

**SCOTTISH BORDERS COUNCIL**

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

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

**REF :** 20/01206/FUL

**APPLICANT :** Mr Richard John Wood

**AGENT :** Hodgson And White Ltd

**DEVELOPMENT :** Erection of dwellinghouse

**LOCATION:** Plot 3 Land South West Of Steading Buildings Greys  
Eyemouth  
Scottish Borders

**TYPE :** FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

Plan Ref	Plan Type	Plan Status
010	Existing Site Plan	Approved
011	Existing Sections	Approved
300	Proposed Plans, Sections & Elevations	Approved
301	Proposed Site Plan	Approved
302	Proposed Sections	Approved
303	Location Plan	Approved

**NUMBER OF REPRESENTATIONS: 0**

**SUMMARY OF REPRESENTATIONS:**

**CONSULTATIONS**

SBC Contaminated Land: The above application appears to be proposing the redevelopment of land which was previously operated as agricultural land and is in close proximity to a former mill pond which appears to have been infilled. This land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose.

It is recommended that planning permission should be granted on condition that development is not be permitted to start until a site investigation and risk assessment has been carried out, submitted and agreed upon by the Planning Authority.

Any requirement arising from this assessment for a remediation strategy and verification plan would become a condition of the planning consent, again to be submitted and agreed upon by the Planning Authority prior to development commencing.

SBC Education: No response at the time of writing.

SBC Environmental Health: No response at the time of writing.

SBC Roads Planning Service (RPS): There is a long history of approvals in this location, a number of these consents were dependant on the junction with the A1 being upgraded or stopped up and relocated, however as the A1 is a Trunk Road this is a matter for Transport Scotland to consider. Transport Scotland have no objections to the proposal.

RPS require details of the works proposed to complete the existing private access to be submitted and agreed prior to commencement of development, however RPS are satisfied that this can be covered by condition.

Community Council: No response at the time of writing.

Scottish Water: No response at the time of writing.

Transport Scotland: No objection.

## REPRESENTATIONS

None at the time of writing.

## PLANNING CONSIDERATIONS AND POLICIES:

Local Development Plan 2016:

PMD1: Sustainability  
PMD2: Quality Standards  
ED9: Renewable Energy Development  
ED10: Protection of Prime Quality Agricultural Land and Carbon Rich Soils  
HD2: Housing in the Countryside  
HD3: Protection of Residential Amenity  
EP5: Special Landscape Areas  
EP7: Listed Buildings  
EP8: Archaeology  
EP13: Trees, Woodlands and Hedgerows  
EP14: Coastline  
EP15: Development Affecting the Water Environment  
EP16: Air Quality  
IS2: Development Contributions  
IS7: Parking Provision and Standards  
IS9: Waste Water Treatment and SUDS  
IS13: Contaminated Land

Other Considerations:

Contaminated Land Inspection Strategy Supplementary Planning Guidance 2001  
Development Contributions Supplementary Planning Guidance 2011 (Updated 2020)  
Local Landscape Designations Supplementary Planning Guidance 2012  
New Housing in the Borders Countryside Supplementary Planning Guidance 2008  
Privacy and Amenity Supplementary Planning Guidance 2006  
Placemaking and Design Supplementary Planning Guidance 2010  
Renewable Energy Supplementary Guidance 2018  
Sustainable Urban Drainage Systems Supplementary Planning Guidance 2020  
Waste Management Supplementary Guidance 2015  
PAN 33: Contaminated Land

**Recommendation by** - Paul Duncan (Assistant Planning Officer) on 11th December 2020

## BACKGROUND

Full planning permission is sought for the erection of a single dwellinghouse on the plot now known as Plot 3, at the former Greystonelees Farm Steading, near Burnmouth.

The proposed site is one of three vacant housing plots at the former farm steading. Servicing and vehicular access for the plot was provided over 10 years ago and the plot has sat vacant since. Two semi-detached houses front the old A1 to the north-east of the plot, with two detached dwellinghouses. The two other vacant plots lie to the east. Land to the south and west is in agricultural use.

There is a complex planning history here, which is summarised below.

