

Mr A Anderson
per RM Architecture Ltd
Bloomfield
Heatherlie Park
Selkirk
TD7 5AL

Please ask for: Ranald Dods
☎ Ext. 8574
Our Ref: 18/01469/PPP
Your Ref:
E-Mail: Ranald.Dods@scotborders.gov.uk
Date: 11th February 2019

Dear Sir/Madam

**PLANNING APPLICATION AT Paddock South of and Incorporating Part Garden Ground of 1
Cowdenburn Cottages West Linton Scottish Borders**

PROPOSED DEVELOPMENT: Erection of two dwellinghouses

APPLICANT: Mr A Anderson

Please find attached the formal notice of refusal for the above application.

Drawings can be found on the Planning pages of the Council website at
<https://eplanning.scotborders.gov.uk/online-applications/>.

Your right of appeal is set out within the decision notice.

Yours faithfully

John Hayward

Planning & Development Standards Manager

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (as amended)

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

Application for Planning Permission

Reference : 18/01469/PPP

To : Mr A Anderson per RM Architecture Ltd Bloomfield Heatherlie Park Selkirk TD7 5AL

With reference to your application validated on **22nd October 2018** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of two dwellinghouses

At : Paddock South of and incorporating Part Garden Ground of 1 Cowdenburn Cottages West Linton

The Scottish Borders Council hereby **refuse** planning permission for the **reason(s) stated on the attached schedule**.

**Dated 6th February 2019
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 18/01469/PPP**Schedule of Plans and Drawings Refused:**

Plan Ref	Plan Type	Plan Status
1 of 2	Location Plan	Refused
18-020/PPP/001	Site Plan	Refused

REASON FOR REFUSAL

- 1 The development would be contrary to Policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it would not relate sympathetically to the character of the existing building group or surrounding landscape.
- 2 The development would be contrary to policy EP13 of the Local Development Plan 2016 and Trees and Development Guidance 2008 in that it would cause the loss or serious damage to high amenity value trees which would not be outweighed by an overriding public benefit.

FOR THE INFORMATION OF THE APPLICANT

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 (as amended) 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 OSA.

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 (as amended).

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 18/01469/PPP

APPLICANT : Mr A Anderson

AGENT : RM Architecture Ltd

DEVELOPMENT : Erection of two dwellinghouses

LOCATION: Paddock South Of And Incorporating Part Garden Ground Of 1 Cowdenburn Cottages
West Linton
Scottish Borders

TYPE : PPP Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
1 of 2	Location Plan	Refused
18-020/PPP/001	Site Plan	Refused

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

No representations were received,

Consultation responses were received from:

Roads - no objection, subject to conditions. Pre-application advice was sought for a residential development on this plot comprising of four units. In terms of the number of units the written response from the Planning Officer indicated that only one unit could be supported on this site. With regards to comments by the Roads Planning Service, it was stated that visibility to the south-west fell below the standard required. However it is noted that as part of this submission the applicant has stated that they are in control of the land required in order to improve the visibility to the necessary standard. Conditions recommended if granted; Landscape Architect - objection. At pre-application stage, Landscape advice was given identifying that 'the proposals afford protection of the significant mature tree, and the adjacent tree belt' there is nothing in the submitted application that addresses how the site will be accessed without impacting on the mature tree. The proposed access will clearly be within the Root Protection Area of this tree but there has been nothing addressing this or even identifying that issue. The Landscape Architect is not satisfied that the tree(s) can be retained with the access to the plots as shown, nor has any other access alternative been considered that would successfully retain these roadside trees; Contaminated Land Officer - no objection, subject to conditions. The above application appears to be proposing the redevelopment of land which previously housed a railway cutting which appears to have been infilled. That land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose. If granted, conditions recommended requiring site investigation and risk assessment. Any requirement arising from this assessment for a remediation strategy and verification plan would also be a suspensive condition.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Local Development Plan 2016

PMD2 - Quality standards

HD2 - Housing in the countryside

HD3 - Protection of residential amenity

EP13 - Trees, woodlands and hedgerows

IS2 - Developer contributions

IS7 - Parking provision and standards

IS9 - Waste water treatment and sustainable urban drainage

The site is not strategic, therefore the policies contained within SESplan have not been considered.

The following council guidance is material:

Development contributions;

New housing in the Borders countryside;

Placemaking and design;

Trees and development.

