

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 19/00297/FUL

APPLICANT : Mrs Brenda Thomson

AGENT : Fred Walker Associates

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

LOCATION: Land South Of Boggsbank
Boggsbank Road
West Linton
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

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

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

No representations were received. Consultation response received from Roads. No objection was raised, subject to a condition.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Local Development Plan 2016
PMD2 - Quality standards
HD2 - Housing in the countryside
HD3 - Protection of residential amenity
EP13 - Trees, woodlands and hedgerows
EP16 - Air quality
IS2 - Developer contributions
IS5 - Protection of access routes
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 have not been considered.

The following supplementary planning guidance is material
New housing in the Borders countryside
Placemaking and design

Privacy and sunlight guide
Trees and development
Waste management

Recommendation by - Ranald Dods (Planning Officer) on 17th April 2019

Site history

Planning application 03/00202/OUT for a house was refused on 24 March 2003. That decision was appealed to the DPEA (reference PPA-140-195) and the appeal was upheld. On 1 April 2014, application 14/01182/FUL for a house was refused. That decision was reviewed by the LRB and permission was granted on 29 February 2016 on the conclusion of a legal agreement for the payment of developer contributions. This application is made to "renew" 14/01182/FUL. That permission is a significant material consideration. The current application was validated on 1 March 2019.

With the principle of the development having been previously established, the only matters to consider are whether planning policies or new material considerations would justify a different recommendation from those previous decisions. If not, then the planning permission should be granted.

Site and proposal

The site is an undeveloped area of land, approximately triangular in shape, which lies to the south of Westwater Cottage, approximately 1.4km south of West Linton. The ground is level and several mature trees, which add to the amenity area, are found on the northern and south western boundaries of the site. To the south, the ground rises beyond the boundary of the site to what appears to be a haulage yard.

The proposal contained within this application reflects that which was granted by LRB. This will see a single house located centrally in the site. The house will have a central two storey element, with the ridge orientated north to south, and two single storey wing elements, with ridges orientated east to west, projecting from the gables of the house. The southern and smaller one of these wings will serve as linked residential accommodation. The walls will be predominately stone, with occasional panels of larch boarding, although the first floor of the house will be a smooth white render. The roof will be finished in natural slate. The palette of materials is acceptable although further details are required of the specific materials to be used.

Principle

Although the 2014 application was refused, that decision was overturned by the LRB. The principle of this development has therefore been accepted. Subsequent to the granting of permission in February 2016, the Scottish Borders Local Development Plan (LDP) was adopted in June 2016. The general tenor of the policies against which the previous application was assessed is reflected in those contained in the LDP.

Design and layout

There is no material difference between the plan submitted with 14/01182/FUL and this submission. I have checked the previous permission and confirm that the site, location and design are the same as previously granted permission. I note that the proposal includes two flues for solid fuel stoves. A condition and informative are recommended relating to those. A condition is also recommended relating to the finish of the frames for the proposed solar panels.

Conclusion

The above factors lead me to conclude that there are no material considerations which would justify a different recommendation for this application. Since developer contributions have been secured previously by means of a section 75 agreement, no further contributions are required in respect of this application. 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 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.

Informatives

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.

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