

PLANNING CONSULTATION

To: Ecology Officer

From: Head of Planning & Regulatory Services

Date: 10th April 2013

Contact: Scott Shearer ☎ 01835 826732

Ref: 13/00401/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 1st May 2013, 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 1st May 2013, it will be assumed that you have no observations and a decision may be taken on the application.

Name of Applicant: Mr Ewen Brown

Agent: Camerons Ltd (Leith)

Nature of Proposal: Erection of 12 holiday cabins, office/laundry block and associated works
Site: Land South West Of Milldown Farmhouse Coldingham Scottish Borders

OBSERVATIONS OF: Ecology Officer

CONSULTATION REPLY

It is recognised that a formal recommendation for a decision can only be made after consideration of all relevant information and material considerations. This consultation advice is provided to the Development Management service in respect of heritage and design issues (biodiversity).

The proposed site is in an arable field with hedgerow field boundaries, but is adjacent to an area of mixed semi-natural and planted broad-leaved woodland along the Milldown burn and the proposed access track passes through this habitat and crosses the burn. I have not visited the site to inform this consultation response.

At a minimum this application should be informed by a preliminary ecological appraisalⁱ. This should include a search of the biological records (available from The Wildlife Information Centre: <http://www.wildlifeinformation.co.uk/about.php>), a number of bryophytes, vascular plants, insects and mammals are associated with the Milldown burn and adjacent area including corn spurrey (*Spergula arvensis*), wavy-beard moss (*Didymodon sinosus*), northern brown argus butterfly (*Aricia artaxerxes*) and badger.

Further survey may also be required e.g. badger, breeding birds and assessment of impacts on habitats as appropriate. I can comment further when the required further information is submitted.

Dr Andy Tharme
Ecology Officer
09 July 2013

ⁱ Preliminary ecological appraisal IEEM, 2012 <http://www.cieem.net/guidance-on-preliminary-ecological-appraisal-gpea->

PLANNING CONSULTATION

To: Economic Development Section

From: Head of Planning & Regulatory Services Date: 10th April 2013

Contact: Scott Shearer ☎ 01835 826732

Ref: 13/00401/FUL

PLANNING CONSULTATION

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Name of Applicant: Mr Ewen Brown

Agent: Camerons Ltd (Leith)

Nature of Proposal: Erection of 12 holiday cabins, office/laundry block and associated works
Site: Land South West Of Milldown Farmhouse Coldingham Scottish Borders

OBSERVATIONS OF: Economic Development Section

CONSULTATION REPLY

Economic Development supports the application for Erection of 12 No holiday cabins on land South West of Milldown Farmhouse, Coldingham Specifically, the application fits with the National Tourism Strategy and the Scottish Borders Tourism Strategy by seeking to improve the customer journey by:

- **Improve occupancy levels, in particular out of season**
- **Increase overnight expenditure by individual visitors in real terms**
- **Ensure the regions accommodation offerings are in direct relation to consumer demands and where opportunities are available can act as an attractor or demand in themselves.**
- **Encourage improved links between accommodation and activity - in this case, Coldingham Bay and surrounding area.**

The proposal also fits the priorities of the South of Scotland Competitiveness Strategy (2007-13), which aims to support key indigenous business sectors including the tourism industry.

Economic Development would request additional information on the **quality** of accommodation proposed for the site.

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Consultation Reply



ENVIRONMENT AND INFRASTRUCTURE

To: HEAD OF PLANNING AND REGULATORY SERVICE

FAO: Scott Shearer

Your Ref: 13/00401/FUL

From: HEAD OF ENGINEERING & INFRASTRUCTURE

Date: 03 May 2013

Contact: Duncan Morrison

Ext: 6701

Our Ref: B48/1546

Nature of Proposal: Erection of 12 Holiday Cabins, office/laundry block and associated works.

Site: Land South West Of Milldown Farmhouse, Coldingham, Scottish Borders.

In terms of information that this Council has concerning flood risk to this site, I would state that The Indicative River & Coastal Flood Map (Scotland) known as the "second generation flood mapping" prepared by SEPA indicates a small portion of the site maybe 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 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.

The indicative flood envelope for the Milldown Burn at this location does not follow the line of the Burn and is displaced to the South encroaching into the site.

