

## Planning application 21/00739/PPP – Application for 2 dwelling houses east of Delgany, Old Cambus, Cockburnspath

### Comments of Cockburnspath and Cove Community Council

The Community Council came across this application by reviewing the weekly list published on the iDox and have subsequently been contacted by many residents of the area (most of whom have placed their own very full objections to the Planning Dept). It was therefore decided to discuss it and air members of the public's views at our meeting on 9<sup>th</sup> June 2021, which most of the concerned residents attended.

We apologise for the lateness of this submission, but ask that it be considered in light of the lack of notification to some neighbours eg West Mains farm steading amongst others, and the relatively short timescales involved.

Although the site on first inspection appears to lie within an existing building line, there are reasons for concern many of which are listed below.

There are many excellent responses already on the iDox from concerned neighbours to this proposal, and the Community Council (CC) would wholeheartedly endorse their concerns. We don't intend to repeat all of these in detail however, but suffice to say, we are fully supportive of concerns already well stated.

Old Cambus, and in particular the slightly distant hamlet which accesses the Redheugh Road, comprising Delgany, Old Cambus East and West Mains, Redheugh and further cottages, is an established group, and there is no requirement to add to it on a housing or economic basis or need. It is not identified for development in either the current or the proposed LDP and additionally, the site proposed occupies an agricultural field, currently tenanted.

**Policy HD2** is the dominant policy consideration here.

HD2 is a Housing in the Countryside policy, which *“aims to encourage high quality sustainable housing development in appropriate locations within the countryside as a means of sustaining the rural economy and communities. (our emphasis)*

*The policy will protect the environment from inappropriate and sporadic new housing development whilst still being able to support rural communities.”*

In addition, it states *“the cumulative impact of new development on the character of the building group, and on the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts”*

In respect of HD2, we feel the proposal will have a negative effect and have adverse impacts on:

- The character of the existing group compared to the character of the proposed new builds (although we appreciate that this is a PPP application at this point).
- Ability to successfully amalgamate new builds into this heritage environment
- Lack of facilities – as fully outlined in many of the objection comments
- State of the road – although this is an adopted road, it frequently suffers from verge displacement and potholes due to its current usage. Also, Drysdale's Quarry vehicles tend to access this road, churning it up further, in the belief that it leads to the Quarry
- Lack of any demonstrable benefit to the rural economy – there is no justification for these properties on the grounds of economic benefit to the area – in fact they have the potential to become “holiday homes” or second homes due to their rural location and lack of facilities.
- Lack of services and facilities: The homes currently in this area utilise septic tanks which drain via soakaways and there is concern that this will be negatively impacted by the

addition of 2 new properties higher up than the existing settlement, being located on a higher ridge. There is no mains gas; broadband and mobile phone access is poor and likely to be made worse by the addition of further homes. Water pressure is already variable and residents feel it cannot support the addition of two further homes on the existing supply. Most other facilities have to be accessed from Cockburnspath, which is some 3 miles away across the main A1 trunk road – no mean feat in crossing by vehicle or on foot. It cannot therefore be said that the site offers “excellent residential amenities”.

**Policy HD3** is also relevant:

*“Development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against: a) the principle of the development, including where relevant, any open space that would be lost; and b) the details of the development itself particularly in terms of: (i) the scale, form and type of development in terms of its fit within a residential area, (ii) the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking, loss of privacy and sunlighting provisions. These considerations apply especially in relation to garden ground or ‘backland’ development, (iii) the generation of traffic or noise, (iv) the level of visual impact”.*

It is felt that this proposal is unacceptable under HD3 for the following reasons:

- Residential amenity particularly of West Mains farmhouse and the steading will be adversely affected in terms of overlooking and privacy.
- Open space and ecology will be adversely affected
- More modern (assumed) design will not fit within the existing residential area
- Visual impact (see SLA concerns below)
- Road and traffic concerns (see below)
- Loss of “open space”.

**Access road** – the access road towards Redheugh is single carriageway, with no passing places. It’s condition in some places has been the subject of many discussions with the CC due to potholes and poor drainage, and the road frequently becomes “snowed in” during the winter. Further traffic on this road would make the current difficult situation worse.

