

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

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

**Application for Planning Permission**

**Reference : 16/01189/FUL**

**To : Mr and Mrs James Cook per IRD Design New Harbour Building Eyemouth Scottish Borders  
TD14 5SD**

With reference to your application validated on **28th September 2016** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal : Change of use of land to incorporate into garden ground and erection of detached garage with annexe accommodation over**

**at : Land West Of Lillybrooke West Flemington Scottish Borders**

The Scottish Borders Council hereby **grant planning permission** in accordance with the approved plan(s) and the particulars given in the application and in accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, subject to the following direction:

- That the development to which this permission relates must be commenced within three years of the date of this permission.

And subject to the conditions on the attached schedule imposed by the Council for the reasons stated

**Dated 12th January 2017  
Planning and Regulatory Services  
Environment and Infrastructure  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

Signed



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**Chief Planning Officer**

**APPLICATION REFERENCE : 16/01189/FUL****Schedule of Plans and Drawings Approved:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
004	Location Plan	Approved
001D	Sections	Approved
002D	Floor Plans	Approved
002D	Elevations	Approved
003D	Site Plan	Approved

**REASON FOR DECISION**

The incorporation of the site as curtilage space associated with Lilybrook is logical and following repositioning of the building, the proposed development is considered on balance to not have a significantly adverse impact on the character of the surrounding area or the amenity of residential properties to warrant refusal against determining policies of the LDP. To ensure policy compliance, a planning condition will be required to restrict the use of the development and tie the accommodation to the dwellinghouse it will serve to ensure that it is used appropriately.

**SCHEDULE OF CONDITIONS**

- 1 The development hereby approved shall be carried out wholly in accordance with the amended plans dated 09 January 2017.  
Reason: To ensure that the development is carried out as approved by the Planning Authority.
- 2 The development hereby approved shall only be used as ancillary accommodation in connection with the use of the main property (Lilybrooke) as a single private dwelling house and shall at no time be converted to a self-contained dwelling unit.  
Reason: To ensure that the use remains compatible within the site.
- 3 Prior to occupation of the upper floor of the annex accommodation, the screen which has been included on the back of the balcony shall be erected and planted as per the specification on Drawing No 002D. Once the planting is established it shall thereafter be maintained in perpetuity  
Reason: To protect the amenity of the neighbouring dwellinghouse to the west.
- 4 The external materials to be used on the development shall match in all respects those use on Lilybrooke, and no other materials shall be used unless the prior written consent of the Local planning Authority is given for any variation thereto.  
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting

**FOR THE INFORMATION OF THE APPLICANT**

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

**Notice of Initiation of Development**

Section 27 of the Town and Country Planning (Scotland) Act (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable. A form is enclosed with this decision notice for this purpose.

**Notice of Completion of Development**

Section 27B requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD  
Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA  
Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU  
British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND  
Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA  
Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL  
BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH  
THUS, Susiephone Department, 4<sup>th</sup> Floor, 75 Waterloo Street, Glasgow, G2 7BD  
Susiephone System – **0800 800 333**

If you are in a Coal Authority Area (Carlops or Newcastleton), please contact the Coal Authority at the following address: The Coal Authority 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire NG18 4RG.

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997.