



*Planning and
Economic Development*

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

Application for Planning Permission

Reference : 10/00655/FUL

**To : Mr Roddy Jackson per Miss Caroline Lawlor Liberton House 73 Liberton Drive
Edinburgh EH16 6NP**

With reference to your application validated on **12th May 2010** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Reinstatement, alterations and extensions to derelict farmhouse

at : Folly Cottage Woodside Farm Yetholm 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 conditions on the attached schedule imposed by the Council for the reasons stated

**Dated 9th September 2010
Planning and Economic Development
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed


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Head of Planning and Regulatory Services

APPLICATION REFERENCE : 10/00655/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
P000	Site Plan	Approved
P001	Site Plan	Approved
P002	Site Plan	Approved
P003	Floor Plans	Approved
P004	Elevations	Approved
P005	Planning Layout	Approved
P006	Planning Layout	Approved
P007	Planning Layout	Approved
P008	Elevations	Approved
P009	Elevations	Approved

REASON FOR DECISION

Subject to the attached conditions and informatives, the proposal complies with policies G1, H2 and D2 of the Scottish Borders Local Plan Adopted 2008 in that the building can be converted without substantial demolition and rebuilding and the external alterations are in keeping and so the proposal would not harm the visual amenities of the area. The proposal would not harm the residential amenities of occupants of nearby dwellinghouses.

SCHEDULE OF CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
- 2 Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in the construction of the external walls and windows of the building have been submitted to and approved in writing by the Local Planning Authority, and thereafter no development shall take place except in strict accordance with those details.
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 3 The roofing material to be natural slate.
Reason: To safeguard the visual amenity of the area.
- 4 The details of all boundary walls and/or fences to be submitted to and approved by the Planning Authority before the development is commenced. The approved scheme then to be implemented as part of the development.
Reason: To safeguard the visual amenity of the area.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any subsequent Order amending, revoking or re-enacting that Order);

- (i) There shall be no addition or extension to the dwellings (including the insertion of dormer windows or chimneys);
- (ii) There shall be no further building, structure or other enclosure constructed or placed on the site;
- (iii) No additional window or other opening shall be made in any elevation; unless an application for planning permission in that behalf has first been submitted to and approved by the Local Planning Authority.
Reason: To safeguard the character, appearance and setting of the building to be converted.
- 6 The colour(s) of all external timbers, including windows and doors shall be submitted to, and approved in writing by, the Local Planning Authority before development commences. This colour/these colours shall thereafter be maintained in perpetuity unless written advice to vary it/them is provided by the Planning Authority.
Reason: To ensure a satisfactory form of development that contributes appropriately to its setting.
- 7 Parking and turning for a minimum of two vehicles, excluding any garages, must be provided and retained in the perpetuity, within the curtilage of the property.
Reason: In the interest of road safety.
- 8 Visibility of 3m x 120m must be provided and retained in the perpetuity in either direction at the junction of the access and the public road before the dwellinghouse is occupied.
Reason: In the interest of road safety.
- 9 Forward visibility of 120m must be provided and retained in the perpetuity for vehicles approaching the access from the north before the dwellinghouse is occupied.
Reason: In the interest of road safety and to ensure that vehicles approaching the site have adequate awareness of any vehicle that may be sitting waiting to turn right into the site.
- 10 Prior to the commencement of development a service lay-by to the required specification outlined by the Local Planning Authority (as per detail DC-3) must be provided at the junction with the public road. This work must be carried out by a contractor on the Council's approved list (DC-8).
Reason: In the interest of road safety.
- 11 Prior to commencement of development, a detailed plan must be submitted to and agreed in writing with the Local Planning Authority showing how the applicant proposes to incorporate the existing field accesses into the proposed new access. The development then to be implemented in accordance with the approved scheme.
Reason: In the interest of road safety.
- 12 The initial 6m of the new access must have a gradient not steeper than 1 in 15.
Reason: In the interest of road safety
- 13 The initial 6m of the new access must be surfaced to the same specification as the service lay-by as per form DC3.
Reason: In the interest of road safety.
- 14 Before development on the site begins, a survey of the building for birds shall be undertaken and a scheme for the protection of any birds found within the building shall be submitted to and approved in writing by the Planning Authority. Any works shall, thereafter, be carried out in accordance with the approved scheme.

Reason: To protect species protected by the Wildlife and Countryside Act 1981 (As Amended).

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

The Roads Officer's comments have been attached for the information of the applicant.

DC-3 has been attached for the information of the applicant.

DC-8 has been attached for the information of the applicant.

Environmental Health comments have been attached 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, 4th Floor, 75 Waterloo Street, Glasgow, G2 7BD

Susiephone System – 0800 800 333



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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 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.