

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

**Town and Country Planning (Development Management Procedure) (Scotland) Regulations
2013**

Application for Planning Permission

Reference : 15/01425/FUL

**To : Mr Edward Beck per T Fleming Homes Ltd Per Nigel Steady Station Road Duns Scottish
Borders TD11 3HS**

With reference to your application validated on **25th November 2015** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Demolition of existing dwellinghouse and erection of replacement dwellinghouse

at : Easter Hendersyde Kelso Scottish Borders TD5 7QA

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, 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 15th January 2016
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed


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Chief Planning Officer

APPLICATION REFERENCE : 15/01425/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
6566PL2	Location Plan	Approved
6566PL1	General	Approved

REASON FOR DECISION

Subject to compliance with the attached schedule of conditions it is considered that the proposed demolition of the lodge house and erection of replacement dwelling will be acceptable and in accordance with development plan policies covering housing in the countryside, listed buildings, archaeology and gardens and designed landscapes.

SCHEDULE OF CONDITIONS

- 1 The south and east ground floor elevations of the dwelling hereby approved shall be finished using second hand ashlar stone recovered from the demolition of Easter Hendersyde Lodge, and where necessary, finished using salvaged second hand materials to match. Proposals for an alternative stone finish shall first be submitted to and approved in writing by the local planning authority before construction works on the new dwelling are commenced.
Reason: To ensure a satisfactory form of development which contributes appropriately to its setting adjacent to a Listed Building.
- 2 No development shall take place until the applicant has secured the 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 formulated by, or on behalf of, the applicant and 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 nominated by the developer and 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.
- 3 No development shall commence until the temporary vehicular access shown on drawing reference 6566PL2 (dated 10/11/15) hereby approved has been properly formed using a bound surface such as tar (or other alternative material which shall first be submitted to and agreed by the planning authority).
Reason: In the interests of road safety.
- 4 The existing access shall be closed off using barriers prior to the demolition of the existing dwelling commencing.
Reason: In the interests of road safety and to prevent conflict between the existing and proposed accesses.

- 5 Junction visibility to the south west from the proposed new access onto the A698 shall be improved by the cutting back of the roadside hedge prior to the temporary access becoming operational.
Reason: In the interests of road safety and to improve visibility when exiting the site.
- 6 Measures shall be put in place before the temporary access becomes operational to prevent surface water from running onto the public road. Details of which shall first be submitted to and approved in writing by the local planning authority.
Reason: In the interests of road safety and to prevent water discharging onto the public road.
- 7 The temporary access hereby approved shall be removed and the road side verge reinstated to its former condition, other condition as agreed by the planning authority, within 1 calendar month of the occupation of the dwellinghouse.
Reason: In the interests of road safety
- 8 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.
- 9 The development hereby approved shall be carried out wholly in accordance with the amended plans dated 07/01/16.
Reason: To ensure that the development is carried out as approved by the Local Planning Authority.
- 10 Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the buildings 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.

FOR THE INFORMATION OF THE APPLICANT

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.

Notice of Initiation of Development

Section 27 of the Town and Country Planning (Scotland) Act (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 enclosed with this decision notice for this purpose.

Notice of Completion of Development

Section 27B 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 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

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.