Recommendation by - Ranald Dods (Planning Officer) on 5th February 2019

Site and proposal

The site, which is approximately triangular and measures roughly 3800m², lies immediately to the south of the A701, some 5.75km north east of Romanno Bridge. To the north east of the site lies a terrace of 4 single storey houses. Those are traditionally proportioned and detailed. Further to the north east is a single storey modern bungalow which was constructed at the turn of the century (references 00/00251/OUT and 01/01495/REM). That house does not follow the building line of the traditional houses but sits at approximately 45 degrees to them. Adjacent to the application site and associated with number 1 Cowdenburn Cottages, are two single storey outbuildings. The site has the appearance of rough grazing and the application states that this was formerly used as a paddock. The southern portion of the site is traversed by a former railway line, although there is no visible track bed. A post and wire fence, which follows the line of the former railway, forms a boundary to the field beyond the application site. The north western boundary is formed by a stand of mature trees and a mature tree is located in the northern corner of the site, adjacent to the site access.

The application is made for planning permission in principle for two house plots. No details are provided of the houses although an indicative site plan has been submitted. That shows two houses accessed from the north eastern corner of the site. The indicative layout appears to show an attempt to acknowledge the layout of number 5 Cowdenburn Cottages although it doesn't quite achieve the effect of that house.

Site history

Other than the pre-application advice set out below, there is no planning history associated with this site.

Pre-application advice

Pre-application advice was sought on the development of this site for 4 house plots. That advice set out, amongst other things, that the number of dwellings proposed would exceed the number allowable under policy HD2 of the LDP. The proposal would break into an undeveloped field and extend beyond the confines of the existing building group. On this basis an application dwellings as indicated would not be supported. Taking into account the context and existing sense of place at this location it was considered that there may be potential for one additional dwelling of a suitable mass and scale on the position of the stable/garage buildings adjacent to No1 Cowdenburn Cottages. The advice continued that consideration should be given to removal of those outbuildings and provision of a plot size of a similar size/length to the existing dwelling and that, with the removal of the buildings, it would seem to be possible to construct a single house following the existing building line of Cowdenburn Cottages and outwith the root protection area (RPA) of the high value sycamore or; a house could be located in a similar manner to number 5 Cowdenburn Cottages, notwithstanding such a layout would break into an undeveloped field.

Additional landscaping on the south west and south east of the new plot would be required in order to assimilate the development and enclose the group. Suitable visibility splays for the access would require to be provided.

The advice further recommended that the following matters be addressed: A reduction in the number of dwellings to one single dwelling; siting and design of the dwelling to relate well to the group; landscape and visual impact; vehicular access/ visibility/parking; ecological impacts and habitats.

Principle

The key policy against which this application is assessed is HD2, housing in the countryside.

The council aims to encourage a sustainable pattern of development focused on defined settlements. That aim does not preclude the development of housing in the countryside. Where rural housing is permitted by policy HD2, the aim is to locate development in appropriate locations. There are three general principles which are the starting point for the consideration of new houses in the countryside. Those are:

- 1) Locations within villages are preferred to open countryside, where permission will be granted in only special circumstances on appropriate sites;
- 2) sites associated with existing building groups and which will not be detrimental to the character of the group or surrounding area and;
- 3) sites in dispersed communities in the southern Borders Housing Market Area (HMA).

The policy sets out 6 further main criteria against which applications are assessed. Those are:

- A) Building groups;
- B) dispersed building groups;
- C) conversions of buildings to a house;
- D) restoration of houses;
- E) replacement dwellings
- F) economic requirement.

In this case, the site is not within a defined settlement, although there is a building group present to the north east. The site is within the northern and not the southern HMA.

Of the six criteria set out above, the only possible option applicable to this application is criterion A) building group. This allows for up to a total of 2 additional dwellings or a 30% increase of the building group, whichever is the greater, associated with existing building groups. Three tests are set out, being:

- a) the council is satisfied that the site is well related to an existing group of at least three houses or buildings currently in residential use or capable of conversion to residential use. Where conversion is required to establish a cohesive group of at least three houses, no additional housing will be approved until such conversion has been implemented;
- b) the cumulative impact of new development on the character of the building group and on the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts;
- c) any consents for new build granted under this part of this policy should not exceed two housing dwellings or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.

