

**SCOTTISH BORDERS COUNCIL**

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO  
CHIEF PLANNING OFFICER**

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF :** 15/00965/FUL

**APPLICANT :** Cleek Lodges Ltd

**AGENT :**

**DEVELOPMENT :** Erection of 8 No holiday lodges and 1 No hub-house (revision to previous consent 12/00902/FUL)

**LOCATION:** Land West Of Former William Cree Memorial Church Kirkburn Cardrona  
Peebles  
Scottish Borders

**TYPE :** FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
196 20 REVISION B	Block Plans	Submitted
196 21 REVISION A	Floor Plans	Submitted
196 22 REVISION B	Elevations	Submitted
196 23 REVISION B	Elevations	Submitted

**NUMBER OF REPRESENTATIONS: 3**

**SUMMARY OF REPRESENTATIONS:**

**Roads Planning:**

The principle of holiday accommodation at this location has been established through the previous consent 12/00902/FUL. The current proposal is for a revision of the previous application. As such I have no objections to the principle. However, the current application does not appear to have included details of the junction onto the public road. This was previously covered by drawing PL 15 and condition 5 of the previous consent and I shall require a similar detail submitted, and condition attached to any approval for the current application.

**Economic Development:**

Economic Development had no objection to the original application however we cannot further comment on the revised application without the following information:

o Sight of a full and detailed up to date Business plan which should include financial forecasts and a marketing plan. We cannot give any kind of clear steer on this application without the correct information at this stage.

**Environmental Health:**

**Amenity and Pollution**

## Assessment of Application

Air Quality  
Drainage Arrangements  
Water supply

This Application includes proposals to erect 6 No holiday lodges and a hub house.

The proposals indicate the presence of biomass combustion equipment. This can be a source of air quality and odour problems if not properly installed and maintained.

This Application proposes to use a private drainage system.

The applicant has not indicated on the application form how the dwelling will be serviced with drinking water.

Any house that does not have an adequate piped supply of wholesome water within the property will fail the tolerable standard as defined by Section 86 of the Housing (Scotland) Act 1987.

If the dwelling is to be serviced by a private water supply the applicant will need to provide details to demonstrate that the supply will be adequate for the size of the dwelling and not affect supplies in the vicinity. In order to do this the application should provide the following information:

1. The type of supply ie borehole, spring, well etc
2. The location of the source by way of an 8 digit reference number.
3. Details of other properties on the supply (if the supply is an existing one)
4. Estimated volume of water that the supply will provide (details of flow test)
5. Evidence that this supply will not have a detrimental effect on supplies in the area
6. Details of any emergency tanks
7. Details of treatment to be installed on the system.
8. Details of any laboratory tests carried out to ensure the water is wholesome.

For information, the minimum daily volume of water that requires to be supplied by a private water supply must be equivalent to one cubic metre (or 1000 litres) of water per day for every five persons who will be using the supply. It is the provision of this quantity that must be ensured and, as such, water storage facilities may be necessary for this purpose. In addition, when designing storage facilities, the minimum recommended capacity is three day's worth of supply, in order to allow for supply interruption/failure.

If the dwelling is serviced by a public water supply then the applicant should provide written communication from Scottish Water indicating that the development will be accepted on to their supply.

### Air Quality

In order to allow an air screening assessment to be carried out the applicant can carry one out using the biomass unit conversion and screening tool at <http://iaqm.co.uk/guidance/>

Alternatively if the following information is provided the screening calculation will be carried out for you:

1. Flue diameter
2. Flue Height
3. Make and model of the boiler
4. Size of boiler (Kw)
5. Thermal efficiency of the boiler
6. Type of fuel to be used (pellets, chips etc)
7. The height and width of the building the boiler will be housed in
8. The height and width of any building within a distance of 5 times the stack height
9. Emission Factor PM10
10. Emission Factor NOx

Where manufacturer's Emission Factors are unavailable, A notional value derived from Guidance will be used.

#### Recommendation

Further information required before Application can be determined.

#### Conditions

No development should commence until the applicant has provided evidence that arrangements are in place to ensure that the private drainage system will be maintained in a serviceable condition

Reason: To ensure that the development does not have a detrimental effect on public health.

No development should commence until the applicant has provided evidence that the site will be serviced by a wholesome supply of drinking water of adequate volume. The supply should not have a detrimental effect on other private water supplies in the area.

Reason: To ensure that the site is adequately serviced without a detrimental effect on the water supplies of surrounding properties.

#### Informative

##### Private Drainage System

Private drainage systems often cause public health problems when no clear responsibility or access rights exists for maintaining the system in a working condition.

Problems can also arise when new properties connect into an existing system and the rights and duties have not been set down in law.

To discharge the Condition relating to the private drainage arrangements, the Applicant should produce documentary evidence that the maintenance duties on each dwelling served by the system have been clearly established by way of a binding legal agreement. Access rights should also be specified.

##### Water Supply

As the proposal may result in the general public consuming the water from the private water supply, the supply will be classed as a Type A. This will mean that the supply will be subjected to annual water testing and a risk assessment of the supply. The applicant should contact an Environmental Health Officer before becoming operational to discuss testing of the water.

##### Biomass

All combustion plant and associated flues should be maintained and serviced in accordance with the manufacturer's recommendations.

The combustion plant should only use fuel of a type and grade as specified by the manufacturer and which has been used for the basis of the air quality assessment.

#### Landscape Architect:

##### Description of the Site

The site is currently an agricultural field immediately to the west of William Cree Church, its churchyard, and several residential properties served by the same access off the minor road between Cardrona and Peebles to the south of the River Tweed. The site is wholly within the designated Tweed Valley Special Landscape Area (SLA) and as such merits a high level of protection against inappropriate development. Kailzie, immediately to the north on the other side of the minor road, is included on the Inventory of Gardens and Designed Landscapes in Scotland, noted for its inner parkland policies which contain a large walled garden, a wild garden and a range of mainly 19th century estate buildings.

