

Thursday, 21 October 2021



Local Planner
Development Management
Scottish Borders Council
Newtown St. Boswells
TD6 0SA

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Stepps
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Land East Of The Garden Cottage, South Laws, Duns, TD11 3HZ
Planning Ref: 21/01625/PPP
Our Ref: DSCAS-0051030-DQJ
Proposal: Erection of dwellinghouse and formation of new access

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.

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.

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
 - ▶ 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.

- ▶ 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

▶ Trade Effluent Discharge from Non Domestic 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 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

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

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.

Yours sincerely,

Angela Allison

Development Services Analyst

PlanningConsultations@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."

From: Planning South East <PlanningSouthEast@sepa.org.uk>
Sent: 09 November 2021 13:43
To: DCConsultees
Subject: 21/01625/PPP - SEPA Ref: 3125 - FAO Cameron Kirk

CAUTION: External Email

OFFICIAL

Town and Country Planning (Scotland) Acts
Planning Application ref: 21/01625/PPP
Erection of dwellinghouse and formation of new access
Land East Of The Garden Cottage South Laws Duns Scottish Borders
SEPA Ref: 3125

Dear Mr Kirk,

Thank you for consulting SEPA on the above noted planning application.

The information supplied with this planning application is insufficient to allow us to determine the potential impacts. We **therefore submit a holding objection** and request that determination be deferred until the information outlined below has been provided for our assessment. If the planning authority is not minded to request this information, or the applicant does not provide it, then this representation should be considered as an objection from SEPA.

The proposed development includes the erection of a house. The proposed house would be classed as a 'highly vulnerable' use according to our Flood Risk and Land Use Vulnerability Guidance (2018). Therefore, the proposed development must be located out with the functional floodplain and out with the 1 in 200-year flood extent.

The site is partly within the functional floodplain based on the SEPA Flood Maps. This indicates that there is a medium risk of flooding from the Redlaw Burn. You can view the SEPA Flood Maps and find out more about them at <https://www.sepa.org.uk/environment/water/flooding/flood-maps/>

No topographic information was provided, however based on the topographic information available for the area it appears that the opposite bank of the Redlaw Burn is a lower elevation compared to the area of the proposed development. However, this should be confirmed with additional information.

Other appropriate information should include current and proposed development site and finished floor levels related to nearby watercourses, appropriate photographs and/or any nearby historical flood levels. Topographic level information should include cross sections across the watercourse (including the channel bed levels and bank levels of the opposite bank), upstream, downstream and adjacent to the site. However, if this information is insufficient to provide a robust assessment of the risk of flooding to the proposed development then a detailed flood risk assessment may need to be carried out by a suitably qualified professional.

We note that there is also a potential over-land flow path, which is shown on the SEPA maps, that flows to the south and east of the site. This over-land flow path flows between the Redlaw Burn and the Harcarse Burn. We advise that you contact your local Flood Risk Management Officer at Scottish Borders Council who, as Flood Risk Management Authority, may be able to provide further information regarding this over-land flow path. Depending on the information the Council hold, we may require further topographic information of the area to determine this over-land flow path.

We note that the planning application states that foul drainage will be directed to the public sewer. However, we are not aware of a public system in this area. Any private drainage system will be required to be authorised by SEPA under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended).

Please note that we are reliant on the accuracy and completeness of the information supplied at the time of providing our advice.

Details of regulatory requirements and good practice advice for the applicant can be found in the [Regulations section](#) of our website.

If you have queries relating to this response, please contact me by email on planning.southeast@sepa.org.uk.

Yours sincerely

Stephanie Balman
Planning Officer
Scottish Environment Protection Agency | Silvan House | SEPA 3rd Floor | 231 Corstorphine Rd |
Edinburgh | EH12 7AT

At present I am only responding to agreed business critical work. Please use the link below for further information.

[Planning | Scottish Environment Protection Agency \(SEPA\)](#)

Planning Service status A sophisticated criminal cyber-attack has had a major impact on the way SEPA works. We are working through all the services that we provide to understand what we need to do in the short and longer term to restore services.

Disclaimer

The information contained in this email and any attachments may be confidential and is intended solely for the use of the intended recipients.

Access, copying or re-use of the information in it by any other is not authorised. If you are not the intended recipient please notify us immediately by return email to postmaster@sepa.org.uk.

Registered office: Strathallan House, Castle Business Park, Stirling FK9 4TZ. Under the Regulation of Investigatory Powers Act 2000, the email system at SEPA may be subject to monitoring from time to time.