The proposal fails the first test, a). A building group does exist but the proposals do not relate well to that group. Although there is tree cover on the northwest roadside boundary, the paddock is open on all other boundaries, with the site being particularly prominent when viewed on the approach from Romano Bridge to the south west. In addition, the vegetation within the garden of the adjoining property creates a visual break between the site and the building group. The site has, therefore, the appearance of an isolated and undeveloped green field. The council's SPG on housing in the countryside states that 'Sites should not normally break into previously undeveloped fields, particularly where there exists a definable natural boundary between the existing group and the field. Natural boundaries should take precedence over man-made boundaries when defining the extent of a building group'. The open nature of the application site itself, the trees within and adjacent to the site and weak boundary to the east and south of the site results in the application site having the appearance of being part of the wider field network. In any event, the application site does not extend to the post and wire field boundary. Rather, it is approximately 3.5m to the north of the

field boundary. In addition, the indicative siting shows the buildings set to the rear of Cowdenburn Cottages rather than attempting to create a strong pattern based on the building line of Cowdenburn Cottages, setting aside issues which arise from the mature trees on the site. Though it attempts to mirror the splay of no 5, it does so in a manner which substantially extends the group outwards into the field. The proposed development does not, therefore, relate well to the existing group. The pre-application advice indicated that, with the demolition of the outbuildings at number 1 Cowdenburn Cottages, it may be possible to construct a house to be built outwith the RPA of the mature tree, although it is noted that the application does not set out the RPAs for any of the trees. That having been said, a single plot which mirrors the layout of number 5 Cowdenburn Cottages would still break into an undeveloped field.

The New Housing in the Borders Countryside SPG reinforces the terms of policy HD2. No support for the proposal can be found within the SPG nor has the applicant advanced a case setting out why there is an overwhelming need for the development of the site. No justification has been provided by the applicant which indicates that it may be possible to set aside the terms of the LDP or SPG.

This proposal remains wholly inconsistent with planning policy and guidance. There are no material considerations of which I am aware that would suggest that policy provisions should be set aside in favour of the development and granting permission in principle would set an undesirable precedent.

The principle of a house on this site as proposed in this application is not accepted.

Amenity and privacy

Since the application is for planning permission in principle, no details have been given of the house design or layout. It is not possible to assess the potential impact of the proposed houses on amenity and privacy. An assessment of those aspects could be undertaken fully only with the submission of detailed plans. That having been said, it would be possible to introduce mitigation measures or have design revisions made if any privacy issues were to arise.

Impact on trees

The site is bounded on the north west by a row of mature trees and at the proposed access is a mature sycamore. All the trees are of high amenity value. As set out above, the applicant proposes some minor works would be required to the lower canopies of the trees on the north western boundary of the site in order to improve visibility to the south west. Setting that aside, the Landscape Architect objected to the application. Whilst it may be possible to undertake some minor works to the roadside trees, I share the Landscape Architect's concern about the impact on the mature sycamore tree. The proposed access will be immediately within the RPA of the sycamore and is likely to be to the severe detriment of the tree and its loss would have a negative effect on the area. Whilst it may be possible to replace that tree, any replacement would take a considerable time to reach a point where it gave the same level of amenity. It may be possible to create an access which is outwith the RPA of that tree but the application does not address this and the Landscape Architect is not satisfied that the trees within the site can be retained. The application does not contain sufficient information (i.e. BS5837:12-compliant survey and assessment) which demonstrates the developability of this site in a manner which establish that the principle is acceptable, and conditional approval is not recommended to overcome this until it does.

Developer contributions

Contributions would be required for education and affordable housing provision, were the application to be granted. Those would be secured by means of either a section 69 or section 75 agreement.

Access and parking

The existing field access would be utilised to provide direct access to the plots. The existing road junction would give access to the public road network. Roads had expressed concern at pre-application stage about visibility to the south west. The applicant controls the land required to improve the visibility and the applicant suggests that this could be done by some minor canopy raising of the trees on the north western boundary. Conditions are recommended by Roads in the event that permission is granted.

Services

The applicant states that the site will be connected to the public water supply. Foul drainage would be by means of a private system. In order to comply with policy IS9, a future application will have to demonstrate that the site can be serviced adequately in terms of water and drainage.

Contaminated land

The site is associated with a former railway. There exists the possibility of contamination from that former use. Although the Contaminated Land Officer does not object to the application, conditions are recommended should permission be granted.

Conclusion

The proposed development is located on an undeveloped greenfield site within the countryside. The proposal would be detrimental to the viability of mature trees on the site which are of high amenity value. The proposal is contrary to policy PMD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it would amount to sporadic residential development in a countryside location and no overriding case for a dwellinghouse has been substantiated. Further, the proposed development is contrary to policy EP13 of the Local Development Plan 2016 and Trees and Development Guidance 2008 in that it would cause the loss or serious damage to high amenity value trees which would not be outweighed by an overriding public benefit.

