

CONSULTATION RESPONSE TO PLANNING OR RELATED APPLICATION



Comments provided by	Archaeology Officer Officer Name: Dr Christopher Bowles		Contact e-mail/number: archaeology@scotborders.gov.uk	
Date of reply	23 April, 2018			
Planning Application Reference	17/00915/FUL		Case Officer: Stuart Herkes	
Proposed Development	Change of use of steading, alterations and extension to form dwellinghouse (revision to planning permission 17/00915/FUL)			
Site Location	Steading Buildings Billerwell Farm Hawick Scottish Borders			
<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	I have no comments to add to my consultation on the previous application.			
Key Issues (Bullet points)	•			
Assessment				
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				

CONSULTATION RESPONSE TO PLANNING OR RELATED APPLICATION

Comments provided by	Ecology Officer Name and Post:	Contact e-mail/number:
	Liz Hall, Assistant Ecology Officer	Elizabeth.hall@scotborders.gov.uk T. 01835 825209
Date of reply	14/06/18	
Planning Application Reference	18/00745/FUL	Case Officer: Stuart Herkes
Proposed Development	Change of use of steading, alterations and extension to form dwellinghouse (revision to planning permission 17/00915/FUL).	
Site Location	Steading Buildings Billerwell Farm Hawick	
<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	<ul style="list-style-type: none">Relevant Local Development Plan (LDP) Policies are:<ul style="list-style-type: none">EP1 International Nature Conservation Sites and Protected SpeciesEP2 National Nature Conservation Sites and Protected SpeciesEP3 Local BiodiversityThe local landscape is characterised by permanent pasture and locally frequent woodland cover in shelterbelts and riparian strips (Borders Landscape Type 11 – Grassland with Hills).ⁱThe Rule Water, into which foul water discharge is proposed, flows immediately (40m) to the east of the site.The Rule Water is a tributary of the River Tweed, designated as a Special Area of Conservation (SAC) for its habitat (Water courses of plain to montane levels with the <i>Ranunculus fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation) and species (Sea lamprey, Brook lamprey, River lamprey, Atlantic salmon and Otter).The surrounding habitat includes native wet woodland, nearby coniferous and mixed woodland, semi-natural grassland, improved pasture and arable cropland.Adopting the Council's Supplementary Planning Guidance for biodiversity http://www.scotborders.gov.uk/life/planningandbuilding/plansandresearch/h/6003.html, from the information provided, the proposed development and type of structure proposed for conversion conforms to the type of development requiring a bat survey and breeding bird survey (see section 4.3.1).Proposed building works include alterations and renovations of the structures on site.	
Key Issues	<ul style="list-style-type: none">Impacts on legally protected species including European Protected Species (EPS) bats, as well as breeding birdsPotential impacts on SAC	
Assessment	<p>I have not visited the site. This assessment is based on desk survey records and aerial photography as well as information submitted by the applicant.</p> <p>Potential Impacts on SAC</p> <ul style="list-style-type: none">At the time of writing I have not seen a response from SNH nor SEPA regarding the proposal to drain foul water into the Rule Water, which would require SEPA's written consent.	

	<ul style="list-style-type: none"> • A Habitat Regulations Appraisal may be required. I will provide further comment following advice from SNH. • In addition, good practice in construction should be applied, to control waste water from construction activities as well as sediment or pollutants that may enter the SAC in accordance with SEPA Guidance for Pollution Prevention 5: <i>Works and maintenance in or near water</i>. • A planning condition for a construction method statement will be required prior to determination, incorporating reference to mitigation of potential drainage and construction impacts on the Rule Water. <p>Impacts on Protected Species including EPS</p> <ul style="list-style-type: none"> • There may be potential to impact on crevice-dwelling bat species, if they are present on site. • The structure may have potential to support breeding birds e.g. barn swallow or house martin. • Surrounding habitat may offer potential foraging for bats and nesting opportunities for breeding birds. • Further information is required prior to determination <p><i>Relevant legislation:</i></p> <ul style="list-style-type: none"> • Bats are protected under The Conservation (Natural Habitats &c.) Regulations 1994 (as amended). It is illegal to intentionally or deliberately kill or injure them, intentionally, deliberately or recklessly damage, destroy, or obstruct access to any place used for shelter or protection including resting or breeding places (all roosts, whether occupied or not), or deliberately, intentionally or recklessly disturb them. • All wild birds are afforded protection and it is an offence to deliberately or recklessly kill, injure and destroy nests and eggs of wild birds. Additionally for those species protected under Schedule 1 of the Wildlife and Countryside Act 1981 (as amended) it is illegal to intentionally or recklessly disturb any bird whilst it is nest-building or at or near a nest containing eggs or young, or to disturb any of its dependent young. 			
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input type="checkbox"/> Do not object, subject to conditions	<input checked="" type="checkbox"/> Further information required
Recommended Conditions	<ul style="list-style-type: none"> • Prior to determination, a survey for bats by a suitably qualified personⁱⁱ will be required for the structure to be altered. <ul style="list-style-type: none"> ○ Following guidance from the Scottish Government, bat surveys and any subsequent licensing requirements will need to be resolved before the planning application is determined. Impacts on bats will be assessed against the three key tests. ○ Surveys likely to involve disturbance to bats or their roosts can only be carried out by a licensed bat worker. ○ Activity surveys for maternity roosts and occasional roosts in buildings and trees should be conducted between May and September (optimally May – August, depending on the site's suitability for roosting bats). ○ Preliminary roost assessments can be undertaken at any time of year and are sufficient only if it is shown there is negligible suitability for bats. ○ If evidence of bats or their roosts is found in the surveys, the developer will be required to submit as part of their submission to the Planning Authority a mitigation plan for bats. • Prior to determination, a Construction Method Statement incorporating measures to protect the internationally designated freshwater environment, shall be submitted to and approved by the Planning 			

