

Burnmouth Community Council

22/00297/FUL | Erection of 3 no holiday pods and associated parking - Burnmouth

Notice of Objection

Burnmouth Community Council has given their due consideration to the above planning application and wish to OBJECT to the application.

We object on the following grounds:

- 1. Over development.** There were originally three cottages on the site but this is considered an irrelevance as to the site's 'capacity' – when the original cottages at Cowdrait (being the same age as those originally on the subject site), were replaced in the 1930's the original 40 cottages were replaced by just 23. Thus applying the same ratio would suggest that only one unit should be used as a replacement. The new proposed development bears no relation to the foot print of the original cottages. If consent were granted for the development of the pods in the glen, a precedent will be set for further adjacent development in the future.
- 2. Inadequate infrastructure.** Houses at Stonefalls and Partenhall suffer issues with their sewage on an annual basis – having additional properties utilising the same system can only exacerbate the situation. It is noted that Scottish Water's Comments as a Statutory Consultee merely confirm that there is adequate capacity at the Eyemouth water treatment plant but completely miss the point concerning issues with blocked drains in the immediate vicinity – we would ask that they reassess the existing capacity of the drainage system and provide additional comment as appropriate. A review of Scottish Water's records for the number of call outs to clear drainage issues in the vicinity should confirm this point.
- 3. Traffic.** The brae is the lifeline for the lower part of the village, and is in parts only one vehicle width. There is a dangerous curve just beyond the site. Vehicles coming up the brae are generally looking to accelerate from the corner (evidenced by the loose chippings in the area). Vehicles trying to turn in to the site will find the turn very tight if not impossible; to achieve a direct access using only forward gears, not only would a vehicle have to be of a size of a small car, with a tight turning circle, but would have to cross over and completely block the right-hand lane i.e. drive into the path of oncoming traffic. At the entrance to the side is a tarmac barrier to prevent the site flooding, which is a further hazard to vehicles entering the site. The site lines at the junction of the proposed entrance drive and the road are virtually non-existent. Visitors to the area are often found to stop their vehicles when driving up the brae in the belief that the lights are a form of traffic control, causing road blockages, an existing issue which will possibly be repeated more frequently. The entrance to the site lies opposite two driveways to three cottages – there is generally insufficient parking at the peak of the holiday season in this area and the proposed scheme will further add to the problem – on an informal basis, holiday makers park vehicles on the proposed site to save having to park on the brae.

Inevitably they reverse into the site, reinforcing the above point concerning inadequate access. This point is reiterated in the Design and Access Statement Fig 11 on Page 4 which shows that the architects had to reverse on to the site during their visit. Any development of the adjacent former church will add further to the issue of parking.

4. **On Site Parking.** The Design and Access statement (D&AS) suggests that the provision of three parking spaces is adequate for three pods – clearly this is not the case and does not allow for any additional visitor parking – at least one additional space would be expected. Though the pods are designed with one bedroom, it is often the case that one bedroom holiday accommodation does attract more than one vehicle. Furthermore, the D&AS indicates that vehicles will be able to turn within the site – this does not appear to be the case for at least the accessible parking bay.
5. **The Build.** Construction of the site will result in contractors’ vehicles being parked on the brae which is narrow at the point of entry. Craning in of the pods will require a series of road closures. This will prevent access by emergency vehicles to the lower part of the village. The harbour is a working fishing harbour with fishermen requiring access at all hours – the carriage of live shell fish is ordinarily undertaken as soon as the catch is landed – delays can impact on the quality of catch landed and the fisherman’s livelihood.
6. **Business Plan.** The Business Plan referred to (5.1) within the D&AS is not attached as stated. There will be no benefit to the local economy. The level of financial benefit that another holiday development would deliver is a spurious argument given that from previous experience, many self-catering holiday makers, self-cater. Even the local pub, is, at the time of writing closed for business, and the current landlord is the 6th in 10 years. Thus the actual benefit to the local economy could prove to be just a local cleaner on minimum wage obtaining perhaps two hours employment per pod per week.
7. **Ecology.** No ecology report has been provided by the applicant. The area is rich with wildlife which is only now slowly reappearing following both Storm Arwen and Scottish Power installing new powerlines not only in the glen, but also the wider village. Significant water flow is experienced close to the site and further earthworks can only have the potential to aggravate the fragile natural drainage system.

As an aside, it has been noted that no site notice has been erected at or near the site advertising the planning application.

In light of the above Burnmouth Community Council recommend that the Planning Committee REFUSE the application.

Phil Potter
Chairman
Burnmouth Community Council

Burnmouth Community Council

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Further to our comments and those made by both statutory consultees and members of the public, we note that there have been a number of subsequent submissions made by the Applicant's representative.

