

## PLANNING CONSULTATION

On behalf of: Director of Education & Lifelong Learning

From: Director of Assets & Infrastructure

Contact: Neil Hastie, Estates Manager

To: Head of Planning & Building Standards

Date: 28<sup>th</sup> June 2018

Contact: Lucy Hoad ☎ 01835 825113

Ref: 18/00728/PPP

### PLANNING CONSULTATION

**Name of Applicant:** Mr Raymond Keddie

**Agent:** N/A

**Nature of Proposal:** Erection of dwelling house

**Site:** Land East of Rose Cottage, Maxwell Street, Innerleithen, Scottish Borders

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**OBSERVATIONS OF: Education & Lifelong Learning (Neil Hastie)**

## CONSULTATION REPLY

I refer to your request for Educations view on the impact of this proposed development which is within the catchment area for St Ronan's Primary School, Halyrude Primary School and Peebles High School.

A contribution of £2,533 is sought for the Primary School and £1,092 is sought for the High School, making a total contribution of £3,625.

Contributions are sought to raise capital to extend or improve schools or where deemed necessary to provide new schools in order to ensure that over capacity issues are managed and no reduction in standards is attributed to this within the Borders Area.

This contribution should be paid upon receipt of detailed planning consent but may be phased subject to an agreed schedule.

*Please note that the level of contributions for all developments will be reviewed at the end of each financial year and may be changed to reflect changes in the BCIS index – therefore, we reserve the right to vary the level of the contributions.*

If you require any further information please do not hesitate to contact me by emailing [estatemanagement@scotborders.gov.uk](mailto:estatemanagement@scotborders.gov.uk)

**Scottish Borders Council**

**Regulatory Services – Consultation reply**

<b>Planning Ref</b>	18/00728/PPP
<b>Uniform Ref</b>	18/01604/PLANCO
<b>Proposal</b>	Planning consultation - Erection of dwellinghouse
<b>Address</b>	Land Adjacent Rose Cottage Maxwell Street Innerleithen
<b>Date</b>	10th July 2018
<b>Amenity and Pollution Officer</b>	Fraser Smith

**Amenity and Pollution**

**Assessment of Application**

*Air quality*  
*Noise*  
*Nuisance*  
*Private Water Supply*

The application is for the erection of a dwellinghouse. The following conditions are to ensure the development connects to the public sewer.

**Conditions**

*No drainage system other than the public mains sewer shall be used to service the property without the written consent of the Planning Authority.*

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

*Prior to occupation of the property written evidence shall be supplied to the planning Authority that the property has been connected to the public water drainage network.*

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

**Recommendation**

<del>Delete as appropriate—</del> Agree with application in principle, subject to conditions <del>/Further Information Required Before Application is Determined / Information to be Provided Before Work Commences (see conditions) / No Comment / Object</del>
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**From:**Chalmers, Ian  
**Sent:**3 Aug 2018 10:42:54 +0100  
**To:**Hoad, Lucy  
**Subject:**18/00728/PPP - Damside, Innerleithen

Hi Lucy,

I can confirm the following for the application referenced 18/00728/PPP at Damside, Innerleithen.

"In terms of information that this Council has concerning flood risk to this site, I would state that The Indicative River, Surface Water & Coastal Hazard Map (Scotland) known as the "third generation flood mapping" prepared by SEPA indicates that the site is not at risk from a flood event with a return period of 1 in 200 years. That is the 0.5% annual risk of a flood occurring in any one year.

The Indicative River & Coastal Flood Map (Scotland) has primarily been developed to provide a strategic national overview of flood risk in Scotland. Whilst all reasonable effort has been made to ensure that the flood map is accurate for its intended purpose, no warranty is given.

Due to copyright restrictions I cannot copy the map to you however, if the applicant wishes to inspect the maps they can contact me to arrange a suitable time to come in and view them.

Hydraulic modelling was produced as part of the Peebles, Broughton and Innerleithen Flood Study Report which further demonstrates that the proposed development lies out with the 1 in 200 year (0.5%) inundation outlines for the Leithen Water. This study is anticipated to be more accurate than the indicative mapping although no warranty is given.

Therefore, I would have no objection to this proposal on the grounds of flood risk."

Thanks,

Ian Chalmers

Engineer – Flood and Coastal Management



## PLANNING & ECONOMIC DEVELOPMENT

To:	Head of Planning & Regulatory Services				
F.A.O.	Lucy Hoad				
From:	Planning & Regulatory Services				
Contact:	Erica Hume Niven	Ext. 6704	Ref:	18/00728/PPP	Date: 23/07/18

Nature of proposal:	Erection of dwelling house
Site:	Land East of Rose cottage, Innerleithen, Scottish Borders

### Comments: ACCESS

#### Rights of Way

According to the comments from persons in the local community there is one right of way adjacent to this area of land, as shown on the attached plan. The path starts at Damside and goes through to Wells Brae. A site visit on 19 July 2018 confirmed that the route still exists on the ground but suffers from and overgrown shrub at the Damside end and confusing infrastructure at the Wells Brae end making it look like a private drive to a house. (These notes are being forwarded to The Scottish Rights of Way Society for their records.) Details as follows:

Rights of Way Code	Start (Approx. Grid Ref)	Finish (Approx. Grid Ref)	Length
N/A	NT331370	NT330371	100m

Rights of Way are protected by law under the Countryside (Scotland) Act 1967 sec. 46 'It shall be the duty of a...planning authority to assert, protect, and keep open and free from obstruction or encroachment any public right of way which is wholly or partly within their area.'

