

**SCOTTISH BORDERS COUNCIL**

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO  
CHIEF PLANNING OFFICER**

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF :** 19/00165/FUL  
**APPLICANT :** Mr Adrian McNally  
**AGENT :** Savills  
**DEVELOPMENT :** Erection of dwellinghouse with attached garage  
**LOCATION:** Land West Of Westwater  
West Linton  
Scottish Borders

**TYPE :** FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
PL-01 a	Proposed Site Plan	Approved
PL-02 b	Proposed Plans & Elevations	Approved
PL-03 b	Proposed Plans & Elevations	Approved
PL-04 b	Proposed Sections & Elevations	Approved

**NUMBER OF REPRESENTATIONS: 0**

**SUMMARY OF REPRESENTATIONS:**

No representations were received.

Consultation responses were received from: Education and Lifelong Learning - no objection. Contributions requested; Environmental Health - no objection. Conditions and informatives suggested.

**PLANNING CONSIDERATIONS AND POLICIES:**

PMD2 - Quality standards  
HD2 - Housing in the countryside  
HD3 - Protection of residential amenity  
EP13 - Trees, woodlands and hedgerows  
EP16 - Air quality  
IS7 - Parking provision and standards  
IS9 - Waste water treatment standards and sustainable urban drainage

The site is not strategic, therefore the policies contained within SESplan are not considered.

The following council guidance is material:

New housing in the Borders countryside;  
Placemaking and design;  
Privacy and sunlight;  
Trees and development;

Waste management.

**Recommendation by** - Ranald Dods (Planning Officer) on 10th May 2019

Site and proposal

The site lies some 900m south of West Linton and is located on a private road to the west of Boggsbank Road. It is currently rough grazing and is located between the properties known as The Old Barn and Westwater House. The road is lined by an avenue of mature trees which, although not protected, are of high amenity value to the area.

The proposal is to erect a one and a half storey dwellinghouse with integral garage.

Principle

The principle of development was accepted with the granting of planning permission in principle 16/00459/PPP which was granted on 14 July 2016. The current application is for the same site as covered by that permission.

Design and layout

The proposed house will be located to the north of the existing mature lime trees. Beyond the site boundary the land will remain open to the West Water.

The house will be traditional in appearance. The central element will be one and a half storeys with the walls being finished in an off white smooth render and the roof in natural slate. On either side of the main elevation will be a single storey stone faced wing, the right hand of which will be a double garage. The pitched roofs of those elements will also be finished in natural slate. A single storey porch will be located centrally on the principal elevation. All roofs will be finished with traditional zinc ridges. The fenestration will have a strong vertical emphasis and the frames will be dark in colour.

Two flues will be provided for solid fuel stoves. Those are indicated as stainless steel although a condition is recommended requiring a dark matt finish.

The originally submitted drawings showed a mix of materials on the wing elements. Those were horizontal larch cladding to the sides and stone to the front and rear. That gave a confusing appearance. The applicant was asked to simplify that by using vertical timber boarding. The revised drawings now omit the timber boarding in favour of natural stone. Although this simplifies the palette of materials, the appearance will be relatively bland as opposed to the crisp appearance which could have been created had vertical timber boarding been used. That having been said, the appearance is not unacceptable.

Also subject to revision was the front to back width of the central element. Originally that portion of the building was one solid element with no visual relief. The resultant appearance was of a gable elevation which was far too broad, at over 9.5m. The applicant was asked to revise the proposals to reduce the visual bulk. This has been achieved by checking in the walls of the north and south elevations, so that the major portion of the gables now reads as about 7m wide. The roof pitch has increased from 30 degrees, which was far too shallow, to 35 degrees, which is as shallow as I would be happy to support in this instance. The applicant has retained the original width of the building over the majority of the elevations and, as a result, there is a change in pitch over the last 1.3m of the roof to 30 degrees. This adds some interest to the gable elevations and further helps break up the bulk by giving a slightly different emphasis.