Given that the Applicant felt the need to, unusually for a small application, commission additional consultants, it demonstrates the apparent lack of foresight into the whole application. With an open mind, we have given our due consideration to the additional points raised but remain of the opinion that the application should be REFUSED.

Whilst reviewing the May report from Ferguson Planning, we have the following observations, which for clarity are numbered as in their report:-

2.2 All coastal areas have suffered in the past – that is the nature of their location and there is nothing extraordinary concerning the local economy. The recent award of the servicing contract which is to be based in Eyemouth will be one of the most significant economic boosts to the area for a considerable time. The proposed development would have no impact on the local economy.

2.3 We are unable to accept that the employment for a few hours a week of a local cleaning company will have any impact on the economy. By the same token, if the buildings were constructed correctly, there should be little need for maintenance for a number of years. The type of building proposed will be of a specialist nature and it is quite probable that if not purchased in kit form, will employ out of area contractors.

2.4 This argument is irrelevant – the site has returned to nature and the proposed form of development is at odds to the original buildings in form, construction and use.

2.5 It remains debatable and has not been fully demonstrated that four vehicles can park and manoeuvre within the proposed site.

2.8 Cladding is not a material found in this area – indeed in 2016 a pre-planning application seeking to use cladding on a property undergoing renovation within the village was rejected.

2.13 The proposed parking remains too small for the proposed development. This will inevitably lead to vehicles being parked on the road, which will cause obstruction and potential disruption to road users as happens at present – additional accommodation will serve to exacerbate the situation.



Photographs showing a holiday guest at Coastguard Cottage (opposite the site) parking on the brae. Note also the red van also belonging to a guest at the same property.

2.15 It is considered that the Access Appraisal submitted by Modus Transport Solutions does not reflect the on-site position. The turning circle of an average car in the UK is 10.4.-10.7 m. as can be seen from the above photograph, the angle of the turn makes it impossible to access the site in a single sweep, but will involve the use of both forward and reverse gears. Modus do not appear to have indicated the assumed turning circle within their

modelling and illustration thereof. What they do acknowledge is that to access the site, vehicles will have to drive in to the path of oncoming vehicles – clearly an unsafe manoeuvre.

The Report provided by Modus does raise a number of significant issues. A traffic counter was installed during the period 23-29th March – perhaps the quietest time of the year. The traffic flow was minimal then – reduced further by the restricted level of fishing undertaken due to weather and poor catches. But at this quiet time, the introduction of the pods would form a significant percentage increase in the level of traffic. Had the traffic count been undertaken during peak period, the number of vehicles would be vastly higher.

On Page 11 of the Modus report, it is proposed that to enable a wider splay, the existing crash barrier “will require adjustment and the end concrete support will require to be removed”. This has the potential to not only prejudice the integrity of the remaining barrier and the stability of the road which can be seen to have movement fissures in various places along its length, but will provide less security to road users both ascending and descending the brae. To those ascending, in the event of an accident, they are presented with curved barriers which will reduce impact damage in the event of a front on collision; to those descending, there will be the possibility of a vehicle slipping off the road in the event of an accident. The barrier was designed to prevent such issues and was designed at a time when there was less traffic – it is considered foolhardy to reduce the length of the barrier.

2.16A The perceived demand for the proposal as stated in the business case is considered to be without foundation and is not proven.

2.17 Following the reopening of airports international holidaying has returned, leaving a reduced demand for some UK holiday accommodation.

2.19 The comments within this section are wholly misleading;

The First and Last Public House is currently closed and its future undecided – the tenants having currently relocated and they are one of a number who have moved from the pub in the past few years. It is an unviable business.

There should be only limited maintenance requirements so this point is tenuous.

The Harbour Trust has not been approached in regard to the development of activities. Given that the harbour is tidal (dry at low tide), there are limited opportunities for day boats etc. Marine Scotland may have a view as to the provision of any motorised water sports in the area. Diving is to be found in Eyemouth and St Abbs, which are well established diving centres.

Tourist rambling is not business generating. There are no shops or businesses in Burnmouth and so no economic benefit can be derived locally from the site development.

2.23 We fail to see how, is demand cannot be justified (see earlier comments), any development outside of the settlement boundary should be permitted.

Under the section entitled Planning Policy – some points have already been addressed, but 3.4 makes mention that there would be no significant adverse impact on nearby residential dwellings; the issue of the continually blocking sewerage system remains to be addressed. It was noted that a private firm was undertaking a drainage survey recently close to the site – whilst it is not known who commissioned the survey, It appears that concerns in respect of the system’s inadequacy remain.

3.7 Clearly there will be noise and traffic generated if this development were to proceed – this will lead to not only a nuisance to other road users (through site access/egress), but particularly to the three homes opposite the site.

