



TOWN AND COUNTRY
PLANNING (SCOTLAND) ACT
1997 (AS AMENDED)

LHO

14100866/TL

For Office Use Only: 10-08-2018

Application Number:

Date Registered:

PLANNING APPLICATION

1. Name and Address of applicant	Name and Address of Agent
Mrs Mrs P Costello Crawfield, Auchencrow Post Code TD14 5LS	
Tel. No. [redacted]	Tel. No. [redacted]
E-mail address. [redacted]	E-mail address. [redacted]

2. Full Postal Address of Application Site (edged in red on the site plan)

Plot 1 The Putting Green, Auchencrow TD14 5LS

Is this address a flat?
 Yes No

3. Brief Description of Proposed Development

Application is being made to alter the surface of the shared entrance driveway from a tarmacadam surface to a gravel & 'Eco' grid matting

4. Type of Application (tick one box only)

- (a) Full application for new building works and/or a change of use and/or engineering works
- (b) Full application for a change of use not involving any building works
- (c) Planning permission in Principle
- (d) Approval of matters specified in conditions (pursuant to a Planning Permission in Principle)
- (e) Application for removal or variation of a condition on a planning permission previously granted
(Please indicate reference number of previous application) 08/00702/ERE DWG - 08/00702/626 REM
- (f) Application for renewal of a limited period permission
(Please indicate reference number of previous application)
- (g) Application for renewal of an unimplemented permission
You need only answer Questions 17 and 18
(Please indicate reference number of previous application)

5. Applications for Matters Specified in Conditions (if you ticked (d) in Q.4, please complete)

(a) State the reference number and date of the planning permission in principle

(b) State which of the conditions are submitted for approval as part of this application:
 All Conditions (please tick) or Condition Numbers [redacted]

6. Pre-Application Discussion and Consultation

(a) Has assistance or prior advice been sought from Scottish Borders Council about this application?

Yes No

If yes, please complete the following information about the advice you were given:

Officer Name:

L Hoad

Date:

JUNE 2016

Council Reference:

Not Known

(b) Has Pre-Application Consultation taken place (for MAJOR developments: See Notes for Guidance)?

Yes No

If Yes, a Pre-application Consultation Report should accompany this application

7. Site Area**8. State whether applicant owns or controls any adjoining land (edged in blue on submitted plans)**.....0.2..... hectaresYes No **9. Existing/Proposed Uses**

Please indicate all existing and proposed uses that are the subject of this application:

Existing	Proposed
<u>vehicular & Pedestrian Access</u>	<u>The same.</u>

10. Commerce and Business**(A) Floorspace**

Please indicate the total amount of floorspace (in square metres) to which this application relates

N/A

Existing -

Proposed -

(A) Employment

Please indicate the number of staff employed (including part-time):

Existing -

Proposed -

(B) Traffic Flow

What is the anticipated traffic flow to the site during a normal working day? (No. of vehicles moving in and out of the site) (Include all vehicles except those used by individual employees driving to work)

Existing -

Proposed -

(C) Industrial Processes

In the case of industrial development, please give a description of the processes to be carried on and of the end products, as well as the type of machinery to be installed:

(D) Storage of Hazardous Substances

Will the proposal involve the use or storage of any materials of a type and quantity defined as hazardous substances? If YES, please state materials and quantities below:

11. Car Parking

Please indicate car parking facilities/spaces:

Existing: 2 Proposed: 2

12. Accesses and Rights of Way (Please tick those that apply)

- (A) There will be no new access to a highway (either vehicle or pedestrian), no alteration to an existing access to a public road and no alteration to any public right of way or other public path
- (B) There will be a new or altered access to a public road Vehicular Pedestrian
- (C) A public right of way or other public path will be affected by the proposed development

13. Trees

Will the proposed development involve the felling of any trees? (If YES, please indicate positions on plan) Yes No

14. Drainage and Water Supply

(A) Please state how surface water will be disposed of: Soak away through gravel

(B) How will foul sewage be dealt with? none involved

Mains sewer Septic Tank and Soakaway Other (Please specify).....

(C) From where will the proposed development receive its water supply? N/A

Public mains supply Private source

Where the water supply is from a private source, has any testing or analysis been undertaken?

Yes No N/A

Please indicate position of source on location/site plan, and where possible provide details of the source (e.g. borehole, spring etc.), and of any related pipework or apparatus

15. Materials

Please state type and colour of materials to be used (if known) N/A

	EXISTING	PROPOSED
Exterior Walls		
Roof		
Windows		

16. Additional Information

Is there any additional information you wish to give in support of this application?

Please see attached paper.

18 / 60866 / Ful.

17. Declaration

I hereby apply for planning permission and declare that, to the best of my knowledge, the information contained in this application and on the submitted plans is correct.

I attach FOUR copies of the application forms and enclose the application fee of £. 202....., together with:

- Four sets of the necessary plans and drawings
- In the case of MAJOR developments, a Pre-Application Consultation Report
- A Design and Access Statement or Design Statement, where the application site is situated within a conservation area, historic garden or designed landscape, a National Scenic Area, the site of a scheduled monument or the curtilage of an A Listed Building (see Notes for Guidance for further information)



Signed



on behalf of

Self

Date

20-7-16

18. Please complete Certificate A and Certificate B (please tick ONE box in each)

CERTIFICATE A under Section 35 of the Town and Country Planning (Scotland) Act 1997, as amended

I certify that:

- At the beginning of a period of 21 days ending with the date of this application, nobody other than the applicant was the owner¹ of all of the land to which the application relates
- OR
- The applicant has given the required notice to everyone who, at the beginning of the period of 21 days ending with the date of the accompanying application, was the owner¹ of any part of the land to which the application relates, as listed below:

Owner's Name	Address at which notice was served	Date on which notice was served
JGJ Homes	on site This is a shared access driveway	May 2016.

