

## PLANNING CONSULTATION

To: EVH - Contaminated Land Officer

From: Development Management

Date: 27th November 2019

Contact: Julie Hayward ☎ 01835 825585

Ref: 19/01611/FUL

### PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 18th December 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 18th December 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 Francis Peto

**Agent:** Aitken Turnbull Architects Ltd

**Nature of Proposal:** Erection of dwellinghouse with attached garage

**Site:** Disused Sawmill Cowdenknowes Earlston Scottish Borders TD4 6AA

---

**CONSULTATION RESPONSE TO  
PLANNING OR RELATED APPLICATION**

<b>Comments provided by</b>	<b>Officer Name and Post:</b>		<b>Contact e-mail/number:</b>	
	EVH - Contaminated Land Officer Gareth Stewart			
<b>Date of reply</b>	5 <sup>th</sup> December 2019		<b>Consultee reference:</b> 19/03558/PLANCO	
<b>Planning Application Reference</b>	19/01611/FUL		<b>Case Officer:</b> Julie Hayward	
<b>Applicant</b>	Mr Francis Peto			
<b>Agent</b>	Aitken Turnbull Architects Ltd			
<b>Proposed Development</b>	Erection of dwellinghouse with attached garage			
<b>Site Location</b>	Disused Sawmill Cowdenknowes Earlston Scottish Borders TD4 6AA			
<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>	The above application appears to be proposing the redevelopment of land which was previously operated as a sawmill. This land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose.			
<b>Key Issues (Bullet points)</b>				
<b>Assessment</b>	<p>It is recommended that planning permission should be granted on condition that development is not be permitted to start until a site investigation and risk assessment has been carried out, submitted and agreed upon by the Planning Authority.</p> <p>Any requirement arising from this assessment for a remediation strategy and verification plan would become a condition of the planning consent, again to be submitted and agreed upon by the Planning Authority prior to development commencing.</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>Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site.</p> <p><b>No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.</b></p> <p>The scheme shall be undertaken by a competent person or persons in accordance</p>			

	<p>with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-</p> <ul style="list-style-type: none"> <li>a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council <b>prior to</b> addressing parts b, c, d, and, e of this condition.</li> </ul> <p>and thereafter</p> <ul style="list-style-type: none"> <li>b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.</li> <li>c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).</li> <li>d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.</li> <li>e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.</li> </ul> <p><b>Written confirmation from the Council</b>, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, <b>shall be required by the Developer before any development hereby approved commences</b>. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.</p> <p>Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.</p>
<p><b>Recommended Informatives</b></p>	