

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

4 NOVEMBER 2019

APPLICATION FOR PLANNING PERMISSION

ITEM: **REFERENCE NUMBER:** 19/00947/FUL

OFFICER: Brett Taylor

WARD: Hawick & Denholm

PROPOSAL: Erection of two dwellinghouses

SITE: Land South West of West Lodge, Minto, Scottish Borders

APPLICANT: Professor Sally Haw

AGENT: Camerons Ltd

PLANNING PROCESSING AGREEMENT: No processing agreement.

CONSIDERATION BY PLANNING AND BUILDING STANDARDS COMMITTEE: The application was continued from the October meeting of the Planning and Building Standards Committee to allow for a site visit. The site visit is scheduled to take place on Wednesday 30th October 2019.

SITE DESCRIPTION

The proposed site is located on land south west of the West Lodge within the village of Minto, in Teviot and Liddesdale. The site is a dormant building plot which extends to 0.31 hectares. It lies within the settlement boundary for Minto. The site, slopes around 4.5m down from the northwest to the southeast and the predominant ground cover is scrub and small self-seeded trees. A line of mature trees is situated to the northeast alongside the public road that goes through the village.

The nearest properties are Fiaray and West Lodge, a distance of 36m and 55m respectively. Minto village is situated to the northwest, with Minto Golf Club located to the northeast. Open fields are to the south.

The site lies adjacent to the Minto Conservation Area.

PROPOSED DEVELOPMENT

The application seeks full planning permission for the erection of two, one and half storey, L shaped detached dwellinghouses, to be set back from the public road. The dwellings will be finished with a mixture of rubble stone, white oak cladding and render under natural slate roofs. They would have intersecting pitched roofs, gables, verges, a chimney, and low swept front and back dormer windows. The roofs would also have overhanging eaves and projecting verges with timber purlins, fascia and soffit boards. Each dwellinghouse would have a footprint of approximately 203m² and given the topography of the site would be stepped down 1.2m from the next. Garden ground would sit to the rear of the properties.

Screen planting and all existing boundary trees will be retained. Access would be taken from the existing public road by means of a new clearly defined tarmac access. The properties would be served by a shared access with 2 parking spaces per dwelling. Permeable paving will be used to new areas of parking and footpaths to minimise surface water run-off from the site. The remainder of the gardens would be laid to grass with a large proportion of tree retention. Mains water supply will be utilised with private foul drainage would be dealt with by means of a biorock waste-water treatment plant. A design statement has been provided in support of the application.

PLANNING HISTORY

R188/92 – Outline planning consent for the erection of a house. Approved 27 April 1993.

R045/95 – Approval of reserved matters granted for a two-storey house. Approved 12 June 1995.

19/00588/FUL - Planning application for the erection of three dwellinghouses. Application withdrawn.

REPRESENTATION SUMMARY

Members are reminded that all comments are available for Members to view in full on the Public Access website.

20 letters of objection were received from 19 separate households. 2 letters of support were also received.

The issues raised by the objecting households and by a single member of the public who provided general comments are listed below:

- Density, siting and overdevelopment of the site
- Inadequate drainage and water supply
- Increased traffic
- Design not in keeping with the traditional design of existing buildings
- Privacy of neighbouring properties
- Road safety
- Impact on trees, landscape and environment
- Neighbour notification
- Inadequate screening
- Future development of the paddock
- Lack of parking
- Residential amenity
- Lack of broadband capacity
- Loss of view
- Contrary to Local Plan
- Air quality
- Impact on Teviot Valleys and Designated Landscape
- Developer Contributions
- Title deeds for property at Fiaray state that drainage from the septic tank currently goes through the north west corner of the proposed development □ Quality and accuracy of the design statement.

The two letters of support raised the following points:

- Inaccurate objectors comments
- The design of the houses

The application was advertised in the Southern Reporter.