Signed



on behalf of

Date

11-7-16

CERTIFICATE B under Section 35 of the Town and Country Planning (Scotland) Act 1997, as amended

I certify that:

- At the beginning of a period of 21 days ending with the date of this planning application, none of the land to which the application relates is, or is part of, an agricultural holding;
- OR
- The applicant has given the required notice to every person other than the applicant who, at the beginning of 21 days ending with the date of the application, was a tenant of an agricultural holding on all or part of the land to which the application relates, as follows:

Tenant's Name	Address at which notice was served	Date on which notice was served

Signed



on behalf of

Date

11-7-16

Are you aware of any other persons who have an interest in the land that has at least seven years left to run

Ref 08/00626/REM.

This is a joint application between ourselves and JGJ Homes.

Mr Bath (JGJ Homes) consulted representatives of the Council, and was advised that a gravel surface would be acceptable. We have learned that these Council representatives should not have given this advice.

We had carried out the work on the drive and had laid a gravel and 'Eco mat' surface as advised. This was done before we learned the advice should not have been given.

The driveway is on a gradient and during snow and ice conditions in winter the gravel surface will provide a far better surface for vehicular traffic to grip the surface and exit the ~~to~~ public road. This is in the interest of Road Safety. The effect of the vehicles not being able to exit the road up the smooth bituminous surface, would mean that potentially there would be four extra vehicles on the carriageway, which is already narrow. We consider this to be a serious road safety hazard.

Pedestrians would have difficulty getting up the gradient on a smooth surface during ice and snow

There is also in issue of water runoff. A bituminous surface is impervious to rain water, and therefore rain would flow down onto the public road which, as can be seen by the rutting and numerous patchings up has a serious problem. Gravel would allow rain water to soak away naturally

A bituminous surface would not improve the aesthetics of the village as no nearby property has such a finish.

Statement to support Variation of Condition Application

Ref 13/00897/PPP

RECEIVED

21 JUN 2016

CL/CT

Condition 5 : The access road serving any dwelling built as a result of this planning permission shall be completed prior to the occupation of the dwelling, and shall incorporate the following requirements of the Director of Technical Services:

- Surface shall be 5.5 metres wide to a point 7.5 metres back from the edge of the public road
- Access road shall be 'straightened' to allow a perpendicular junction.
- A visibility splay of 2.5 x 70 metres must be provided in both directions and maintained in perpetuity.
- Road shall be formed in a bituminous material or similar approved to comply with Scottish Building Regulations.

This condition was missed originally as it was not detailed on the planning permission 14/00075/AMC but a reference to the outline permission was included later in the document.

We had consultations with Council Representatives who advised that we could finish with gravel rather than a bituminous material. (copy attached)

A completion certificate was issued in December which I assumed was a 'Completion Certificate' and covered all aspects of the build. This was my first experience of the Scottish Borders planning system.

Subsequently in May we received a letter from an enforcement officer stating that we had not complied with the above condition. (Attached) This was challenged and clarification sought.

It would appear that the council representatives who advised us were not in a position to do so.

The driveway in question is shared with 'Crawfield' whose owners are also applying for a variation.

We are therefore seeking a variation on the condition for the following reasons:

- 1 a bituminous finish is not within keeping with the rest of the village
- 2 Mr & Mrs Costello have reservations over slip risk in icy conditions of a bituminous surface
- 3 Advice given by council representative ,which was believed to be correct , was followed.

Yours

Graham Bath

For JGJ Homes

Mobile :

Email :

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Town and Country Planning (General Development Procedure) (Scotland) Order 1992

Application for Outline Planning Permission

Reference : 06/00243/OUT

**To : Mr Wilson per Richard Amos Limited 2 Golden Square Duns Scottish Borders TD11
3AW**

With reference to your application validated on **6th February 2006** for outline planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Erection of two dwellinghouses

at : Site At The Putting Green Auchencrow Scottish Borders TD14 5LS

The Scottish Borders Council hereby **grant outline planning permission** in accordance with the approved plan(s) and the particulars given in the application, and in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 **subject to the standard conditions** on the attached schedule:-

and **subject to the conditions on the attached schedule** imposed by the Council for the reasons stated :-

**Dated 11th July 2006
Planning and Economic Development
Council Headquarters
Newtown St Boswells
MELROSE
TD6 OSA**

Signed



Head of Planning & Building Standards

APPLICATION REFERENCE: 06/00243/OUT

STANDARD CONDITIONS

- a) In the case of any reserved matter, the application for approval must be made not later than the expiration of three years beginning with the date of grant of this outline planning permission
- b) That the development to which this permission relates must be begun not later than whichever is the later of the following dates:-
 - i) the expiration of five years from the date of this outline planning permission,
 - ii) the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

SCHEDULE OF CONDITIONS

- 1 The subsequent approval by the Planning Authority of the means of access, the layout of the site, the design and siting of any buildings and the landscape treatment of the site.
Reason: Approval is in outline only.
- 2 The means of water supply and of both surface water and foul drainage to be submitted for the approval of the Planning Authority.
Reason: To ensure that the site is adequately serviced.
- 3 The vehicular access to the site to be completed to the specification of the Planning Authority before the dwellinghouse is occupied.
Reason: In the interests of road safety.
- 4 Two parking spaces per dwelling to be provided on site.
Reason: In the interests of road safety.
- 5 A tree/shrub planting scheme to be submitted before the development commences for approval by the Planning Authority, the planting to be carried out concurrently with the development or during the next planting season thereto and to be maintained thereafter.
Reason: To maintain and enhance the visual amenities of the area.