**Special Landscape Area (SLA) – Policy EP5** - this area is part of the Berwickshire Coast SLA, specifically CO45 and CO47, and as such these developments will negatively impact the current impression of the hamlet in this context. The proposals will dominate on a ridge, removing the focus on the existing farm buildings and negatively impact the SLA, coastal views and views from laybys on Coldingham Moor road (A1107) which offer uninterrupted and spectacular views of the coastline looking north. Indeed in some situations the proposal may change the skyline when viewed from the south. **The SPG on SLAs** states *“In assessing proposals for development that may affect Special Landscape Areas, the Council will seek to safeguard landscape quality and will have particular regard to the landscape impact of the proposed development, including the visual impact. Proposals that have a significant adverse impact will only be permitted where the landscape impact is clearly outweighed by social or economic benefits of national or local importance”*

In addition the community have the following concerns:

**Ecological concerns:** The area around West Mains is currently home to at least 2 bat species and nesting Barn Owls. Trees will be impacted and a large part of an established hedgerow will have to

be removed, with resultant impact on wildlife. Although not a recognised woodland (EP13) the removal of hedgerows and trees is against the general ethos expressed by SBC re climate change and biodiversity, particularly in light of the proposal having no “benefit” to the area or community.

The Community Council have also received some comments from people who do not wish to lodge personal objections to SBC for a variety of reasons (largely lack of internet, and confidence) - but nevertheless have concerns. These concerns include:

- Speed of traffic and road condition
- Road safety implications as children play around this area
- Applicants should be encouraged to use brown field sites rather than this greenfield site
- Removal of hedges and trees is not consistent with biodiversity and interrupts established wildlife corridors
- Driving livestock will become more difficult due to gaps in current hedges

In conclusion, the Community Council support the community in their objections to this proposal.

K Tulloch, P Hood, N Simpson

Cockburnspath and Cove Community Council, Planning Sub Committee.

Friday, 21 May 2021



Local Planner  
Development Management  
Scottish Borders Council  
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TD6 0SA

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Dear Sir/Madam

**SITE: Land East Of Delgany, Old Cambus, Cockburnspath**  
**PLANNING REF: 21/00739/PPP**  
**OUR REF: DSCAS-0040648-RDG**  
**PROPOSAL: Erection of 2no dwellinghouses**

**Please quote our reference in all future correspondence**

## Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

## Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the Rawburn Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

## Waste Water Capacity Assessment

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.



To find out more about connecting your  
property to the water and waste water supply visit:



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## Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

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## Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

### General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
  - ▶ Site Investigation Services (UK) Ltd
  - ▶ Tel: 0333 123 1223
  - ▶ Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)
  - ▶ [www.sisplan.co.uk](http://www.sisplan.co.uk)
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.
- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.



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property to the water and waste water supply visit:



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- ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).

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## Next Steps:

### ▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

### ▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

### ▶ Trade Effluent Discharge from Non Dom Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).
- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the



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property to the water and waste water supply visit:



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development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Angela Allison**

Development Operations Analyst

[developmentoperations@scottishwater.co.uk](mailto:developmentoperations@scottishwater.co.uk)

#### **Scottish Water Disclaimer:**

*"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."*



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property to the water and waste water supply visit:



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## PLANNING CONSULTATION

To: Archaeology Officer

From: Development Management

Date: 20th May 2021

Contact: Paul Duncan ☎ 01835 825558

Ref: 21/00739/PPP

### PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 10th June 2021. If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 10th June 2021, it will be assumed that you have no observations and a decision may be taken on the application.

**Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.**

**Name of Applicant:** FJ Usher's Children Trust

**Agent:** Savills

**Nature of Proposal:** Erection of 2no dwellinghouses

**Site:** Land East Of Delgany Old Cambus Cockburnspath Scottish Borders

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**CONSULTATION RESPONSE TO  
PLANNING OR RELATED APPLICATION**

<b>Comments provided by</b>	<b>Officer Name and Post:</b> Keith Elliott Archaeology Officer	<b>Contact e-mail/number:</b> <a href="mailto:Keith.Elliott@scotborders.gov.uk">Keith.Elliott@scotborders.gov.uk</a> 01835 824 000 ext 8886
<b>Date of reply</b>	16.07.2021	<b>Consultee reference:</b>
<b>Planning Application Reference</b>	21/00739/PPP	<b>Case Officer:</b> Paul Duncan
<b>Applicant</b>	FJ Usher's Children Trust	
<b>Agent</b>	Savills	
<b>Proposed Development</b>	Erection of 2no dwellinghouses	
<b>Site Location</b>	Land East Of Delgany Old Cambus Cockburnspath Scottish Borders	
<p><b><i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></b></p>		
<b>Background and Site description</b>	<p>This application proposes the construction of a pair of new houses in the currently open ground between Delgany and Old Cambus West Mains farmstead. The location proposed is at the break of slope overlooking both the coastline and rising ground to the south.</p> <p>This archaeological consultation has been triggered by the application being located in the surrounding of an entry recorded by the Scottish Borders Historic Environment Record (HER) more generally, and its hint that there may be further potential archaeology which would be impacted upon in the progression of this application.</p>	
<b>Key Issues (Bullet points)</b>	<ul style="list-style-type: none"> <li>• Potential for archaeological remains in the area as a direct impact</li> <li>• Impacts upon the settings of other historic buildings</li> <li>• Significance of such features</li> </ul>	
<b>Assessment</b>	<p>This application has been assessed against the Scottish Borders Historic Environment Record (HER) as the on-going record of all known archaeological and historic findspots, sites and landscapes across the area that are known, recorded and mapped. Currently there are over 23300 entries in the records so far, but this number is always increasingly and new information being added, at times to better, existing entries.</p> <p>This is supplemented by general information resources such as old Ordnance Survey mapping editions and aerial photography of various dates, LiDAR coverage of the area and various publications.</p> <p>The archaeological consultation has been triggered by the area proposed for the two houses lying in the surroundings of one of the entries. This entry is a findspot record for a Neolithic stone adze or axehead (Canmore ID 59950) which is recorded generally to Old Cambus West Mains. Though the exact findspot is unlocated, it does hint at an Early Prehistoric presence in the area as do many other sites and finds located in the wider surroundings. In particular the presence of many Prehistoric cairns and funerary monuments have been recorded, more particularly from the first ploughing of the area in the 19<sup>th</sup> century.</p>	

The topographical position for the proposed houses is such a location favoured by prehistoric funerary monuments and, though rare, this might provide a context for the finding of the axe or adze find. The location would give good views from such a site as well as to offshore and it would likely also been seen by others from a distance as a prominent location. Early Medieval features, such as cairns and way markers, most famously set up in memory of Beowulf, were also often deliberately sited at such locations. Whilst the field has been in cultivation, there is the potential that below-ground features of such monuments may still be present. Further, breaking through the established hedge for access arrangements of these buildings would be through a historic landscape feature as in places this road has the appearance of being a hollow way indicating its use and age.

To add to such direct impacts, then there may also be indirect impacts to consider. The plans submitted in this application show large houses in size; should this application be approved then the careful design of the houses will be needed in the full application. This should aim to prevent breaking the skyline from the historic (and Scheduled Monument) St Helen's Church to the north from a distance and avoid the domination of the adjacent historic farmstead. Information should be submitted at the AMC application to demonstrate consideration of the full impacts on setting of this monument as well as to the full extent of the proposed groundworks for this application; at the moment only outline plans are given.

If a full application were to be progressed, then it would need to take into account the issues above raised and the potential for archaeological remains to be uncovered and require work. An archaeological field evaluation would be recommended for this application and in line with *Scottish Planning Policy* paragraphs 150 and 151;

*150. Planning authorities should protect archaeological sites and monuments as an important, finite and non-renewable resource and preserve them in situ wherever possible. Where in situ preservation is not possible, planning authorities should, through the use of conditions or a legal obligation, ensure that developers undertake appropriate excavation, recording, analysis, publication and archiving before and/or during development. If archaeological discoveries are made, they should be reported to the planning authority to enable discussion on appropriate measures, such as inspection and recording.*

*151. There is also a range of non-designated historic assets and areas of historical interest, including historic landscapes, other gardens and designed landscapes, woodlands and routes such as drove roads which do not have statutory protection. These resources are, however, an important part of Scotland's heritage and planning authorities should protect and preserve significant resources as far as possible, in situ wherever feasible.*

and the *Planning Advice Note 2/2011: Planning and Archaeology* paragraph 17;