	<p>Authority.</p> <ul style="list-style-type: none"> • Prior to commencement of development, a survey of breeding birds is required for the structure to be altered. Where it is established that there is a breeding bird interest, no development shall be carried out during the breeding bird season (March-August)ⁱⁱⁱ unless the development is implemented wholly in accordance with a Species Protection Plan for breeding birds, which shall be submitted to and approved by the Planning Authority. The SPP shall include provision for a pre-development supplementary survey and a mitigation plan.
Recommended Informatives	

ⁱ ASH Consulting Group 1998. The Borders Landscape Assessment. SNH Review No. 112

ⁱⁱ Preferably a specialist bat surveyor including licensed bat workers.

ⁱⁱⁱ The breeding season may extend for some species e.g. barn owl, barn swallow and pigeon sp.

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	18/00745/FUL
Uniform Ref	18/01562/PLANCO
Proposal	Planning Consultation Change of use of steading, alterations and extension to form dwellinghouse (revision to planning permission 17/00915/FUL)
Address	Steading Buildings Billerwell Farm Hawick Scottish Borders
Date	4th July 2018
Amenity and Pollution Officer	Forbes Shepherd
Contaminated Land Officer	Gareth Stewart

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

Where a PWS will be used for the Development, the following Condition should be applied:

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.

Wood Burning Stoves

I note from the plans that a wood burning stove is to be installed as part of the development and so long as it is less than 45kW no further information needs to be provided. If it is greater than 45kW then the applicant needs to declare this and provide additional information so that a screening assessment can be carried out.

Informative

Stoves and Use of Solid Fuel

These installations can cause smoke and odour complaints and any Building and Planning Consents for the installation do not indemnify the applicant in respect of Nuisance action. In the event of nuisance action being taken there is no guarantee that remedial work will be granted building/planning permission.

Accordingly this advice can assist you to avoid future problems.

The location of the flue should take into account other properties that may be downwind.

The discharge point for the flue should be located as high as possible to allow for maximum dispersion of the flue gasses.

The flue should be terminated with a cap that encourages a high gas efflux velocity.

The flue and appliance should be checked and serviced at regular intervals to ensure that they continue to operate efficiently and cleanly.

The appliance should only burn fuel of a type and grade that is recommended by the manufacturer. If you live in a Smoke Control Area you must only use an Exempt Appliance <http://smokecontrol.defra.gov.uk/appliances.php?country=s> and the fuel that is Approved for use in it <http://smokecontrol.defra.gov.uk/fuels.php?country=s>.

In wood burning stoves you should only burn dry, seasoned timber. Guidance is available on - [http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/\\$FILE/eng-woodfuel-woodasfuelguide.pdf](http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/$FILE/eng-woodfuel-woodasfuelguide.pdf)

Treated timber, waste wood, manufactured timber and laminates etc. should not be used as fuel.

Paper and kindling can be used for lighting, but purpose made firelighters can cause fewer odour problems.

Recommendation

Agree with application in principle, subject to conditions

Contaminated land

Assessment of Application

Recommendation

No Comment

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	18/00745/FUL	Case Officer: Stuart Herkes
Proposed Development	Change of use of steading, alterations and extension to form dwellinghouse (revision to planning permission 17/00915/FUL)	
Site Location	Steading Buildings, Billerwell Farm, Hawick, Scottish Borders	
<p><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></p>		
Background and Site description		
Key Issues (Bullet points)	<ul style="list-style-type: none"> • Parking • Impact on local public road network 	
Assessment	<p>The conversion of this building has previously been approved under 17/00915/FUL. No objections were raised providing adequate parking was provided along with the installation of two passing places at an agreed location.</p> <p>Therefore, providing the above two points are satisfactorily conditioned, I will not object to the current proposal.</p>	
Recommendation	<input type="checkbox"/> Object <input type="checkbox"/> Do not object <input checked="" type="checkbox"/> Do not object, subject to conditions <input type="checkbox"/> Further information required	
Recommended Conditions	<p>2 No. parking spaces to be provided within the curtilage of the site before the dwellinghouse is occupied and thereafter retained in perpetuity. Reason: To ensure on-site parking is provided and available for use by occupants of the dwellinghouse in the interests of road safety.</p> <p>No development to commence until a drawing showing the position and specification (DC-1 or DC-1a attached) of two passing places within the local road network has been submitted to and approved in writing by the Planning Authority. The passing places then to be provided in the approved positions and to the approved specification before the dwellinghouse is occupied. Reason: To ensure that the traffic created by this development can be safely accommodated on the local road network.</p>	
Recommended Informatives	<p>Forms to be included DC-1 & DC-1a.</p> <p>All work within the public road boundary must be undertaken by a Council approved contractor.</p>	

Signed: DJI