FOR THE INFORMATION OF THE APPLICANT

it should be noted that:

The Director of Technical Services has confirmed that the following standards must be met:

- 1. The access road must be 5.5 metres wide to a point 7.5 metres back from the edge of the public road
- 2. The access drive to be formed perpendicular to the public highway.
- 3. A visibility splay of 2.5 x 70m in both directions to be provided in perpetuity.
- 4. The drive must be formed in a bituminous material.



Planning and Economic Development

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.

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 the applicant is aggrieved by the decision of the planning authority, an appeal may be made to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act, 1997, within six months from the date of this notice. The appeal should be addressed to the Chief Reporter, Scottish Executive Inquiry Reporter's Unit, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR.

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 V of the Town and Country Planning (Scotland) Act, 1997.

SCOTTISH BORDERS COUNCIL

DEVELOPMENT AND BUILDING CONTROL COMMITTEE

APPLICATION FOR PLANNING PERMISSION - PART II REPORT

REF : 06/00243/OUT
APPLICANT : Mr Wilson
AGENT : Richard Amos Limited
DEVELOPMENT : Erection of two dwellinghouses
LOCATION : Site At The Putting Green
Auchencrow
Scottish Borders
TD14 5LS
TYPE : Outline Application

Observations by Development Control Officer - Mr Alasdair Maclean

This application seeks to reinstate planning consent for the erection of 2 dwellings on the site of the Putting Green at Auchencrow. The previous consent lapsed and a subsequent application for a house and cattery was refused.

The Community Council have commented on the potential loss of parking for the village and the pub. A neighbour is concerned that the development will impact adversely on the character of the village. The impact on parking and traffic in the village has also been questioned.

The site lies within the heart of the village and is of a size that can accommodate a 2 house development. Form and design would still though remain important issues to resolve. In terms of access and parking, while requiring some details to be altered, the Director of Technical Services is satisfied that the necessary works can be provided.

As the previous consent has lapsed this proposal would be liable to contribute to the affordable housing programme.

Recommendation

I recommend the application be approved subject to an agreed commuted sum towards affordable housing being submitted under Section 69 of the local Government (Scotland) Act 1973, and subject to the following conditions:

1. The subsequent approval by the Planning Authority of the means of access, the layout of the site, the design and siting of any buildings and the landscape treatment of the site.
Reason: Approval is in outline only.
2. The means of water supply and of both surface water and foul drainage to be submitted for the approval of the Planning Authority.
Reason: To ensure that the site is adequately serviced.
3. The vehicular access to the site to be completed to the specification of the Planning Authority before the dwellinghouse is occupied.
Reason: In the interests of road safety.
4. Two parking spaces per dwelling to be provided on site.
Reason: In the interests of road safety.

5. A tree/shrub planting scheme to be submitted before the development commences for approval by the Planning Authority, the planting to be carried out concurrently with the development or during the next planting season thereto and to be maintained thereafter.
Reason: To maintain and enhance the visual amenities of the area.

Applicant Informative

The Director of Technical Services has confirmed that the following standards must be met:

1. The access road must be 5.5 metres wide to a point 7.5 metres back from the edge of the public road
2. The access drive to be formed perpendicular to the public highway.
3. A visibility splay of 2.5 x 70m in both directions to be provided in perpetuity.
4. The drive must be formed in a bituminous material.

DELEGATED PROCEDURE

It is considered that this application can be determined in accordance with the procedure for delegation to the Chairman, the Local Member and the Head of Planning & Building Standards.

_____ (Local Member) 15.6.6 (Date)
_____ (Chairman) 22/6/06 (Date)

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Town and Country Planning (General Development Procedure) (Scotland) Order 1992

Application for Approval of Reserved Matters

Reference: 08/00626/REM

To : Mr And Mrs P Costello Connacht Auchencraw Scottish Borders TD14 5LS

With reference to your application validated on **8th April 2008** for approval under the Town and Country Planning (Scotland) Act 1997 for reserved matters relating to outline planning permission for the following development:-

Proposal : Erection of dwellinghouse with integral garage

at : Plot 1 Site At The Putting Green Auchencraw Scottish Borders

The Scottish Borders Council hereby **approve** the application in accordance with the approved plan(s) and the particulars given in the application, and in accordance with Section 59 of the Town and Country Planning (Scotland Act 1997 **subject to the following standard condition:-**

that the development to which this approval relates must be begun not later than whichever is the later of the following dates:-

- (i) the expiration of five years from the date of the original outline planning permission
- (ii) the expiration of two years from the date of this approval