On reviewing the OS countour mapping at this site it is apparent that the site is located approximately 5m above Burn level and that the left bank as you look downstream is significantly lower indicating that flood water will flow in this direction should the Burn come out of bank. I therefore have no concerns about the flooding to the site itself from the Burn.

Households in this area have been subject to affects of surface water run-off from surrounding fields in the past 12 months. As this site is effectively located on the side of a slope (falling South to North) there is a high possibility that this site could suffer from similar effects. I would therefore require that any future planning consent includes the following condition

- Prior to any development taking place at this site a cut-off drain is installed on the upslope side of the site to mitigate against surface water flooding.

The site layout location plan shows that there will be a bridge constructed across the Millburn to facilitate access to the development site. Bridges can have an adverse affect on the mechanics of river flow and increase flooding if they are not designed properly. In the information submitted there is no detail given in relation to the bridge.

I would therefore require that more information is submitted in relation to the bridge design and that a Flood Risk Assessment (FRA) is undertaken to develop a 1 in 200 year plus a 20% allowance for climate change flood level, thus allowing the bridge to be appropriately designed. Construction of the bridge abutments should be such that they are set back from the edge of the Milldown Burn not to affect flows and cause unnecessary scour. SEPA should also be

contacted as constructions works of this type will require to be governed by the Controlled Activities Regulations (CAR).

Some correspondence from the local residents indicates that the access road leading from the Coldingham Sands Road to Milldown Farm is subject to flooding, this is assumed to be directly from the Milldown Burn. The Council does not have any records of this but I would suggest that this is picked up in the FRA and this will help address access and egress issues in relation to flood risk as required under Scottish Planning Policy (SPP).

The applicant has also intimated that a Sustainable Urban Drainage System will be developed for the site by another party. To progress this side of the application I would require that the following information is submitted in relation to flood risk.

- Calculations showing the Greenfield Run-off Rate from the existing site; the discharge rate from the new site should not exceed the existing Greenfield Run-off Rate or 5l/s/ha which ever is lower.
- Design Drawings and Details of the proposed SUD's system.

Please note that this information must be taken in the context of material that this Council holds in fulfilling its duties under the Flood Risk Management (Scotland) Act 2009.

Duncan Morrison
Engineer (Flood Protection)

From: Chalmers, Ian
Sent: 30 January 2015 10:09
To: Shearer, Scott
Cc: Morrison, Duncan
Subject: FW: 13/00401/FUL Access upgrade drawings

Hi Scott,

Duncan previously stated the following;

"The notes on the drawing state that size of the arch box culvert has been designed to accommodate the 1 in 200 year flows, in my previous response I stated that I would require a Flood Risk Assessment to be undertaken to develop a 1 in 200 year plus a 20% allowance for climate change flood level to inform the bridge design. This is still required. I would also request that SEPA's hydrologists are consulted to assess the methodologies and data used to develop the flood level."

The above is stated within the 14-C-191-SK 01 Rev D drawing and already had this topographical information that was provided within the attachment on your e-mail dated 19th January 2015, so this data had previously been seen.

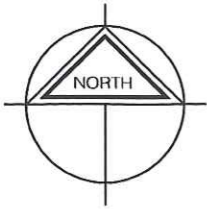
Therefore, there will be no change in the response and the FRA to develop a 1 in 200 year plus climate change flood level will still be required to inform the bridge design.

It is still the case that we do not think that there is a need for a debris grille.

It is still the case that a cut-off drain should be built to mitigate the risk of surface water run-off.

Regards,

Ian Chalmers
Flood Risk and Coastal Management



Additional structure planting to perimeter of site.

Additional structure planting to perimeter of site

Key:

- development area (1.5ha)
- land under ownership of client (7.1ha total)
- grassed areas
- wildflower seed mix
- shared surface
- access road



Revisions:
 A:19.02.13:CM landscaping revised, units reduced to 12, extent of shared surface reduced.
 B:20.03.13:CM extent of development reduced to remove visibility from Homeli Knoll (coastal path)
 C:02.04.13:CM note added regarding upgrading of surrounding roads, landscaping revised, scalebar added

timberbush house
16/3 timberbush, leith
edinburgh, eh6 6qh
t: 0131 553 7959
f: 0131 553 7984
e: edin@camerons.ltd.uk
w: www.camerons.ltd.uk

camerons

client: ewen brown

 project: cabin development
coldingham bay
scottish borders

title: site layout:
location plan

 scale / size: 1:1250
 drawn: CM
 h+s status: pre-planning
 date: Feb '13

number: 9065/0-07
 revision: C
 status: planning
 also at: 1 wilderhaugh
galashiels, td11 1qj
t: 01896 753077
f: 01896 756046