The field is steeply sloping down to the north, with a steep embankment down to the minor road which limits views into the site from the road. The entrance to the site has been achieved by rather crude earthworks. The woodland on the north side of the minor road offer valuable screening to the lower part of the site from the main road (A72) on the other side of the valley.

#### Nature of the Proposal

The proposal is for 8no holiday lodges and 1no hub-house on part of a bigger site that has consent for nine holiday lodges, including an activity centre.

#### Implications of the Proposal for the Landscape including any Mitigation

My comments relate to this application although they have been judged alongside the adjacent application (15/00831/FUL - for 6 sheds and laundry building).

I have concerns about this application for the following reasons:

1. This application locates the lodges in a straight row and in very close proximity to each other - no effort has been made to create an attractive layout that reflects the rural nature of the site. It would appear the applicant has gone for a layout that maximises the number of lodges at the expense of the layout.
2. The lodges - compared to the consented scheme - have been moved more than 10m further north with the result that a meaningful structure planting belt of trees is no longer achievable and this, coupled with a ridge height to the north elevation of almost 7m, means that the lodges will be highly visible and visually intrusive when seen from the B7062
3. As well as being significantly reduced, the tree belt along the north eastern boundary has been moved right out to the boundary which could result in it impacting on the former William Cree Memorial Church and the adjacent residential properties.
4. I have concerns about the entrance detail - I do not consider a dwarf retaining wall in concrete block is appropriate in this rural location. I suggest that in order to address level changes the retaining structure should be a drystone wall reinforced bank (displaying a 5-15% batter rather than vertical) built onto a concrete foundation.

#### Conclusion

I suggest that the applicant should reconsider the layout, reducing the number of units and arranging them so that they offer a greater level of amenity and address my concerns about visibility from the adjacent public road.

I do not support this application in its current form.

#### Description of the Site

The site is currently an agricultural field immediately to the west of William Cree Church, its churchyard, and several residential properties served by the same access off the minor road between Cardrona and Peebles to the south of the River Tweed. The site is wholly within the designated Tweed Valley Special Landscape Area (SLA) and as such merits a high level of protection against inappropriate development. Kailzie, immediately to the north on the other side of the minor road, is included on the Inventory of Gardens and Designed Landscapes in Scotland, noted for its inner parkland policies which contain a large walled garden, a wild garden and a range of mainly 19th century estate buildings.

The field is steeply sloping down to the north, with a steep embankment down to the minor road which limits views into the site from the road. The entrance to the site has been achieved by rather crude earthworks. The woodland on the north side of the minor road offer valuable screening to the lower part of the site from the main road (A72) on the other side of the valley.

#### Nature of the Proposal

The proposal is for 8no holiday lodges and 1no hub-house on part of a bigger site that has consent for nine holiday lodges, including an activity centre. An amended layout has altered the location of the hub house bringing it right next to the entrance and moving the lodges around to utilise the gap, also moving them slightly to reduce the very rigid nature of their layout.

#### Implications of the Proposal for the Landscape including any Mitigation

My comments relate to this application although they have been judged alongside the adjacent application (15/00831/FUL - for 6 sheds and laundry building).

I have concerns about this amended layout for the following reasons:

1. This application still locates the lodges in very close proximity to each other - very little effort has been made to create an attractive layout that reflects the rural nature of the site. The applicant still has gone for a layout that maximises the number of lodges at the expense of the layout.
2. The lodges - compared to the consented scheme - still remain about 10m further north than the original lodges location, with the result that a meaningful structure planting belt of trees is no longer achievable and this, coupled with a ridge height to the north elevation of almost 7m, means that the lodges will be highly visible and visually intrusive when seen from the B7062
3. As well as being significantly reduced, the tree belt along the north eastern boundary is still shown right out to the boundary which could result in it impacting on the former William Cree Memorial Church and the adjacent residential properties.
4. The entrance detail has been improved with some effort being made to create a more vernacular style but this could be improved further.

#### Conclusion

As suggested in my comments of 16th October to the original layout, the applicant should reconsider the layout, reducing the number of units and arranging them so that they offer a greater level of amenity and address my concerns about visibility from the adjacent public road.

I do not support this application in its current form.

My comments relate only to this application although they have been judged alongside the adjacent application (15/00831/FUL - for 6 sheds and laundry building).

I still have concerns about the layout for the following reasons:

1. The increased size of the lodges (from those originally consented) means that they are taller buildings in close proximity to each other, making screening from sensitive receptors more difficult.
2. The lodges - compared to the consented scheme - are still located further north than the original lodges location, and although a further 5m of screen planting has been added, if the sections are reasonably accurate, there is going to be a period of 10+ years when the lodges will be fully visible from the public road.
3. The tree belt along the north eastern boundary is still shown right out to the boundary which may mean that, in the future, it will impact on the former William Cree Memorial Church and the adjacent residential properties.

#### Conclusion

I consider the increased size, especially the increased height needed to achieve a two storey lodge, is not appropriate for this site and could have a disproportionate visual impact on the immediate area. A scheme that more closely reflects the scale and size of the previously consented lodges, i.e. single storey lodges, would be more appropriate. The amended layout shows a woodland screen planting belt of 13 -15m width which will in time filter views to the lodges, but given the sensitive nature of the site in the Tweed Valley SLA, a detailed tree planting scheme showing a minimum planting width of 13m along the north boundary and to the east, south and west should be a condition of any consent and should include a full planting, establishment and maintenance specification to ensure that these mitigation measures are successful.

Archaeology Officer:

Thank you for requesting an archaeology consultation. While I have no additional comments to those made with respect to the current consented development, which remain valid, I do have concerns about the movement of the hub house to the area north of the site of Our Lady's Church and burial ground in the revised .