## PLANNING HISTORY

In early 2003, multiple applications were submitted for a total of 10 conversion and new-build dwellinghouses at Greystonelees Farm Steading. The Planning and Building Standards Committee approved an application that had sought to convert the farm steading to 6 units, but by condition, Committee limited the maximum number of units to be created to 4. Applications were also approved for 2 new build plots (then known as plots 3 and 4, now known as plots 2 and 3). A third new-build unit was approved separately on plot 1 (following the earlier withdrawal of separate applications for a total of two units on the same plot, hence the change in plot numbering).

In total, approval was granted for 7 dwellinghouse units at that time. Since then, four units have ultimately been delivered, none of them on the original 3 new build plots (Plots 1-3), which remain vacant. The history of the three vacant plots is detailed below.

03/01120/OUT & 07/01207/FUL - Erection of 1 dwellinghouse - Plot 1 - FUL approved 2007.

03/00405/OUT & 06/01001/REM - Erection of 1 dwellinghouse etc - Plot 3 [now known as Plot 2]. REM approved 2006.

03/00406/OUT & 06/01000/REM - Erection of 1 dwellinghouse etc - Plot 4 [the application site, now known as Plot 3]. REM approved 2006.

08/01544/OUT - Erection of six dwellinghouses etc. on the three plots - Approved 2010 for 6 units within Plots 1-3 but required a new junction to be formed to the A1, secured by planning condition. Since lapsed.

## ASSESSMENT

### Principle

There is an established building group with a singular sense of place at this location which comprises the following 7 dwellinghouses:

- Greystonelees Farmhouse (detached, listed old farmhouse)
- 1 Greystonelees Farm Cottages (semi-detached farm cottage)
- 2 Greystonelees Farm Cottages (semi-detached farm cottage)
- 1 Greystonelees Farm Steading (semi-detached steading reinstatement)
- 2 Greystonelees Farm Steading (semi-detached steading reinstatement)
- Steading House, 3 Greystonelees Farm Steading (detached new-build from late 2000s)
- 4 Greystonelees Farm Steading (detached more recent new-build)

There is no evidence before me that Plot 1 was previously implemented.

Under Policy HD2, a building group of 7 dwellinghouses would have capacity for two further dwellinghouses within the current LDP period. The proposed development is considered to satisfy the numerical requirements of the policy. The proposed site is also considered to relate acceptably to the existing building group, and sits within the group's wider sense of place.

In principle, the erection of a dwellinghouse on this plot remains acceptable, regardless of whether the plot was implemented historically.

The opportunity to see this plot developed after lying vacant for many years, blighting the surrounding area, is to be welcomed.

#### Placemaking and Design

The proposed dwellinghouse would exhibit traditional form, massing and materials, with a more contemporary fenestration style. The design approach is welcomed, and it is considered that the house would relate well to existing dwellings within the group, providing a logical end to the building group. Materials will be controlled by planning condition, along with the colour of PV panel frames.

#### Vehicular Access, Road Safety and Parking

##### - Junction with A1

Transport Scotland are responsible for matters relating to the safety and operation of the trunk road network. Historically, Transport Scotland had sought improvements to sightlines at the junction with the A1. Transport Scotland have not objected to the application, and do not require any trunk road junction improvements.

##### - Junction with public road

The Council's Roads Planning Service (RPS) are responsible for the local public road network. RPS have no concerns regarding effects on the local public road network, but have sought a condition to ensure the shared access is completed to an acceptable standard. The recommended condition is attached.

##### - Parking

The site plan shows parking within the site for two vehicles. RPS are satisfied by the proposed arrangements. The provision of parking within the site can be secured by condition.

#### Residential Amenity

There are no significant residential amenity concerns arising from these proposals. The proximity of nearby pig arcs has been considered but would amount to low intensity farming, and should not harm the amenity of the occupants.

#### Landscape, Trees and Boundary Treatments

The design of the building will ensure the house sits comfortably in the wider landscape. There are no interests within the site such as trees or hedging which are worthy protection. There are no boundary treatments proposed at present, such details can be secured by condition. A post and wire fence would be appropriate.

The proposed development would safeguard the landscape quality of the Berwickshire Coast Special Landscape Area.

#### Setting of Listed Building

The erection of a sensitively designed dwellinghouse on this vacant plot would improve the setting of the nearby listed building. Policy EP7 (Listed Buildings) is satisfied.

#### Setting of Scheduled Monuments

Similarly, the development would also improve the setting of nearby Scheduled Monuments.

