

**From:**Kate Tulloch  
**Sent:**10 May 2019 15:05:44 +0100  
**To:**DCConsultees  
**Subject:**19/00590/FUL

**Re application 19/00590/FUL - proposal to erect dwelling and agricultural building on land NE of Hoprigshiels Farmhouse, Cockburnspath,** Cockburnspath and Cove Community Council have no objections to this application.

As the Environmental Health statutory consultation deals with water supply, drainage etc., we have no further comments to make.

Kate Tulloch  
Secretary  
Planning Sub Committee  
Cockburnspath and Cove Community Council.

## PLANNING CONSULTATION

To: Education & Lifelong Learning (Neil Hastie)

From: Development Management

Date: 29th April 2019

Contact: Paul Duncan ☎ 01835 825558

Ref: 19/00590/FUL

### PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 20th May 2019, 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 20th May 2019, it will be assumed that you have no observations and a decision may be taken on the application.

**Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.**

**Name of Applicant:** Mr & Mrs S Phaup

**Agent:** Richard Amos (Duns)

**Nature of Proposal:** Erection of dwellinghouse and agricultural building

**Site:** Land North East Of Hoprigshiel Farmhouse Cockburnspath Scottish Borders

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**CONSULTATION RESPONSE TO  
PLANNING OR RELATED APPLICATION**

<b>Comments provided by</b>	<b>Officer Name and Post:</b>		<b>Contact e-mail/number:</b>	
	Education & Lifelong Learning (Neil Hastie) (Officer to fill in own name)			
<b>Date of reply</b>			<b>Consultee reference:</b>	
<b>Planning Application Reference</b>	19/00590/FUL		<b>Case Officer:</b> Paul Duncan	
<b>Applicant</b>	Mr & Mrs S Phaup			
<b>Agent</b>	Richard Amos (Duns)			
<b>Proposed Development</b>	Erection of dwellinghouse and agricultural building			
<b>Site Location</b>	Land North East Of Hoprigshiel Farmhouse Cockburnspath Scottish Borders			
<p><i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></p>				
<b>Background and Site description</b>				
<b>Key Issues (Bullet points)</b>	<ul style="list-style-type: none"> <li>•</li> </ul>			
<b>Assessment</b>	<p>I refer to your request for Educations view on the impact of this proposed development which is within the catchment area for Cocksburnpath Primary School and Eyemouth High School.</p> <p>A contribution of £3,562 x 1 is sought for the High School, making a total contribution of £3,562.</p> <p>Contributions are sought to raise capital to extend or improve schools or where deemed necessary to provide new schools in order to ensure that over capacity issues are managed and no reduction in standards is attributed to this within the Borders area.</p> <p>This contribution should be paid upon receipt of detailed planning consent but may be phased subject to an agreed schedule.</p> <p>Please note that the level of contributions for all developments will be reviewed at the end of each financial year and may be changed to reflect changes in the BCIS index, therefore, we reserve the right to vary the level of contributions.</p> <p>If you require any further information please do not hesitate to contact me by emailing <a href="mailto:estatemangement@scotborders.gov.uk">estatemangement@scotborders.gov.uk</a></p>			
<b>Recommendation</b>	<input type="checkbox"/> <b>Object</b>	<input type="checkbox"/> <b>Do not object</b>	<input type="checkbox"/> <b>Do not object, subject to conditions</b>	<input type="checkbox"/> <b>Further information required</b>

<b>Recommended Conditions</b>	
<b>Recommended Informatives</b>	

## PLANNING CONSULTATION

To: Environmental Health

From: Development Management

Date: 29th April 2019

Contact: Paul Duncan ☎ 01835 825558

Ref: 19/00590/FUL

### PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 20th May 2019, 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 20th May 2019, it will be assumed that you have no observations and a decision may be taken on the application.

**Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.**

**Name of Applicant:** Mr & Mrs S Phaup

**Agent:** Richard Amos (Duns)

**Nature of Proposal:** Erection of dwellinghouse and agricultural building

**Site:** Land North East Of Hoprigshiel Farmhouse Cockburnspath Scottish Borders

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**CONSULTATION RESPONSE TO  
PLANNING OR RELATED APPLICATION**

<b>Comments provided by</b>	<b>Officer Name and Post:</b>		<b>Contact e-mail/number:</b>	
	Environmental Health		PLACEhealth@scotborders.gov.uk	
<b>Date of reply</b>	29/04/19		<b>Consultee reference:</b> 19/01150/PLANCO	
<b>Planning Application Reference</b>	19/00590/FUL		<b>Case Officer:</b> Paul Duncan	
<b>Applicant</b>	Mr & Mrs S Phaup			
<b>Agent</b>	Richard Amos (Duns)			
<b>Proposed Development</b>	Erection of dwellinghouse and agricultural building			
<b>Site Location</b>	Land North East Of Hoprigshiel Farmhouse Cockburnspath Scottish Borders			
<p><i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></p>				
<b>Background and Site description</b>				
<b>Key Issues (Bullet points)</b>				
<b>Assessment</b>	<p><b><u>Wood Burning Stoves</u></b></p> <p>Is a stove is to be installed as part of this development and so long as it is less than 45kW no further information needs to be provided. If it is greater than 45kW then the applicant needs to declare this and provide additional information so that a screening assessment can be carried out.</p>			
<b>Recommendation</b>	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required
<b>Recommended Conditions</b>	<p><b><u>Drainage Arrangements</u></b></p> <p><i>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</i></p> <p><i>Reason: To ensure that the development does not have a detrimental effect on amenity and public health.</i></p>			

	<p><b><u>Water Supply</u></b></p> <p>No development is to commence until a report has been submitted to and approved in writing by the Planning Authority, demonstrating the provision of an adequate water supply to the development in terms of quality and quantity. The report must also detail all mitigation measures to be delivered to secure the quality, quantity and continuity of water supplies to properties in the locality which are served by private water supplies and which may be affected by the development. The provisions of the approved report shall be implemented prior to the occupation of the building(s) hereby approved.</p> <p>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.</p> <p><b><u>Agricultural Shed</u></b></p> <p><i>Any noise emitted by plant and machinery used on the premises will not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR 30 at all other times when measured within the nearest noise sensitive dwelling (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2</i></p> <p><i>Reason To protect the residential amenity of nearby properties.</i></p> <p><i>All plant and machinery shall be maintained and serviced in accordance with the manufacturer’s instructions so as to stay in compliance with the aforementioned noise limits.</i></p> <p><i>Reason To protect the residential amenity of nearby properties.</i></p> <p><i>Any waste materials arising from the development shall not be not stored or disposed of in any manner which would give rise to Statutory Nuisance conditions developing at neighbouring properties to the site.</i></p> <p><i>Reason To protect the residential amenity of nearby properties.</i></p>
<p><b>Recommended Informatives</b></p>	<p><b><u>Private Drainage System</u></b></p> <p>Private drainage systems often impact on amenity and cause other problems when no clear responsibility or access rights exist for maintaining the system in a working condition.</p> <p>Problems can also arise when new properties connect into an existing system and the rights and duties have not been set down in law.</p> <p>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.</p>

### Private Water Supply

To fulfil this Condition, the following information should be provided:

1. A description of the source(s) / type of the supply – i.e. whether the supply is taken from a watercourse, loch, spring, well or borehole, or any other source or combination of sources.
2. The location of the source(s) of the supply – i.e. the appropriate eight figure Ordnance Survey National Grid Reference(s).
3. The estimated maximum average volume of water provided by the supply in cubic metres per day (m<sup>3</sup>/day), including the details of any pump tests / flow rate tests undertaken to determine this estimate. For boreholes / wells, refer to BS ISO 14686:2003 “Hydrometric determinations - Pumping tests for water wells - Considerations and guidelines for design, performance and use”.
4. The intended use of the proposed building(s) – e.g. owner-occupied domestic dwelling(s), rented domestic dwelling(s), holiday accommodation, etc.
5. Where there are existing users of the supply:
  - (a) the addresses of all properties served;
  - (b) the existing occupancy levels of all such properties, as far as is reasonably practicable. As a minimum, the provision of the number of bedrooms per property will allow an estimate to be made of potential occupancy levels;
  - (c) the current use of all properties served – i.e. as above;
  - (d) information identifying if and how the development will impact on the existing users; and
  - (e) the details of any mitigating measures to be implemented to ensure the quality, quantity and continuity of the water supply to the existing users will be secured.
6. Where there are other properties’ private water supplies in the vicinity of the development that may be affected thereby (e.g. neighbouring boreholes, wells, springs, etc.):
  - (a) information identifying if and how the development will impact on these other supplies; and
  - (b) the details of any mitigating measures to be implemented to ensure the quality, quantity and continuity of the water supply to these other properties will be secured.
7. Details of all laboratory analysis / tests carried out to demonstrate that the water supplied to the development will be wholesome. For clarification, the quality of the water throughout the building(s) must conform to the requirements of the legislative provisions appropriate to the use of the supply, as described below.
8. Details of all water treatment systems to be installed to ensure that the water supplied to the development will be wholesome.