This site was formerly a Scheduled Monument until earlier this year. It's de-scheduling indicates that it should now be considered a regionally significant site. The movement of the larger hub house in the

revised plan may present a greater impact to the setting of the churchyard than the current consented location. This is due to its scale relative to the current and consented structures in the area. While I am concerned, the information in the planning application is insufficient to judge the potential impacts. I would therefore request at least a wireframe visualisation showing the proposed revision from the centre of the churchyard. It would be helpful if this were also presented with a wireframe showing the consented developments to the north and west of the churchyard for comparison.

I will be very happy to comment further if this information is supplied.

To mitigate direct impacts, the archaeological evaluation condition on the existing consent remains valid.

I have reviewed the revised drawings and remain concerned that the changes may still pose an adverse impact to the setting of Our Lady's Church ruins and churchyard. Specifically, the changes to the planting from the consented development which effectively screened the development from the churchyard has been eroded by the current proposal, with the hub house much closer to the churchyard boundary than the consented holiday cottages. However, as in my previous comments, I would appreciate the opportunity to review this through some form of visualisation such as a wireframe of the development from the churchyard.

In design terms, it may be worth considering moving the hub house into the open space shown on the plan. The open space could then be moved into the space occupied by the hub house on the plan forming an effective barrier between the churchyard and development. This would also allow more space for screen planting as has been consented.

Heritage and Design:

#### BACKGROUND

The proposed development lies close to the former William Cree Memorial Chapel at Kirkburn. This building dated 1921 was added to the statutory list in 1971 at category B. Works have now been carried out to convert the former chapel to residential use.

The issue that I will consider is whether the proposed adjacent development will have an adverse impact on the setting of the former chapel.

#### ASSESSMENT OF PROPOSALS

I recognise that the site layout has been amended since its original submission back in August; the "hub building" which was originally to be located near to the former chapel has now been relocated nearer to the entrance and the layout of the lodges in the revised scheme has been changed. There is a history of previous applications on this site and the approved application 12/00902/FUL proposed to have a much greater separation between the proposed lodges and the former chapel and Kirkburn.

The former chapel is a single storey stone structure built in an "arts and crafts" style. The building is on the site of former cottages and was originally planned as a small community hall before being converted to a memorial chapel. The "setting" of the chapel was presumably intended to reflect the open countryside around it being a memorial to the then owner of the Kailzie estate and a memorial window was installed in the gable end (this has since been removed).

The lodges are quite high, being two storey and roof - with the monopitch roof seemingly being shown to run against the natural contours of the site; i.e the tallest part of the roof being on the downhill side rather than being on the uphill side; perhaps this could be reviewed as it would lessen the impact of the lodges when viewed from the valley.

Whilst the proposals will not impact directly on the approach view of the former chapel from the access road assuming that the screening planting is implemented on site, I consider it important that an adequate "buffer" zone is created to the W and SW of the former chapel, which should incorporate planting to provide a degree of visual screening between the new development and the former chapel. The current scheme is significantly different to the approved scheme 12/00902/FUL with the proposed buffer zone on that scheme reduced significantly. I consider that the buffer zone must be increased

from that proposed in the current application and appreciate that may mean revising the current layout to omit the sites for lodges 7 and 8 (these could possibly be relocated on the S side of the road).

#### RECOMMENDATION / RECOMMENDED CONDITIONS.

I have concerns about the proposals as currently submitted in terms of their impact on the setting of the B listed small scale former Chapel. I cannot support the proposals as currently proposed without an increased "buffer zone" to separate the development from the former chapel. In addition I have some concerns about the detailed design of the lodges with their mono pitch roofs running against the natural contours of the ground.

#### SEPA:

We have no objection to this planning application. Please note the advice provided below.

#### Advice for the planning authority

##### 1. Foul Drainage

1.1 As agreed with you, we have considered the foul drainage form this proposal along with that which will arise from the adjacent proposal (15/00831/FUL). We remain satisfied that the foul drainage proposal (a suitably sized packaged treatment plant discharging to the Kirkburn, subject to Controlled Activities Licensing (CAR) requirements) is potentially consentable and as such we have no objection to the proposal.

1.2 The applicant should liaise with Alan Church in our Galashiels office with regard to licensing of the package treatment plant.

##### 2. Surface Water Drainage

2.1 The discharge of surface water to the water environment should be in accordance with the principles of the SUDS (Sustainable Drainage Systems) Manual (C697) published by CIRIA.

2.1 Comments from Scottish Water and, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on the SUDS strategy in terms of water quantity/flooding and adoption issues.

2.2 Surface water drainage from the construction phase should also be dealt with by SUDS. Such drainage should be in accordance with C648 and C649, both published by CIRIA. It should be noted that oil interceptors are not considered SUDS in their own right but are beneficial as part of the treatment train.

#### Regulatory advice for the applicant

##### 3. Regulatory requirements

3.1 Details of regulatory requirements and good practice advice for the applicant can be found on the Regulations section of our website. 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, tel 01896 754797

Many thanks for confirming this. If this is the case and there is no specific reason for the reconsultation then SEPA have no further comments to make on this planning application. All comments within our response dated 15 September 2015 are still applicable.

Scottish Water: Response awaited

Visit Scotland: Response awaited

Peebles and District Community Council:

We remain concerned that so little progress has been made with regard to the development of this site, despite approval of the original proposal in November 2014.

We note that a range of issues remain unresolved in the context of this revised application, that current proposals seem to fall short of the form that was subject to the earlier approval, and that crucially the changes in structure and layout of the site have not yet been reflected in provision of an updated and detailed business plan.

Until further resolution of outstanding issues is progressed further we feel unable to comment on these revised proposals.

Objections have been received from three adjoining properties on the following grounds:

Concerned at the ownership divisions and how this could impact on control of development and conditions.