#### Contaminated Land

The proposed site comprises former agricultural land and located close to a former mill pond which appears to have been infilled. The land is potentially contaminated. Further investigation and potentially mitigation

shall be required, this can be explored further via the Contaminated Land Officer's proposed planning condition.

#### Prime Quality Agricultural Land

The proposed site is small in scale and now has partially brownfield characteristics. The principle of allowing it to be lost to development has also been established previously. There is no conflict with LDP policy ED10.

#### Servicing

The house would connect to the public water mains. This can be controlled by planning condition.

A private foul drainage system is already in place to the north of the old A1. The new house would connect into this. The details of this would be considered further at the Building Warrant stage. This can be controlled by planning condition.

Surface water would be directed to an existing drain which appears to handle runoff from the fields to the south. The drain runs under the access road and discharges to a cundy drain in a field to the north. New hard landscaping surfaces would be permeable. These proposals satisfy Policy IS9 (SUDS).

#### Waste

Bin stances are shown to the rear of the external store extension on the proposed floorplan drawings, which is suitably discreet.

#### Development Contributions

The erection of a dwellinghouse at this location would trigger contributions towards Eyemouth PS and Eyemouth HS (£2672 and £3757 respectively at current rates). The applicant has indicated a preference to settle this by way of a S69 legal agreement.

An application for the erection of a second dwellinghouse has now been received from the same applicant for Plot 2. As the second unit by the same applicant, that unit may be liable for a contribution towards affordable housing. This will be considered further under the relevant application.

#### **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.

#### **Recommendation:** Approved - conditions, inform & LA

- 1 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 Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.

The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent

revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-

a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition.

and thereafter

b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.

c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).

d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.

e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.

- 3 Prior to the commencement of development, details shall be submitted to and agreed in writing by the Planning Authority for the completion of the existing shared access. Thereafter, prior to the occupation of the dwellinghouse hereby approved, the agreed works shall be completed to the agreed standard, unless otherwise agreed in writing with the Planning Authority.

Reason: To ensure the access to the plot is completed to a satisfactory standard in the interests of road safety.

- 4 Prior to the occupation of the dwellinghouse hereby approved, two parking spaces shall be provided within the curtilage of the site. Thereafter, the parking spaces shall be retained in perpetuity, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure the development is served by adequate parking at all times.

- 5 No development shall commence until photographs of a sample panel of the proposed natural stone cladding and mortar mix for external walls has been submitted to and approved in writing to the Planning Authority. Thereafter, the development shall be carried out wholly in accordance with the natural stone cladding and mortar mix details agreed, and in all other respects, with the materials detailed within the 'Planning Notes - Materials and Colours' document (reference hwad-209-MWD).

Reason: To secure appropriate control over the external materials to be used in the development, and to meet placemaking and design aims.

- 6 The PV panels hereby approved shall have black or dark grey frames/ edging/ trim.

Reason: To ensure the PV panels sit discreetly on the slate roof hereby approved.

- 7 Prior to the commencement of development, details of all proposed means of enclosure shall be submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out wholly in accordance with the approved details.

Reason: To enable the proper effective assimilation of the development into its wider surroundings.

- 8 No development shall commence until written evidence is provided on behalf of Scottish Water to confirm that a mains water connection shall be made available to serve the development, unless otherwise agreed in writing by the Planning Authority. Thereafter, the agreed water supply arrangements shall be functional prior to the occupancy of the dwellinghouse, unless otherwise agreed by the Planning Authority, and no other water supply arrangements shall be used thereafter without the written agreement of the Planning Authority.  
Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the supply of any neighbouring properties.
- 9 No development shall commence until details of foul drainage have been submitted to and approved in writing by the Planning Authority. Thereafter, the dwellinghouse hereby consented shall not be occupied until foul drainage arrangements are functional in accordance with such details and no other foul drainage arrangements shall be used thereafter without the written agreement of the Planning Authority.  
Reason: To ensure that the property is fit for habitation ahead of it being occupied for the first time and to ensure that the development does not have a detrimental effect on amenity and public health.

#### Informatives

It should be noted that:

- 1 In terms of the completion of the access, this should include details of any repair to the existing surface and kerbing and also include details of a bituminous surface course.

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