

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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

Application for Planning Permission

Reference : 17/01526/FUL

To : Mr Hamish Hunter Hunter Architecture Galashiels Road Stow Galashiels Scotland

With reference to your application validated on **9th November 2017** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Erection of dwellinghouse with integral garage

at : Garden Ground Of 1 Hay Park Woods Hay Park Loan Stow 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 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 7th September 2018
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed



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Depute Chief Planning Officer

APPLICATION REFERENCE : 17/01526/FUL
Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
991.PL.01	Location Plan	Approved
991-PL-02	Existing Layout	Approved
991-PL-03-REV-A	Block Plans	Approved
991-PL-04	Floor Plans	Approved
991-PL-05-REV-A	Floor Plans	Approved
991-PL-06-REV-B	Elevations	Approved
991-PL-07-REV-B	Sections	Approved

REASON FOR DECISION

Subject to a legal agreement and 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 No development shall commence until written evidence is provided on behalf of Scottish Water to confirm that mains water and foul drainage connections shall be made available to serve the development, and until a surface water drainage scheme has been submitted to and approved by the Planning Authority that demonstrates that greenfield run-off levels will be maintained. Mains services and the approved surface water drainage scheme shall be operational prior to occupancy of the dwellinghouse
Reason: To ensure the development can be adequately serviced
- 2 The development shall be carried out in accordance with the approved sectional drawings, and no development shall commence until further level details, confirming the proposed floor and site ground levels related to a fixed off-site datum, have been submitted to and approved by the Planning Authority. The development shall be carried out in accordance with the approved levels
Reason: To ensure the development is visually sympathetic to the context
- 3 No development shall commence until elevation drawings have been submitted to and approved by the Planning Authority illustrating those parts of the elevations obscured within the approved drawings. The development shall be implemented in accordance with the approved drawings
Reason: To ensure the development is visually sympathetic to the context
- 4 No development shall commence until further details of external landscaping/planting and new fencing illustrated on the approved plans and drawings, and an implementation timescale and maintenance schedule for all planting, have been submitted to and approved by the Planning Authority. The development shall be implemented in accordance with the approved details, and the plans and the drawings, including sections, approved under this consent.
Reason: To ensure the development is visually sympathetic to the context

- 5 No development shall commence until samples of all external materials of the house and dwarf wall (i.e. the wall incorporating the hedge) have been submitted to and approved by the Planning Authority. The development shall be completed using the approved materials. The roofing finish, including fascia, and rooflight and solar panel frames, shall be matt and dark grey in colour, and the boundary/retaining walls illustrated on the approved plans/drawings shall be constructed of natural whinstone unless otherwise agreed with the Planning Authority
Reason: To ensure the development is visually sympathetic to the context
- 6 The dwellinghouse shall not be occupied until the access and parking area have been implemented in accordance with the approved plans and drawings, including sections, and in accordance with surfacing treatment of the access/driveway which has first been submitted to and approved by the Planning Authority. The access and parking area shall be retained in perpetuity and the access shall not be subsequently closed off notwithstanding the General Permitted Development (Scotland) Order 1992 (as amended 2011) or any subsequent amendment or Order
Reason: To ensure the development is adequately serviced with off-street parking
- 7 Notwithstanding the General Permitted Development (Scotland) Order 1992 (as amended 2011) or any subsequent amendment or Order, no further development comprising an extension or alteration materially affecting the external appearance of the approved dwellinghouse or erection of building or other structure within its curtilage shall be undertaken without a planning application for the same having first been submitted to and approved by the Planning Authority
Reason: To safeguard the amenity of neighbouring properties
- 8 Any noise emitted by external heating units shall not exceed Noise Rating Curve NR20 between the hours of 2300 - 0700 and NR 30 at all other times when measured within the nearest noise sensitive dwelling (windows can be open for ventilation). The noise should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2
Reason: To protect the residential amenity of nearby properties.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

- 1 If the development requires adjustment to address Building Warrant requirements, amendments may require a fresh planning application unless these are non-material. Of particular note in that regard is the driveway gradient and potential surface water run-off into the site from the road.
- 2 The colour of the main wall render should be relatively subdued, such as cream.
- 3 Removal of trees should avoid the bird breeding season (March-August) unless trees are first checked for bird nests. Breeding birds are protected under EU and UK habitat legislation.

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 (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 require the planning authority to

review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 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 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.