For information, the minimum daily volume of water that requires to be supplied by a private water supply must be equivalent to 200 litres of water per person per day who will be using the supply. It is the provision of this quantity that must be ensured and, as such, water storage facilities may be necessary for this purpose.



When designing storage facilities, the minimum recommended capacity is three days' reserve, in order to allow for supply interruption / failure.

If the supply only serves owner-occupied domestic dwellings, the quality of the water must comply with the requirements of The Private Water Supplies (Scotland) Regulations 2006 ("the 2006 Regulations"). For all other supplies, the water quality must comply with the requirements of The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 ("the 2017 Regulations").

If the supply falls under the remit of the 2017 Regulations, it will also require to be sampled / monitored on at least an annual basis, and the local authority will also require to carry out a risk assessment of the supply. As such, if the development is the sole reason for the supply falling into this category, the applicant should contact the Environmental Health Department of Scottish Borders Council prior to the occupation of the building(s) to ensure that compliance with the legislative provisions is able to be secured.

#### Stoves and Use of Solid 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.

Accordingly this advice can assist you to avoid future problems.

The location of the flue should take into account other properties that may be downwind.

The discharge point for the flue should be located as high as possible to allow for maximum dispersion of the flue gasses.

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.

If you live in a Smoke Control Area you must only use an Exempt Appliance <http://smokecontrol.defra.gov.uk/appliances.php?country=s> and the fuel that is Approved for use in it <http://smokecontrol.defra.gov.uk/fuels.php?country=s> .

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.