APPLICANTS' SUPPORTING INFORMATION

A supporting document was submitted with the application and is also available to inspect on the Public Access Portal. A summary of some of the key supporting points is listed below:

- The principle of development is acceptable in line with Policy HD2. It is located within the settlement boundary of Minto as defined by Scottish Borders Local Development Plan (LDP).
- The site is of an appropriate scale to accommodate two dwellings.
- The site has no restrictive designations and is not within the Conservation Area.
- The proposed dwellings are set back from the main road like many of residences within Minto and has substantial landscape/boundary treatment with appropriate spacing between the development and neighbouring properties.
- The building line is consistent with the current streetscape.
- The variety of different house types, ages and sizes.
- The proposed design, size of plot and materials are in keeping with the existing properties within the village.
- Retention of a high number of trees and new hedge planting.
- No significant drainage problems will be created. The biorock foulwater treatment proposed exceeds SEPA and Council requirements. The foulwater and surface drainage has been deemed to be acceptable by SEPA.
- Confirmation from Scottish Power that there is adequate network capacity.

Scottish Borders Council Local Development Plan 2016

PMD1 – Sustainability

PMD2 – Quality Standards

PMD5 – Infill Development

HD3 – Protection of Residential Amenity

EP1 – International Nature Conservation Sites and Protected Species

EP2 – National Nature Conservation Sites and Protected Species

EP3 – Local Biodiversity

EP9 – Conservation Areas

EP10 – Gardens and Designed Landscapes

EP13 – Trees, Woodlands and Hedgerows

EP16 – Air Quality

IS2 – Developer Contributions

IS5 – Protection of Access Routes

IS7 – Parking Provision and Standards

IS9 – Waste Water Treatment Standards and Sustainable Urban Drainage

Scottish Planning Policy (SPP)

OTHER PLANNING CONSIDERATIONS:

Supplementary Guidance

Biodiversity (2005)

Development Contributions (2011) updated January 2018

Landscape and Development (2008)

Trees and Development (2008)

Placemaking and Design (2010)

Privacy and Sunlight Guide (2006)

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Access Officer: No objections subject to an informative relating to the 'Paths around Hawick' booklet.

Education and Lifelong Learning: No objection. The site is located within the catchment area for Denholm Primary School and Jedburgh Grammar School. A contribution of £2,533 for each dwellinghouse is sought for the Primary School, making a total contribution of £5,066.

Environmental Health: No objection, subject to a condition and informative relating to drainage arrangements and the use of woodburning stoves, and conditions relating to mains water supply.

Landscape Architect: No objection, subject to a condition relating to the requirement of a tree survey and an arboricultural method statement to be undertaken to establish the quality, condition and root protection area (RPA) of the mature trees along the north east boundary and within the site.

Roads Planning: No objection, subject to conditions relating to provision of a visibility splay of 2.4m by 42m in either direction, satisfactory parking and turning for two vehicles per dwelling. The respective parking and turning to be provided before the associated dwellinghouses are occupied and be retained thereafter in perpetuity. The access off the public road to have a gradient not steeper than 1 in 15 and should also include measures to prevent the flow of water from the site onto the public road.

Statutory Consultees

Denholm & District Community Council: The Community Council listed the following concerns:

- The density of the site
- Inadequate access
- Increased traffic
- Lack of parking
- Poor design
- Road safety
- Future development of the paddock
- Neighbour notification procedures.

Scottish Water: No response.

KEY PLANNING ISSUES:

The principal planning issues with this application can be summarised as follows:

- Whether the proposals would represent a suitable development within the Minto settlement boundary.
- Whether the proposal would have an adverse impact on the landscape or visual amenities of the area.
- Whether the proposal would harm the residential amenity of neighbouring dwellings or conflict with the established land use of the area.
- Whether the proposals are acceptable in terms of parking, access and impacts on road safety.
- Whether adequate drainage and servicing can be achieved.