Diminution of landscaping considered necessary for the approved chalet development, weakening screening towards building group.

Large increase in footprint, resulting in greater traffic and footfall generation and impacts on local community, especially with greater proximity to hub house.

Inappropriate encroachment on the listed church, churchyard and building group by the hub-house

Upon receipt of revised plans, all three objections maintained, pointing out that the hub house has simply swapped with two large chalets, same concerns over noise and reduced screening. Also point out the confusion caused by different ownerships and companies and the added concerns of the Heritage Officer over impacts on the listed Wm Cree former church.

#### **PLANNING CONSIDERATIONS AND POLICIES:**

Consolidated Scottish Borders Local Plan 2011

Policy G1 Quality Standards for New Development

Policy BE1 Listed Buildings

Policy BE2 Archaeological Sites and Ancient Monuments

Policy NE4 Trees Woodlands and Hedgerows

Policy NE5 Development affecting the Water Environment

Policy EP2 Areas of Great Landscape Value

Policy H2 Protection of Residential Amenity

Policy Inf4 Parking Provisions and Standards

Policy Inf5 Waste Water Treatment Standards

Policy Inf9 Development Within Exclusion Zones

Policy Inf11 Developments that Generate Travel Demand

Policy D1 Business, Tourism and Leisure Developments in the Countryside

Proposed Local Development Plan 2013

PMD1 Sustainability

PMD2 Quality Standards

ED7 Business, Tourism and Leisure Development in the Countryside

HD3 Protection of Residential Amenity

EP5 Special Landscape Areas

EP7 Listed Buildings

EP8 Archaeology

EP13 Trees, Woodlands and Hedgerows

EP15 Development Affecting the Water Environment

IS7 Parking Provisions and Standards

IS9 Waste Water treatment Standards and Sustainable Urban Drainage

IS12 Development Within Exclusion Zones

#### **OTHER PLANNING CONSIDERATIONS:**

"Local Landscape Designations" SPG - Special Landscape Area 2 "Tweed Valley"

Scottish Borders Tourism Strategy Action Plan 2008

South of Scotland Competitiveness Strategy 2007-13

"Placemaking and Design" SPG

"Landscape and Development" SPG

**Recommendation by** - Craig Miller (Lead Planning Officer) on 3rd May 2016



Planning permission is in place for a chalet development on this field at Kirkburn, granted by the Committee in November 2014. The approval was for 9 chalets totalling 16 bedrooms and was designed around a single access road with planting wrapped around three sides. The consent was subject to a number of conditions including phasing, access improvements, water, drainage, occupancy etc. An important condition related to landscaping where it was felt that thickening of areas was necessary, especially towards the B road and at the western/southern ends of the development. The development was supported by a Business Plan which was carefully considered and accepted by the Committee.

The current proposals are to seek more holiday chalet development within the original application site, submitted in two separate applications by different companies. The applications involve more land-take within the red lined boundary at the expense of landscaping generally. This application is on the majority of the field previously consented and seeks to achieve chalets of larger size and accommodation. It is seen as an alternative to the consented layout 12/00902/FUL.

The initial layout showed a row of eight holiday chalets between the internal access road and the B road with a Hub House at the eastern end nearest the former Wm Cree Memorial Church. The chalets are much larger than the previous two bedroomed versions, providing four bedrooms across two full floors with additional living accommodation. They were designed with monopitched sedum roof, the full elevation facing north onto the B road. The walls would be predominantly larch clad with roughcast piers at the wall edges. The hub house contains six double bedrooms with additional communal facilities.

It is important to note that the amount of accommodation has risen significantly as a result of the revised mix of chalets, resulting in larger units which all rival the size of the previously consented hub house. They are also placed closer together in a rigid row and are proposed much nearer the B road and the Kirkburn building group at the eastern end.

When processing adjoining applications for various agricultural buildings, tree height surveys were submitted and it was generally accepted that the site above that proposed for these sheds may have some potential for buildings, provided they were dug into the ground and ridge heights were less than 5m. It was considered that any visibility of such buildings from across the valley would be minimal and only the very upper part of any roof structure in any case. The previous consented layout demonstrated a hub house at about 7.3m apex height with the remainder of the chalets at lower heights and spaced further apart. Whilst it is unlikely that the revised plans would result in increased visibility from the A72 (due to them being no higher than 7.3m and positioned on lower contours), there was significant concern about the landscape impacts at a more local level and the attendant impacts on the adjoining Kirkburn building group, the listed former church and the archaeological interest at the churchyard.

The applicant was written to with concerns expressed in detail as follows:

"1. The two revised plans now result in an increase in bedrooms from 16 previously proposed to 44, with 8 lodges containing 4 bedrooms and the hub house increased to 6. You have clearly identified a demand for increased numbers of bedrooms and larger accommodation units, albeit it is recognized that you have proposed six single bedroomed chalets as well. Given the large increase in accommodation, please provide information in the form of a Business Plan or other supporting information to support the increased numbers and enlarged units at this location.

2. The increased size of the eight lodges along the northern edge of the development and their increase to two storey has led to an overdeveloped, denser arrangement less suited to the attractive rural area in which the development is situated and less appropriate than the approved arrangement. The repeated 3-4m gaps between two storey gables without planting presents a more urbanized visual environment from both inside the site and from the adjoining B-road. Furthermore, the planting belt to be developed along the B-road was required to be thickened up by planning condition on the previous approval and, yet, the new proposal reduces it both by creating garden areas and moving the chalets significantly nearer the B-road than previously approved.

3. The impacts of the increased size and relocation of the northernmost chalets has led to objections from the Landscape Architect (enclosed) and you are requested to consider reductions in density and improvements in landscaping to overcome these concerns (see comments below re hub house). You should perhaps also consider amendments to the parking alignment alongside the chalets to move them back towards their approved positions, thereby allowing increased planting proposals down towards the B-road.

