

PLANNING CONSULTATION

To: Economic Development Section

From: Development Management

Date: 1st June 2018

Contact: Stuart Herkes ☎ 01835 825039

Ref: 18/00686/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 22nd June 2018, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 22nd June 2018, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Thomas And Pamela Atkinson

Agent: N/A

Nature of Proposal: Change of use of land (optional locations)to site 2 No glamping units for holiday let

Site: Land North West, East And South East Of Flatt Farmhouse Newcastleton
Scottish Borders

OBSERVATIONS OF: Economic Development Section

CONSULTATION REPLY

The response from Economic Development:

Economic Development would support the change of use of land to locate 2 glamping units as it fits with the Scottish Borders Tourism Strategy 2013-2020 strategic target by:

- Increasing volume of overnight visitors.
- Increasing overnight visitor spend.
- Ensure the Region's accommodation offerings meet consumer demands and where opportunities are available can act as an attractor of demand in themselves.
- Ensure a relevant range of types of accommodation is available across the Region to meet evolving market demand and expectations. Identify opportunities where better quality and new products can 'lead' and generate new demand and will continue to raise average quality quotient across all forms of accommodation.

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	18/00686/FUL
Uniform Ref	18/01465/PLANCO
Proposal	Change of use of land (optional locations)to site 2 No glamping units for holiday let
Address	Land North West, East And South East Of Flatt Farmhouse Newcastleton Scottish Borders
Date	12 June 2018
Amenity and Pollution Officer	
Contaminated Land Officer	Gareth Stewart

Contaminated land

Assessment of Application

There is an indication within the application that the site has had agricultural use.

I therefore recommend that the Applicant complete and return the attached questionnaire providing information relating to the previous use of the site. The applicant has been sent the questionnaire directly with instruction to return it to Environmental Health

Once the questionnaire has been returned it will be put on the IDOX system and I will advise you on whether further assessment of potential contamination issues at the site is necessary.

If the Applicant does not return the questionnaire, it is important that the potential for contamination is considered when issuing the Planning Permission. I recommend that if the questionnaire is not returned, the following condition is attached to the Planning Permission in order to ensure that the development is suitable for its proposed use.

Recommendation

Delete as appropriate – Agree with application in principle, subject to conditions /Further Information Required Before Application is Determined / Information to be Provided Before Work Commences (see conditions) / No Comment / Object /Informative Note
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Conditions

*Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. **No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.***

The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-

- a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council **prior to** addressing parts b, c, d, and, e of this condition.

and thereafter

- b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.
- c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).
- d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.
- e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, **shall be required by the Developer before any development hereby approved commences**. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.

Scottish Borders Council
Redevelopment of Agricultural & Other Buildings Questionnaire

Planning Application Number: 18/00686/FUL	Yes/No
Is asbestos known or suspected to be present in the fabric of any buildings present?	
Has any part of the site been used for the storage of liquid fuel, such as petrol, diesel, DERV, kerosene?	
Has any part of the site been used for the storage or use of agricultural chemicals, such as preservatives or pesticides?	
Has any part of the site been used for sheep dipping, storage or disposal of sheep dip chemicals?	
Has any part of the site been used for disposal of solid farm waste?	
Has any part of the site been used for the disposal of liquid wastes or washings other than to an approved drainage system?	
Has the site been used to store/maintain vehicles?	
Has there been any building fires or bonfires onsite?	

Please give the source of all available information used to answer these questions and an indication of the time period which it covers (continue on separate sheet/reverse side if required):	
Source e.g. Previous farmer/operator	Time Period Covered e.g. 1975-1990

Please provide a description of the use of the agricultural land (<i>continue overleaf if necessary</i>):

If you have answered yes to any of the above questions please give details below (<i>continue overleaf if necessary</i>):

PLEASE NOTE – YOUR RESPONSE WILL BE PLACED IN THE PUBLIC DOMAIN

Signed _____ Date _____

Name
 (Block Capitals) _____

Thank you for completing this questionnaire, please return it to :-

Gareth Stewart, Contaminated Land Officer, at the address below.