ASSESSMENT OF APPLICATION:

Policy Principle

The application site is located within the settlement boundary of Minto. It is not allocated within the plan for any particular use. As such, the principle of development must be assessed primarily against Policy PMD5 - Infill Development of the Local Development Plan 2016 (LDP). The purpose of PMD5 is to support development on non-allocated, infill or windfall sites including the re-use of buildings within development boundaries, provided it meets certain criteria.

The policy complies with Scottish Government Scottish Planning Policy (SPP) which acknowledges the contribution of infill development to the housing land supply. The SPP also supports the principle that settlements must be able to absorb and sustain the individual and cumulative effects of infill development and care must be taken to ensure that no over development takes places.

The remaining tests of Policy PMD5 seek to ensure that the development does not conflict with the established land use of the area, does not detract from the character and amenity of the surrounding area, and does not lead to over-development or 'town and village cramming'. Furthermore, PMD5 seeks to ensure that the development respects the scale, form, design materials and density of its surroundings, that adequate access and servicing can be achieved, and does not result in any significant loss of daylight, sunlight or privacy of adjoining properties as a result of over-looking or over shadowing. These matters will be discussed in more detail later in the report.

Members will be aware from site history associated with this application that both outline planning permission and detailed consent were granted for the erection of a substantial dwelling on this site. This house has not been constructed but the previous consents give support to the principle of development on this site.

The proposed residential development reflects the established land use of the surrounding area and poses no conflict with that established use. The proposal reflects the existing scale and pattern of development locally and would not lead to over-development of the site or the village.

Access and Parking

Members will note that objectors have raised concerns about the proposal from a road safety perspective. Various points are made in this regard, including the speed of traffic along this section of the road heading towards the junction with Minto Golf Club. The proposal would see a new access formed into the site from the existing public road. The Roads Planning Officer does not object to the development and is satisfied that the proposal would not create any additional road safety implications along this section of the public road.

Subject to conditions relating to provision of a visibility splay of 2.4m by 42m in both directions, satisfactory parking and turning for two vehicles per dwelling and for the access off the public road to have a gradient not steeper than 1 in 15. The proposal is considered to comply with policies PMD2 – Quality Standards and PMD5.

Placemaking & Design

Policy PMD2 requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders townscapes and to integrate with its landscape surroundings. The policy contains a number of standards that would apply to all development. Policy PMD5 requires that the development respects the scale, form, design, materials and density of its surroundings; the individual and cumulative effects of the development should not lead to over-development or town cramming; the proposal should not detract from the character and amenity of the surrounding area.

The site is large enough to accommodate two houses, garden ground and parking and as such it is contended that the proposed development would not constitute an overdevelopment of the site. The surrounding area is characterised by a mix of house types and materials, including single and two storey houses with rendered walls and slate and tiled roofs and a variety of window materials and designs. The spatial pattern of the village is also irregular therefore the proposal would allow for a logical development of the village in this location.

Turning to the specific design detail, the proposal acknowledges the context of the site and the setting of the property at 'Fiaray' in its design and in the proposed use of similar materials.

This application follows and reflects the previous withdrawn application advice which was provided to the applicant in 2019. Through that process it was advised that two detached dwellinghouses would be preferred to three detached houses, with the buildings set from back from the road to follow the same building line as the property at 'Fiaray'. Either a traditional or contemporary design would have been suitable. During these discussions advice was given to the applicants to 'flip' or 'hand' the house at plot 2 in order to achieve a more balanced development but the applicants were unwilling to do this.

Nevertheless, the design approach is traditional arts and crafts style, but with subtle contemporary additions such as a morning terrace at the front and the French doors leading out onto an area of decking to the rear. The proposals show the dwellings have clearly defined and readable gable ends at the sides of the building, they are also to be finished in horizontal white oak timber cladding to further distinguish them from the gables and ensure a more satisfactory appearance. The window arrangements are well-proportioned on their respective elevations and reflect nearby properties within the village. Overall, this is considered acceptable and the proposals are considered to be suitable in terms of their scale, massing, height and density in line with Policy PMD2 and Placemaking and Design SPG.