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

**Dated 27th May 2008
Planning and Economic Development
Council Headquarters
Newtown St Boswells
MELROSE
TD6 OSA**

Signer
Head of Planning & Building Standards

SCHEDULE OF CONDITIONS

- 1** **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.
Reason: To ensure that the development is carried out in accordance with the approved details.
- 2** **2** Prior to the commencement of the development hereby approved, a sectional drawing taken north-south across the site and including sections both through the dwelling and through the access shall be submitted to and approved in writing by the Planning Authority. The development shall be carried out in strict accordance with any agreed document submitted in pursuance of this condition.
Reason: To enable the precise relationship between the development and the local street and adjoining properties to be shown.
- 3** **3** A sample of all materials to be used on all exterior surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before development.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 4** **4** No development shall commence on the site until such a time that the telegraph pole presently situated at the point of proposed access has been relocated, in accordance with details that shall first have been approved by the Planning Authority.
Reason: For the avoidance of doubt, and to ensure that the site can be satisfactorily accessed during development.
- 5** **5** The development shall not be occupied until the vehicular access and parking/turning area described in the submitted drawings has been implemented in full.
Reason: In the interests of amenity and road safety.
- 6** **6** A visibility splay of 2.5 x 70 metres shall be provided in both directions and maintained in perpetuity, details of which shall first be submitted to and approved in writing by the Planning Authority.
Reason: In the interests of road safety.
- 7** **7** The access from the public road shall not be steeper than 1 in 8 gradient, and must be constructed to the following specification:
'40mm of 14mm size close graded bituminous surface course to BS 4987 laid on 60mm of 20mm size dense binder course (basecourse) to the same BS laid on 350mm of 100mm broken stone bottoming blinded with sub-base, type 1.'
Reason: to ensure that the site access is constructed to a safe specification, in the interests of amenity and road safety.

- 8 8 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 landscaping features and vegetation to be retained and, in the case of damage, restored
 - ii. location and design, including materials, of walls, fences and gates
 - iii. soft and hard landscaping works
 - iv. existing and proposed services such as cables, pipelines, sub-stations
 - v. other artefacts and structures such as street furniture, play equipment
 - vi. A programme for completion and subsequent maintenance.
- Reason: To ensure the satisfactory form, layout and assimilation of the development.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

1 This planning permission does not purport to give consent for the removal of any of the existing car parking spaces serving The Craw Inn public house.

2 It is incumbent on the developer to ensure that adequate water supply, surface water and sewage disposal accord with the relevant legislation and/or Regulations operated by SBC Building Standards, SBC Environmental Health, SEPA and the Water Authority.

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.

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 the applicant is aggrieved by the decision of the Planning Authority, an appeal may be made to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act 1997, within six months from the date of this notice. The appeal should be addressed to the Chief



*Planning and
Economic Development*

Reporter, Scottish Executive Inquiry Reporter's Unit, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR.

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 V of the Town and Country Planning (Scotland) Act 1997.

SCOTTISH BORDERS COUNCIL

BERWICKSHIRE AREA COMMITTEE

27th MAY 2008

APPLICATION FOR PLANNING PERMISSION

ITEM: **REFERENCE NUMBER:** 08/00626/REM

OFFICER: Mr John Hiscox
WARD: East Berwickshire
PROPOSAL: Erection of dwellinghouse with integral garage
SITE: Plot 1, Site at the Putting Green, Auchencrow
APPLICANT: Mr and Mrs P Costello
AGENT: None

SITE DESCRIPTION

The site is situated within the village of Auchencrow, near Reston on an area of land known as the Putting Green. It is situated on the south side of the main street through the village, opposite the Craw Inn. It is known to have been informally used by customers of the pub as a garden area in previous years, but is presently unused.

The site is situated prominently within the street scene, is elevated above it (steps currently lead up to it) and is visible from within the settlement and from distance. Any development here would clearly form part of the setting of the village.

PROPOSED DEVELOPMENT

This is a reserved matters application for a single dwelling; outline planning permission was granted under ref. 06/00243/OUT for two dwellings on the entire area known as the Putting Green. Plot 1 occupies the eastern half and contains the strip of land which would provide access for both plots.

The drawings show a two storey rectangle-plan dwelling with dormered upper floor accommodation and a rear (southern) extension, again two-storey in nature. A garage is proposed to the side, attached to the dwelling by an apex roof which would be sited over a thoroughfare (not public) through to the rear garden. Access for all purposes would be formed at the eastern edge of the site.

PLANNING HISTORY

06/00243/OUT – Erection of two dwellinghouses – Approved 11.7.06

00/00570/FUL – Erection of dwellinghouse with car port and accommodation to house cats – Refused 11.9.00

96/00029/OUT – Erection of two dwellinghouses – Approved 19.2.07

Informal pre-application dialogue took place early in 2008 between the developer and the planning authority, prior to submission of the application.

REPRESENTATION SUMMARY

A total of three letters of representation have been received from members of the public. A summary of the issues raised would be:

- The proposed development would be totally out of character with the village; inappropriate next to historic cottages;
- village of Auchencrow is being over-developed; additional development here would increase this problem;
- removal of trees on the site has already taken place – this has changed the whole aspect of the village;
- removal of a further tree to facilitate development would diminish privacy of adjoining occupiers
- building is too big for the plot – not in proportion with plot size;
- development would give rise to impact on privacy of neighbours and cause overshadowing;
- width of proposed access would make it encroach into pub car parking area;
- additional parking associated with new house would worsen already difficult parking conditions when pub is busy;
- adequacy of sewage system to deal with additional discharge is not known.

APPLICANTS' SUPPORTING INFORMATION

No specific items submitted.