REASON FOR DECISION :

The development would be contrary to Policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it would not relate sympathetically to the character of the existing building group or surrounding landscape. The development would be contrary to policy EP13 of the Local Development Plan 2016 and Trees and Development Guidance 2008 in that it would cause the loss or serious damage to high amenity value trees which would not be outweighed by an overriding public benefit. .

Recommendation: Refused

- 1 The development would be contrary to Policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it would not relate sympathetically to the character of the existing building group or surrounding landscape.
- 2 The development would be contrary to policy EP13 of the Local Development Plan 2016 and Trees and Development Guidance 2008 in that it would cause the loss or serious damage to high amenity value trees which would not be outweighed by an overriding public benefit.

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

PLANNING CONSULTATION

To: EVH - Contaminated Land Officer

From: Development Management

Date: 9th November 2018

Contact: Lucy Hoad ☎ 01835 825113

Ref: 18/01469/PPP

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 30th November 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 30th November 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: Mr A Anderson

Agent: RM Architecture Ltd

Nature of Proposal: Erection of two dwellinghouses

Site: Paddock South Of And Incorporating Part Garden Ground Of 1 Cowdenburn Cottages West Linton Scottish Borders

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Officer Name and Post:		Contact e-mail/number:	
	EVH - Contaminated Land Officer Gareth Stewart			
Date of reply	13 th November 2018		Consultee reference: 18/03449/PLANCO	
Planning Application Reference	18/01469/PPP		Case Officer: Lucy Hoad	
Applicant	Mr A Anderson			
Agent	RM Architecture Ltd			
Proposed Development	Erection of two dwellinghouses			
Site Location	Paddock South Of And Incorporating Part Garden Ground Of 1 Cowdenburn Cottages West Linton 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	The above application appears to be proposing the redevelopment of land which previously housed a railway cutting which appears to have been infilled. This land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose.			
Key Issues (Bullet points)	Former railway cuttings were in some cases used for informal or formalised waste disposal, often with materials of unknown provenance.			
Assessment	<p>It is recommended that planning permission should be granted on condition that development is not be permitted to start until a site investigation and risk assessment has been carried out, submitted and agreed upon by the Planning Authority.</p> <p>Any requirement arising from this assessment for a remediation strategy and verification plan would become a condition of the planning consent, again to be submitted and agreed upon by the Planning Authority prior to development commencing.</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

<p>Recommended Conditions</p>	<p>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.</p> <p>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:-</p> <ul style="list-style-type: none"> 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. <p>and thereafter</p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>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.</p>
<p>Recommended Informatives</p>	