Council Headquarters, Newtown St Boswells, MELROSE, Scottish Borders, TD6 0SA
Customer Services 0300 100 1800 www.scotborders.gov.uk

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	18/00686/FUL
Uniform Ref	18/01465/PLANCO
Proposal	Planning Consultation - Change of use of land (optional locations)to site 2 No glamping units for holiday let
Address	Land South Of Flatt Farmhouse Newcastleton Scottish Borders
Date	28th June 2018
Amenity and Pollution Officer	Forbes Shepherd
Contaminated Land Officer	Gareth Stewart – Questionnaire sent

Amenity and Pollution

Assessment of Application

Nuisance

Private Water Supply

Drainage Arrangements

Condition

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 amenity and public health.

Informative

Private Drainage System

Private drainage systems often impact on amenity and cause other problems when no clear responsibility or access rights exist 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.

Private Water Supply

Conditions

No development is to commence until a report 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 and quantity. The report must also detail all mitigation measures to be delivered to secure the quality, quantity and continuity of water supplies to properties in the locality which are served by private water supplies and which may be affected by the development. The provisions of the approved report shall be implemented prior to the occupation of the building(s) hereby approved.

Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.

Informative

Private Water Supply

To fulfil this Condition, the following information should be provided -

1. A description of the source(s) / type of the supply – i.e. whether the supply is taken from a watercourse, loch, spring, well or borehole, or any other source or combination of sources.
2. The location of the source(s) of the supply – i.e. the appropriate eight figure Ordnance Survey National Grid Reference(s).
3. The name and address of every relevant person in relation to the supply.

NB. A “relevant person”, in relation to a private water supply, means a person (or persons) who: (a) provide the supply; (b) occupy the land from, or on which, the supply is obtained or located; or (c) exercise powers of management or control in relation to the supply.

4. The estimated maximum average volume of water provided by the proposed supply, in cubic metres per day (m³/day), and the details of any pump tests/flow rate tests undertaken to determine this estimate.

NB. For boreholes/wells refer to BS ISO 14686:2003 “Hydrometric determinations – Pumping tests for water wells – Considerations and guidelines for design, performance and use”.

5. Any water treatment that is intended to be carried out in relation to the proposed supply for the development.
6. Where there are existing users of the proposed supply, the addresses of all such properties.
7. Where there are existing users of the proposed supply, the existing and proposed occupancy levels of all such properties, as far as is reasonably practicable.

NB. As a minimum, the provision of the number of bedrooms per property will allow an estimate to be made of occupancy levels.

8. Where there are existing users of the proposed supply and / or there are other properties' private water supplies in the vicinity of the development that may be affected thereby (e.g. neighbouring boreholes, wells, springs, etc.), information advising if and how the proposed development will impact on the existing users and / or the other properties' supplies.
9. If the development is to be used for commercial purposes and / or members of the public will use / consume the water, the private water supply will be classed as a Type A supply. This will mean that it will require to be sampled / monitored by the local authority on at least an annual basis and a risk assessment of the supply will also be required. As such, prior to commencement of the commercial / public activity, the applicant should contact the Environmental Health Department of Scottish Borders Council to ensure that compliance with the legislative provisions is able to be secured.

For clarification, the minimum daily volume of water that requires to be supplied by a private water supply must be equivalent to 200 litres of water per person per day who will be using the supply. A reserve storage capacity of three days' supply should be provided. Also, the quality of the water throughout the building(s) must conform to the requirements of The Private Water Supplies (Scotland) Regulations in order for it to be classed as wholesome.

Commercial Use

As the Development may result in the general public consuming the water from the private water supply, the supply will be regulated under The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017. 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.