PLANNING CONSULTATION

To: RIGHTS OF WAY OFFICER

From: Head of Planning & Regulatory Services

Date: 22 APRIL 2013

Contact: Scott Shearer ☎ Ext 6732

Ref: 13/00401/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 1 May 2013, 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 1st May 2013, it will be assumed that you have no observations and a decision may be taken on the application.

Name of Applicant: Mr Ewen Brown

Agent: Camerons Ltd (Leith)

Nature of Proposal: Erection of 12 holiday cabins, office/ laundry block and associated works
Site: Land South West Of Milldown Farmhouse, Coldingham, Scottish Borders

OBSERVATIONS OF: Rights Of Way Officer

CONSULTATION REPLY

Further to my review of the application, there are pathways (as outlined on the attached Plan) which are accessible to the public under the Land Reform (Scotland) Act 2003 that will be affected by this application.

The route which gives access from the unclassified road to Coldingham Bay, gives access to the small bay south of Coldingham Bay and onto both the Berwickshire Coastal Path and Coldingham Bay. It is undoubtedly used regularly by both the local community and visitors to the area.

The access roadway from the unclassified road should incorporate adequate width to accommodate pedestrians, cycles and horses along the entire length of the route, providing suitable surface to the access roadway and a suitable bridge crossing.

From the access roadway it would be beneficial to the development that 'Coldingham Bay & Berwickshire Coastal Path' be signposted and accordingly suitably surfaced to 'Deil's Dander'.

Should any planning permissions be granted the following conditions should be incorporated accordingly:

- The path indicated (*Points A – B*) must be maintained open and free from obstruction in the course of development and in perpetuity and shall not form part of the curtilage of the development area and / or properties. **Reason:** To protect general rights of responsible access.
- Should temporary works require public access be diverted, no development shall take

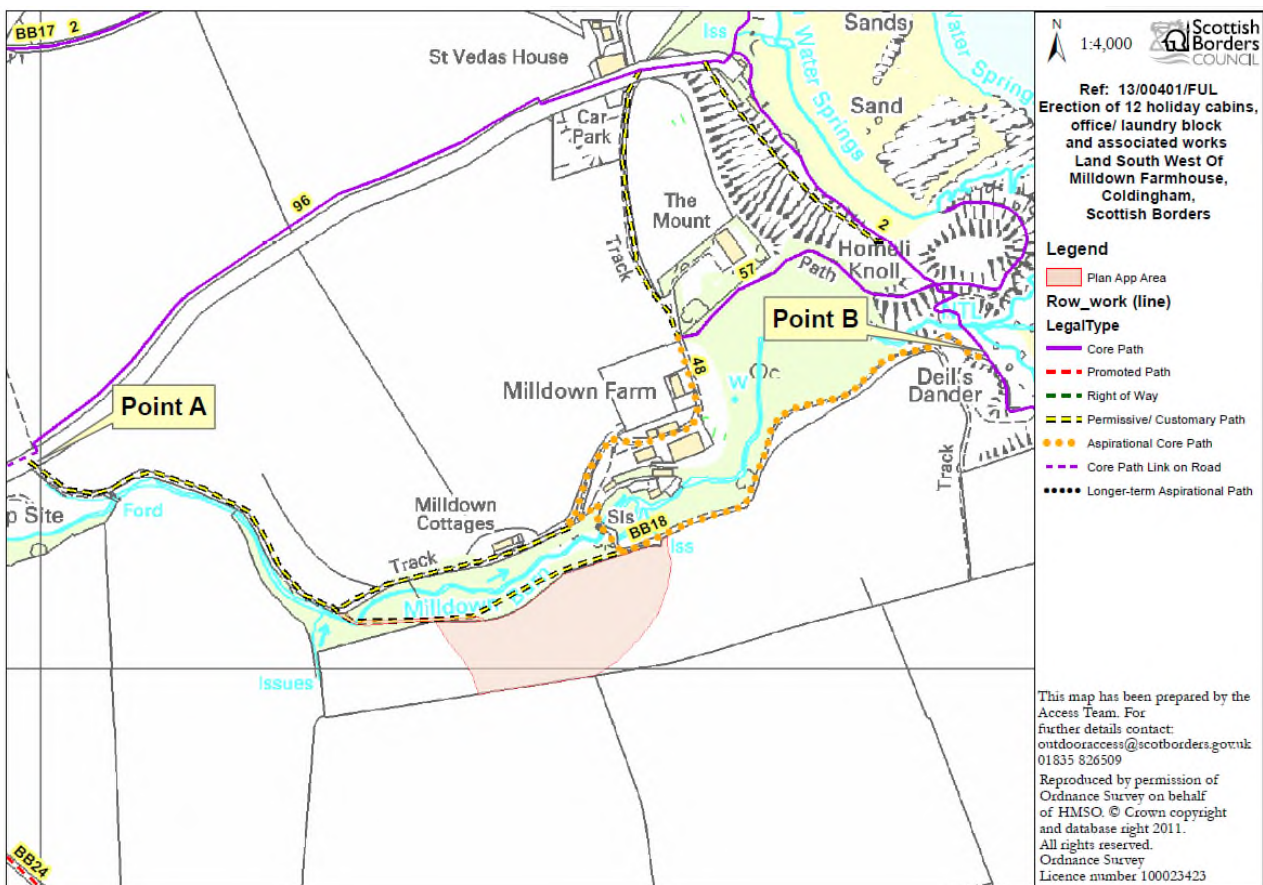
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place until a scheme for the temporary diversion and restoration of path number (*Points A – B*) has been submitted to and approved by the Local Planning Authority and the development shall be implemented in accordance with the said scheme. Reason: To protect general rights of responsible access.