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Director of Technical Services (Road Users Manager): No objection to the principle subject to the scheme incorporating detailed points raised at outline stage.

Statutory Consultees

Reston and Auchencrow Community Council: The response is not stated as an objection but clearly raises concerns about the development, as follows:

- concern over increase in traffic because of narrowness of road and close proximity to the school;
- plans do not appear to identify off-street parking;
- farm vehicles would have access problems;
- building would not be in keeping with other development nearby – side elevations higher than adjoining buildings;
- further building would contribute to already overstretched services i.e. water and sewage.

Other Consultees

None.

DEVELOPMENT PLAN POLICIES:

Scottish Borders Structure Plan 2001-2011

Policy N20 – Design

Policy I11 – Parking Provision in New Development

Scottish Borders Local Plan: Finalised December 2005

Policy G1 – Quality Standards for New Development

Policy H2 – Protection of Residential Amenity

Policy Inf4 – Parking Standards

OTHER PLANNING CONSIDERATIONS:

Adopted SBC Supplementary Planning Guidance:

- New Housing in the Borders Countryside (December 1993)

KEY PLANNING ISSUES:

- whether the overall design of the development is considered to be acceptable in visual terms, having regard to the local village environment;
- if the overall design is considered to be acceptable, whether the development would be acceptable in terms of its relationship with existing dwellings and occupiers (amenity, privacy);
- whether there are any technical difficulties arising that would preclude the development being supported.

ASSESSMENT OF APPLICATION:

Planning Principle

As the site already has outline planning permission consideration of the application only relates to the appropriateness and impact of the proposed house.

Site Layout:

The development proposed would give rise to a single dwelling, in effect on half the site with outline planning permission granted under 06/00243/OUT for two dwellings overall. The indicative layout plan forming part of the outline planning permission showed the total site to be subdivided in a similar manner to that now shown.

Design/Visual Appearance:

Bearing in mind that the site is not within a conservation setting, although it is prominent, there must be some flexibility in terms of design and visual impact. The dwelling would have a slate roof over render with white uPVC windows arranged with some symmetry in the front elevation. The rear section would include non-traditional windows in addition to two eyebrow dormer features. Because there would be some symmetry in this rear elevation, this is a sensible approach. The architectural treatment of this elevation is not unpleasing.

The principle of development of two dwellings having been accepted, there would inevitably be some change to the street setting. With this in mind, the overall visual impact is considered to be acceptable.

Impact on Amenity:

It would be difficult to sustain resistance to the development on the basis of impact on amenity. The side elevations contain no windows at first floor level; the window to window distances at first floor level exceed 18m; the height to ridge is 7m. It is therefore considered that the future relationship between dwellings would be reasonable.

Technical Issues:

Matters of access, available services and relocation of a telegraph pole have been considered at outline stage; the principle should not now be re-tested, as long as the development details at reserved matters stage do not conflict with the position created by the outline permission.

The SBC Roads specialist has not identified any specific issues relating to road safety; water and sewage provision would be considered/monitored via the Building Standards, SEPA and the Water Authority.

Relocation of the telegraph pole may be critical to the acceptance of the access – in the event of planning permission being granted, a planning condition would adequately deal with this issue.

Response to Remaining Objections:

Over-development:

It is unlikely that over-development would be re-considered at reserved matters stage, as the outline planning permission agrees to the establishment of two building plots. However, it is relevant to consider whether the house is too large for the development site.

Removal of Trees:

No trees on site were considered at outline stage to be worthy of protection either by conditions or via a Tree Preservation Order – their removal is not material to the present planning situation. However, a requirement of the outline permission is for landscaping to be further assessed. Any approved landscaping scheme would contain details of new planting, which would offset the impact of any trees removed to date.

Proportion of Dwelling to plot size:

The site size is modest; the footprint and bulk of the proposed dwelling are considered to be compatible with the site and surroundings.

Impact on parking available to pub:

The site contains a small area of land available for creation of the access shown, not within the pub car parking area.

None of the other issues raised, either by the public or the Community Council, are considered to have such a material and adverse impact as to justify refusal of the application.

CONCLUSION

It is considered that the development proposals described would give rise to an acceptable form of development in terms of the visual impact, impact on amenity of neighbouring occupiers and uses and the capability of the site to be developed without technical constraints.

The issues raised in objection to the development are not considered to outweigh its general acceptability; therefore, it is recommended that the application be approved.

RECOMMENDATION BY HEAD OF PLANNING AND BUILDING STANDARDS:

I recommend the application is approved subject to the following 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.
Reason: To ensure that the development is carried out in accordance with the approved details.
- 2 Prior to the commencement of the development hereby approved, a sectional drawing taken north-south across the site and including sections both through the dwelling and through the access shall be submitted to and approved in writing by the Planning Authority. The development shall be carried out in strict accordance with any agreed document submitted in pursuance of this condition.
Reason: To enable the precise relationship between the development and the local street and adjoining properties to be shown.
- 3 A sample of all materials to be used on all exterior surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before development.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 4 No development shall commence on the site until such a time that the telegraph pole presently situated at the point of proposed access has been relocated, in accordance with details that shall first have been approved by the Planning Authority.
Reason: For the avoidance of doubt, and to ensure that the site can be satisfactorily accessed during development.
- 5 The development shall not be occupied until the vehicular access and parking/turning area described in the submitted drawings has been implemented in full.
Reason: In the interests of amenity and road safety.
- 6 A visibility splay of 2.5 x 70 metres shall be provided in both directions and maintained in perpetuity, details of which shall first be submitted to and approved in writing by the Planning Authority.
Reason: In the interests of road safety.
- 7 The access from the public road shall not be steeper than 1 in 8 gradient, and must be constructed to the following specification:
'40mm of 14mm size close graded bituminous surface course to BS 4987 laid on 60mm of 20mm size dense binder course (basecourse) to the same BS laid on 350mm of 100mm broken stone bottoming blinded with sub-base, type 1.'
Reason: to ensure that the site access is constructed to a safe specification, in the interests of amenity and road safety.
- 8 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 landscaping features and vegetation to be retained and, in the case of damage, restored
 - ii. location and design, including materials, of walls, fences and gates
 - iii. soft and hard landscaping works

