

Mr Tony McDonald
per Domestic Architecture Development
Per Robbie Bennett
14 Ardoch Grove
Cambuslang
Glasgow
G72 8HA

Please ask for: Brett Taylor
X6628
Our Ref: 20/00024/FUL
Your Ref:
E-Mail: brett.taylor@scotborders.gov.uk
Date: 23rd November 2020

Dear Sir/Madam

**PLANNING APPLICATION AT Site Of Derelict Farm Cottages North West Of Townhead
Farmhouse Yarrowfues Yarrow Scottish Borders**

PROPOSED DEVELOPMENT: Demolition of existing steading and erection of
dwellinghouse

APPLICANT: Mr Tony McDonald

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 : 20/00024/FUL

**To : Mr Tony McDonald per Domestic Architecture Development Per Robbie Bennett 14 Ardoch
Grove Cambuslang Glasgow G72 8HA**

With reference to your application validated on **13th January 2020** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Demolition of existing steading and erection of dwellinghouse

**at : Site Of Derelict Farm Cottages North West Of Townhead Farmhouse Yarrowfues
Yarrow 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 19th November 2020
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 20/00024/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
19001 AL(90) 001	Location Plan	Approved
19001 AL(90) 002	Existing Site Plan	Approved
19001 AL(90) 003 A	Proposed Site Plan	Approved
19001 AL(20) 002	Proposed Plans	Approved
19001 AL(20) 003	Proposed Roof Plan	Approved
19001 AL(21) 001	Existing Elevations	Approved
19001 AL(21) 002	Existing Elevations	Approved
19001 AL(21) 003	Proposed Elevations	Approved
19001 AL(21) 004	Proposed 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 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 The development shall not be completed until precise details of the materials to be used for the proposal have been submitted to and approved in writing by the 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.
- 3 Details of the boundary treatment, walls, fences and gates (position, material, height, design and colour/finish) to be submitted to and approved in writing by the Planning Authority before the development commences. The development then to be completed in accordance with the approved details.
Reason: To safeguard the visual amenities of the area.
- 4 No development shall take place except in accordance with implementation of a programme of archaeological work (which may include excavation) in accordance with a Written Scheme of Investigation outlining a Historic Building Survey which has been submitted to and approved in writing by the Planning Authority. Access should be afforded to allow archaeological investigation, at all reasonable times, by a person or persons agreed to by the Planning Authority. Results will be submitted to the Planning Authority for review in the form of a Historic Building Survey Report.
Reason: To preserve by record a building of historical interest.

- 5 No development shall take place until a programme of archaeological work in accordance with a Written Scheme of Investigation outlining a Watching Brief has been submitted to and approved by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) agreed to by the Planning Authority. Access shall be provided to allow the archaeologist(s) to observe relevant below ground excavation during development, investigate and record features of interest and recover finds and samples if necessary. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered below ground excavation should cease pending further consultation with the Planning Authority. Any significant data and finds shall undergo post-excavation analysis, the results of which will be submitted to the Planning Authority
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.
- 6 No development shall commence until a scheme to identify and assess potential contamination on site, in addition to measures for its treatment/removal, validation and monitoring, and a timescale for implementation of the same, has been submitted to and approved by the Planning Authority. Once approved, the development shall only proceed in accordance with the approved scheme.
Reason: To ensure that potential contamination within the site has been assessed and treated and that the treatment has been validated and monitored in a manner which ensures the site is appropriate for the approved development.
- 7 No development shall be undertaken during the breeding bird season (March to August), unless written confirmation has been submitted for the approval in writing of the Planning Authority that the detailed Species Protection Plan for breeding birds, as outlined in Bat & Breeding Bird Survey, Townhead Steading, Yarrow Feus, The Wildlife Partnership, June 2020 shall be implemented in full. Thereafter, no development shall take place except in strict accordance with the approved plan.
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.
- 8 Two parking spaces shall be provided within the curtilage of the dwellinghouse in accordance with details which shall be submitted for the written approval of the Planning Authority prior to occupation of the dwellinghouse and thereafter retained in perpetuity, unless otherwise agreed in writing with the Planning Authority
Reason: To ensure the development hereby approved is served by an adequate level of parking.
- 9 No development shall commence until written evidence is provided to the Planning Authority on behalf of Scottish Water to confirm that a mains water connection shall be made available to serve the development. The mains water supply service and the approved surface water and foul drainage schemes shall be operational prior to occupancy of the dwellinghouse. Surface water drainage shall maintain pre-development off-site run-off levels and the development shall incorporate any additional sustainable drainage measures necessary to maintain run-off levels
Reason: To ensure the development can be adequately serviced.