The proposed materials are a mixture of white oak cladding and wet-dash render to the front elevation, wet-dash render to the rear elevations and the use of rubble stone on the side 'courtyard' elevation. Natural slate is proposed for the roof, along with timber windows and doors. These are considered acceptable and appropriate for this location however the precise details can be controlled by condition. Other external materials and finishes such as rainwater goods and external joinery can also be controlled by condition to ensure a satisfactory form of development.

In line with policy PMD1 Sustainability, the proposal will incorporate the latest technology in relation to heating and ventilation and will feature solar panels on the south east facing roof slopes. Given the solar panels are placed on the less prominent side elevations the use of slate would ensure the panels blend relatively discreetly onto the roof. A condition would be applied to ensure the frames of the panels have a suitably dark appearance.

The landscape proposals indicate natural hedging to the boundaries of the proposed houses along with the retention of the mature trees along the north eastern boundary of the site. This is considered an appropriate boundary treatment for the area. The proposal accords with the aims of Placemaking and Design standards sought by the SPG, in that this development will assimilate well with the surrounding built and natural environment. The precise details of landscaping will be discussed later in the report.

Residential Amenity

Policy HD3 states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted. Part (f) of PMD5 is also relevant.

The Council's Supplementary Planning Guidance: Guidance on Householder Developments July 2006 contains guidance on privacy, overlooking and access to light that can be applied when considering planning applications for new household developments to ensure that proposals do not adversely affect the residential amenities of occupants of neighbouring properties. Whilst this guidance relates to householder developments, the same principles can be applied to non-householder developments such as this. The SPG states that as a rule, there should be a minimum 18m privacy zone between windows of principal rooms when directly opposite.

The property at 'Fiaray' is approximately 31m from the north-west site boundary and is screened by mature planting. The proposed dwellinghouse on plot 1 would be approximately 36m from Fiaray itself and no overlooking or loss of light to the detriment of residential amenity would occur to this property as a result of the development. The distances between plots 1 and 2 is over 8m but this is well below the requirement stipulated within our supplementary planning guidance. However, no direct window-to-window overlooking from principal rooms would occur and the landscape drawings submitted with the application indicate the retention of trees and planting of a boundary hedge. The proposal is therefore considered to comply with policy HD3 and PMD5 as well as supplementary planning guidance.

Landscape and Visual Impacts

Policy EP13 states that the Council will refuse applications that would cause the loss of or serious damage to the woodland resource unless the benefits of the development clearly outweigh the loss of landscape, ecological, recreational, and historical or shelter value.

Given there are a number of trees within the site the Council's Landscape Officer was consulted as part of the application process. Upon viewing the submitted plans the Landscape Officer

has no objections, subject to a condition relating to the requirement of a tree survey and an arboricultural method statement to be undertaken to establish the quality, condition and root protection area (RPA) of the mature trees along the north east boundary and within the site.

The agent has now provided a site plan that accurately shows the position of the trees to be retained and those to be re-located in relation to the proposed development. The development would be sited outwith the root protection area of the trees to be retained. While it is unfortunate that young but established trees will be removed to accommodate the two dwellinghouses, it can be demonstrated that a substantial number of trees between the proposed houses and the boundary with the adjacent field, and all the trees to the south of Plot 2 – the trees within the Paddock, would be retained. Replacement planting is proposed and would be controlled by condition and would further help the development integrate into the site and wider landscape.

The existing mature trees along the north east boundary of the site contribute positively to the wider landscape setting and are proposed for retention. It is important that these trees are retained and protected during the construction phase. The drawings show that the proposed access to both plots will be formed between two existing trees and none of the mature boundary trees have been identified for removal. Overall, it is considered that the proposed houses will fit comfortably within the immediate landscape setting without significant adverse impacts on the on the surrounding area. Appropriately worded conditions, as recommended by the Landscape Officer, will ensure existing trees are retained, full details of proposed landscaping are submitted for approval and existing trees are protected during the construction phase.