3.9 There is a very real risk to damage to the biodiversity of the immediate area through the development of the site and no benefit to the public shall be gained thus any development would be contrary to Policy EP3.

3.11 The inclusion of this section is irrelevant.

3.12 Approval of this scheme would be to the detriment of the community and therefore contrary to Policy EP14.

3.12 (sic) onwards - Scottish Planning Policy, SES Plan SB Tourism and Strategy Action Plan & Place Making and DesignSPG – reference to these are considered by and large to be an irrelevance in this application.

In light of the above we see no reason to amend our opinion and recommend that the planning application is REFUSED.

Phil Potter
Chairman Burnmouth Community Council



BERWICKSHIRE CIVIC SOCIETY

RESPONSE TO REQUEST FOR OBSERVATIONS ON PLANNING

Application Ref: 22/00297/FUL

Site: Land West of Burnmouth Church, Burnmouth, Scottish Borders

Observations:

Berwickshire Civic Society has been contacted by members of the public about this application, which involves the construction of 3 holiday letting Pods on the site of cottages demolished a long time ago. We have now been included on the list of consultees.

We have already commented on this application, but our comments have been removed from public view. We raised valid concerns about the applicant company. No contact has been made with us by SBC to explain the removal of our previous comments which increases our concern about this application.

Turning to the proposal, we observe that this is a poorly sited development of no architectural merit. There is little or no thought given to the nature of the visual impact on Burnmouth which has a unique character, and although the applicant claims that the development is justified on the basis that there have been buildings there in the past, the proposed buildings are not, in any way, comparable to those that predated them. We note that the road access is potentially unsafe.

The Society OPPOSES this application.

BWP

Signed for and on behalf of the Berwickshire Civic Society.

Brian Payne





Scotland's Nature Agency
Buidheann Nàdair na h-Alba

Chief Planning Officer
Planning and Regulatory Services
Scottish Borders Council
Council Headquarters
Newtown St Boswells
TD6 0SA

Our ref: SIT/SSSI/278/INF
Your ref: 22/00297/FUL

dcconsultees@scotborders.gov.uk

29 March 2022

FAO Mr Paul Duncan

Dear Sir

Town and Country Planning (Scotland) Act 1997
Erection of 3 no holiday pods and associated parking
Land west of Burnmouth Church, Burnmouth
Berwickshire and North Northumberland Coast Special Area of Conservation (SAC)
Berwickshire Coast (intertidal) Site of Special Scientific Interest (SSSI)
Burnmouth Coast (SSSI)

Thank you for consulting Scottish Natural Heritage on this planning application.

The Proposal

This application is for the erection of three holiday pods and associated parking on steep ground immediately downslope of the narrow dead end road from Burnmouth to Lower Burnmouth.

Summary of NatureScot Advice

The proposal could affect internationally and nationally important natural heritage interests and we therefore **object to this proposal until further information is obtained from the applicant, as set out in our appraisal below**. Once this information has been provided we will be able to give this proposal further consideration.

Our key concern relates to the absence of information regarding stability of the development site, given the known natural instability of the cliffs along the Burnmouth coast. Any landslip arising from the construction of this development of this site and/or its use post-construction, would not be a natural event, and could result in material directly affecting sites designated for their internationally and nationally important nature conservation interests located just 80 metres downslope.

We are also concerned that development of this site would result in the permanent loss of an area of coastal habitat, which, although not part of the adjacent Burnmouth Coast SSSI, is of a

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similar species composition to SSSI habitat immediately north and south of the development site, and forms an important natural habitat link between these sections.

NatureScot Appraisal

Berwickshire and North Northumberland Coast Special Area of Conservation (SAC)

The cliff slopes along the Berwickshire coast area are renowned for being naturally unstable, with landslips a regular occurrence. Around 10-15 years ago, a particularly severe landslide brought a significant amount of material, including large boulders, from the cliff slope above the road to Lower Burnmouth, obscuring the road completely and cutting off houses for several weeks. More recently there have been landslips from the cliff slopes above Partanhall, affecting the properties there.

The Berwickshire and North Northumberland Coast SAC is located around 80 metres downslope and east of the development site. The structure and function of the reefs qualifying interest are vulnerable to smothering by material arising from landslips. The subtidal rocky reefs and their rich marine communities, together with the wide variety of associated littoral reefs, are the most diverse known on the North Sea coast.

Our advice is that there is insufficient information in the application to determine whether the proposal is likely to have a significant effect on the qualifying interests of this SAC.

In order for this to be determined, we recommend that the following additional information is obtained:

An engineering survey and report, or similar, to assesses the stability of the ground of the development site and its ability to physically support the built aspects of the proposal without excessive use of cut-and-fill or gabion baskets. This must include a sufficiently robust and informed professional opinion on whether the proposal would, or is likely to, cause and/or exacerbate the likelihood of, landslips occurring at this location during construction and thereafter.