- iv. existing and proposed services such as cables, pipelines, sub-stations
 - v. other artefacts and structures such as street furniture, play equipment
 - vi. A programme for completion and subsequent maintenance.
- Reason: To ensure the satisfactory form, layout and assimilation of the development.

Informatives:

- 1 This planning permission does not purport to give consent for the removal of any of the existing car parking spaces serving The Craw Inn public house.
- 2 It is incumbent on the developer to ensure that adequate water supply, surface water and sewage disposal accord with the relevant legislation and/or Regulations operated by SBC Building Standards, SBC Environmental Health, SEPA and the Water Authority.

Approved by

Name	Designation	
Brian Frater	Head of Planning and Building Standards	

“The original version of this report has been signed by the Head of Planning and Building Standards and the signed copy has been retained by the Council.”

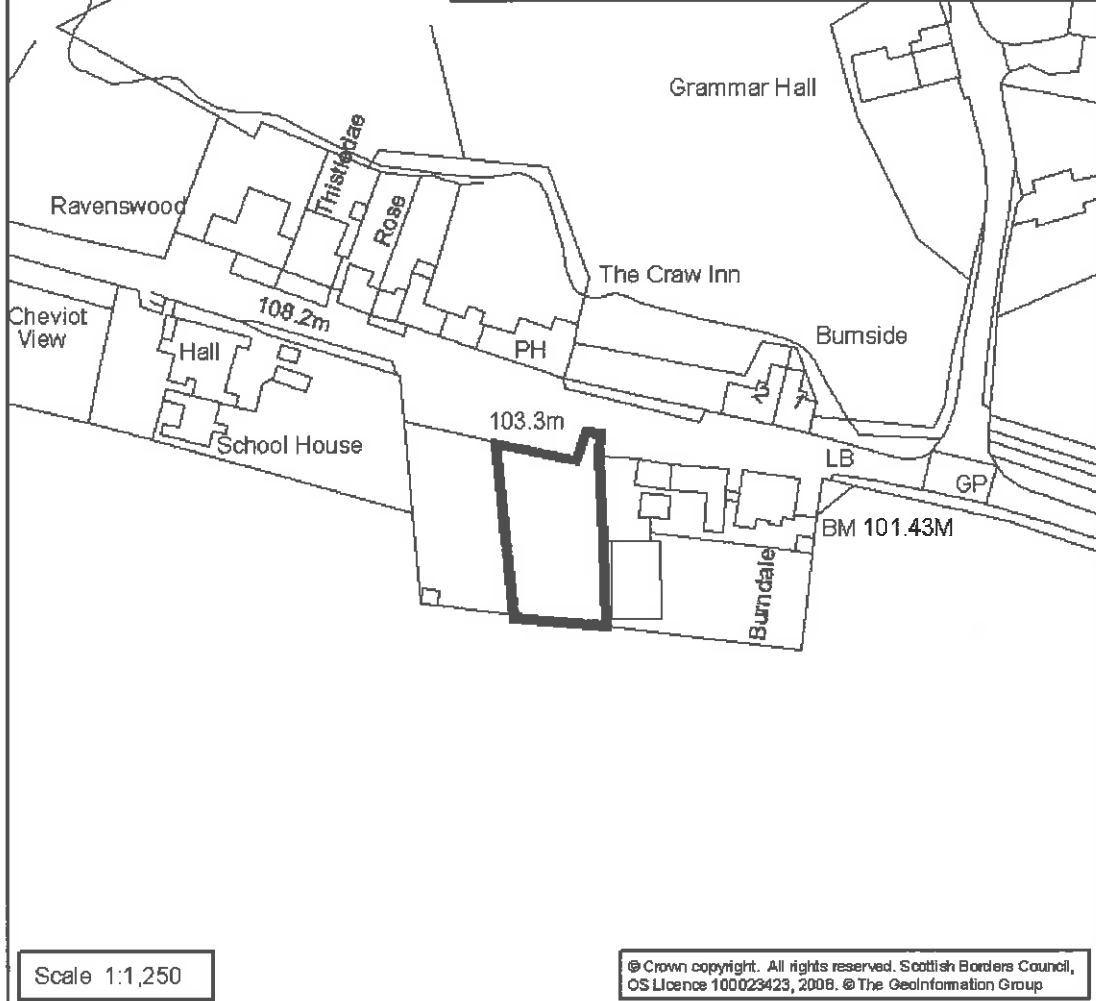
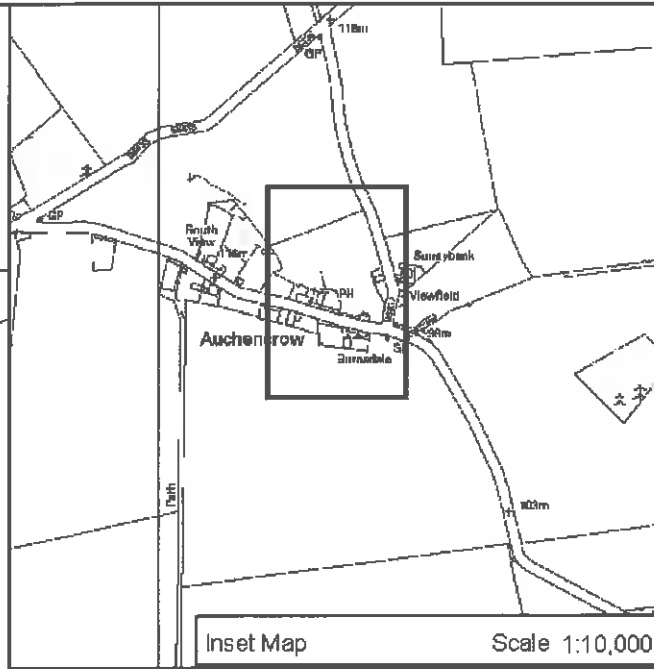
Author(s)