Cultural heritage and archaeology

There are no known archaeology implications for this proposal and the application site is located outwith the Minto Conservation Area. However, given the proximity of the application site to the Conservation Area the proposals must still be assessed for any potential adverse impacts thereto. As previously mentioned the proposed design partially reflects the design of the property at Fiaray which is located within the conservation area. The developer has clearly designed the proposed houses in such a way that is sensitive to the character of the adjoining conservation area, particularly in the choice of materials. Traditional materials such as rubble stone and slate will ensure the proposed development sits comfortably adjacent to the to the conservation area without resulting in an unacceptable adverse impact on the character or appearance of this designated area. This design approach adopted is welcomed and the proposals are considered compliant with policy EP9 – Conservation Areas.

No listed buildings feature within the immediate vicinity and although the site is visible from Minto Designed Landscape no adverse impacts are anticipated from this proposal.

Natural heritage

With respect to ecology, the applicant has submitted a preliminary ecological appraisal which was undertaken during the main breeding seasons for bats and birds. The report concludes that there was no historic sign of bats using any of the trees and that the site had signs of birds breeding or having bred this year. The proposed development is unlikely to result in significant adverse effects on local ecology or biodiversity, however, it would be prudent to attach a condition and applicant informative relating to breeding birds and bats.

Services

Policy IS9 states that the preferred method of dealing with waste water associated with new developments would be the direct connection to the public sewerage system and for development in the countryside the use of private sewerage may be acceptable provided that it can be provided without negative impacts to public health, the environment, watercourses or ground water. SUDS is required for surface water drainage.

The representations received and the consultation response from the Community Council expressed concerns in respect of water supply and drainage. The agent has confirmed that the water supply will be from the mains supply, as indicated on the application form. This would be controlled by planning conditions on the recommendation of the Environmental Health Officer.

Foul water would be connected to a 'biorock' waste-water treatment plant, although no specific details have been provided. The precise details will be controlled through the building warrant process. Surface water will be contained within the boundary of the site with the provision of SUDS the precise details of which will be agreed at building warrant stage.

Developer Contributions

In line with Development Contributions Policy IS2, a legal agreement will be necessary to secure contributions towards education and affordable housing.

Waste Management

The application drawings do not show the provision of bin stances within each plot however there is sufficient land within each plot to provide areas to store household waste and recycling bins. A condition can secure implementation and details to be provided.

Other matters

Members will note that objectors have suggested that lack for broadband provision within Minto. Whilst any impact on service provision is undesirable, it would not be reasonable grounds for refusing development proposals, particularly if it adds weight to the case for service improvement.

Objector comments regarding future development of the adjacent 'Paddock' would be the subject of a separate planning application and has not been taken into consideration in the determination of this application.

The site is located close to an established Core Path, but there would be no direct impact on it and the Access Officer has raised no concerns subject to an informative relating to the 'Paths around Hawick' booklet.

Objector comments regarding the drainage arrangements contained within the title deeds for the property at Fiaray are civil matters between the owners and the applicant.

With respect to the neighbour notification procedure, it is confirmed that the correct neighbours were correctly notified in accordance with the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.

CONCLUSION

It is considered that the proposal meets the principal policy criterion of Policy PMD5 of the LDP in enabling development of a vacant site within the settlement boundary of Minto. Subject to conditions, the development of the site could be achieved without adversely affecting the character of the surrounding area and neighbouring residential amenity. Furthermore, adequate vehicular access and site services can be provided.