- Should any new bridge crossing of the Milldown Burn be installed, the structure should accommodate all anticipated path users together with vehicles. No development shall take place until a scheme outlining the bridge crossing to facilitate public access along the path (*Points A – B*) has been submitted to and approved by the Local Planning Authority and the development shall be implemented in accordance with the said scheme. Reason: To protect general rights of responsible access.
- The path indicated (*Points A – B*) must be surfaced accordingly (e.g. locally sourced aggregate: type 1 to dust) in order to accommodate anticipated increased demand on the route to the satisfaction of and approved by the Local Planning Authority and the development shall be implemented in accordance with the said scheme. Reason: To protect general rights of responsible access.
- The path indicated (*Points A – B*) must be signposted accordingly (e.g. timber fingerposts) in order to facilitate anticipated increased demand on the route to the satisfaction of and approved by the Local Planning Authority and the development shall be implemented in accordance with the said scheme. Reason: To protect general rights of responsible access.



Neil Mackay
 Senior Access Officer

PLANNING CONSULTATION

To: RIGHTS OF WAY OFFICER

From: Head of Planning & Regulatory Services

Date: 22 APRIL 2013

Contact: Scott Shearer ☎ Ext 6732

Ref: 13/00401/FUL

PLANNING CONSULTATION

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OBSERVATIONS OF: Rights Of Way Officer