Berwickshire Coast (intertidal) SSSI

Addressing concerns about the SAC will also address those relating to the Berwickshire Coast (intertidal) SSSI located within the SAC.

Burnmouth Coast SSSI

The development could also affect the interests of the Burnmouth Coast SSSI indirectly, primarily through the loss of coastal cliff habitats that connect with habitats of this SSSI.

Parts of this SSSI are located on the steep cliff slopes immediately south of the development site (literally the other side of the road) and on the steep cliff slopes around 60 metres to the north. This SSSI is of national interest for its geology, coastal grassland and a range of invertebrates associated with the grasslands. The habitats and species within and around the development site are similar to those of this SSSI, and although the land is not part of the SSSI, the habitats and species found here function to provide an important natural connection with the SSSI.

The permanent loss of any natural and/or semi-natural coastal habitat should be avoided, particularly where there is functional connectivity with similar habitats designated as SSSI in the immediate vicinity.

Further information on these designated sites is available on SiteLink at <https://sitelink.nature.scot>.

If the planning authority intends to grant planning permission against this advice without the requested information, you must notify Scottish Ministers.

This advice is provided by NatureScot, the operating name of Scottish Natural Heritage.

Please contact Anne Brown should you wish to discuss our response.

Yours faithfully

By e-mail

Crispin Hill
Operations Manager
Southern Scotland

Director of Planning and Economic Development
Scottish Borders Council
Council Headquarters
NEWTON ST BOSWELLS
TD6 0SA

FAO Paul Duncan

01 June 2022

Our ref: **SIT/SSSI/278/INF**
CDM166988

Your ref:22/00297/FUL

Dear Paul

Town and Country Planning (Scotland) Act 1997
Erection of 3 Holiday Pods and Associated Parking, Land West of Burnmouth Church, Burnmouth

Thank you for consulting NatureScot on the planning application for three holiday pods and associated parking on steep ground immediately downslope of the narrow dead end road from Burnmouth to Lower Burnmouth,

We were originally consulted about the development in March 2022 and responded on the 29 March 2022. We advised that the international and nationally important natural heritage interests affected by the development were of such importance as to justify a precautionary approach, and that there was insufficient information provided with the application to assess the effects on the Berwickshire and North Northumberland Coast Special Area of Conservation (SAC), Berwickshire Coast (Intertidal) Site of Special Scientific Interest (SSSI) and Burnmouth Coast SSSI.

This letter updates our earlier response in regard to the qualifying interests of the Berwickshire and North Northumberland Coast SAC, Berwickshire Coast (Intertidal) SSSI and Burnmouth Coast SSSI.

NatureScot Position; Holding Objection

The proposal could affect internationally and nationally important natural heritage interests and we therefore **object to this proposal until further information is obtained from the applicant as set out in our appraisal (below)**. Once this information has been provided we will be able to give this proposal further consideration.

Our main concerns relate to the absence of information regarding stability of the development site, given the known natural instability of the cliffs along the Burnmouth coast. Any landslip arising from the construction of this development and/or its use post-construction, would not be a natural event, and could result in significant amounts of

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material directly affecting sites designated for their internationally and nationally important nature conservation interests located 80 metres downslope.

We are also concerned that the development of this site would result in the permanent loss of natural and/or semi-natural coastal habitat where it provides a functional connectivity with similar habitats designated as Burnmouth Coast SSSI in the immediate vicinity. However our position regarding the SSSI's is one of advice only.

Appraisal of the Proposal

Berwickshire and North Northumberland Coast SAC and Berwickshire Coast (Intertidal) SSSI

The site of the proposed development is close to the Berwickshire and North Northumberland Coast SAC, which is designated under the EC Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Flora and Fauna (the "Habitats Directive"), for its reefs, sea caves and grey seal. It is also designated as the Berwickshire Coast (Intertidal) SSSI which is regulated by the Nature Conservation (Scotland) Act 2004, and is notified for its rocky shore and sea caves.

The site's SAC status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters the Conservation of Habitats and Species Regulations 2010 as amended apply. Consequently, Scottish Borders Council is required to consider the effect of the proposal on the Berwickshire and North Northumberland Coast SAC before it can be consented (commonly known as Habitats Regulations Appraisal). Our website has a summary of the legislative requirements:- <https://www.nature.scot/professional-advice/planning-and-development/environmental-assessment/habitats-regulations-appraisal-hra>

It appears from the information available that in this case this proposal is not connected with or necessary for the conservation management of this site. Hence further consideration is required.

Our advice is that there is insufficient information to determine whether there are likely to be significant effects on the qualifying interests of the site. It is possible that the qualifying features of the Berwickshire and North Northumberland Coast SAC could be directly or indirectly affected by the development.

