

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF: 20/01594/AMC

APPLICANT: Mr and Mrs C and W Davies

AGENT: Stuart Davidson Architecture

DEVELOPMENT: Erection of dwellinghouse with detached garage and access (approval of all matters specified in planning permission 19/01000/PPP)

LOCATION: Land East Of Auburn Cottage
Ashkirk
Scottish Borders

TYPE: AMC Application

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
P607-PL-LOC	Location Plan	Approved
P607-PL-001	Proposed Plans	Approved
P607-PL-002	Proposed Elevations	Approved
P607-BW-005 REV C	Proposed Site Plan	Approved

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

No representations were received.

Consultations

Environmental Health: No objections subject to conditions relating public water supply, drainage and the standard informative relating to wood burning stoves.

Landscape Architect: No object to the proposed planting scheme.

Lilliesleaf, Ashkirk & Midlem Community Council: Have not responded at the time of writing this report.

Roads Planning Service: No objections to the application subject to the access being fully implemented prior to the occupation. A standard informative is also recommended for all work within the public road to be undertaken by an approved contractor.

SEPA: Have not responded at the time of writing this report.

Scottish Water: No objections to the application.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Local Development Plan 2016

PMD1: Sustainability
PMD2 - Quality standards
HD2 - New Housing in the Countryside
HD3 - Protection of residential amenity
EP1: International Nature Conservation Sites and Protected Species
EP2: National Nature Conservation Sites and Protected Species
EP3: Local Biodiversity
EP13 - Trees, woodlands and hedgerows
EP16 - Air Quality
IS7 - Parking provision and standards
IS9 - Waste water treatment and sustainable urban drainage

Supplementary Planning Guidance

Landscape and development
New housing in the Borders countryside
Placemaking and design
Privacy and sunlight guide
Trees and development
Waste management

Recommendation by - Brett Taylor (Planning Officer) on 16th March 2022

Background

This application seeks approval of matters specified in conditions in relation to the erection of a single dwellinghouse on land east of Auburn Cottage near Ashkirk. The site is accessed from a single track road to the south with the nearest existing boundaries would be the field boundaries of the larger field in which the site is located.

Description of proposal

It is proposed to erect a 1 3/4 storey pitched roof dwelling with an attached garage. The external materials would comprise of rendered, natural stone and timber cladding walls, aluminium clad windows/doors, and natural slate roof with power coated steel rainwater goods.

Planning Permission in Principle was granted by the Local Review Body under application 19/01000/PPP. The principle of development is accepted. This AMC application seeks to discharge the 5 conditions of the PPP approval. Consideration is given below to each of the conditions.

Relevant Planning History

12 May 2020 - Planning permission in principle granted by the Local Review Body for the erection of dwellinghouse and garage (19/00033/RREF).

08 October 2019 - Planning permission in principle refused for the erection of dwellinghouse and garage (19/01000/PPP).

20 March 2006 - Outline planning permission refused for the erection of dwellinghouse (06/00190/OUT).

15 August 2005 - Outline planning permission refused for the erection of three dwellinghouses (05/01209/OUT).

Assessment

Condition 1 states:

'No development shall commence until the details of the layout, siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site have been submitted to and approved in writing by the Planning Authority.'

The site plan shows a 13/4 storey house with an attached garage, located within the central section of the site. The submitted orientation of the house and garage on the plot are acceptable and broadly reflects the building line of the neighbouring properties at Auburn Cottage and Tathysike. In terms of the design, the house will be a simple two storey building with a gable and hipped roof design laid out in a general 'L' shaped layout with covered terraces on the side and rear elevations. The proposed dwelling is considered generally acceptable in terms of policy PMD2 of the Local Development Plan and in terms of the housing design guidance set out in the adopted SPG on Placemaking and design.

In terms of site levels, the applicant has stated that no significant changes in levels are proposed with the site plan showing development levels of the house, driveway, path and outdoor terrace with the remaining levels surrounding the house being graded with the existing surrounding ground levels. I consider this to be acceptable.

In respect of materials the drawings of the house appear to show the walls being a combination of timber cladding, render and natural stone for the walls, natural slate for the roof with aluminium cladding for the windows/doors with power coated steel rainwater goods. The pallet of materials chosen for these aspects of the proposals are agreeable. The roof will also incorporate exposed rafter ends and a flue which are acceptable although a condition will be required to ensure a black or grey finish to the flue exterior.

In terms of landscaping, the submitted site plan areas around the house being earmarked as lawn with new planting along the boundary with the neighbouring Auburn Cottage with individual feature oak, rowan and Silver Birch planted within the surrounding garden ground. The area around the site would comprise of new woodland planting to be planted with Slika Spruce, Noble Fir, Scots Pine and Silver Birch. The Landscape Architect has no serious concerns but asks for more mixed broadleaf to be incorporated into the planting scheme. Following the submission of an amended site plan and a forestry landscaping plan this was taken into consideration and has included more native broadleaf trees incorporating Sesslie and English oak trees.

The scale of the proposal and its position, orientation and existing boundary treatments relative to the neighbouring properties, means there would be no undue loss of privacy, daylight or sunlight to neighbouring properties as a result of the development. Overall, the proposal is considered to comply with Policy HD3.