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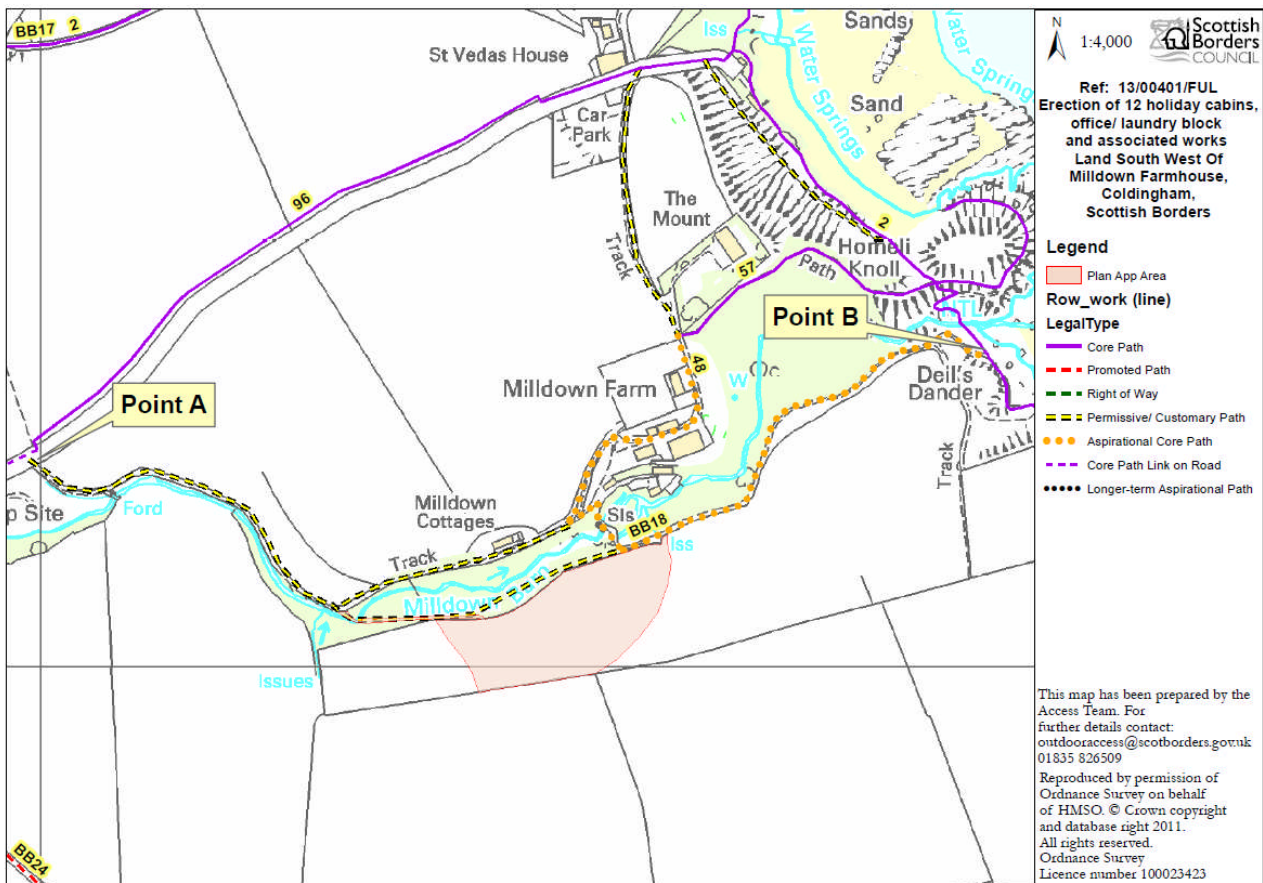
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Neil Mackay
 Senior Access Officer

To: **Development Management Service**
FAO Scott Shearer

Date: **7 May 2013**

From: **Roads Planning Service**

Contact: **Paul Grigor**

Ext: **6663**

Ref: **13/00401/FUL**

**Subject: Erection of 12 Holiday Cabins, Office/Laundry Block and Associated Works
Land South West of Milldown Farmhouse, Coldingham**

The unclassified single track public road (D136/6) which would be utilised to serve this proposed development is unsuitable for vehicular traffic and is currently signposted as such. The road itself is approximately 2.5 metres wide and showing signs of disrepair. Due to its low usage and the fact it is not the sole access to serve any properties; this road does not feature highly on the Council's maintenance program. In addition to the poor state of the road and its narrow nature, the road also runs close to a burn at several locations with no boundary treatment delineating the edge of the carriageway.

In order to make this road suitable for traffic associated with this development, including construction traffic, whilst also bearing in mind other road users such as pedestrians, the following upgrading works would have to be incorporated into the current proposal:

- D136/6 to be widened to 3.7 metres over its entire length. This recognised road width allows a vehicle to pass a pedestrian safely.
- Given the single track nature of the road, even when widened to 3.7m, a series of passing places will need to be installed along the route to allow adequate passing opportunities for traffic associated with this development.
- The existing surface must be made good. This may involve localised patching, regulating and a minimum 40mm overlay of the existing surface. However, cores should be taken at various locations along the road to ascertain the current construction depth of the road before a final specification can be agreed for the road improvements.
- A form of boundary treatment to be installed at sections of the road which are adjacent to the burn.
- An engineers report is required for the sections of the road adjacent to the burn to identify if any strengthening works are required to withstand the loading of vehicles associated with the development. Any works adjacent to the burn may need approval from SEPA.
- Details of drainage proposals to be submitted along with measures to reduce the impact of flooding along this section of road. The Council does not have any record of flooding issues along this section of road, although photographs have been sent by a member of the public to demonstrate that the road does flood on occasions.

