

From: SHerkes@scotborders.gov.uk
Sent: 26/05/2017 11:12:54
To: dburgher@aitken-turnbull.co.uk
Cc: barry@austin-travel.co.uk; aweir@aitken-turnbull.co.uk
Subject: RE: 17/00479/FUL - Contribution Letter
Email Ref: EML-INC/AT2669/20170526-113133-255
Project: AT2669
Description: Proposed New Dwelling
Location: Earlston
Client: Mr Barry Austin

David




Noted with thanks

Regards

Stuart

Stuart Herkes MRTPI
Planning Officer (Development Management)
Regulatory Services
Scottish Borders Council
Council Headquarters
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Scottish Borders
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To assist us with your enquiry, please quote the relevant Planning Reference Number in your correspondence.

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From: David Burgher [mailto:dburgher@aitken-turnbull.co.uk]
Sent: 26 May 2017 10:11
To: Herkes, Stuart
Cc: Barry Austin; Alistair Weir
Subject: RE: 17/00479/FUL - Contribution Letter

REFERENCE EML-OUT/AT2669/20170526-101033-010

Stuart

As discussed we can debate the orientation of the house and any other detail post FRA response.

I am content with the processing agreement.

David

From: Herkes, Stuart [mailto:SHerkes@scotborders.gov.uk]
Sent: 24 May 2017 14:55
To: David Burgher <dburgher@aitken-turnbull.co.uk>
Cc: Barry Austin <barry@austin-travel.co.uk>; Alistair Weir <aweir@aitken-turnbull.co.uk>
Subject: RE: 17/00479/FUL - Contribution Letter

David

Please find attached a draft PPA agreement. I am yet to receive advice from our Flood Prevention and SEPA but the consultation runs to 30 May, and I would thereafter need to allow a little time for me to present the application for determination. To some extent this agreement is a place-holder in that I need to allow that SEPA or Flood Prevention may seek clarification, while – as previously discussed and confirmed – I do maintain concerns with respect to the orientation of the proposed dwellinghouse, and would allow at this stage (even allowing for satisfactory resolution of the flood risk issues) that the proposal may not be supported on design grounds. However, and since I cannot pre-judge any decision-maker's views on these matters, I have also allowed within the PPA for the application to be supported, which would then require agreement thereafter, as to the type of legal agreement your client would be prepared to enter into.

I can keep the application live (undetermined) for now under this agreement (that is, beyond its target date of the end of the week), until we have the various Flood Risk Authorities responses, which hopefully should be by or before 30 May. Depending on what those responses are, I will need to review, and see whether or not any further information/clarification would be required from you.

I trust that this is in order, but please do not hesitate to contact me if you require further advice/clarification.

Regards

Stuart

Stuart Herkes MRTPI
Planning Officer (Development Management)
Regulatory Services
Scottish Borders Council



PLANNING PROCESSING AGREEMENT

This processing agreement between *Scottish Borders Council* and *Austin Travel* aims to identify the key milestones in the planning application process and sets out the information required to process the application. This processing agreement is not legally binding.

Site Address: *Land North East Of And Incorporating J Rutherford Workshop Rhymers
Mill Mill Road Earlston
Scottish Borders*

Brief description of proposal: *Erection of dwellinghouse*

Decision: Subject to the achievement of the timetable set out in this document, including provision of all necessary information by the applicant and consultees, the application will be referred to the appropriate committee of the Council no later than

APPLICATION DETAILS

Reference number	17/00479/FUL
Site Address	Land North East Of And Incorporating J Rutherford Workshop Rhymers Mill Mill Road Earlston Scottish Borders
Description of development	Erection of dwellinghouse
Application Type	Full Application
Other consents required	Building Warrant, SEPA license
Likely delegate application	No

KEY CONTACTS

The persons identified below are the key contacts between the Council and the Applicant. The key contacts will liaise regularly on the progress of the application and will contact each other as soon as possible should any matter arise which is considered likely to delay progress with processing the application. (Include names, phone numbers and email addresses)

Applicant	Austin Travel Coach & Minibus Hire 1 Station Road Earlston Scotland TD4 6BZ
Agent	Aitken Turnbull Architects Ltd 9 Bridge Place Galashiels Scottish Borders TD1 1SN admin@aitken-turnbull.co.uk
Officer	Stuart Herkes

	<i>Planning Officer</i>
Alternative Local Authority Contact	<i>Ian Aikman (Development Manager, Major Applications)</i>

AGREED ACTIONS

Action		Who/when
1	Re-consultation and Responses back from SEPA and others	Consultees by no later than 30 May 2017
2	Assuming that there is no requirement for further details to be supplied and reviewed, Planning Officer to present application for determination	Planning Officer by no later than 06 June 2017
3	In the event of refusal, Decision Notice to be issued by SBC (no legal agreement)	SBC by no later than 09 June 2017
4	In the event of approval, PPA to be revisited and extended to include appropriate provisions for the conclusion of a legal agreement (s69 or s75). If the latter, this is liable to take the date of issue of any Decision Notice beyond determination, by around 3 months (and therefore into mid September 2017). However, it would be appropriate to revisit the PPA informed by the actual circumstances, which may allow a Decision Notice to be issued more quickly. An S69 could be issued within 10 days to 2 weeks normally.	At the time of writing, it is not anticipated that the current design (principally layout) can be supported, but in the event of approval (the decision-makers' assessment is not pre-judged), there would be ulterior requirements to ensure that an appropriate legal agreement were in place to secure development contributions, which would require arrangements to be put in place for the period from determination to release of consent, which would lie beyond the end of June 2017; this requirement could be updated further to determination and consultation with Legal, and would depend upon whether or not a S69 or S75 legal agreement were ultimately to be concluded.

Signed..... On behalf of
Scottish Borders Council

Signed on behalf of