Potential direct and indirect impacts arising from the development on the SAC include:

- Encroachment onto the SAC by material arising from landslips either during construction and/or its use post construction, leading to loss of structure and function of the reef habitat by smothering with material from landslips.

We have previously highlighted the naturally unstable nature of the cliffs along the Berwickshire coast and that the development may potentially impact on the structure and function of the reefs, which are vulnerable to smothering from material arising from landslips.

The omission of an engineering survey and report (or similar), to assess the stability of the ground of the development site and its ability to physically support the built aspects of the proposal without excessive use of cut and fill or gabion baskets is significant, particularly as the cliffs along this stretch of Berwickshire coast are renowned for being naturally unstable. We note the provision of an "*Outline Construction Method Statement*" which states that "*suitable site investigation works to be carried out before construction proceeds*". However, we advise that this approach provides insufficient information to

SBC on the stability of the ground to support the proposed development, and insufficient certainty as to an absence of effects on the SAC as the Habitats Regulations require the competent authority to have,

Our advice therefore remains that there is insufficient information in the application to determine whether the proposal is likely to have a significant effect on the qualifying interests of the SAC. In order for this (and for the possible necessity of an appropriate assessment) to be determined, we recommend that the following additional information is obtained:-

An engineering survey and report, or similar, to assesses the stability of the ground of the development site and its ability to physically support the built aspects of the proposal without excessive use of cut-and-fill or gabion baskets. This must include a sufficiently robust and informed professional opinion on whether the proposal would, or is likely to, cause and/or exacerbate the likelihood of, landslips occurring at this location during construction and thereafter.

Addressing the concerns about the SAC will also address those relating to the Berwickshire Coast (Intertidal) SSSI which is located within the SAC.

Burnmouth Coast SSSI

As mentioned in our previous response the development could also affect the interests of the Burnmouth Coast SSSI indirectly primarily through the loss of maritime cliff habitats that connect the habitats of the SSSI.

We note the change of lay out of the development and the inclusion of new landscaping between the pods. However we feel that this does not replace the permanent loss of any natural and/or semi-natural coastal habitat where it provides a functional connectivity with similar habitats designated as SSSI in the immediate vicinity.

Summary

NatureScot **objects** to this proposal on the basis of the information submitted, as there is insufficient information to ascertain the impact on important international and national natural heritage features.

As with all applications that are subjected to an objection from NatureScot, we ask to be advised at the earliest possible stage about any proposed modifications, conditions or agreements relevant to our interests. Because the proposal potentially affects the Berwickshire and North Northumberland Coast SAC, we remind you of the requirement to notify Scottish Ministers if Scottish Borders Council is minded to approve planning consent against our advice in this case.

This advice is provided by NatureScot, the operating name of Scottish Natural Heritage.

Please contact Carol Jones should you wish to discuss our response.

Yours sincerely

By email

Crispin Hill
Operations Manager South

Thursday, 03 March 2022



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
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Dear Customer,

Land West Of Burnmouth Church, Stonefalls Burnmouth, Eyemouth, TD14 5ST
Planning Ref: 22/00297/FUL
Our Ref: DSCAS-0059612-XR3
Proposal: Erection of 3 no holiday pods and associated parking

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 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

- ▶ There is currently sufficient capacity for a foul only connection in the EYEMOUTH Waste 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.

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 Dom 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 launderettes. 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,

Pamela Strachan

Development Services Analyst

Tel: 0800 389 0379

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: 25th February 2022

Contact: Paul Duncan ☎ 01835 825558

Ref: 22/00297/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 18th March 2022. 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 18th March 2022, 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: ASE Holiday _ Property Rentals Ltd

Agent: Camerons Strachan Yuill Architects

Nature of Proposal: Erection of 3 no holiday pods and associated parking

Site: Land West Of Burnmouth Church Stonefalls Burnmouth Eyemouth Scottish Borders

