

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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

Application for Planning Permission

Reference : 17/00104/FUL

**To : Mr Roddy And Mrs Rachel Jackson per Keith Renton, Architect Humestanes Hume Hall
Holdings Greenlaw Scottish Borders TD10 6UW**

With reference to your application validated on **26th January 2017** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal : Re-instatement, alterations and extension of former dwellinghouse and erection
of detached garage**

At : Folly Cottage Woodside Farm Kelso 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 24th March 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 : 17/00104/FUL**Schedule of Plans and Drawings Approved:**

Plan Ref	Plan Type	Plan Status
812P-01	Location Plan	Approved
812P-04	Existing Elevations	Approved
812P-05	Existing Elevations	Approved
812P-7B	Floor Plans	Approved
812P-08	Floor Plans	Approved
812P-09B	Elevations	Approved
812P-10A	Planning Layout	Approved
812P-02A	Landscaping	Approved

REASON FOR DECISION

Subject to compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

SCHEDULE OF 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.
Reason: To ensure that the development is carried out in accordance with the approved details.
- 2 The walls of the building shall be finished in a wet dash harl.
Reason: To ensure the building appearance is appropriate in character for the landscape setting.
- 3 The development hereby approved shall only be carried out in strict accordance with details of the materials (and colour of these 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.
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting
- 4 Parking and turning for two vehicles, excluding garages, must be provided within the site before the dwellinghouse is occupied and retained in perpetuity.
Reason: To ensure sufficient in-curtilage parking within the site, the interests of road safety.

- 5 No development shall commence until road design details have been submitted to and approved in writing by the Planning Authority demonstrating:
- Measures to prevent surface water flowing from on to the public road.
 - Design details of an access track capable of taking a 14 ton axle load and be free-draining.
- The development then to be completed in accordance with the approved details before the dwellinghouse is occupied. The works only to be undertaken by a Council approved contractor.
Reason: To ensure an adequate access onto the public road is provided, in the interests of road safety.
- 6 No development shall 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 public health.
- 7 Prior to occupation of the property hereby approved, written evidence shall be supplied to the Planning Authority that the property has been connected to the public water supply network.
Reason: To ensure that the development does not have a detrimental effect on public health.
- 8 The landscaping plan, as approved, shall be implemented within the first planting season after development commencing, unless otherwise agreed in writing by the Planning Authority. These landscaping works will be maintained for a period of three years upon habitation, during which time, all failed planting shall be replaced. The applicant shall notify the Planning Authority after this three year period, and make it available for inspection, at which point the approved landscaping plan shall have been implemented and landscaping established.
Reason: To ensure effective assimilation of the development to its surroundings.
- 9 No development shall take place until the applicant has secured a programme of archaeological work in accordance with an approved Written Scheme of Investigation (WSI) outlining a Watching Brief. Development and archaeological investigation shall only proceed in accordance with the WSI.

The requirements of this are:

- The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA) approval of which shall be in writing by the Planning Authority.
- If significant finds, features or deposits are identified by the attending archaeologist(s), all works shall cease and the nominated archaeologist(s) will contact the Council's Archaeology Officer immediately for verification. The discovery of significant archaeology may result in further developer funded archaeological mitigation as determined by the Council.
- Development should seek to mitigate the loss of significant archaeology through avoidance in the first instance according to an approved plan.
- If avoidance is not possible, further developer funded mitigation for significant archaeology will be implemented through either an approved and amended WSI, a new WSI to cover substantial excavation, and a Post-Excavation Research Design (PERD).

- o Initial results shall be submitted to the Planning Authority for approval in the form of a Data Structure Report (DSR) within one month following completion of all on-site archaeological works. These shall also be reported to the National Monuments Record of Scotland (NMRS) and Discovery and Excavation in Scotland (DES) within three months of on-site completion
- o The results of further mitigation of significant archaeology shall be reported to the Council following completion for approval and published as appropriate once approved.

Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

- 10 No development shall take place until the applicant has secured and implemented an approved programme of archaeological work in accordance with a Written Scheme of Investigation outlining an Historic Building Survey. This will be formulated by a developer contracted archaeologist(s) and approved in writing by the Planning Authority. Development and archaeological investigation shall only proceed in accordance with the WSI.

The requirements of this are:

- o The WSI shall be formulated and implemented by a contracted archaeological organisation working to the standards of the Chartered Institute for Archaeologists (CIfA) approval of which shall be in writing by the Planning Authority.
- o Historic Building Survey will be in accordance with the ALGAO:Scotland guidance as requested by the Planning Authority.
- o In accordance with the WSI, access shall be afforded to the nominated archaeologist(s) to allow archaeological investigation, at all reasonable times.
- o Initial results shall be submitted to the Planning Authority for approval in the form of a Historic Building Survey Report (HBSR) within one month following completion of all on-site archaeological works.
- o Once approved the site archive and HBSR shall also be reported to the National Monuments Record of Scotland (NMRS) via the OASIS system within three months of on-site completion.
- o Results will be summarised in Discovery and Excavation in Scotland (DES) within one year of on-site completion.
- o The results of the DSR will be used by the Council's Archaeologist to make recommendations to the Planning Authority for further archaeological investigations, reporting and dissemination of results as required. The developer will be expected to fund and implement all further archaeological work.

Reason: To preserve by record a building of historical interest.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

- 1 The Council's Ecology Officer notes:
- i. A barn owl strategy and the importance of maintaining permanent compensation nesting site and temporary nest boxes (if not already removed/deteriorated to at state beyond use) in order to safeguard the nesting site(s) available to barn owl.

ii. Proposed works include septic tank drainage to soakaway and SUDS for surface water. Care should be taken to follow SEPA Pollution Prevention Guidelines (E.g. PPG5) to avoid potentially polluting substances entering the water environment.

2 The use of a flat/ smooth render (K-rend) would not be appropriate in appearance for a conversion in this isolated location. The harl should be through colour or painted in a mute colour and tone, if any, avoiding bright white, or yellow (vanilla) toned colours, to ensure an appropriate appearance.

3 The EHO advises of burning solid wood fuel:

These 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 building/planning permission.

The flue should be terminated with a cap that encourages a high gas efflux velocity.

The flue and appliance should be checked and serviced at regular intervals to ensure that they continue to operate efficiently and cleanly.

The appliance should only burn fuel of a type and grade that is recommended by the manufacturer.

In wood burning stoves you should only burn dry, seasoned timber. Guidance is available on -

[http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/\\$FILE/eng-woodfuel-woodasfuelguide.pdf](http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/$FILE/eng-woodfuel-woodasfuelguide.pdf)

Treated timber, waste wood, manufactured timber and laminates etc. should not be used as fuel.

Paper and kindling can be used for lighting, but purpose made firelighters can cause fewer odour problems.

4 No water supply other than public mains water shall be used for human consumption without the written consent of the Planning Authority.

5 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. To discharge the condition relating to the private drainage arrangements, the applicant should produce documentary evidence 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.

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**

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.