*17. In many cases a Desk Based Assessment (DBA) of existing information from the SMR/ HER and other appropriate sources may be sufficient to allow authorities to make a planning decision. But where the professional judgement of the authority's archaeological advisor, based on available evidence, indicates that significant archaeological remains may exist, it is reasonable for the planning authority to request the prospective developer to arrange for an archaeological field evaluation to be carried out before the planning application is determined.... Archaeological field evaluation is normally a rapid operation, involving a range of*

	<p><i>techniques including ground survey, historic building assessment, walk-over survey and trial trenching, carried out by a professionally competent archaeological organisation or person. Field evaluations of this kind help to define the character and extent of any remains that exist in the area of a proposed development, and thus indicate the strength of the case for preservation. They also provide information useful in identifying potential options for minimising or avoiding damage. The work should conform to the Standards and Guidance for Field Evaluation (2009) prepared by the Institute for Archaeologists.</i></p>			
<b>Recommendation</b>	<input type="checkbox"/> <b>Object</b>	<input type="checkbox"/> <b>Do not object</b>	<input type="checkbox"/> <b>Do not object, subject to conditions</b>	<input checked="" type="checkbox"/> <b>Further information required</b>
<b>Recommended Conditions</b>	<p><b>ARCH02 Archaeology: Developer Funded Evaluation</b></p> <p>No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation outlining an Archaeological Evaluation. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to conduct a programme of evaluation prior to development. This will include the below ground excavation of evaluation trenches and the full recording of archaeological features and finds. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered the nominated archaeologist(s) will contact the Archaeology Officer for further consultation. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority.</p> <p>Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.</p>			
<b>Recommended Informatives</b>				

## PLANNING CONSULTATION

To: EVH - Contaminated Land Officer

From: Development Management

Date: 11th June 2021

Contact: Paul Duncan ☎ 01835 825558

Ref: 21/00739/PPP

### PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 2nd July 2021, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 2nd July 2021, it will be assumed that you have no observations and a decision may be taken on the application.

**Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.**

**Name of Applicant:** FJ Usher's Children Trust

**Agent:** Savills

**Nature of Proposal:** Erection of 2no dwellinghouses

**Site:** Land East Of Delgany Old Cambus Cockburnspath Scottish Borders

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**CONSULTATION RESPONSE TO  
PLANNING OR RELATED APPLICATION**

<b>Comments provided by</b>	<b>Officer Name and Post:</b>		<b>Contact e-mail/number:</b>	
	EVH - Contaminated Land Officer Gareth Stewrat			
<b>Date of reply</b>	16 <sup>th</sup> June 2021	<b>Consultee reference:</b> 21/01608/PLANCO		
<b>Planning Application Reference</b>	21/00739/PPP	<b>Case Officer:</b> Paul Duncan		
<b>Applicant</b>	FJ Usher's Children Trust			
<b>Agent</b>	Savills			
<b>Proposed Development</b>	Erection of 2no dwellinghouses			
<b>Site Location</b>	Land East Of Delgany Old Cambus Cockburnspath Scottish Borders			
<b><i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></b>				
<b>Background and Site description</b>	<p>There is an indication within the application that the site has had agricultural use. The specific uses and activities undertaken at the application site are not currently known.</p> <p>Historical map extracts record the presence of a sheepfold on site. It would be requested the nature and use of this feature is confirmed.</p>			
<b>Key Issues (Bullet points)</b>				
<b>Assessment</b>	<p>I therefore recommend that the Applicant complete and return the attached questionnaire providing information relating to the previous use of the site. The applicant has been sent the questionnaire directly with instruction to return it to Environmental Health</p> <p>Once the questionnaire has been returned it will be put on the IDOX system and I will advise you on whether further assessment of potential contamination issues at the site is necessary.</p> <p>If the Applicant does not return the questionnaire, it is important that the potential for contamination is considered when issuing the Planning Permission. I recommend that if the questionnaire is not returned, the following condition is attached to the Planning Permission in order to ensure that the development is suitable for its proposed use.</p>			
<b>Recommendation</b>	<input type="checkbox"/> <b>Object</b>	<input type="checkbox"/> <b>Do not object</b>	<input type="checkbox"/> <b>Do not object, subject to conditions</b>	<input checked="" type="checkbox"/> <b>Further information required</b>

