

Mrs Brenda Thomson
per Fred Walker Associates
Per Peter Walker
19 Biggar Road
Silverburn
Penicuik
Midlothian

Please ask for: Ranald Dods
Ext. 8574
Our Ref: 19/00297/FUL
Your Ref:
E-Mail: Ranald.Dods@scotborders.gov.uk
Date: 19th April 2019

Dear Sir/Madam

**PLANNING APPLICATION AT Land South Of Bogsbank Bogsbank Road West Linton
Scottish Borders**

**PROPOSED DEVELOPMENT: Erection of dwellinghouse with integral garage and
incorporating granny flat (renewal of previous application 14/01182/FUL)**

APPLICANT: Mrs Brenda Thomson

Please find attached the decision notice for the above application.

Please read the schedule of conditions and any informative notes carefully.

Drawings can be found on the Planning pages of the Council website at
<https://eplanning.scotborders.gov.uk/online-applications/> . Please see the requirement for notification
of initiation and completion of development as well as for Street naming and numbering as
appropriate.

It should be noted that before works commence, where applicable, all necessary consents should
be obtained under the Building (Scotland) Act 2003. If you require any further information in this
respect, please contact the relevant Building Standards Surveyor.

Yours faithfully

John Hayward

Planning & Development Standards Manager

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (as amended)

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Application for Planning Permission

Reference : 19/00297/FUL

**To : Mrs Brenda Thomson per Fred Walker Associates Per Peter Walker 19 Biggar Road
Silverburn Penicuik Midlothian EH26 9LQ**

With reference to your application validated on **1st March 2019** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

**Proposal : Erection of dwellinghouse with integral garage and incorporating granny flat
(renewal of previous application 14/01182/FUL)**

at : Land South Of Boggsbank Boggsbank Road West Linton 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 (as amended), subject to the following direction:

- That the development to which this permission relates must be commenced within three years of the date of this permission.

And subject to the conditions on the attached schedule imposed by the Council for the reasons stated

**Dated 17th April 2019
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 19/00297/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
645/LP	Location Plan	Approved
645/10	Proposed Plans, Sections & Elevations	Approved
645/11	Proposed Plans & Elevations	Approved

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.

SCHEDULE OF CONDITIONS

- 1 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 building 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.

- 2 No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the planning authority. Details of the scheme shall include (as appropriate):
 - i. existing and finished ground levels in relation to a fixed datum preferably ordnance;
 - ii. existing trees and hedgerow to be retained in accordance with BS5837:12 "Trees in relation to design, demolition and construction";
 - iii. location and design, including materials, of walls, fences and gates;
 - iv. soft and hard landscaping works;
 - v. existing and proposed services such as cables, pipelines, sub-stations;
 - vi. other artefacts and structures such as street furniture, play equipment;
 - vii. A programme for completion and subsequent maintenance.

Thereafter the landscaping works shall be implemented in accordance with the approved scheme and only those trees approved for removal shall be so removed, the remainder within the site shall be retained, unless otherwise agreed with the planning authority.
Reason: To ensure the satisfactory form, layout and assimilation of the development..

- 3 The means of water supply, surface water and foul drainage to be submitted to and approved in writing by the Planning Authority before the development is commenced. The development shall then be implemented in accordance with the approved details.
Reason: To ensure that the site is adequately serviced.

- 4 Prior to the commencement of the development, a scheme showing details of the necessary access, parking and turning arrangements for the new dwellinghouse shall be submitted to and approved by the Planning Authority. The scheme shall include:

- o a new private access constructed to the following specification: "75mm of 40mm size single course bituminous layer blinded with bituminous grit all to BS 4987 laid on 375mm of 100mm broken stone bottoming blinded with sub-base, type 1."
- o the access must have a 5 metre throat width and 6 metre radii, to allow two vehicles to pass without affecting the traffic flow.
- o parking and turning for two vehicles, not including garages, provided within the curtilage of the plot that shall be retained solely for that purpose.
- o visibility splays of 2.4 x 160 metres must be provided in both directions. Thereafter, the visibility splays to be maintained and kept clear from obstruction.

The agreed scheme shall be fully implemented prior to the occupation of the dwellinghouse.

Reason: To ensure that the access road is of an acceptable standard to cater for the new development.

- 5 The flues shall be dark grey or black with a matt surface finish.
Reason: To ensure a satisfactory form of development, which contributes appropriately to the character of the area.
- 6 The solar panels shall be fitted with black or dark grey frames and shall be set parallel with the roof slope no higher than 200mm above the roof plane, unless otherwise agreed with the planning authority.
Reason: To ensure a satisfactory form of development, which contributes appropriately to the character of the area.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

- 1 In terms of condition 4 above, the Roads Authority specification is: 75mm of 40mm size single course bituminous layer blinded with bituminous grit all to BS 4987 laid on 375mm of 100mm broken stone bottoming blinded with sub-base, type 1. It should be borne in mind that only council approved contractors may work within the public road boundary.
- 2 **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 location of the flue should take into account other properties that may be downwind.
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.

In wood burning stoves you should only burn dry, seasoned timber. Guidance is available at -

[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.

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.

Under The Control of Pollution Act 1974, the Council recommends the following hours for noisy construction-related work:

Monday-Friday 0700-1900

Saturday 0800-1300

Sunday and Public Holidays - no permitted work (except by prior agreement with the Council)

Contractors will be expected to adhere to the measures contained in BS 5228:2009 "Code of Practice for Noise and Vibration Control on Construction and Open Sites".

For more information or to make a request to carry out works outside the above hours, please contact an Environmental Health Officer at the Council.

Notice of Initiation of Development

Section 27 of the Town and Country Planning (Scotland) Act 1997 (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 available on the Council's website for this purpose.

Notice of Completion of Development

Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) 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 require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 OSA.

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 (as amended).