A flue venting the solid fuel stove projects through roof on the south-west elevation of the house. Given the setting of the property, it is unlikely that this will have a negative effect on local air quality and therefore complies with policy EP16. An informative relating to solid fuel stoves is recommended.

Condition 2 states:

'No development shall commence until all matters specified in conditions have, where required, been submitted to and approved in writing by the planning authority. Thereafter the development shall only take place except in strict accordance with the details so approved.'

This related to timing of applications, and discharge of conditions, and no action is required here.

Condition 3 states: 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. A survey of existing trees within the site;
- iii. A survey of existing landscaping features, hedgerows and trees to be retained, protected and, in the case of damage, restored;
- iv. Location and design, including materials, of walls, fences and gates;
- v. Soft and hard landscaping works including new planting within and outwith the site as shown on the indicative plans 001 and 003 submitted with the PPP application;
- vi. Existing and proposed services such as cable, pipelines and sub-stations;
- vii. A programme for completion and subsequent maintenance.'

This matter has been addressed under Condition 1. As previously mentioned, the agent has provided an amended site plan with a forestry landscaping plan in respect of the above condition. In terms of the points 1 to 6 drawing no P607-BW-005C and the landscaping plan addresses these requirements. In terms of point 7, a condition will be required to cover implementation and maintainance. The agent has also confirmed that all post and wire fencing will be maintained or replaced as shown on the site plan. There are no services or sub stations and the proposed drainage systems have been approved by building standards.

For the purposes of this condition I consider this to be acceptable.

Condition 4 states:

'No development to be commenced until further details of access and parking provision are submitted to, and approved in writing by the Planning Authority. Thereafter the development to be completed in accordance with the approved details prior to occupation of the dwellinghouse unless otherwise agreed. The details shall include:

1. Access to be constructed as per SBC Standard Detail DC-3;
2. Two parking space, not including any garage, and turning area to be provided within the curtilage of the site and retained thereafter in perpetuity.'

The provision for two parking spaces has been provided and the consultation response from the Council's Road Planning Service has confirmed that the details shown on drawing no. P607-PL-003 addresses the precise means of access, parking and turning within the site. The Roads Planning Officer recommends a condition be attached that the works shall be fully implemented prior to the occupation of the dwelling and a standard informative be attached relating to works within the public road being undertaken by an approved contractor.

For the purposes of this condition I consider this to be acceptable.

Condition 5 states:

'No development shall commence until further details of the provision of water supply, foul and surface water drainage are submitted to and approved in writing by the Planning Authority. Thereafter, the development shall proceed in strict accordance with the approved details.'

Written evidence from Scottish Water shows that they have no objections to the application. Nevertheless, their consultation response indicates that the nearest public main is approximately 300 metres from the proposed site. No details have been provided on how can this be achieved and Environmental Health have recommended a further conditions for this purpose. I recommend a condition allows for the prospect of either public or private water supply. In terms of surface water drainage and foul water disposal, the submitted drawings show the foul drainage would be taken to a septic tank discharging via a perforated pipework through a drain soakaway system with surface water drainage to discharge to a soakaway system. These measures would be a matter for building standards, however, in terms of meeting the condition, this is acceptable. A further condition is, nevertheless, recommended requiring that the connections are made prior to the occupation of the house.

REASON FOR DECISION:

Subject to compliance with the schedule of conditions, the development will satisfy conditions 1, 2, 3, 4, and 5, of planning permission in principle 19/01000/PPP and 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 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 and ensure to a satisfactory form of development, which contributes appropriately to its setting.

- 2 Notwithstanding the submitted details in this application, the external parts of the flue of the wood burning stove are to be matt black or matt grey in colour.
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.
- 3 No development is to commence until written confirmation has been provided to and approved by the planning authority that the development will be connected to the public mains water supply. Failing that, no development shall commence until a report has been submitted to and approved in writing by the planning authority, demonstrating the provision of an adequate water supply to the development in terms of quality and quantity. The report must also detail all mitigation measures to be delivered to secure the quality, quantity and continuity of water supplies to properties in the locality which are served by private water supplies and which may be affected by the development. Once approved, the provisions of the approved report shall be implemented prior to the occupation of the holiday accommodation units hereby approved.
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.
- 4 The dwellinghouse shall not be occupied until the approved foul and surface water drainage measures are implemented. Surface water-run off shall be maintained at pre-development levels.
Reason: To ensure that the development is adequately serviced.
- 5 The proposed access to the development site hereby permitted, shall be fully implemented as per drawing P607-BW-005 REV C prior to occupation of the dwelling unless otherwise agreed in writing with the Planning Authority.
Reason: To ensure appropriate access is provided from the public road network to the new dwelling.
- 6 The planting specified on drawing number P607-BW-005 REV C shall be implemented during the first planting season following completion of the development and maintained such that all trees that fail within the first five years following planting shall be replaced with matching trees.
Reason: To visually integrate the development sympathetically with the setting.

Informatives

It should be noted that:

- 1 If the stove has an output of more than 45kw, the applicant should contact the Council's Environmental Health Service and provide further information in order that a screening assessment can be carried out. Stove 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 a Building Warrant/Planning Permission, including changes to the height and position of the flue.
- 2 All work within the public road must be undertaken by a contractor first approved by the Council.

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