Dh'fhaodadh gum bi am fiosrachadh sa phost-d seo agus ceanglachan sam bith a tha na chois diomhair, agus cha bu chòir am fiosrachadh a bhith air a chleachdadh le neach sam bith ach an luchd-faighinn a bha còir am fiosrachadh fhaighinn. Chan fhaod neach sam bith eile cothrom

fhaighinn air an fhiosrachadh a tha sa phost-d no a tha an cois a' phuist-d, chan fhaod iad lethbhreac a dhèanamh dheth no a chleachdadh arithist.

Mura h-ann dhuibhse a tha am post-d seo, feuch gun inns sibh dhuinn sa bhad le bhith cur post-d gu postmaster@sepa.org.uk.

Oifis chlàraichte: Taigh Srath Alain, Pàirc Gnothachais a' Chaisteil, Sruighlea FK9 4TZ. Fo Achd Riaghladh nan Cumhachdan Rannsachaidh 2000, dh'fhaodadh gun tèid an siostam puist-d aig SEPA a sgrùdadh bho àm gu àm.

OFFICIAL

Consultation Reply

ASSETS AND INFRASTRUCTURE

To: HEAD OF PLANNING AND REGULATORY SERVICE

FAO: Cameron Kirk

Your Ref: 21/01625/PPP

From: HEAD OF ASSETS AND INFRASTRUCTURE

Date: 11/11/2021

Contact: Raffaella Diesel

Ext: 6977

Our Ref: B48/3151

Nature of Proposal: Erection of dwellinghouse and formation of new access
Site: Land East of The Garden Cottage, South Laws

In terms of information that this Council has concerning flood risk to this site, I would state that The Indicative River, Surface Water & Coastal Hazard Map (Scotland) known as the “third generation flood mapping” prepared by SEPA indicates that the site is at risk from a flood event with a return period of 1 in 200 years. That is the 0.5% annual risk of a flood occurring in any one year.

The Indicative River & Coastal Flood Map (Scotland) has primarily been developed to provide a strategic national overview of flood risk in Scotland. Whilst all reasonable effort has been made to ensure that the flood map is accurate for its intended purpose, no warranty is given.

Due to copyright restrictions I cannot copy the map to you however, if the applicant wishes to inspect the maps they can contact me to arrange a suitable time to view them.

The SEPA flood maps indicate that the site is within the 1:200 year flood envelope of the Redlaw Burn which runs north of the site. This indicative flood envelope cover the access road and the northern part of the site. It also includes a large flow path which starts to the east of the site and runs south-west until it turn south towards the Harcarse Burn.

Due to the large indicative flow path and the flat topography of the site, we cannot rule out the requirement for a Flood Risk Assessment this point, as we require more information.

Should full planning permission be sought, a topographical survey for the site, the Redlaw Burn and its floodplain, including the indicative flow path, should be submitted. This will inform if a FRA is required.

Please note that this information must be taken in the context of material that this Council holds in fulfilling its duties under the Flood Risk Management (Scotland) Act 2009.

Technician – Flood and Coastal Management

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Officer Name and Post:	Contact e-mail/number:	
Roads Planning Service	Craig Johnston Roads Planning Technician	Craig.johnston@scotborders.gov.uk 01835 826856	
Date of reply	04/11/2021	Consultee reference:	
Planning Application Reference	21/01625/PPP	Case Officer: Cameron Kirk	
Applicant	Mr And Mrs Jerry And Shona Ponder		
Agent	Ferguson Planning		
Proposed Development	Erection of dwellinghouse and formation of new access		
Site Location	Land East Of The Garden Cottage South Laws Duns Scottish Borders TD11 3HZ		
<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>			
Background and Site description			
Key Issues (Bullet points)			
Assessment	I have no objections to this application provided conditions similar to the ones below are included in any consent given.		
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> Do not object, subject to conditions <input type="checkbox"/> Further information required
Recommended Conditions	<p>Parking and turning for two vehicles, excluding garages, must be provided within the curtilage of the plot before the dwellinghouse is occupied and retained thereafter in perpetuity. Reason: To ensure the property is served by adequate parking at all times.</p> <p>The access to the site from the public road to be formed to an agreed standard prior to occupation of the dwelling. Reason: To ensure the property is served by safe access from the public road.</p> <p>A scheme of details for the provision of one passing place at an agreed location to be submitted to and be approved in writing by the Planning Authority. The passing place shall be built to an agreed standard prior to commencement of development. Reason: To ensure the increased traffic associated with the development can be safely accommodated.</p>		
Recommended Informatives	<p>All work within the public road boundary must be undertaken by a contractor first approved by the Council.</p> <p>The access to the site from the public road should be constructed as a service layby to my standard specification DC-3.</p> <p>Passing places to be constructed to my standard specification DC-1.</p>		

AJS