PLANNING & REGULATORY SERVICES



Given the amount of upgrading work required to the existing road and the limited amount of land available, I will require a topographic survey of the route to be undertaken. After which, a detailed design should be produced incorporating the above comments. The detailed design should also include information relating to the design of the proposed bridge crossing. All upgrading works detailed above would have to be undertaken prior to construction commencing on site, to ensure the road is adequate enough to cater for the construction traffic associated with the development.

With regards to the internal layout of the proposal, I would suggest that it would be more practical to have parking adjacent to each unit, rather than a communal parking area. An element of visitor parking should be retained. A turning area should also be provided near the office block for service and refuse vehicles. Details should be provided for the construction make-up of the internal access road and parking area.

Given my concerns over the access road and deliverability of the upgrading works, I must insist that the information requested above is provided prior to determination of this application, rather than being conditioned as part of any consent.

Until I receive this information, I must withhold my support for this application.

DJI

Our ref: PCS/126034
Your ref: 13/00401/FUL

Scott Shearer
Scottish Borders Council
Planning & Economic Development
Council Headquarters
Newtown St Boswells
Melrose
TD6 0SA

If telephoning ask for:
Alasdair Milne

22 April 2013

By email only to: dcconsultees@scotborders.gov.uk

Dear Sir

Planning application: 13/00401/FUL
Erection of 12 holiday cabins, office/laundry block and associated works
Land South West Of Milldown Farmhouse, Coldingham, Scottish Borders

Thank you for your consultation letter of 10 April 2013 which SEPA received on 10 April 2013.

We ask that the planning **condition** in Section 3.1 be attached to the consent. If any of these will not be applied, then please consider this representation as an **objection**. Please also note the advice provided below.

Advice for the planning authority

1. Flood Risk

- 1.1 We have reviewed the information provided in this consultation and it is noted that, the application site (or parts thereof) lies adjacent to the 1 in 200 year (0.5% annual probability) flood envelope of the Indicative River & Coastal Flood Map (Scotland).
- 1.2 Review of the available OS map information, it appears that the site lies 5m above the Milldown Burn and as a result we are of the opinion the site is above the level of fluvial flood risk.
- 1.3 If your authority requires further comment from us, additional information would be necessary to enable us to comment upon the flood risk at the application site.
- 1.4 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Scottish Borders Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*" outlines the transitional changes to the basis of our advice inline with the phases of this legislation and can be downloaded from www.sepa.org.uk/planning/flood_risk.aspx.

2. Foul Drainage



Chairman
David Sigsworth

Chief Executive
James Curran

Edinburgh Office

Clearwater House, Heriot Watt Research Park
Avenue North, Riccarton, Edinburgh EH14 4AP
tel 0131 449 7296 fax 0131 449 7277
www.sepa.org.uk

- 2.1 A discharge of secondary treated effluent to the Milldown Burn is likely to be consentable under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (also known as CAR). The developer should contact our operations staff (contact details in section 5) as soon as possible to discuss and agree the foul drainage arrangements.

3. Surface Water Drainage

- 3.1 We request that a **condition** be attached to any consent requiring the discharge of surface water to the water environment to be in accordance with the principles of the SUDS (Sustainable Drainage Systems) Manual (C697) published by CIRIA.
- 3.2 Comments from Scottish Water and, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on the SUDS strategy in terms of water quantity/flooding and adoption issues.
- 3.3 Surface water drainage from the construction phase should also be dealt with by SUDS. Such drainage should be in accordance with C648 and C649, both published by CIRIA. It should be noted that oil interceptors are not considered SUDS in their own right but are beneficial as part of the treatment train.