Name	Designation
Mr John Hiscox	Planning Officer

08/00626/REM



Plot 1 Site
At The Putting Green
Auchencrow



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TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Application for Planning Permission

Reference: 13/00897/PPP

To: Mr And Mrs Brian Horan Ravenswood Auchecrow Eyemouth Scottish Borders TD14 5LS

With reference to your application validated on **31st July 2013** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal: Erection of dwellinghouse (renewal of planning permission 10/00680/PPP)

at: Plot 2 Site At The Putting Green Auchencrow 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 conditions on the attached schedule imposed by the Council for the reasons stated

**Dated 16th September 2013
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed


.....
Head of Planning and Regulatory Services

APPLICATION REFERENCE : 13/00897/PPP

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
	Site Plan	Approved

REASON FOR DECISION

By virtue of the relationship of the development site with the existing building group at Auchencrow, and having regard to the ability of the developer to provide an acceptable access arrangement, it is considered that the proposal accords with development plan policies D2, G1 and H2 and supplementary planning guidance relating to rural housing and development quality.

SCHEDULE OF CONDITIONS

- 1 Approval of the details of the layout, siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site shall be obtained from the Local 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 by the Planning etc (Scotland) Act 2006.
- 2 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.
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 by the Planning etc. (Scotland) Act 2006.
- 3 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.
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 by the Planning etc. (Scotland) Act 2006.
- 4 A vehicle turning area and two parking spaces, not including garage spaces, shall be provided within the site.
Reason: In the interests of road safety
- 5 The access road serving any dwelling built as a result of this planning permission shall be completed prior to occupation of the dwelling, and shall incorporate the following requirements of the Director of Technical Services:
- surface shall be 5.5 metres wide to a point 7.5 metres back from the edge of the public road
- access road shall be 'straightened' to allow a perpendicular junction

- a visibility splay of 2.5 x 70 metres must be provided in both directions and maintained in perpetuity.

- road shall be formed in a bituminous material or similar approved to comply with Scottish Building Regulations.

Any submission for Approval of Matters specified in Conditions submitted subsequent to this Planning Permission in Principle shall show clearly how these standards shall be met.

Reason: in the interests of amenity and road safety.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

The access from the public road shall not be steeper than 1 in 8 gradient, and must be constructed to the following specification:

'40mm of 14mm size close graded bituminous surface course to BS 4987 laid on 60mm of 20mm size dense binder course (base course) to the same BS laid on 350mm of 100mm broken stone bottoming blinded with sub-base, type 1.'

Reason: to ensure that the site access is constructed to a safe specification, in the interests of amenity and road safety.

The applicant is advised that details of SEPA regulatory requirements and good practice advice can be found on SEPA website at www.sepa.org.uk/planning.aspx. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at: Burnbrae, Mossilee Road, Galashiels, TD1 1NF, 01896 754797. If you have any queries relating to this letter, please contact SEPA by telephone on 0131 273 7334 or e-mail at planning.se@sepa.org.uk

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 (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 enclosed with this decision notice for this purpose.

Notice of Completion of Development

Section 27B 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:



Planning and Regulatory Services

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.

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO THE HEAD OF PLANNING
AND REGULATORY SERVICES**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 13/00897/PPP

APPLICANT : Mr And Mrs Brian Horan

AGENT :

DEVELOPMENT : Erection of dwellinghouse (renewal of planning permission 10/00680/PPP)

LOCATION: Plot 2 Site At The Putting Green
Auchencrow
Scottish Borders

TYPE : PPP Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
	Site Plan	Approved

NUMBER OF REPRESENTATIONS: 0
SUMMARY OF REPRESENTATIONS:

Roads Officer: I have no objections to the renewal of this application. It should be noted that the improvements to the access highlighted during the original outline application for both plots have been undertaken during the construction of Plot 1. The only outstanding point is the surfacing of the private access road to our satisfaction. The surfacing of this access must be completed prior to occupation of the unit.

Community Council: No objection.

Education: Development located in the catchment area for Reston Primary School and Eyemouth High School. As the applicant has paid the developer contributions in a previous application there will be no contributions sought for this application.

