

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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

Application for Planning Permission

Reference : 08/00553/FUL

**To : J S Crawford Partnership per Jones Lang Lassalle Lismore House 127 George Street
Edinburgh EH2 4JN**

With reference to your application validated on **28th March 2008** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Erection of six dwellinghouses

at : Land North East Of Forley's Park Goslawdales Selkirk 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 14th December 2011
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 : 08/00553/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
	Location Plan	Approved
001C	Site Plan	Approved
P054/1/201A	Floor Plans	Approved
P054/1/201B	Floor Plans	Approved
P054/3/201B	Elevations	Approved
P054/4/201B	Elevations	Approved
P054/05/201	Floor Plans	Approved
P054/06/201	Floor Plans	Approved

REASON FOR DECISION

It is considered the proposals incorporate some elements of traditional design whilst following the pattern and scale of development as presented in the site context. It is considered the earlier acceptance of the proposed housing on plots 1 & 2 as gateways to the site is appropriate and that sufficient measures have been offered to improve the scheme to a level which accords with determining development plan policies, principally Policies N11, N20, H7, H8, I1, I11, I14, and I21 of the Consolidated Structure Plan 2009 and Policies G1, G5, G6, EP2, H1, H2, H3, Inf3, Inf4, and Inf6 of the Consolidated Local Plan 2011. Accordingly the application is recommended for approval subject to conditions, informative, and legal agreements ensuring developer contributions to the Waverley Railway project and Affordable Housing.

SCHEDULE OF CONDITIONS

- 1 The proposed development shall incorporate measures to maximise the efficient use of energy and resources, and the incorporation of sustainable building techniques and renewable energy technologies, in accordance with the scheme of details that shall first have been submitted to and approved in writing by the planning authority.
Reason: To ensure the development minimises any environmental impact.
- 2 No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include:
 - i. location of new trees, shrubs, hedges and grassed areas
 - ii. schedule of plants to comprise species, plant sizes and proposed numbers/density
 - iii. programme for completion and subsequent maintenance.
 Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.
- 3 Details of all proposed means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before work on the site is commenced.
Reason: To enable the proper effective assimilation of the development into its wider surroundings.
- 4 Prior to the commencement of development, details of the means of surface water drainage to be submitted and agreed in writing by the Planning Authority.

Reason: To ensure the site is adequately serviced.

- 5 Prior to the occupation of the first dwelling unit on the site the section of dry stone boundary wall at the entrance to the site affected by the development to be carefully taken down and re-built to a position and height that is in accordance with the approved site plan drawings and in the same materials and coursing as the existing wall.

Reason: In the interests of road safety and the visual amenity of the area.

- 6 Prior to the commencement of the development exact construction details of the parking areas, roads and footways shown on the plan to be first submitted and agreed in writing with the Planning Department. Thereafter completed the parking areas shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason: The surface materials and method of construction require further consideration to ensure a satisfactory form of development. It must also be ensured that there is adequate space within the site for the parking and turning of vehicles clear of the public highway.

- 7 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 roofs of the buildings 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.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

The developer should familiarise themselves with the content of the correspondence submitted by Scottish Gas Networks to ensure that suitable precautions are taken during construction.

The developer should familiarise themselves with the location of the Right of Way adjacent to the site (as shown on the information submitted by the Councils Access officer) and ensure that the right of way is kept open and free from obstruction during the course of the development in accordance with the Countryside (Scotland) Act 1967.

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 appeal to the Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of the appeal should be addressed to The Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Falkirk FK1 1XR. A copy of the notice of the appeal must, at the same time, be sent to the Legal Services Section, Scottish Borders Council, 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.