The omission of a chalet or two would improve the spacings between them and enable the introduction of planting between them and in places along the internal access road.

4. None of the chalets have any FFLs or ridge heights and, whilst there are some contours and cross sections shown, there needs to be further information given for each chalet. It is clear from the cross sections A-A and B-B that the FFLs, and thus ridge heights, differ.

5. The siting of an enlarged hub house at the end of the development much closer (by 20m) to the converted church and houses at Kirkburn has led to objections from neighbouring proprietors who are concerned about the increased noise, activity and reduced buffer distances and landscaping. The Council Archaeologist has also expressed concern over the hub house moving closer to the adjoining archaeological site and has sought wireframe visualisations to show the impacts for him to consider. The Heritage Officer believes the size of the hub house and its movement so close to the listed former church will have a detrimental impact of dominance on the setting of the listed building. These impacts on the neighbouring properties, the listed building and the archaeological site determine that amendments to the layout and the position of the hub house are required to comply with Council Policies on rural tourism development and impacts on archaeology and tourism.

6. You should consider whether the hub house could be relocated in place of, and including the functions of the "Laundry/Admin" building. With ground excavation to road level, there would be less concerns over landscape and heritage impacts if the hub house was relocated and the remainder of the eastern end of the development could then be reorganized with more landscaping, movement of the car parking/turning and perhaps easement of the chalets eastwards by 10-15m partially into the "Service Area". In any case, the cutting required for the turning area seems to conflict with the "Laundry/Admin" building as proposed. Even if you consider such revisions, the Archaeologist would still require wireframe visualisations to satisfy any concerns over impacts on the archaeological site adjoining.

7. The amended design of the larger chalets and hub house are of concern within the rural setting, presenting full two storey faces to both the internal access road and the B-road. The shallow pitched roofs and roughcast piers, combined with the repeated two storey heights and rigid, congested layout would result in an arrangement less suited to the rural environment and less attractive as destination holiday accommodation. Whilst it is understood that you have been making attempts to keep ridge heights low, some coombing in upstairs rooms and dual pitched roofs would still be possible and improve the appearance of the larger units without any raising of ridge heights. I also cannot see what aesthetic benefit results from the roughcast piers and would suggest the units are entirely larch-clad. I welcome the sedum roofs although the current roof arrangement would only benefit the interior part of the scheme, given the monopitched slope."

Revised plans were submitted which made several adjustments, some of which were not suggested - notably the repositioning of the hub house back to the original consented position and replacement of the hub house with chalets moved across. (I had suggested the hub house be moved into the site on the position of the laundry/office building associated with 15/00831/FUL.) The rigid line of chalets has been altered slightly with two curves and the roughcast piers have been removed from the chalets. However, the significant concerns expressed over visibility from the B Road, the style of chalets, their density and the impacts on the sensitive buildings at the eastern end of the site had not been addressed. Of particular concern were the following unresolved issues:

The chalet positions remain at least ten metres further down the slope of the field towards the B road, resulting in less screening ability due to the alignment of the contours. Whilst some additional screening has been shown, the impacts on the B road will be much greater than the approved scheme and much more oppressive than it. The landscape impact will appear as poor containment of the development within the site and will be detrimental to the character of the local landscape within a recently designated Special Landscape Area. The Landscape Architect continues to object to the revised scheme on the basis that the chalet design had also not been altered.

The scale and size of the chalets was questioned in terms of the large increase in bedroom numbers and the applicant has chosen not to submit a revised Business Plan at this stage. Such a Business Plan was considered important to enable compliance with Policy D1 and to convince the Committee of the original scheme's acceptability. As the applicant states that he would only submit such a Plan once the development is up and running, the opportunity to convince the Department over the market need for such large chalets

and significantly increased numbers of bedrooms has not been taken. A revised Business Plan was not considered necessary to allow the six small holiday sheds (which will partially conflict in any case with the consented scheme and result in no increased numbers of bedrooms).

The dominance and rigidity of the scheme remains. The requests to lower eaves and apex heights through dual pitches have not been addressed and the development continues to present its sheer face to the B road. Roughcast piers have been removed but so have the sedum roofs which were not criticised. Overall, the lack of amendment to the design and the very slight amendment to the linearity have not overcome the expressed concerns over the dense and oppressive, almost urban, layout. This would look just as inappropriate from within the site as outwith it.

The dominance and overdevelopment of the site could have been reduced by the omission of a unit or two, also aimed at retracting the development from the eastern end of the site where it was appearing especially congested and dominant compared to the previous layout which had landscaped buffer in this area. The swapping of the hub house back to the consented position would have only worked if there had also been one or two chalets omitted as requested. This has not been done and the vacated hub house position has been replaced by repositioned chalets. There is a marginal improvement over the originally submitted layout but it does not compare favourably with the original consent. Neighbour objections remain at Kirkburn, the Archaeology Officer opposes the revised scheme and the Heritage Officer believes the impact on the listed Wm Cree Church to be unacceptable and detrimental to its setting.

For the above main reasons, the revised chalet scheme could not have been supported. It is not that the consented scheme is the only possible development but that the revisions and additional information sought by the Department to create an acceptable alternative scheme had, largely, not been taken. Some reduction in scale/number of buildings, redesign and repositioning on the site would be necessary, supported by a revised Business Plan at this stage, before any revised development could be supported. A scheme to tie in with the holiday sheds layout would be better sense for the development, albeit there will be no allowance for chalets significantly nearer the B Road than previously consented.