CONSULTATION RESPONSE TO PLANNING OR RELATED APPLICATION

Comments provided by	Landscape Architect Officer Name and Post:	Contact e-mail/number:		
	S McDermott	smcdermott@scotborders.gov.uk		
Date of reply	4 th December 2018			
Planning Application Reference	18/01469/PPP	Case Officer: Ranald Dods		
Proposed Development	Erection of two dwellinghouses			
Site Location	Paddock South of and incorporating part Garden Ground of 1 Cowdenburn Cottages West Linton			
<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	The site is a triangular block of land immediately to the south east of the row of houses that are Cowdenburn Cottages. A Pre Application enquiry was previously made for 4 houses on the site and the Landscape Architects response identified the importance of retaining the mature sycamore tree and the adjacent hedgerow trees along the A701.			
Key Issues (Bullet points)	<ul style="list-style-type: none"> Retention of mature sycamore and existing trees along the north west boundary (A701) 			
Assessment	<p><i>Despite the specific Landscape Pre App advice identifying that 'the proposals afford protection of the significant mature tree, and the adjacent tree belt' there is nothing in the submitted Planning application that addresses how the site will be accessed without impacting on the mature tree. The proposed access will clearly be within the Root Protection Area of this tree but there has been nothing addressing this or even identifying that issue in the Design and Access Statement (no reference to the trees –beyond quoting the Landscape Architect's response – was included in it).</i></p> <p><i>I am not satisfied that the tree(s) can be retained with the access to 2no plots as shown, nor has any other access alternative been considered that would successfully retain these roadside trees.</i></p> <p><i>For the reason that the application as submitted has potential to be detrimental to the retention of the sycamore tree, I do not support this application.</i></p>			
Recommendation	<input checked="" type="checkbox"/> Object	<input 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	Roads Planning Service		Contact e-mail/number:	
Officer Name and Post:	Paul Grigor Roads Planning Officer		<u>pgrigor@scotborders.gov.uk</u> 01835 826663	
Date of reply	30 th November 2018		Consultee reference:	
Planning Application Reference	18/01469/PPP		Case Officer: Ranald Dods	
Applicant	Mr A Anderson			
Agent	RM Architecture Ltd			
Proposed Development	Erection of two dwellinghouses			
Site Location	Paddock South Of And Incorporating Part Garden Ground Of 1 Cowdenburn Cottages West Linton 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	Pre-application advice was given under 18/00229/PREAPP			
Key Issues (Bullet points)	<ul style="list-style-type: none"> • Visibility 			
Assessment	<p>Pre-application advice was sought for a residential development on this plot comprising of four units. In terms of the number of units the written response from the Planning Officer indicated that only one unit could be supported on this site.</p> <p>With regards to comments by the Roads Planning Service, it was stated that visibility to the south-west fell below the standard required. However it is noted that as part of this submission the applicant has stated that they are in control of the land required in order to improve the visibility to the necessary standard.</p> <p>Should the Planning Department be minded to support this application, the conditions listed below, or similarly worded, should be attached to approval of this development.</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	<ul style="list-style-type: none"> • Parking and turning (excluding any garage space) for two vehicles shall be provided within the curtilage of each dwellinghouse before that dwellinghouse is occupied and must thereafter be retained in perpetuity. Reason: To ensure the provision of adequate off-street parking. • Prior to commencement of the development hereby approved a scheme of details for the access arrangements must be submitted for approval. Thereafter the approved details must be implemented to the satisfaction of the Council prior to commencement of development unless agreed otherwise in writing with the Council. The scheme of details to include construction specifications and dimensions of the access point, along with the visibility splays of 2.4m by 215m in both directions onto the A701. Reason: To ensure that development is served by a safe and satisfactory 			

	means of access.
Recommended Informatives	

Signed: Alan Scott



Newtown St Boswells Melrose TD6 0SA Tel: 01835 826705 Email: corporatebusinesssystems@scotborders.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100140895-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Proposed 2 house plots

Is this a temporary permission? *

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☒ Yes ☐ No

(Answer 'No' if there is no change of use.) *

Has the work already been started and/or completed? *

☒ No ☐ Yes – Started ☐ Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	RM architecture Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ross	Building Name:	Bloomfield
Last Name: *	Martin	Building Number:	
Telephone Number: *	01750 21709	Address 1 (Street): *	Heatherlie Park
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Selkirk
Fax Number:		Country: *	United Kingdom
		Postcode: *	TD7 5AL
Email Address: *	rmarchitecture4@gmail.com		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	A.	Building Number:	1
Last Name: *	Anderson	Address 1 (Street): *	Cowdenburn Cottages
Company/Organisation:		Address 2:	Lamancha
Telephone Number: *		Town/City: *	West Linton
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EH46 7BD
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

Scottish Borders Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

652773

Easting

320836

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

0.38

Please state the measurement type used:

☒ Hectares (ha) ☐ Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Paddock

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

☐ Yes ☒ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * ☐ Yes ☒ No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * ☒ Yes ☐ No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- ☐ Yes – connecting to public drainage network
☒ No – proposing to make private drainage arrangements
☐ Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

- ☐ New/Altered septic tank.
☒ Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
☐ Other private drainage arrangement (such as chemical toilets or composting toilets).

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

Biological treatment unit & soakaway system

Do your proposals make provision for sustainable drainage of surface water?? * ☐ Yes ☒ No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- ☒ Yes
☐ No, using a private water supply
☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * ☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * ☐ Yes ☒ No ☐ Don't Know

Trees

Are there any trees on or adjacent to the application site? *

☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

☐ Yes ☒ No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Ross Martin

On behalf of: Mr A. Anderson

Date: 19/10/2018

☒ Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
- ☐ Elevations.
- ☐ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☐ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☒ Photographs and/or photomontages.
- ☒ Other.

If Other, please specify: * (Max 500 characters)

Design Statement

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☒ Yes ☐ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Ross Martin

Declaration Date: 19/10/2018

Payment Details

Online payment: XM0100002426

Payment date: 19/10/2018 11:15:00

Created: 19/10/2018 11:15