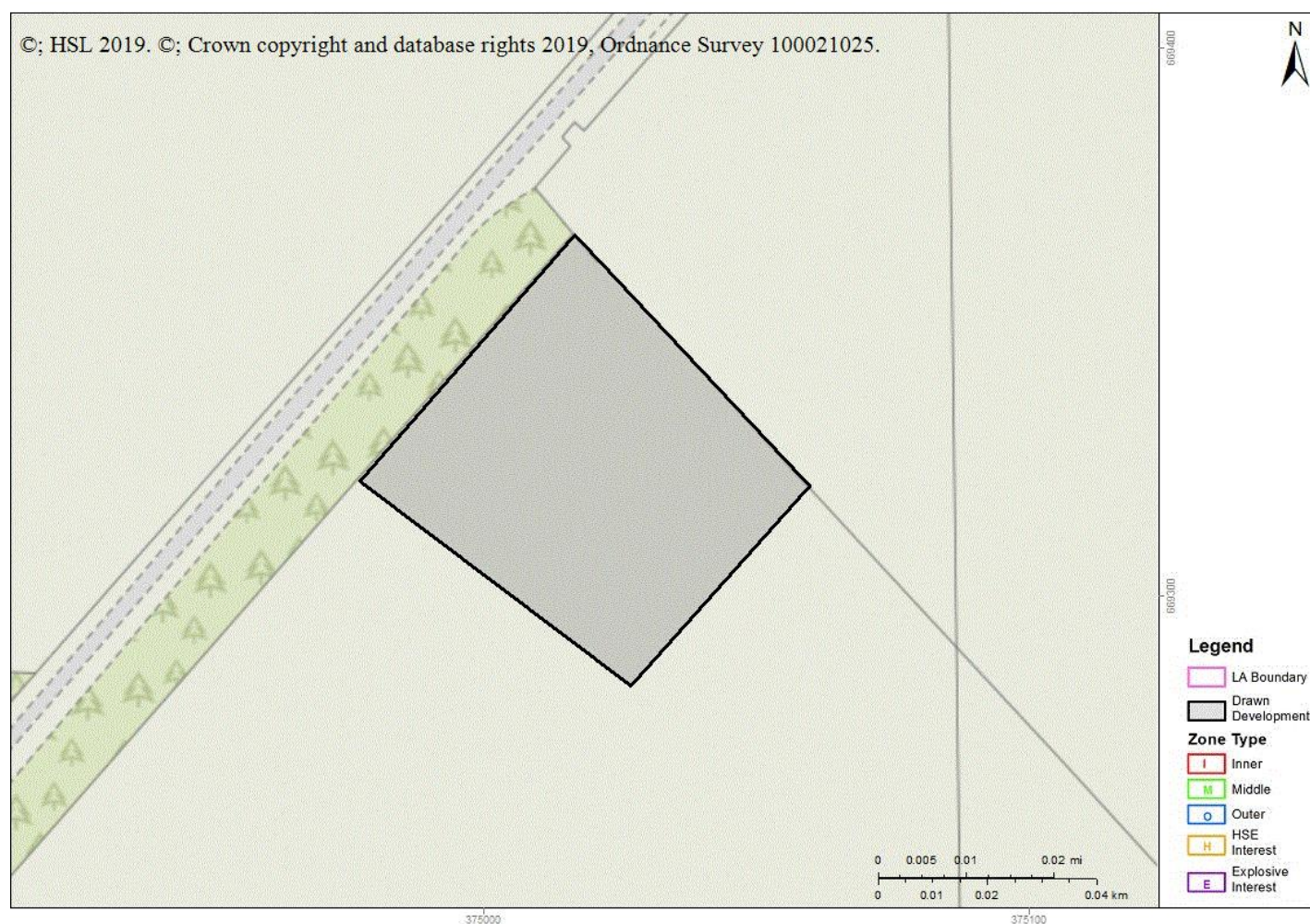


## Advice : HSL-190701141917-325 Does Not Cross Any Consultation Zones

**Your Ref:** 19/00590/FUL

**Development Name:** Erection of dwellinghouse and agricultural building

**Comments:** Land North East Of Hoprigshiel Farmhouse Cockburnspath Scottish Borders



The proposed development site which you have identified does not currently lie within the consultation distance (CD) of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. However, should there be a delay submitting a planning application for the proposed development on this site, you may wish to approach HSE again to ensure that there have been no changes to CDs in this area in the intervening period.

This advice report has been generated using information supplied by at Scottish Borders on 01 July 2019.

**CONSULTATION RESPONSE TO  
PLANNING OR RELATED APPLICATION**

<b>Comments provided by</b>	<b>Roads Planning Service</b>	<b>Contact e-mail/number:</b>		
<b>Officer Name and Post:</b>	Craig Johnston Roads Planning Technician	<a href="mailto:Craig.johnston@scotborders.gov.uk">Craig.johnston@scotborders.gov.uk</a> 01835 824000 Ext. 5347		
<b>Date of reply</b>	27 <sup>th</sup> May 2019	<b>Consultee reference:</b>		
<b>Planning Application Reference</b>	19/00590/FUL	<b>Case Officer:</b> Paul Duncan		
<b>Applicant</b>	Mr & Mrs S Phaup			
<b>Agent</b>	Richard Amos (Duns)			
<b>Proposed Development</b>	Erection of dwellinghouse and agricultural building			
<b>Site Location</b>	Land North East Of Hoprigshiel Farmhouse Cockburnspath Scottish Borders			
<i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i>				
<b>Background and Site description</b>	The site has no planning history and is accessed directly via a private road which serves Hoprigshiels. The site proposes to use an existing field access which will be upgraded as part of the development.			
<b>Key Issues (Bullet points)</b>	<ul style="list-style-type: none"> <li>• Access</li> <li>• Parking and turning</li> </ul>			
<b>Assessment</b>	<p>As the site is directly accessed via a private road, I will not ask for the junction at the site to be formed in a sealed surface. However, I would ask that the applicant consider this to avoid the access falling into a poor state of repair due to the access also serving the adjacent field.</p> <p>The private road which leads to the site is very narrow and I would require this road to be upgraded to include at least two passing places between the site and its junction with the public road. As the road is not public, these passing places do not need to be to my full specification and can be constructed with an unbound surface.</p> <p>The visibility at the site's access is obscured to the north east and I would require this to be improved in order to allow vehicles to safely access and egress the site.</p> <p>I shall have no objections to this application provided conditions similarly worded to those below are attached to any consent given.</p>			
<b>Recommendation</b>	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> <b>Do not object, subject to conditions</b>	<input type="checkbox"/> Further information required
<b>Recommended Conditions</b>	<p>No development shall commence until a scheme of details for upgrading the private access road serving the site has been submitted in writing to the Council for approval. Thereafter the approved scheme of details to be fully implemented to the satisfaction of the Council prior to the dwelling becoming occupied. Reason: To ensure satisfactory access to the development site.</p> <p>Parking and turning for two vehicles, excluding garages, must be provided within the curtilage of the plot before the dwellinghouse is occupied and retained thereafter in perpetuity. Reason: To ensure the property is served by adequate parking at all times.</p>			
<b>Recommended Informatives</b>	The access road to the site should be upgraded to include two passing places at locations agreed with the Council and also for visibility splays of 2.4 metres by 70 meters to be achieved at the site's access onto the private road.			

**AJS**