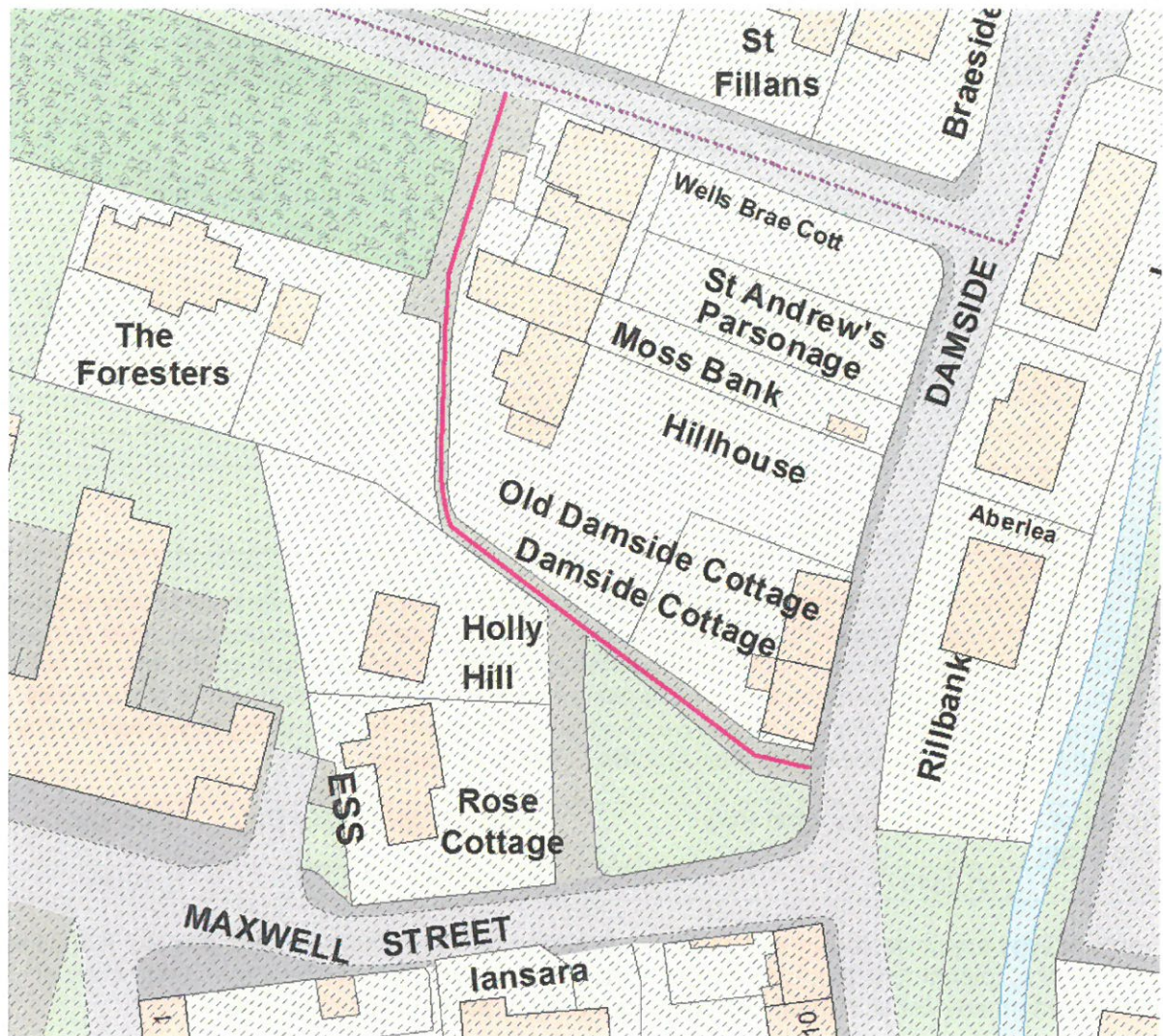
Please note that Scottish Borders Council does not have a definitive record of every claimed right of way within its area. The Scottish Rights of Way and Access Society, the community council and local residents may have evidence of existence of claimed rights of way that have not yet been recorded by SBC.

#### Land Reform (Scotland) Act 2003

There are other tracks in the area that the public would have a 'right of responsible access' to under the Land Reform (Scotland) Act 2003. This right also extends to most land and inland water in Scotland.

Please note: There are a number of statutory provisions contained in both public and private Acts under which public paths may be formally diverted. (s.37 Countryside Act 1967, s.199 Town & Country Planning Act 1972, s.9 & 12 Roads Act 1984) The diversion of a path may only be undertaken if the planning authority can be satisfied that the diversion will result in the efficient use of land or that a shorter or more convenient path will be created. It should be noted that formal diversions of paths involve a lengthy legal process.





Erica Hume Niven  
Access Ranger

# CONSULTATION RESPONSE TO PLANNING OR RELATED APPLICATION



Comments provided by	Roads Planning Service		Contact e-mail/number:
	David Collins Roads Planning MA		<a href="mailto:David.collins@scotborders.gov.uk">David.collins@scotborders.gov.uk</a> ext 5477
Date of reply			
Planning Application Reference	18/00728/PPP	Case Officer: Lucy Hoad	
Proposed Development	Erection of Dwellinghouse		
Site Location	Land East of Rose Cottage, Maxwell Street, Innerleithen		
<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	<p>Whilst I have no objections to this proposal in principle, the means of access should be determined at the detailed planning stage should this application be supported.</p> <p>A minimum of 2 parking spaces to be provided within the curtilage of the site.</p>		
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> Do not object, subject to conditions
Recommended Conditions	<input type="checkbox"/> Further information required Provision shall be made for the parking off the public road for at least 2 no. vehicles, excluding any garages. Reason: To ensure the provision of adequate off-street parking.		
Recommended Informatives			

Signed : Alan Scott