A number of the other comments made by consultees could have been dealt with by conditions, many repeating those attached on the earlier consent. These relate to access improvement, occupancy, water supply, drainage, lighting and noise

The above concerns were again relayed to the applicant and a further revised set of plans was submitted together with a Business Plan updated from the previous Plan submitted with the earlier consent. This time, the revised plans did the following:

- moved the hub house to a previously suggested position in the centre of the site.
- moved the lodges westwards by 11 m and straightened the row a little.
- a further minor movement of the lodges away from the B road by, at most, two metres.
- confirmation of an additional 5m area of planting along the B road boundary.
- reduction in scale and width of roadway and turning head.
- increase in spaces between lodges.
- changes to lodge design resulting in ridge reduction to 6m in favour of split-level monopitched.

The Business Plan was then submitted some time later with yet further revised plans which moved the hub house again back to a less acceptable position. These further revisions were not accepted and the applicant was told a new planning application would be necessary for these further revisions and that the Department would continue to determine the application based on the previous revised plans.

The revised plans brought in further reiterated objections from two of the neighbouring properties and concerns from the Community Council and Archaeology Officer. The latter refers largely to a thinning of landscaping which can actually be resolved through imposition of a detailed landscaping condition as per the original approval. The revised plan still gives space for additional planting to the former Churchyard boundary.

The Landscape Architect response reiterates concerns but believes that, with revised lodge height/design and securing detailed intervening planting, these concerns could be overcome. Given that the Business Plan has now been submitted and has been accepted by Economic Development, I am largely left with the chalet design remaining unacceptable - but not the actual footprint of the chalets. The main problem lies with the

upper floors of the chalets and hub house. Advice had previously been given that upper floors could prove acceptable if their appearance was less dominant in their design, perhaps through coombing of ceilings and lowering of the eaves lines. The ultimate ridge heights are 6m which are less than the hub house height previously approved by Committee but, until the intervening planting takes hold, impacts from the B road would be unfortunate and bulky without some eaves height reduction.

Given that all other matters have either been resolved or can be addressed by condition, it is considered that the precise design of the upper floor and roofs of the lodges and hub house can also be addressed by condition, preventing any development commencing until satisfactory designs have been submitted. If this lowers the ridgelines, then this would also be welcomed though not essential. The upper floor of the chalets possesses four bedrooms and two bathrooms over 65 square metres approximately. Some lowering of the eaves will not affect such accommodation whilst providing improvements in design and reduction in impact from the B road in particular. The roof material is less critical than the actual roof and chalet shape, subject to it being dark grey as proposed. The materials would be covered by condition.

Subject to a condition on chalet roof designs, the development can now be supported. Landscaping and other conditions will be carried through from the earlier consents for the main site and the adjoining holiday hut site.

#### **REASON FOR DECISION :**

The application is contrary to Policies G1, EP2 and D1 of the Scottish Borders Consolidated Local Plan 2011 and Supplementary Planning Policies relating to Special Landscape Area 2-Tweed Valley in that the proposed buildings will be prominent in height, elevation and visibility within the landscape, particularly from the B road and the houses at Kirkburn adjoining the site and will have a significant detrimental impact on the character and quality of the designated landscape.

The application is contrary to Policies BE1 and BE2 of the Scottish Borders Consolidated Local Plan 2011 in that the proximity and scale of Lodge Nos. 7 and 8 will have an adverse impact on the setting of the Category B Listed Building of the former Wm Cree Memorial Church and the archaeological sites of Our Lady's Church and Churchyard adjoining the application site.

#### **Recommendation: Approved - conditions & informatives**

- 1 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 proceeds in an orderly manner.
- 2 The development hereby approved shall only be carried out in strict accordance with details of the materials to be used on the external walls, roofs, doors and windows of the proposed building(s) which shall first have been submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting
- 3 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 (as appropriate):
  - o existing and finished ground levels in relation to a fixed datum preferably ordnance
  - o existing landscaping features and vegetation to be retained and, in the case of damage, restored
  - o location and design, including materials, of walls, fences and gates - including any plot boundary treatments.
  - o soft and hard landscaping works, including thickening of the tree belts towards the B7062, around the internal access track entrance to the site, south-east of the Hub House and individual small groups of tree planting within the development.
  - o existing and proposed services such as cables, pipelines, sub-stations
  - o other artefacts and structures such as street furniture, play equipment

- o A programme for completion and subsequent maintenance the structure planting to be carried out during the first planting season following development commencement.  
Reason: To ensure the satisfactory form, layout and assimilation of the development.
- 4 No chalet forming part of the development shall be occupied until the access junction has been completed in accordance with the approved plan under consent reference 15/01206/FUL and roads and parking areas shown on the approved plans have been completed to a specification and design firstly submitted to, and agreed in writing by, the Local Planning Authority and in accordance with any phasing plan agreed. The visibility splays at the junction to be maintained free from obstruction in perpetuity.  
Reason: To ensure that adequate access to the site for pedestrians and vehicles is provided and is at all times properly maintained.
  - 5 No development is to commence until a report, by a suitably qualified person, has been submitted to and approved in writing by the Planning Authority, demonstrating the provision of an adequate water supply to the development in terms of quality, quantity and the impacts of this proposed supply on surrounding supplies or properties. The provisions of the approved report shall be implemented prior to the occupation of the building(s)/dwellinghouse(s) hereby approved.  
Reason: To ensure that the development is adequately serviced with water without a detrimental effect on the water supplies of surrounding properties.
  - 6 No development to be commenced until fully detailed design proposals for foul and surface water drainage have been submitted to and approved by the Planning Authority.  
Reason: To ensure that satisfactory arrangements are made for the disposal of surface and foul water.
  - 7 The occupation of all chalets, including the Hub House, shall be restricted to genuine holidaymakers for individual periods not exceeding 4 weeks in total within any consecutive period of 13 weeks. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times.  
Reason: A permanent residential site in this location would conflict with the established planning policy for this rural area.
  - 8 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation outlining an Archaeological Evaluation. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to conduct a programme of evaluation prior to development. This will include the below ground excavation of evaluation trenches and the full recording of archaeological features and finds. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered the nominated archaeologist(s) will contact the Archaeology Officer for further consultation. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority  
Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.
  - 9 No development to be commenced until further details are submitted to and approved by the Planning Authority in relation to on-site lighting and any additional footpaths. Once approved, the development shall only take place in strict accordance with those details.  
Reason: To safeguard the visual amenity of adjoining residential properties and the wider rural area.
  - 10 No development to be commenced until a Construction Method Statement has been submitted to, and approved by, the Planning Authority relating to all works proposed and access to facilitate the works. Once approved, the development then to proceed in accordance with the Statement.  
Reason: To safeguard natural heritage interests in the area.