RECOMMENDATION BY CHIEF PLANNING AND HOUSING OFFICER:

I recommend the application is approved subject to a legal agreement and the following conditions and informatives:

Conditions

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority, unless otherwise agreed by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
2. The development hereby approved shall only be carried out in strict accordance with details of the materials to be used on the external walls and roof of the proposed building(s), which shall first have been submitted to and approved in writing by the Planning Authority, unless otherwise agreed by the Planning Authority.
Reason: To ensure a satisfactory form of development which contributes appropriately to its setting.
3. The roofing material shall be natural slate. A slate sample shall be made available for the prior approval of the Planning Authority, and thereafter, the development shall be completed using the approved material.
Reason: To ensure a satisfactory form of development which contributes appropriately to its setting.
4. No development shall commence until details of the design and finish of windows and doors have first been submitted to and approved in writing by the Planning Authority. The development to be completed wholly in accordance with the approved details thereafter.
Reason: To ensure a satisfactory form of development which contributes appropriately to its setting.
5. Prior to the commencement of development, the finish and colour of all external joinery and rainwater goods shall be agreed in writing with the Planning Authority. The development to be completed wholly in accordance with the approved details thereafter.
Reason: To ensure a satisfactory form of development which contributes appropriately to its setting.
6. The frames of the Solar PV panels hereby approved shall be coloured non-reflective black or dark grey.
Reason: To ensure a satisfactory form of development which contributes appropriately to its setting.
7. No development shall commence until precise details, including materials, of all boundary treatments have first been submitted to and approved by the Planning Authority. The

development shall be completed wholly in accordance with the approved details thereafter.

Reason: To ensure a satisfactory form of development which contributes appropriately to its setting.

- 8 Prior to the occupation of the first dwellinghouse hereby approved, visibility splays of 2.4m x 42m must be provided in either direction at the junction with the public road and thereafter, minimum junction visibility splays of 2.4m x 42m shall be retained in perpetuity.
Reason: To ensure the development hereby approved is served by an acceptable form of access.

- 9 No development shall commence until a revised site plan showing an amended parking layout has first been submitted to and approved in writing by the planning authority. The revised plan must show satisfactory parking and turning for two vehicles, excluding garages, within the curtilage of each plot. Once approved, the respective parking and turning shall be provided before each associated dwellinghouse is occupied and be retained thereafter in perpetuity.
Reason: To ensure the development hereby approved is served by adequate parking at all times.

- 10 No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include (as appropriate):
- i. indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration;
 - ii. location of new trees, shrubs, hedges and grassed areas;
 - iii. schedule of plants to comprise species, plant sizes and proposed numbers/density;
 - iv. programme for completion and subsequent maintenance.
- Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.

- 11 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and shall be maintained thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing.
Reason: To ensure that the proposed landscaping is carried out as approved.

- 12 No trees within the application site shall be felled, lopped, lifted or disturbed in any way without the prior written consent of the Planning Authority.
Reason: The existing tree(s) represent an important visual feature which the Planning Authority considered should be substantially maintained.

- 13 Prior to the commencement of the development hereby approved, a detailed 'Method Statement' in relation to all works within the Root Protection Area (RPA) of retained trees shall be submitted to and approved in writing by the Planning Authority.
Specific issues to be dealt with in the Method Statement:
- a) A scaled plan and section (s), where relevant, showing the position, size, RPA, species and unique identification reference of each retained tree affected by the works and including details of the extent and nature of all works within the RPA of retained trees.
 - b) A written statement detailing the proposed works including hand digging, use of filter cloth, timber edging, cellular ground reinforcement, porous surfaces etc. as relevant.

- c) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- d) A specification for ground protection within tree protection zones.
- e) Arboricultural supervision and inspection by a suitably qualified tree specialist. The development thereafter shall be implemented in strict accordance with the approved details.

Reason: To ensure that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.

- 14 The developer shall give notice to the planning authority once the approved landscaping works have been completed.

Reason: To allow the planning authority to inspect the works, in order to ensure that the works have been carried out as approved.

- 15 There shall be no excavation or raising or lowering of levels within the root protection area of retained trees, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure that the trees to be retained will not be damaged during demolition or construction.