<p><b>Recommended Conditions</b></p>	<p><i>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. <b>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.</b></i></p> <p><i>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:-</i></p> <ul style="list-style-type: none"> <li><i>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 <b>prior to</b> addressing parts b, c, d, and, e of this condition.</i></li> </ul> <p><i>and thereafter</i></p> <ul style="list-style-type: none"> <li><i>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.</i></li> <li><i>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).</i></li> <li><i>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.</i></li> <li><i>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.</i></li> </ul> <p><b>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.</b></p> <p><i>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.</i></p>
<p><b>Recommended Informatives</b></p>	

**Scottish Borders Council  
Redevelopment of Agricultural & Other Buildings Questionnaire**

**Planning Application Number:**

**Yes/No**

Is asbestos known or suspected to be present in the fabric of any buildings present?	
Has any part of the site been used for the storage of liquid fuel, such as petrol, diesel, DERV, kerosene?	
Has any part of the site been used for the storage or use of agricultural chemicals, such as preservatives or pesticides?	
Has any part of the site been used for sheep dipping, storage or disposal of sheep dip chemicals?	
Has any part of the site been used for disposal of solid farm waste?	
Has any part of the site been used for the disposal of liquid wastes or washings other than to an approved drainage system?	
Has the site been used to store/maintain vehicles?	
Has there been any building fires or bonfires onsite?	

Please give the source of all available information used to answer these questions and an indication of the time period which it covers (continue on separate sheet/reverse side if required):

Source e.g. Previous farmer/operator	Time Period Covered e.g.1975-1990

Please provide a description of the use of the agricultural land (*continue overleaf if necessary*):

If you have answered yes to any of the above questions please give details below (*continue overleaf if necessary*):

**PLEASE NOTE – YOUR RESPONSE WILL BE PLACED IN THE PUBLIC DOMAIN**

Signed

Date

Name

(Block Capitals)\_\_\_\_\_

Thank you for completing this questionnaire, please return it to :-

Gareth Stewart, Contaminated Land Officer, at the address below

**CONSULTATION RESPONSE TO  
PLANNING OR RELATED APPLICATION**

<b>Comments provided by</b>	<b>Officer Name and Post:</b>	<b>Contact e-mail/number:</b>
	Environmental Health Fraser Smith	fraser.smith@scotborers.gov.uk
<b>Date of reply</b>	20 <sup>th</sup> July 2021	<b>Consultee reference:</b> 21/01608/PLANCO
<b>Planning Application Reference</b>	21/00739/PPP	<b>Case Officer:</b> Paul Duncan
<b>Applicant</b>	FJ Usher's Children Trust	
<b>Agent</b>	Savills	
<b>Proposed Development</b>	Erection of 2no dwellinghouses	
<b>Site Location</b>	Land East Of Delgany Old Cambus Cockburnspath Scottish Borders	
<p><b><i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></b></p>		
<b>Background and Site description</b>	Application site is in close proximity to noise generating timber processing business.	
<b>Key Issues (Bullet points)</b>	<ul style="list-style-type: none"> <li>• Potential noise concern from adjacent timber processing business</li> <li>• Mains water provision condition recommended</li> </ul>	
<b>Assessment</b>	<p><u>Noise</u> Due the proximity of a noise generating timber processing business to the proposed siting of the dwellings there are concerns that noise generating activities undertaken on the neighbouring sites could adversely affect the amenity of those living in the proposed development.</p> <p>The applicant should provide evidence that residential amenity at the new development will not be adversely affected by these existing activities. A suitable and sufficient Noise Impact Assessment may provide information that would address my concerns.</p> <p>The noise assessment should give accurate, clear and relevant information about the existing noise environment, and the likely impact on the proposed development. The report should have regard for recommended guidance and methodologies laid out in PAN 1/2011, TAN and BS 4142:2014+A1:2019. Any departure from those methodologies should be clearly explained, with the reasons clearly stated.</p> <p>The report should include assessments relevant to the time that noise generating activity occurs at the business.</p> <p>The noise report should contain the following:</p> <ul style="list-style-type: none"> <li>• Details of the author, their qualifications, the noise equipment used and details of latest calibration.</li> <li>• It should highlight the proximity of any noise sources to the proposed dwelling, giving distances as necessary. This should be illustrated on a scaled plan.</li> </ul>	