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

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| 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 | 16.05.2022 | Consultee reference: |
| Planning Application Reference | 22/00297/FUL | Case Officer: Paul Duncan |
| Applicant | ASE Holiday _ Property Rentals Ltd | |
| Agent | Camerons Strachan Yuill Architects | |
| Proposed Development | Erection of 3 no holiday pods and associated parking | |
| Site Location | Land West Of Burnmouth Church Stonefalls Burnmouth Eyemouth 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 application proposes a series of three holiday pods, with associated parking, close to the building of Burnmouth Church, between the main village and Lower Burnmouth. The site is currently open ground.</p> <p>The three pods are proposed at different levels within the sloping site, with a set of associated access steps between them, in steeply sloping ground. This archaeological consultation has been triggered by the application lying close to the surroundings of the church.</p> | |
| Key Issues (Bullet points) | <ul style="list-style-type: none"> • Previous buildings in the area • Significance and any likely remains of such buildings | |
| Assessment | <p>This application proposes the construction of a series of three holiday pods, at differing levels, with associated access between the pods and car parking in the ground to the southwest of the Burnmouth Church building.</p> <p>There are no current buildings recorded on the site, but the Historic Environment Record entry for the adjacent church (Canmore ID 258965) includes a Frances Frith photograph which shows a row of cottages in the general area of this application and working garden grounds pictured between 1900 and 1930. The picture shows the garden grounds to include hedged areas, as well as an enclosure made of chicken wire and posts perhaps as small enclosure for chickens or ducks for eggs.</p> <p>There is unlikely to be much of any archaeological sites, features and/or deposits in this area that may survive. It is unclear when the cottages were constructed, as well as when they were demolished since they are shown up to the mid-20th century mapping of the area (though in that case there was a lengthy time between survey (1930s) and final publication (1957) by which time the row may have been pulled down). The steeply sloping nature of the ground would likely have meant little in the way of further buildings or other activities, save the poultry enclosure mentioned earlier, possible to do in this area.</p> <p>The submitted information shows the pods to be separated out across the sloping</p> | |

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| | <p>ground, as well as the platform for level access and car parking arrangements. In this way, if there were any foundations to the cottages, it may be that these would be only clipped by the application proposed here with the proposed car parking places and access to the holiday pods. Further, the proposed development itself is largely surface-based and there in total few below ground-level groundworks overall required.</p> <p>There are no archaeological conditions that would be recommended if this application were to be granted consent. No archaeological informatives are thought necessary in this case as it is thought there a low potential for any archaeological finds being made in the limited groundworks that the application requires.</p> | | | |
| 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 |
| Recommended Conditions | No archaeological conditions are recommended in this case. | | | |
| Recommended Informatives | No archaeological informatives are thought necessary either. | | | |

PLANNING CONSULTATION

To: EVH - Contaminated Land Officer

From: Development Management

Date: 1st March 2022

Contact: Paul Duncan ☎ 01835 825558

Ref: 22/00297/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 22nd March 2022, 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 22nd March 2022, 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: ASE Holiday _ Property Rentals Ltd

Agent: Camerons Strachan Yuill Architects

Nature of Proposal: Erection of 3 no holiday pods and associated parking

Site: Land West Of Burnmouth Church Stonefalls Burnmouth Eyemouth Scottish Borders

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

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|--|--|---|--|--|
| Comments provided by | Officer Name and Post: | | Contact e-mail/number: | |
| | EVH - Contaminated Land Officer | | | |
| Date of reply | 25 th March 2022 | | Consultee reference: 22/00508/PLANCO | |
| Planning Application Reference | 22/00297/FUL | | Case Officer: Paul Duncan | |
| Applicant | ASE Holiday _ Property Rentals Ltd | | | |
| Agent | Camerons Strachan Yuill Architects | | | |
| Proposed Development | Erection of 3 no holiday pods and associated parking | | | |
| Site Location | Land West Of Burnmouth Church Stonefalls Burnmouth Eyemouth 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>The above application proposes the erection of holiday accommodation on currently vacant ground. The application site is understood to be bounded by an existing church and residential properties within a former coastguard station.</p> <p>A structure recorded as 'Stonefalls' was historically presents to the immediate south, however has since been removed. The use of this structure is not recorded however appears to have been residential dwellings. Canmore images support this (Burnmouth, Coastguard Cottage Canmore).</p> | | | |
| Key Issues (Bullet points) | No potentially contaminative former uses have been identified. | | | |
| Assessment | No Comments | | | |
| Recommendation | <input type="checkbox"/> Object | <input 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 | |
| Recommended Informatives | |

From:Diesel, Raffaella
Sent:1 Jun 2022 17:05:15 +0100
To:Duncan, Paul
Subject:22/00297/FUL- Ecology clarification

Hi Paul,

Further on from my consultation reply from last week, I have the following clarifications to make;

- No additional badger survey is now required
- The Phase 1 habitat and NVC survey for the site is required due to the site providing functional connectivity between the parts of the Burnmouth Coast SSSI (also mentioned by NatureScot). This is an additional survey which falls outside the remit of a PEA.
- The additional breeding bird and invertebrates surveys are required due to the site's location between parts of Burnmouth Coast SSSI which is designated for coastal habitats and invertebrates. And, as also mentioned by Nature Scot, the habitat within the site is likely similar to that of the SSSI.

Costal grassland and cliffs are known to be used by birds such as Peregrine Falcon (Schedule 1 species) and Skylark (a red-listed bird of conservation concern). Therefore, pre-construction checks and surveys alone would be insufficient to alleviate concerns regarding any potential impact on breeding birds.

