

John Hayward Planning & Development Standards Manager

Please ask for: (Julie Hayward 01835 825585

Our Ref: 21/01846/PPP

Your Ref: E-Mail: jhayward2@scotborders.gov.uk

Melrose Community Council Mr R Chisholm

Date: 2nd December 2021

NAME OF APPLICANT: Rivertree Residential Ltd

NATURE OF PROPOSAL: Erection of two dwellinghouses

SITE: Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 REQUEST FOR OBSERVATIONS OF: Melrose Community Council Your observations are requested on the above noted planning application.

M&DCC have no issues with the two properties but would like the wall on the roadside to be reinstated to match existing walls as part of this development

Regards

Robin Chisholm for Melrose & District Community Council

Friday, 03 December 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 North Of Ivanhoe, Dingleton Road, Melrose, TD6 9HP
Planning Ref: 21/01846/PPP
Our Ref: DSCAS-0054187-CFH
Proposal: Erection of two 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 Howden 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

- ▶ This proposed development will be serviced by Melrose Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

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."

PLANNING CONSULTATION

To: Archaeology Officer

From: Development Management

Date: 2nd December 2021

Contact: Julie Hayward ☎ 01835 825585

Ref: 21/01846/PPP

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 23rd December 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 23rd December 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: Rivertree Residential Ltd

Agent: Aitken Turnbull

Nature of Proposal: Erection of two dwellinghouses

Site: Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Officer Name and Post: Keith Elliott Archaeology Officer	Contact e-mail/number: Keith.Elliott@scotborders.gov.uk 01835 824 000 ext 8886
Date of reply	02.12.2021	Consultee reference:
Planning Application Reference	21/01846/PPP	Case Officer: Julie Hayward
Applicant	Rivertree Residential Ltd	
Agent	Aitken Turnbull	
Proposed Development	Erection of two dwellinghouses	
Site Location	Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders	
<p><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></p>		
Background and Site description	<p>This case proposes the construction of a pair of new dwelling houses in the currently garden ground alongside Dingleton Road, on the southern side of the Melrose. The site is located to the north of the house known as Ivanhoe and the terrace of houses known as Dingleton Cottages.</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). In this case it is the Melrose Golf Course, but other sites are located in the surrounding area also including the historic hospital buildings and landscape.</p> <p>My comments are little different to the previous application 21/00768/PPP, though the plots have changed for the naming conventions and the comments below suitably changed to reflect this.</p>	
Key Issues (Bullet points)	<ul style="list-style-type: none"> • Location of the development proposal • Impact upon the archaeological entries in the area that directly/indirectly affected by this development (both Plots A and B) • Local significance of those features • Attrition of the historic environment through loss of the orchard 	
Assessment	<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 23400 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 archaeological consultation has been triggered by the application being in the surroundings of the historic Melrose Golf Course (Canmore ID 307961), though there are a number of historic sites in the area. The application will have no impact upon this site either directly or indirectly to a significant and adverse degree.</p> <p>The plot of the application is crossed by a historic routeway that thought to be a</p>	

Medieval in date (Canmore ID 343288) which has been mapped from much later Ordnance Survey first edition mapping surveyed in 1859 and published in 1861. This is identified as of local significance in the stretch that in this application area. In the first edition mapping the ground is shown as generally open, though with further tracks across it. It is the Ordnance Survey second edition mapping surveyed in 1897 and published in 1898 that shows the development of the Roxburgh, Berwick and Selkirk District Asylum (Canmore ID 100238) in the intervening time.

This remains a major historical site in the area. In addition to the main wards, then the adjacent properties now known as Ivanhoe recorded as a lodge building (shown by the second edition) and Dingleton Cottages (first shown by the third edition, surveyed in 1918 and 1919 to be published in 1921) are also identified as staff accommodation. The asylum features within the website pages by Harriet Richardson [Historic Hospitals: An Architectural Gazetteer](#). Some of the asylum buildings are Listed Buildings and also appear as separate entries in the HER.

The Ordnance Survey second edition shows the area of this application as open, but bounded ground. It is the Ordnance Survey third edition that shows the site as an orchard and the orchard trees shown by Google Street View photography. The walling that shown by Google Street View photography is part of the asylum's arrangements, though in the 2018 photography it is shown to have a break part the way along. The proposed plans indicate that the various boundary walls, including that on Dingleton Road, are to remain.

The site of the two houses proposed is in open ground of the asylum's grounds, orchards and planting being typical of Post Medieval and Modern asylum and hospital arrangements. The grounds of the asylum and hospital, as well as the buildings, have been altered through time, though in this location little altered. Only the grounds as the orchard are indicated from the Ordnance Survey second edition onwards.

There are a number of finds from the general area, but their findspots have not been exactly located to say if they would be impacted by this application.

From the purely archaeological point of view there would be no impact to the golf course. Remains of the trackway are unlikely to be encountered as any below-ground evidence of finds, features and/or deposits in either plot now. The loss of the orchard would be a loss of a historic environment feature and part of the gradual attrition of the historic environment.