- 16 No development shall commence until a report has been submitted to and approved in writing by the Planning Authority that the public mains water supply is available to serve this site. Prior to the occupation of the building(s), written confirmation shall be provided for the written approval of the Planning Authority that the development has been connected to the public mains water supply.

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.

- 17 No water supply other than the public mains shall be used to supply the Development without the written agreement of the Planning Authority.

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.

- 18 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.

- 19 No development shall be undertaken during the breeding bird season (March to August), unless in strict compliance with a Species Protection Plan for breeding birds, including provision for pre-development supplementary survey, that shall be submitted to and approved in writing by the Planning Authority.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.

- 20 Bin stances shall be provided in accordance with details that have first been submitted to and approved in writing by the planning authority. The houses hereby approved shall not be occupied until bin stances are provided in accordance with the approved details.

Reason: To ensure visually sympathetic storage of bins

- 21 No development shall commence until a surface water drainage layout, in addition to means of its future maintenance, has first been submitted to and approved in writing by the Planning Authority. The development shall be serviced in accordance with the approved details

Reason: To ensure the development can be adequately serviced

Informatives

- 1 Private drainage systems often cause public health 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. The applicant should satisfy themselves 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.
- 2 If the stove has an output of more than 45kw, the applicant should contact the Council's Environmental Health Service and provide further information in order that a screening assessment can be carried out. Stove 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 a Building Warrant/Planning Permission, including changes to the height and position of the flue.
- 3 The access to the site from the public road to be constructed as a service layby to my standard specification DC3. The initial 5 metres of the shared driveway beyond the rear of the service lay-by to be a minimum of 5.5 metres wide to allow two vehicles to pass and surfaced to the same specification.
- 4 Only contractors first approved by the Council may work within the public road boundary.
- 5 The promoted Minto Hills path in the Paths around Hawick booklet is described from Denholm and the route shown is the route on the maps below. The full booklet may be accessed from the council website www.scotborders.gov.uk/walking
6. The applicant is reminded that, under the Conservation Regulations (Natural Habitats & c.) 1994 (as amended) it is an offence to deliberately or recklessly damage or destroy a breeding site or resting place of bats (whether or not deliberately or recklessly), capture, injure or kill a bat, harass a bat or group of bats, disturb a bat in a roost (any structure or place it uses for shelter or protection), disturb a bat while it is rearing or otherwise caring for its young, obstruct access to a bat roost or otherwise deny an animal use of a roost, disturb a bat in a manner or in circumstances likely to significantly affect the local distribution or abundance of the species, disturb a bat in a manner or in circumstances likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young.

In the event that bats are discovered following the commencement of works, works should stop immediately and the developer must contact SNH (tel: 01896-756652 or 01463 725 364) for further guidance. Works can only recommence by following any guidance given by SNH. The developer and all contractors to be made aware of accepted standard procedures of working with bats at www.bats.org.uk. Further information and articles available at:

http://www.bats.org.uk/pages/bats_and_buildings.html
http://www.bats.org.uk/pages/existing_buildings.html <https://cdn.bats.org.uk/pdf/Bats-Trees.pdf?mtime=20181101151317>

DRAWING NUMBERS

Plan Type	Reference	Date on plan
Location Plan	9383-3.0	28/06/19
Site Plan	9383-3.02	28/06/19
Floor Plan	9383-3.03	28/06/19
Elevations	9383-3.04	28/06/19
Perspective	9383-3.05	28/06/19
Perspective	9383-3.06	28/06/19
Perspective	9383-3.07	28/06/19
Perspective	9383-3.08	28/06/19
Landscape plan	9383-3.11 REV A	13/09/19

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning & Housing Officer	

The original version of this report has been signed by the Chief Planning and Housing Officer and the signed copy has been retained by the Council.

Author(s)

Name	Designation
Brett Taylor	Planning Officer



19/00947/FUL

Land South West Of West Lodge
Minto