Recommendation

Delete as appropriate – Agree with application in principle, subject to conditions /Further Information Required Before Application is Determined / Information to be Provided Before Work Commences (see conditions) / No Comment / Object

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	18/00686/FUL
Uniform Ref	18/01465/PLANCO
Proposal	Change of use of land (optional locations)to site 2 No glamping units for holiday let
Address	Land North West, East And South East Of Flatt Farmhouse Newcastleton Scottish Borders
Date	29 June 2018
Amenity and Pollution Officer	
Contaminated Land Officer	Gareth Stewart

With reference to my Planning Response dated 12 June 2018, the Applicant has now returned the Agricultural Buildings Questionnaire (below) and provided additional information by email.

Having regard to the information supplied by the Applicant there is no indication of any land contamination issues on this site, which it is understood was undeveloped prior to be occupied by a silage clamp

It is however recommended, that by way of an Informative Note, the applicant is made aware of potential land contamination that may have occurred prior to the referenced site ownership. Should unexpected ground conditions e.g. made ground extending to depth, discolouration or malodorous substances be encountered in excavations or evidence of potential contamination e.g. underground structures, remains of buried wastes or equipment be encountered during site works it is requested that Environmental Health are immediately consulted.

Should the applicant wish to discuss this further their enquiry should be directed to Environmental Health.

**Scottish Borders Council
Redevelopment of Agricultural & Other Buildings Questionnaire**

Planning Application Number: 18/00686/FUL

Yes/No

Is asbestos known or suspected to be present in the fabric of any buildings present?	NO
Has any part of the site been used for the storage of liquid fuel, such as petrol, diesel, DERV, kerosene?	NO
Has any part of the site been used for the storage or use of agricultural chemicals, such as preservatives or pesticides?	NO
Has any part of the site been used for sheep dipping, storage or disposal of sheep dip chemicals?	NO
Has any part of the site been used for disposal of solid farm waste?	NO
Has any part of the site been used for the disposal of liquid wastes or washings other than to an approved drainage system?	NO
Has the site been used to store/maintain vehicles?	NO
Has there been any building fires or bonfires onsite?	NO

Please give the source of all available information used to answer these questions and an indication of the time period which it covers (continue on separate sheet/reverse side if required):

Source e.g. Previous farmer/operator	Time Period Covered e.g. 1975-1990
Our own ownership	2012 - to date
Previous farmer	2002 - 2012

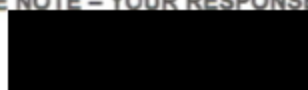
Please provide a description of the use of the agricultural land:

Grazing animals / woodland / silage

If you have answered yes to any of the above questions please give details below (continue overleaf if necessary):

PLEASE NOTE - YOUR RESPONSE WILL BE PLACED IN THE PUBLIC DOMAIN

Signed



Date 12/6/2018

Name

(Block Capitals) PAMELA ATKINSON

Thank you for completing this questionnaire, please return it to :-

Gareth Stewart, Contaminated Land Officer, at the address below.

Council Headquarters, Newtown St Boswells, MELROSE, Scottish Borders, TD6 0SA
Customer Services 0300 100 1800 www.scotborders.gov.uk

CONSULTATION RESPONSE TO PLANNING OR RELATED APPLICATION



Comments provided by	Roads Planning Service		Contact e-mail/number:	
Officer Name and Post:	Paul Grigor Roads Planning Officer		pgrigor@scotborders.gov.uk 01835 826663	
Date of reply	9 th July 2018			
Planning Application Reference	18/00686/FUL		Case Officer: Stuart Herkes	
Proposed Development	Change of use of land to site 2 No. glamping units for holiday let			
Site Location	Land North West, East and South East of Flatt Farmhouse, Newcastleton			
<i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i>				
Background and Site description				
Key Issues (Bullet points)				
Assessment	I have no objections to this relatively small scale tourism development. The increase in traffic that this development would bring is unlikely to have a negative impact on the local road network.			
Recommendation	<input type="checkbox"/> Object	<input checked="" type="checkbox"/> Do not object	<input type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required
Recommended Conditions				
Recommended Informatives				

Signed: DJI