

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

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

**Application for Planning Permission**

**Reference : 16/01492/FUL**

**To : Mrs Louisa Gardiner per Roderick James Architects LLP Per Peter Smith Fourth Floor  
Standard Buildings 102 Hope Street Glasgow G2 6PH**

With reference to your application validated on **5th December 2016** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal : Change of use from derelict agricultural building and alterations to form  
dwellinghouse**

**At : Derelict Agricultural Building North Of Ladyurd Farmhouse West Linton Scottish  
Borders 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, 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 November 2017  
Planning and Regulatory Services  
Environment and Infrastructure  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**Signed**



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**Depute Chief Planning Officer**

**APPLICATION REFERENCE : 16/01492/FUL**
**Schedule of Plans and Drawings Approved:**

Plan Ref	Plan Type	Plan Status
13	Site Plan	Approved
1	Existing Layout	Approved
2	Existing Layout	Approved
3	Floor Plans	Approved
4	Floor Plans	Approved
5	Existing Elevations	Approved
6	Existing Elevations	Approved
7	Existing Elevations	Approved
8	Existing Elevations	Approved
9	Elevations	Approved
10	Elevations	Approved
11	Elevations	Approved
12	Elevations	Approved
RETAIN/REBUILD	Photos	Approved

**REASON FOR DECISION**

Subject to a legal agreement and 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**

- No development shall commence during the breeding bird season (01 March- 31 August inclusive) unless the development is implemented wholly in accordance with a Species Protection Plan for breeding birds that shall be submitted to and approved by the Planning Authority. Any development shall, thereafter, be carried out in accordance with the approved Species Protection Plan.  
Reason: In the interest of preserving biodiversity.
- No development is to commence until a report, by a suitably qualified person, 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, quantity and the impacts of this proposed supply on surrounding supplies or properties. The provisions of the approved report shall be implemented prior to the occupation of the building(s)/dwellinghouse(s) hereby approved.  
Reason: To ensure that the development is adequately serviced with water without a detrimental effect on the water supplies of surrounding properties.
- The dwelling shall not be occupied until works for the disposal of sewage and surface water have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure that satisfactory arrangements are made for the disposal of surface and foul water.

- 4 The dwelling hereby approved shall not be occupied until a single passing place is formed and implemented, to an agreed specification, and at an agreed location on the access track from the A72 to the development. The access track shall be maintained to ensure a smooth free draining running surface in perpetuity.  
Reason: In the interests of road safety.
- 5 The external walls of the building as detailed on Drawing 13 and accompanying photo dated 25 July 2017 shall be retained to wall head height and the remaining walls repaired and renewed with salvaged materials, or those that are similar in age, colour and texture to the original, unless the prior written consent of the Planning Authority is obtained for any variation thereto.  
Reason: To ensure that the proposed development does not have an adverse effect upon the appearance of the buildings to be converted.
- 6 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.

#### **FOR THE INFORMATION OF THE APPLICANT**

It should be noted that:

- 1 The applicant is advised to be aware of unexpected potential land contamination that may have occurred prior to site ownership. Should unexpected ground conditions e.g. made ground extending to depth, discolouration or malodorous substances be encountered in excavations or evidence of potential contamination e.g. underground structures, remains of buried wastes or equipment be encountered during site works Environmental Health Section of the council should be immediately consulted.
- 2 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) 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](http://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/bats_and_buildings.html)  
[http://www.bats.org.uk/pages/existing\\_buildings.html](http://www.bats.org.uk/pages/existing_buildings.html)  
[http://www.bats.org.uk/publications\\_download.php/1404/Bats\\_Trees.pdf](http://www.bats.org.uk/publications_download.php/1404/Bats_Trees.pdf)

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 (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, 4<sup>th</sup> 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.