Kind regards

Raffaella

Raffaella Diesel

Ecology Officer

Heritage & Design

Infrastructure and Environment

Scottish Borders Council

01835 826977

PLANNING CONSULTATION

To: Ecology Officer

From: Development Management

Date: 9th May 2022

Contact: Paul Duncan ☎ 01835 825558

Ref: 22/00297/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 30th May 2022, 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 30th May 2022, 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: Stonefalls Development Partnership

Agent: Camerons Strachan Yuill Architects

Nature of Proposal: Erection of 3 no holiday pods and associated parking

Site: Land West Of Burnmouth Church Stonefalls Burnmouth Eyemouth Scottish Borders

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

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|---------------------------------------|--|---|
| Comments provided by | Officer Name and Post: | Contact e-mail/number: |
| | Ecology Officer Raffaela Diesel | Raffaela.Diesel@scotborders.gov.uk |
| Date of reply | 26/05/2022 | Consultee reference: |
| Planning Application Reference | 22/00297/FUL | Case Officer: Paul Duncan |
| Applicant | Stonefalls Development Partnership | |
| Agent | Camerons Strachan Yuill Architects | |
| Proposed Development | Erection of 3 no holiday pods and associated parking | |
| Site Location | Land West Of Burnmouth Church Stonefalls Burnmouth Eyemouth Scottish Borders | |

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.

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| Background and Site description | |
| Key Issues (Bullet points) | <ul style="list-style-type: none"> • The submitted PEA from March 2022 and the Ecological Survey added to Idox in May 2022 are the same. Was this an oversight? • SAC • SSSIs • Breeding birds • Badgers |
| Assessment | <p>I have not visited the site to inform this consultation response. An assessment was made using desk survey data, aerial photography and details submitted by the applicant.</p> <p>Protected Sites</p> <p>Regarding the Berwickshire and North Northumberland Coast Special Area of Conservation SAC, I would agree with Nature Scot that a ground stability survey would be required.</p> <p>I note that the submitted Outline Construction Method Statement by Camerons, Strachan and Yuill Architects, states that <i>“Suitable Site Investigation works to be carried out before construction proceeds”</i></p> <p>The above statement refers to the SSSI but I am unsure if the statement and the Outline Method Statement in general, have also been provided to show that the development will pose no threat to the SAC.</p> <p>As ground instability at the site could impact a SAC, the Precautionary Principle applies. A CEMP alone will provide insufficient information to show the development will have no negative impact on the integrity of the SAC.</p> |

Additionally, as potential impacts on these SACs may arise during construction and operation through sediment run-off and pollution and also associated impacts on reefs.

Therefore, it can be assumed that there is a likely significant effect on the SAC and an Appropriate Assessment would likely be required.

A recent EUCJ¹ ruling means that mitigation cannot be taken into account when considering the likely significant effect of a proposal on Natura/European sites and the need for an HRA at the screening stage.

To determine 'likely significant effects' in relation to HRA, the EUCJ ruled that "the question is simply whether the plan or project concerned is capable of having an effect. It is in that sense that the English 'likely to' should be understood."²

The Burnmouth Coast SSSI, which lies close to the site is notified for invertebrates and grassland habitat.

As Nature Scot have already mentioned in their response, it is possible that the development site contains the same/similar species to those found on the SSSI.

The Preliminary Ecological Assessment by Stone's Wildlife Management did not consider invertebrates or notable plants.

Therefore, a Phase 1 habitat survey and NVC survey of the development site will be required.

An invertebrate survey is also required.

Protected Species

The PEA is based on a survey carried out on 22nd March 2022. No signs of bats, badgers (latrines or runs) were found then.

As is stated in the PEA *"This appraisal and survey were carried out before the bats and breeding bird season, but due there being no structures on the plot of ground, birds nesting season is March- end August"*

The main activity season for breeding birds begins in April.

The habitats on site appear to be a mix of young and mature trees, shrubs, ruderal vegetation and some open ground. I would consider this to have a high suitability for breeding birds, including ground-nesting species.

The PEA considered the footprint of the site. For badgers, a buffer of 30m from the site boundary should have also been surveyed.

I consider the submitted PEA insufficient to make an informed decision on the potential impacts of the development on breeding birds and badgers.

A survey for breeding birds should be repeated during the main activity season (April to August inclusive).

