk. The standard form and guidance notes can be found online at [Appeal a Planning Decision](#). Appeals to the Local Review Body can also be made via the Scottish Government Planning and Environmental Appeals Division by clicking on the following link [PEAD](#)

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 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).