



*Planning and
Regulatory Services*

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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

Application for Planning Permission

Reference: 12/00586/FUL

**To: Mr And Mrs W G Walker per Mr Douglas Bailey The Priory Linton Kelso Scottish Borders
TD5 8AG**

With reference to your application validated on **15th May 2012** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Erection of agricultural building and formation of new access

at: Land South East Of 37 Mainsfield Avenue Morebattle 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 26th September 2012
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed

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Head of Planning and Regulatory Services

Visit <http://eplanning.scotborders.gov.uk/online-applications/> to view Planning Information Online

APPLICATION REFERENCE : 12/00586/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
HP/2095 REV A - 101 SITE PLAN 51009	Other	Approved
	Site Plan	Approved
	Elevations	Approved

REASON FOR DECISION

The proposal complies with policies G1 and H2 of the Scottish Borders Consolidated Local Plan Adopted 2011 as the proposed agricultural building would not harm the residential amenities of occupants of neighbouring properties or the visual amenities of the area and the proposed new access can be satisfactorily accommodated within the site and would not interfere with the safety and traffic flow in the immediate locality.

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 samples of the materials and colour finish to be used in the construction all external surfaces of the agricultural building hereby approved 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 to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its rural setting.
- 3 The access hereby approved is to incorporate the following design criteria in its construction:
 - The initial 6m of the access must be constructed to the following specification: 40mm of 14mm size close graded bituminous surface course to BS 4987 laid on 60mm of 20mm size dense binder course (basecourse) to the same BS laid on 350mm of 100mm broken stone bottoming binded with sub-base, type 1;
 - The 1 m verge indicated on the submitted plan number HP/2095-101 must be kept free of all obstructions;
 - Any gates erected at the access must be hung so as to open into the site and not out towards the public road;
 - The proposed surface lay-by as shown on the approved drawing HP/2095-101 to be constructed as per standard detail DC3 (form DC3 attached) by a contractor on the Council's approved list (Form DC-8 attached).

These works to be completed before the use of the building commences.
Reason: In the interests of road safety.

- 4 Prior to commencement of the development hereby approved, details of a scheme identifying measures to deal with surface water from the access track flowing onto the public road serving the agricultural building to be submitted to and approved in writing by the Planning Authority. Prior to use of the access, the approved scheme to be implemented as part of the development.
Reason: In the interests of road safety.

FOR THE INFORMATION OF THE APPLICANT

The applicant is reminded that the permission for the building is for agricultural use only and any proposal for a change of use may require planning permission.

The Roads Planning Service Officer's comments are as follows:

I have no objections in principle to an access at this location as previously indicated via application 11/00430/FUL. However, I would require that the following conditions be adhered to:

1. **The service lay-by must be constructed as per my standard detail DC3.**
2. **The initial 6m of the access must be constructed to my specification of 40mm of 14mm size close graded bituminous surface course to BS 4987 laid on 60mm of 20mm size dense binder course (base course) to the same BS laid on 350mm of 100mm broken stone bottoming blinded with sub-base, type 1.**
3. **The 1m verge indicated on the submitted plan number HP/2094-101 must be kept free of all obstructions.**
4. **If gates are proposed, they must be hung so as to open into the site and not out towards the adjacent public road.**
5. **Steps must be taken to ensure that no surface water flows from the site on to the adjacent public road.**
6. **All work within the public road and verge must be carried out by a contractor on the Council's approved list. (DC-8)**

I note that the access is formed on land which is outwith the area shown to be in the applicant's ownership. Confirmation should be obtained that any land outwith the ownership boundary is within the control of the Council or that the applicant has the relevant authority to utilise it.

Whilst a passing place has been shown on the access track in the bottom third, there may be requirements to provide a further one nearer the site for the building. Whilst the lack of this will not have a detrimental effect on the public road, the applicant would be advised to consider the provision of another given the traffic that could be generated by this property.

In respect of Condition 3, forms DC3 and DC8 are attached.

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.



Planning and Regulatory Services

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.