Archaeology: No objection. There are no known archaeological implications for this proposal.

SEPA HQ: No objection. SEPA advise an informative in respect of SEPA contact details for advice on regulatory requirements.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Consolidated Local Plan 2011

G1 Quality Standards for New Development
H2 Protection of Residential Amenity
D2 Housing in the Countryside

SPG

New Housing in the Borders Countryside
Developer Contributions

Recommendation by - Lucy Hoad (Planning Officer) on 11th September 2013

History

06/00243/OUT Erection of two dwellinghouses Approved subject to conditions and informatives 11.07.2006

08/00626/REM Erection of dwellinghouse with integral garage
Approved subject to conditions and informatives 30.05.2008 This application relates to the adjoining Plot 1.
The dwelling house, known as Crawfield, has been constructed.

10/00680/PPP Erection of dwellinghouse. Approved subject to conditions 03.09.2010

This renewal application received 31 July 2013 is for planning permission in principle for the erection of a dwellinghouse at plot 2 The Putting Green, Auchencrow, in Berwickshire. To the west of the site is a private dwelling and garden serving a property, or properties outwith the control of the applicant. To the east, is a developed site outwith the control of the applicant known as Site 1 The Putting Green. To the south beyond the boundary are open fields and to the north, on the opposite side of the road is the public house known as The Crow, and a number of traditional terraced dwellings.

The principle of this development has already been established through the earlier outline planning permission. In assessing this proposal for renewal of permission, it is necessary to determine whether there are any material factors or changes in circumstances/policy since the original determination that would warrant a change of view.

Policy D2 allows for expansion of an existing building group, with additional housing of up to a total of 2 No units or a 30% increase in the group within the current Local Plan period. Given the number of existing houses within the group at Auchencrow there is potential for an additional house at this location. The building group has expanded in size over the last ten years to comprise in excess of twenty properties, with newbuild housing constructed on both the north and south of the road that runs through the village. Thus there is a mixture of traditional and modern housing displaying a variety of house styles and building materials.

The submitted drawing reflects the original plot boundary, approved under the previous consent. Plots within the village vary in size and there are examples of plots of a similar size to the proposed site. The concept of a detached property within this plot is considered acceptable, providing the site can accommodate it satisfactorily, without detriment to the character of the area.

Archaeology

The Archaeologist has raised no concerns stating that there are no known archaeological implications for this proposal

Services

It is intended to connect to the mains public supply in respect of water provision. It is intended to connect to the Scottish Water sewage Network. SEPA have no objections to the planning application.

Neighbouring Amenity

Policy H2 requires that proposals are assessed in terms of the impact on residential amenity. No details have been provided with regard to the position, orientation or design of the proposed house at this stage. Thus there are no details on fenestration at present but if the design and location of the windows were treated in a sympathetic manner there should be no issues with regard to loss of privacy for other properties stemming from this proposal.

Access and Parking

With regards to Policy INf4 the parking standards for general housing require 2 resident's parking spaces per dwelling unit. To ensure road safety, the Roads Officer requires that the surfacing of the access road meet the specification sought at the previous outline stage.

Conclusion

The site and location is considered acceptable without creating significant adverse effects on the landscape and amenity of the surrounding area. The siting, layout and design of the house to include details of the access route and drainage shall require to be addressed in full through submission of a further detailed application at the stage of seeking consent in full for the proposal. Planning permission for the erection of a house on this site has been granted in the past. Circumstances have not changed in the intervening period and there are no reasons not to renew this consent.

Developer contributions

A section 69 Legal Agreement in respect of development contributions (Education provision) was entered into on 01 October 2010 in relation to application 10/00680/PPP. No further contributions shall be sought in respect of the current application.

REASON FOR DECISION :

By virtue of the relationship of the development site with the existing building group at Auchencrow, and having regard to the ability of the developer to provide an acceptable access arrangement, it is considered that the proposal accords with development plan policies D2, G1 and H2 and supplementary planning guidance relating to rural housing and development quality.

Recommendation: Approved - conditions & informatives

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"Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling".

From:Hoad, Lucy
Sent:22 Jun 2016 10:18:15 +0100
To:'Anne Costello'
Cc:Green, Peter
Subject:RE: Access Drive, Plots 1 & 2 The Putting Green, Auchencrow TD14 5LS.

Good Morning

Thank you for your email.

There are 2 choices for you to consider 1) to comply with the planning consent (a combination of the PPP and AMC applications) which lays down the conditions to be met or 2) make an application to remove or alter a condition that you consider to be unreasonable.

On receipt of an application to remove or alter a condition attached to a consent a consultation exercise would be carried out to include the Roads Officer and his opinion would be a material consideration in the assessment of the proposal.

I would expect that the application to remove the condition is unlikely to be supportive which leaves the question of varying the condition. I would expect that surfacing (as per specification) to the communal/shared section of the access would be required in this instance to satisfy the concerns of the Roads Officer.

I trust this answers your planning enquiry.

Kind regards
Lucy

-----Original Message-----

From: Anne Costello
Sent: 17 June 2016 08:54
To: Hoad, Lucy
Subject: Access Drive, Plots 1 & 2 The Putting Green, Auchencrow TD14 5LS.

Dear Ms Hoad,

With reference to letter sent by M G Bath on the 8th June, as the owner of the other property involved, I ask that I am kept informed of the progress of the matter.

Regards
Phil Costello

Sent from my iPad