- 10 The dwelling hereby permitted shall not be occupied until the foul drainage scheme has been implemented in accordance with further details (including maintenance arrangements) that have been provided in writing and approved by the Planning Authority. Reason: To ensure that the development does not have a detrimental effect on amenity and public health.
- 11 Trees located within the western section of the site shall be retained in accordance with the approved site plan (Drawing No: 19001 AL(90) 003 A) and shall not be lopped or felled without the prior written approval of the Planning Authority. Before development commences, protective fencing (of a specification compliant with BS5837:12) shall be erected along the routes identified on the approved site plan and shall not be removed until all construction works are complete. There shall be no works (including utilities) or storage undertaken within the protected areas unless agreed in writing with the Planning Authority. Reason: To protect and retain trees that will assist with the visual integration of the development with its surroundings.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

- 1 If a solid fuel stove is intended, this should be specified as being under 45kw. If specified to be larger, a screening assessment will be required in liaison with the Council's Environmental Health Service to ensure there is no risk of a statutory nuisance from emissions.
- Solid fuel heating installations can cause smoke and odour complaints and Planning Permission for this development does 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 Planning Permission. It is recommended, therefore, that:
- o the flue should be terminated with a cap that encourages a high gas efflux velocity.
 - o the flue and appliance should be checked and serviced at regular intervals to ensure that they continue to operate efficiently and cleanly.
 - o the appliance should only burn fuel of a type and grade that is recommended by the manufacturer.
 - o if you live in a Smoke Control Area you must only use an Exempt Appliance (www.smokecontrol.defra.gov.uk) and the fuel that is approved for use in it
 - o in wood burning stoves you should only burn dry, seasoned timber. Guidance is available on www.forestry.gov.uk
 - o 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.
- 2 The applicant is reminded that, under the Conservation Regulations (Natural Habitats & c.) 1994 (as amended) it is an offence to deliberately or recklessly damage or destroy a breeding site or resting place of bats (whether or not deliberately or recklessly), capture, injure or kill a bat, harass a bat or group of bats, disturb a bat in a roost (any structure or place it uses for shelter or protection), disturb a bat while it is rearing or otherwise caring for its young, obstruct access to a bat roost or otherwise deny an animal use of a roost, disturb a bat in a manner or in circumstances likely to significantly affect the local distribution or

abundance of the species, disturb a bat in a manner or in circumstances likely to impair its ability to survive, breed or reproduce, or rear or otherwise care for its young.

In the event that bats are discovered following the commencement of works, works should stop immediately and the developer must contact SNH (tel: 01896-756652 or 01463 725 364) for further guidance. Works can only recommence by following any guidance given by SNH. The developer and all contractors to be made aware of accepted standard procedures of working with bats at www.bats.org.uk. Further information and articles available at:

http://www.bats.org.uk/pages/bats_and_buildings.html

http://www.bats.org.uk/pages/existing_buildings.html

<https://cdn.bats.org.uk/pdf/Bats-Trees.pdf?mtime=20181101151317>

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 must be submitted on the standard form and addressed to the Clerk of The Local Review Body, Democratic Services, Scottish Borders Council, Council Headquarters, Newtown St Boswells. TD6 0SA or sent by email to localreview@scotborders.gov.uk. The standard form and guidance notes can be found online at [Appeal a Planning Decision](#). Appeals to the Local Review Body can also be made via the Scottish Government Planning and Environmental Appeals Division by clicking on the following link [PEAD](#)

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).