- 11 Notwithstanding the details indicated on the approved drawings, no development shall be commenced until revised plans have been submitted to, and approved by, the Planning Authority relating to a revised design of all chalets and the hub house, reducing the eaves heights and also reducing the ridge heights. There should be no ridge height increase. Once approved, no development shall proceed except in strict accordance with the approved details.  
Reason: To minimise the visual impact of the proposed development and to safeguard the visual amenity of the area and the quality of the locally designated Special Landscape Area.
- 12 No development to be commenced until an air screening assessment has been carried out and the results submitted to, and agreed by, the Planning Authority.  
Reason: To safeguard air quality in the local area.

### Informatives

It should be noted that:

- 1 This consent does not include any permissions for on-site advertisements, signage and any additional facilities which may require buildings such as bike storage, toilets and any other facilities. You should contact the Planning Authority to discuss such proposals which may still require the submission of an application for Advertisement Consent and planning permission.
- 2 With regard to Condition 11, upper floors can remain but the rooms should be coombed and the eaves of the buildings lowered to increase the roof pitch angles and reduce the amount of wall visible. The split mono-pitched design could still be used or, alternatively, dual pitched with rooflights or dormer structures. In all cases, ridge heights should be lower than shown.
- 3 The Environmental Health Officer recommends the following:

#### Private Drainage System

Private drainage systems often cause public health problems when no clear responsibility or access rights exists for maintaining the system in a working condition.

Problems can also arise when new properties connect into an existing system and the rights and duties have not been set down in law.

To discharge the Condition relating to the private drainage arrangements, the Applicant should produce documentary evidence that the maintenance duties on each dwelling served by the system have been clearly established by way of a binding legal agreement. Access rights should also be specified.

#### Water Supply

As the proposal may result in the general public consuming the water from the private water supply, the supply will be classed as a Type A. This will mean that the supply will be subjected to annual water testing and a risk assessment of the supply. The applicant should contact an Environmental Health Officer before becoming operational to discuss testing of the water.

#### Air Quality

In order to allow an air screening assessment to be carried out the applicant can carry one out using the biomass unit conversion and screening tool at <http://iaqm.co.uk/guidance/>

Alternatively if the following information is provided the screening calculation will be carried out for you:

1. Flue diameter
2. Flue Height
3. Make and model of the boiler
4. Size of boiler (Kw)
5. Thermal efficiency of the boiler

6. Type of fuel to be used (pellets, chips etc)
7. The height and width of the building the boiler will be housed in
8. The height and width of any building within a distance of 5 times the stack height
9. Emission Factor PM10
10. Emission Factor NOx

Where manufacturer's Emission Factors are unavailable, A notional value derived from Guidance will be used.

#### **Biomass**

All combustion plant and associated flues should be maintained and serviced in accordance with the manufacturer's recommendations.

The combustion plant should only use fuel of a type and grade as specified by the manufacturer and which has been used for the basis of the air quality assessment.

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





**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

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

**Application for Planning Permission**

**Reference : 15/00965/FUL**

**To : Cleek Lodges Ltd The Tractor Shed Kirkburn Cardrona Scottish Borders EH45 9HU**

With reference to your application validated on **17th August 2015** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal : Erection of 8 No holiday lodges and 1 No hub-house (revision to previous consent 12/00902/FUL)**

**At : Land West Of Former William Cree Memorial Church Kirkburn Cardrona 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, 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 6th May 2016  
Planning and Regulatory Services  
Environment and Infrastructure  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**Signed**



.....  
**Chief Planning Officer**

**APPLICATION REFERENCE : 16/00968/FUL**

**Schedule of Plans and Drawings Approved:**

Plan Ref	Plan Type	Plan Status
196 20 REVISION B	Block Plans	Submitted
196 21 REVISION A	Floor Plans	Submitted
196 22 REVISION B	Elevations	Submitted
196 23 REVISION B	Elevations	Submitted

**REASON FOR DECISION**

The application is contrary to Policies G1, EP2 and D1 of the Scottish Borders Consolidated Local Plan 2011 and Supplementary Planning Policies relating to Special Landscape Area 2-Tweed Valley in that the proposed buildings will be prominent in height, elevation and visibility within the landscape, particularly from the B road and the houses at Kirkburn adjoining the site and will have a significant detrimental impact on the character and quality of the designated landscape.

The application is contrary to Policies BE1 and BE2 of the Scottish Borders Consolidated Local Plan 2011 in that the proximity and scale of Lodge Nos. 7 and 8 will have an adverse impact on the setting of the Category B Listed Building of the former Wm Cree Memorial Church and the archaeological sites of Our Lady's Church and Churchyard adjoining the application site.

**SCHEDULE OF CONDITIONS**

- 1 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 proceeds in an orderly manner.
  