Detailed advice for the applicant

4. Flood Risk

- 4.1 The Indicative River & Coastal Flood Map (Scotland) has been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river cross-sections and low-lying coastal land. The outlines do not account for flooding arising from sources such as surface water runoff, surcharged culverts or drainage systems. The methodology was not designed to quantify the impacts of factors such as flood alleviation measures, buildings and transport infrastructure on flood conveyance & storage. The Indicative River & Coastal Flood Map (Scotland) is designed to be used as a national strategic assessment of flood risk to support planning policy in Scotland. For further information please visit www.sepa.org.uk/flooding/flood_extent_maps.aspx.
- 4.2 We refer the applicant to the document entitled: "*Technical Flood Risk Guidance for Stakeholders*". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from www.sepa.org.uk/flooding/planning_flooding.aspx. Please note that this document should be read in conjunction with Annex B in SEPA Policy 41: "*Development at Risk of Flooding, Advice and Consultation – a SEPA Planning Authority Protocol*", available from www.sepa.org.uk/planning/flood_risk.aspx. Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from http://www.sepa.org.uk/flooding/planning_flooding/fra_checklist.aspx
- 4.3 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

Regulatory advice for the applicant

5. Regulatory requirements

- 5.1 The proposed bridge over the Milldown Burn will require to be licensed under the Controlled Activities Regulations. The level of authorisation will depend on the exact nature of the bridge. The applicant should consult SEPA's [Practical Guide to the Controlled Activities Regulations](#) (see section on river engineering) and discuss the proposals with our operations staff.
- 5.2 Details of regulatory requirements and good practice advice for the applicant can be found on our website at www.sepa.org.uk/planning.aspx. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the operations team in your local SEPA office at:

Burnbrae, Mossilee Road, Galashiels, TD1 1NF, tel 01896 754797

If you have any queries relating to this letter, please contact me by telephone on 01355 575665 or e-mail at planning.se@sepa.org.uk

Yours faithfully

Alasdair Milne
Senior Planning Officer
Planning Service

eCopy to: Callum.macdonald@camerons.ltd.uk

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at the planning stage. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. If you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found in [How and when to consult SEPA](#), and on flood risk specifically in the [SEPA-Planning Authority Protocol](#).



Scottish Natural Heritage
Dualchas Nàdair na h-Alba

All of nature for all of Scotland
Nàdar air fad airson Alba air fad

Director of Planning and Economic Development
Scottish Borders Council
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA

FAO Scott Shearer

30 April 2013

Our ref: **CNS/DC/SBC**
SIT/SSSI/1695/INF
Your ref: 13/00401/FUL

Dear Scott

Town and Country Planning (Scotland) Act 1987 (as amended)
Erection of 12 holiday cabins, office/laundry block and associated works, land south west of Milldown Farmhouse, Coldingham, NT916660

Thank you for consulting Scottish Natural Heritage (SNH) on the planning application for the erection of twelve holiday cabins, office/laundry block and associated works, on land south west of Milldown Farmhouse, Coldingham (NT916660).

Summary

This proposal does not affect any nationally important protected area or raise natural heritage issues of national interest.

We therefore have no objection to the proposed development as submitted but would offer the following advice.

Appraisal of the Natural Heritage Impacts of the Proposal

The development site is close to the Berwickshire Coast (Intertidal) Site of Special Scientific Interest (SSSI) and the Berwickshire and North Northumberland Coast Special Area of Conservation (SAC) that are notified for their outstanding, extensive and diverse shoreline rocky reef habitats and partly submerged caves.

The location plan for the proposed development shows that this is not part of the SSSI or SAC and should not have an impact on the features of interest.

We note that the foul water is to be dealt with by an on site effluent plant and the surface water by a SUDS system. There are no details included within the application of how the outputs are to be disposed of, but it is likely that the discharge will be to the Milldown Burn. Due to the high water quality standards of the habitats associated with the

Scottish Natural Heritage, Anderson's Chambers, Market Street, Galashiels TD1 3AF
Tel 01896 756652 Fax 01896 750427 email: forename.surname@snh.gov.uk www.snh.gov.uk



SSSI/SAC we would expect best practice to be employed in the treatment of waste water. SEPA should be content that any discharges from waste water and surface water drainage (and potentially cumulative effects from other developments) will not have an adverse effect on the interests of the SSSI/SAC.

We are aware that the discharges will require authorisation by SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations 2011, and we will input to the process where required.

Conclusion

We advise that this proposal does not affect any nationally important protected areas or raise natural heritage issues of national interest.

We would wish to be advised of any modifications or amendments to this application which may be relevant to our interests.

Please do not hesitate to contact me if you have any queries relating to the above advice.

Yours sincerely

Carol Jones
Operations Officer
Southern Scotland