	<ul style="list-style-type: none"> <li>• Details of the existing noise climate. The choice of location and duration for measurements should be explained in the report.</li> </ul> <p>If the outcome of the assessment suggests there will be an adverse impact or significant adverse impact, the report should identify all methods of noise control and mitigation available to reduce the impact to an acceptable level (including the calculations of the expected reduction in decibels). All appropriate methods of mitigation should be considered and an explanation of why each method has been chosen or dismissed should be provided, to demonstrate that all reasonable steps have been taken to manage noise.</p> <p><u>Water Supply</u> A condition is recommended that requires the applicant to demonstrate that there is sufficient capacity within public mains supply for the development. A condition is also recommended to ensure that any water supply intended for use by the development other than the public mains requires approval by the Planning authority.</p> <p><u>Septic Tank</u> An informative is recommended advising a binding legal agreement for the dwellings regarding access and maintenance should a joint septic system be installed.</p>			
<b>Recommendation</b>	<input type="checkbox"/> <b>Object</b>	<input type="checkbox"/> <b>Do not object</b>	<input type="checkbox"/> <b>Do not object, subject to conditions</b>	<input checked="" type="checkbox"/> <b>Further information required</b>
<b>Recommended Conditions</b>	<p><u>Water Supply</u> <i>No development is to commence until evidence 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(s), written confirmation shall be provided to the approval of the Planning Authority that the development has been connected to the public mains water supply.</i> <i>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.</i></p> <p><i>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.</i> <i>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.</i></p>			
<b>Recommended Informatives</b>	<p><u>Private Drainage System</u> 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.</p> <p>Problems can also arise when new properties are served by a communal system.</p> <p>It is strongly advised that maintenance duties for the septic system are clearly established by way of a binding legal agreement. Access rights should also be</p>			

	specified.
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**CONSULTATION RESPONSE TO  
PLANNING OR RELATED APPLICATION**

<b>Comments provided by</b>	<b>Roads Planning Service</b>	<b>Contact e-mail/number:</b>		
<b>Officer Name and Post:</b>	Craig Johnston Roads Planning Service	<a href="mailto:craigjohnston@scotborders.gov.uk">craigjohnston@scotborders.gov.uk</a> 01835826856		
<b>Date of reply</b>	24/06/2021	<b>Consultee reference:</b>		
<b>Planning Application Reference</b>	21/00739/PPP	<b>Case Officer:</b> Paul Duncan		
<b>Applicant</b>	FJ Usher's Children Trust			
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<b>Proposed Development</b>	Erection of 2no dwellinghouses			
<b>Site Location</b>	Land East Of Delgany Old Cambus Cockburnspath Scottish Borders			
<b><i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></b>				
<b>Background and Site description</b>	A pre application was submitted for this site (20/00615/PREAPP) and was not objected to in the Roads Planning response.			
<b>Key Issues (Bullet points)</b>				
<b>Assessment</b>	<p>I have no objections in principle to this proposal. The site is served by the existing minor public road (D150/6) only a short distance before it joins the A1107. The minor public road has an absence of passing provision, however as part of this application a passing place will be required to be provided between the site and the A1107 and the access to the plots will be by way of a service layby which will double as a second passing place.</p> <p><b>It should be noted due to the restrictions on travel as a result of the Covid-19 pandemic at the time of writing, no site visit has been undertaken and the comments made above are based purely on the information submitted with this application and local knowledge.</b></p>			
<b>Recommendation</b>	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> <b>Do not object, subject to conditions</b>	<input type="checkbox"/> Further information required
<b>Recommended Conditions</b>	<p>Parking and turning for two vehicles, excluding garages, must be provided within the curtilage of each plot before each dwellinghouse is occupied and retained thereafter in perpetuity. Reason: To ensure the property is served by adequate parking and car turning provision at all times.</p> <p>The access to the site from the public road to be formed incorporating a service layby to the satisfaction of the Council prior to occupation of the first dwelling. Reason: To ensure the property is served by safe access from the public road.</p> <p>A passing place to be constructed at an agreed location on the D150-6 minor public road to the satisfaction of the Council prior to commencement of development. Reason: to mitigate the impact of the increased vehicle movements on the public road network.</p>			

<b>Recommended Informatives</b>	<p>The access to the site from the public road should be constructed as a vehicular crossing to my standard specification DC-6 unless otherwise agreed in writing.</p> <p>The passing place should be constructed to my standard specification DC1 unless otherwise agreed in writing.</p> <p>All work within the public road boundary must be undertaken by a contractor first approved by the Council.</p>
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Signed: DJI