Therefore whilst no archaeological conditions are recommended to this development, there it is suggested an informative is used to cover the possibilities of finds, features and/or deposits of archaeological interest being encountered. Some proposed wording for the recovery and recording of finds is suggested below. This would be in line with *Planning Advice Note 2/2011: Planning and Archaeology*. The identification has been made of the various heritage assets in line with the Scottish Borders Local Development Plan policy for Archaeology EP8.

Recommendation	<input type="checkbox"/> Object	<input checked="" type="checkbox"/> Do not object	<input type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required
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Recommended Conditions	No archaeological conditions are recommended against this application.
Recommended Informatives	<p>If any finds of archaeological interest are identified during the groundworks to progress this application, these should be recovered, reported and, if necessary, recorded with the Treasure Trove Unit in line with the law of the land in Scotland. If finds are made, then contacts with the Archaeology Officer may be made in case to advise whether Treasure Trove Unit recording will be required. Pictures can be sent with any email to archaeology@scotborders.gov.uk.</p> <p>The <i>Planning Advice Note 2/2011: Planning and Archaeology</i> notes that;</p> <p><i>32. Planning Authorities and developers should be aware of the legal requirement to report the discovery of human remains and archaeological artefacts whether recovered in planned investigation or by chance. Human remains should be reported to the police. Archaeological artefacts should be reported for identification and assessment as possible "Treasure Trove", or as "wreck" if found under water. Human remains and artefacts must if possible be left in situ while the archaeologist is summoned, rather than being lifted and taken off site.</i></p>

From:Andrews, Catherine
Sent:28 Mar 2022 19:35:58 +0100
To:Hayward, Julie
Subject:21/01846/PPP Land North of Ivanhoe Dingleton

Julie

I apologise for the delay in getting back to you.

I have looked at the proposals for this site and note that this is a new application for a reduced site subsequent to the previously withdrawn application 21/00768/PPP. The proposal now concerns the orchard site only, Area A from the previous application. This site is covered by TPO 21 and forms part of the Dingleton Designed landscape. It also lies within the Eildon and Leaderfoot National Scenic Area forming part of a sensitive landscape visible from the Eildon hills, the Melrose golf course and the B6359 and contributes to the natural heritage and high amenity value of the local environment.

The Site Plan as Proposed (-L)102 shows how 2 houses are now proposed for the plot (previously one) with a considerable area of hard surfacing around the buildings forming a patio and driveway. The proposals include for the removal of 17 of 30 trees and drawing (-L)102 A shows 34 trees as compensatory planting filling much of the garden ground. I have 2 concerns here, firstly that the proposed compensatory trees at approximately 2 m's apart will not allow them sufficient space to thrive. Secondly this will become a development of houses set in an 'orchard garden' which in my opinion is an inappropriate setting for a house unless the occupants are very keen on fruit growing.

While I have sympathy with the location of this site being on the street frontage and appearing to fill a gap in the row of housing it should be remembered that this is a well-established and protected orchard of historic value. In my opinion the proposal is likely to risk degradation of the retained trees as a result of development causing compaction, changes to water table and desire from occupants for tree removal, both existing and proposed etc. with the introduction of services risking further damage. With the climate crisis and threat to biodiversity, sites of this sort are much needed reserves for habitats and associated wildlife within the built environment.

I therefore cannot support this proposal.

Catherine

Catherine Andrews

Landscape Architect

Heritage and Design

Regulatory Services

Scottish Borders Council HQ

Newtown St. Boswells

Melrose

TD6 OSA

Tel: 01835 824000 x 8121

Email: candrews@scotborders.gov.uk

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Roads Planning Service		
Officer Name, Post and Contact Details	Alan Scott Senior Roads Planning Officer		ascott@scotborders.gov.uk 01835 826640
Date of reply	18 th January 2022	Consultee reference:	
Planning Application Reference	21/01846/PPP	Case Officer: Julie Hayward	
Applicant	Rivertree Residential Ltd		
Agent	Aitken Turnbull		
Proposed Development	Erection of two dwellings		
Site Location	Land north of Ivanhoe, Dingleton Road, Melrose		
<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 the principle of this proposal. The access road serving the site is single track with a couple of available passing opportunities. That said, the road would benefit from the roadside hedge being trimmed back. From a sustainability aspect, it may be beneficial to have a direct pedestrian access on to Dingleton Road. Such an access is likely to require planning permission and it may be worth considering at this stage rather than when development has been fully approved. Although there are suitable alternative routes to the town centre, out on to Dingleton Road would be most direct.		
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, excluding any garages, must be provided within the curtilage of each plot prior to the property being occupied and thereafter be retained in perpetuity. Reason: To ensure the development hereby approved is served by adequate off-street parking and turning.</p> <p>Details of the access to each property must be included at detailed stage to ensure an appropriate access is provided. These should include surfacing details, width, visibility splays and drainage. Reason: To ensure each plot is served by an acceptable form of access.</p> <p>Any gates proposed for each plot should be hung so as to open into the plot and not out over the adjacent road. Alternatively the gates can be hung an appropriate distance back from the edge of the road to ensure they don't open over the adjacent road. Reason: To ensure the gates do not cause a hazard or danger to passing motorists or pedestrians.</p>		

Signed: DJI