Access and parking

Access will be from the private drive, which accesses Boggsbank Road. The proposal will not affect that junction with the public road. Parking and turning space will be provided to the front (south) of the house.

Services

The applicant states that the site will be served by the public water supply. Foul drainage would be by means of a private system. A condition is recommended requiring that the house is not occupied until the foul drainage system is made operational and that surface water drainage complies with the SUDS manual. No details have been provided of a bin storage area and it is recommended that this is covered by condition.

#### Air quality

Environmental Health has not objected to the proposal on grounds of air quality. Nonetheless, an informative relating to the solid fuel stove is recommended.

#### Impact on trees

An arboricultural survey was submitted with 16/00459/PPP and the results were found by the Landscape Architect to be acceptable. The position of the house shown in the current application is further north and east from the trees than the indicative house position approved in the 2016 permission. The indicative position of the septic tank is in close proximity to the trees, which are to be retained. This may have an adverse effect on those trees and roots may also have an impact on the septic tank. There appears to be sufficient space within the site for an alternative location to be found.

The proposed access to the site from the private road is the same as previously proposed and will pass through the root protection areas of three trees. I am confident that, if works are undertaken in accordance with BS5837:2012, the access can be formed without adverse effect on the trees. Nonetheless, a condition is recommended requiring the submission of a scheme of details for tree protection and for the formation of the access.

#### Amenity

The proposed house is sufficiently distant from the adjoining properties not to raise any concerns regarding privacy or amenity.

#### Contributions

Developer contributions were paid by a section 69 agreement under permission 16/00459/PPP. As contributions have already been paid for a single house, no further contributions are required in respect of this proposal.

#### Conclusion

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.

#### **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.

#### **Recommendation:** Approved - conditions & informatives

- 1 Unless required by conditions in this schedule, 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 Before the development hereby permitted is occupied: a minimum of two parking spaces and turning area shown shall be constructed and made available for use prior to the occupation of the dwellinghouse and shall thereafter be retained in perpetuity and; details of the refuse and recycling bin storage shall have been submitted to and approved in writing by the planning authority. For the avoidance of doubt, the storage area for refuse containers shall not be to the front of the property.  
Reason: To ensure that there is adequate off road parking within the site in the interest of road safety and to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 3 All trees specified for retention on the the tree location plan (Appendix 1 of the arboricultural surevy submitted in respect of 16/00459/PPP) shall be retained and none shall be lopped, felled or otherwise disturbed without the prior written approval of the Planning Authority. No works shall

commence on any part of the development, including underground services, until a Tree Protection Plan has been submitted to and approved in writing by the Planning Authority demonstrating how the retained trees will be protected during the construction period based on BS5837:12 "Trees in relation to design, demolition and construction". The development shall be implemented only in accordance with the approved Tree Protection Plan.

Reason: To ensure that the trees to be retained will not be damaged during demolition or construction and to ensure a satisfactory form of development, which contributes appropriately to character of the rural area.

- 4 The dwellinghouse hereby approved shall not be occupied until the foul drainage system has become operational. All surface water drainage shall comply with the SUDS manual.  
Reason: To ensure that the development does not have a detrimental effect on amenity and public health.
- 5 No water supply other than the public mains water supply shall be used to supply the development without the written agreement of the planning authority. No development is to commence until a report has been submitted to and approved in writing by the planning authority that the public mains water supply is available and can be provided for the development. Prior to the occupation of the building, written confirmation shall be provided to the approval of the planning authority that the development has been connected to the public mains water supply.  
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.
- 6 The finish of the flue shall be matt black or dark grey.  
Reason: To ensure a satisfactory form of development, which contributes appropriately to the character of the area.
- 7 The rooflights shall be fitted with black or dark grey frame, and shall be installed flush with the roof slope, unless otherwise agreed with the planning authority.  
Reason: To ensure a satisfactory form of development, which contributes appropriately to the character of the area.

### Informatives

It should be noted that:

#### 1 Solid fuel stoves

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

## 2 Private drainage systems

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. 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.

**“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.**