- 2 The development hereby approved shall only be carried out in strict accordance with details of the materials to be used on the external walls, roofs, doors and windows of the proposed building(s) which shall first have been submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting
  
- 3 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 (as appropriate):
  - o existing and finished ground levels in relation to a fixed datum preferably ordnance
  - o existing landscaping features and vegetation to be retained and, in the case of damage, restored
  - o location and design, including materials, of walls, fences and gates - including any plot boundary treatments.
  - o soft and hard landscaping works, including thickening of the tree belts towards the B7062, around the internal access track entrance to the site, south-east of the Hub House and individual small groups of tree planting within the development.
  - o existing and proposed services such as cables, pipelines, sub-stations
  - o other artefacts and structures such as street furniture, play equipment

- o A programme for completion and subsequent maintenance the structure planting to be carried out during the first planting season following development commencement.  
Reason: To ensure the satisfactory form, layout and assimilation of the development.
  
- 4 No chalet forming part of the development shall be occupied until the access junction has been completed in accordance with the approved plan under consent reference 15/01206/FUL and roads and parking areas shown on the approved plans have been completed to a specification and design firstly submitted to, and agreed in writing by, the Local Planning Authority and in accordance with any phasing plan agreed. The visibility splays at the junction to be maintained free from obstruction in perpetuity.  
Reason: To ensure that adequate access to the site for pedestrians and vehicles is provided and is at all times properly maintained.
  
- 5 No development is to commence until a report, by a suitably qualified person, has been submitted to and approved in writing by the Planning Authority, demonstrating the provision of an adequate water supply to the development in terms of quality, quantity and the impacts of this proposed supply on surrounding supplies or properties. The provisions of the approved report shall be implemented prior to the occupation of the building(s)/dwellinghouse(s) hereby approved.  
Reason: To ensure that the development is adequately serviced with water without a detrimental effect on the water supplies of surrounding properties.
  
- 6 No development to be commenced until fully detailed design proposals for foul and surface water drainage have been submitted to and approved by the Planning Authority.  
Reason: To ensure that satisfactory arrangements are made for the disposal of surface and foul water.
  
- 7 The occupation of all chalets, including the Hub House, shall be restricted to genuine holidaymakers for individual periods not exceeding 4 weeks in total within any consecutive period of 13 weeks. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times.  
Reason: A permanent residential site in this location would conflict with the established planning policy for this rural area.
  
- 8 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation outlining an Archaeological Evaluation. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to conduct a programme of evaluation prior to development. This will include the below ground excavation of evaluation trenches and the full recording of archaeological features and finds. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered the nominated archaeologist(s) will contact the Archaeology Officer for further consultation. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority  
Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

- 9 No development to be commenced until further details are submitted to and approved by the Planning Authority in relation to on-site lighting and any additional footpaths. Once approved, the development shall only take place in strict accordance with those details.  
Reason: To safeguard the visual amenity of adjoining residential properties and the wider rural area.
- 10 No development to be commenced until a Construction Method Statement has been submitted to, and approved by, the Planning Authority relating to all works proposed and access to facilitate the works. Once approved, the development then to proceed in accordance with the Statement.  
Reason: To safeguard natural heritage interests in the area.
- 11 Notwithstanding the details indicated on the approved drawings, no development shall be commenced until revised plans have been submitted to, and approved by, the Planning Authority relating to a revised design of all chalets and the hub house, reducing the eaves heights and also reducing the ridge heights. There should be no ridge height increase. Once approved, no development shall proceed except in strict accordance with the approved details.  
Reason: To minimise the visual impact of the proposed development and to safeguard the visual amenity of the area and the quality of the locally designated Special Landscape Area.
- 12 No development to be commenced until an air screening assessment has been carried out and the results submitted to, and agreed by, the Planning Authority.  
Reason: To safeguard air quality in the local area.

#### **FOR THE INFORMATION OF THE APPLICANT**

It should be noted that:

- 1 This consent does not include any permissions for on-site advertisements, signage and any additional facilities which may require buildings such as bike storage, toilets and any other facilities. You should contact the Planning Authority to discuss such proposals which may still require the submission of an application for Advertisement Consent and planning permission.
- 2 With regard to Condition 11, upper floors can remain but the rooms should be coombed and the eaves of the buildings lowered to increase the roof pitch angles and reduce the amount of wall visible. The split mono-pitched design could still be used or, alternatively, dual pitched with rooflights or dormer structures. In all cases, ridge heights should be lower than shown.
- 3 The Environmental Health Officer recommends the following:  
  
Private Drainage System  
Private drainage systems often cause public health problems when no clear responsibility or access rights exists for maintaining the system in a working condition.  
  
Problems can also arise when new properties connect into an existing system and the rights and duties have not been set down in law.

To discharge the Condition relating to the private drainage arrangements, the Applicant should produce documentary evidence that the maintenance duties on each dwelling served by the system have been clearly established by way of a binding legal agreement. Access rights should also be specified.

#### Water Supply

As the proposal may result in the general public consuming the water from the private water supply, the supply will be classed as a Type A. This will mean that the supply will be subjected to annual water testing and a risk assessment of the supply. The applicant should contact an Environmental Health Officer before becoming operational to discuss testing of the water.

#### Air Quality

In order to allow an air screening assessment to be carried out the applicant can carry one out using the biomass unit conversion and screening tool at <http://iaqm.co.uk/guidance/>

Alternatively if the following information is provided the screening calculation will be carried out for you:

1. Flue diameter
2. Flue Height
3. Make and model of the boiler
4. Size of boiler (Kw)
5. Thermal efficiency of the boiler
6. Type of fuel to be used (pellets, chips etc)
7. The height and width of the building the boiler will be housed in
8. The height and width of any building within a distance of 5 times the stack height
9. Emission Factor PM10
10. Emission Factor NOx

Where manufacturer's Emission Factors are unavailable, A notional value derived from Guidance will be used.

#### Biomass

All combustion plant and associated flues should be maintained and serviced in accordance with the manufacturer's recommendations.

The combustion plant should only use fuel of a type and grade as specified by the manufacturer and which has been used for the basis of the air quality assessment.

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:

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, 4<sup>th</sup> 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 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

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.