The badger survey should be repeated to include an additional 30m buffer from the site

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| | <p>boundary.</p> <hr/> <p>¹ People over Wind & Sweetman v Coillte Teoranta ECLI:EU:C:2018:244 12 April 2018 http://curia.europa.eu/juris/document/document.jsf?docid=200970&doclang=EN</p> <p>² Sweetman case, European Court of Justice C-127/02, CURIA - List of results (europa.eu)</p> | | | |
| Recommendation | <input type="checkbox"/> Object | <input type="checkbox"/> Do not object | <input type="checkbox"/> Do not object, subject to conditions | <input checked="" type="checkbox"/> Further information required |
| Recommended Conditions | | | | |
| Recommended Informatives | | | | |

Consultation Reply

ASSETS AND INFRASTRUCTURE

To: Chief Planning Officer

FAO: Paul Duncan

Your Ref: 22/00297/FUL

From: Head of Infrastructure and Environment

Date: 29th March 2022

Contact: Ian Chalmers

Ext: 5035

Our Ref: 3215

Nature of Proposal: Erection of 3 no holiday pods and associated parking
Site: Land West of Burnmouth Church Stonefalls Burnmouth

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 not 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 site is not shown to be at risk from flooding at a 1 in 200 year flood event but the applicant should be aware that there still remains a risk of water flowing down the slope and this should be considered within the design.

The creation of paved areas and parking spaces on an existing greenfield site may increase the surface water runoff from the site and the applicant should submit drainage details to show how they plan to mitigate this risk.

Given the flood risk to the site, if as outlined above, suitable drainage details are submitted to Scottish Borders Council before approval, I would have no objections to this proposal on the grounds of flood risk.

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.

Ian Chalmers
Engineer – Flood and Coastal Management

Consultation Reply

ASSETS AND INFRASTRUCTURE

To: Chief Planning Officer

FAO: Paul Duncan

Your Ref: 22/00297/FUL

From: Head of Infrastructure and Environment

Date: 18th May 2022

Contact: Duncan Morrison

Ext: 6701

Our Ref: 3258

Nature of Proposal: Erection of 3 no holiday pods and associated parking

Site: Land West of Burnmouth Church Stonefalls Burnmouth

Further to my colleague's previous response requesting further information on how surface water will be managed, I can confirm the proposal to use a permeable Truckgrid surface or similar is acceptable.

Duncan Morrison
Team Leader – Flood and Coastal Management

From:Andrews, Catherine

Sent:5 Apr 2022 17:00:40 +0100

To:Duncan, Paul

Subject:22/00297/FUL - Stonefalls Holiday Development - Burnmouth, Berwickshire

Paul

The site lies in a narrow, steep sided, partially wooded valley leading from Burnmouth village to the Burnmouth Harbour. A single track road follows the valley to the cul-de-sac at lower Burnmouth. The site is accessed at a blind bend in the road and is located immediately west of the former Burnmouth Parish Church. The area lies within the Berwickshire Coast Special Landscape Area (SLA) and is bordered to north and south by the Burnmouth Coast Site of Special Scientific Interest (SSSI). The Berwickshire Coastal Path passes immediately adjacent to the site on it's north eastern corner.

I cannot support this application for a number of reasons, primarily because this would see the construction of substantial retaining structures on the steep valley sides to create a level platform and enable vehicle access and parking. In my opinion the proposed pods with roof glazing, the high retaining walls to front and rear of the platform, necessary safety fencing and patio areas would create a 'hard' engineered visual intrusion into a natural vegetated valley with potential for high visibility from stretches of the coastal path and adjacent B road. There is a high probability that the site will be seen from the cliff tops and footpath on approach from the north.

It is likely too that the young semi-wooded vegetation of the valley supports habitats for native flora and fauna and provides a 'green corridor' for wildlife in association with the burn and adjacent SSSIs which may be compromised by this development.

I cannot support this application as I consider this proposal will compromise both landscape and visual amenity of the Burnmouth valley and the Berwickshire Coast SLA. In policy terms it is contrary to EP13 which aims to protect the tree and woodland resource and associated ecology and EP5 which aims to afford adequate protection to the SLA.

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

From:Andrews, Catherine

Sent:23 May 2022 11:16:50 +0100

To:Duncan, Paul

Subject:22/00297/FUL - Stonefalls Holiday Development, Burnmouth, Berwickshire

Paul

Thank you for the reconsultation on the Stonefalls Holiday Pod proposal at Burnmouth, Berwickshire.

I have taken a look at the proposal and additional information including the Ferguson Planning Statement - May 2022 and maintain my objection as described in previous correspondence on the grounds that

'this proposal will compromise both landscape and visual amenity of the Burnmouth valley and the Berwickshire Coast SLA. In policy terms it is contrary to EP13 which aims to protect the tree and woodland resource and associated ecology and EP5 which aims to afford adequate protection to the SLA'.

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

PLANNING & REGULATORY SERVICES

| | | | | | |
|----------|--|-----------|------|--------------|----------------|
| To: | Head of Planning & Regulatory Services | | | | |
| F.A.O. | Paul Duncan | | | | |
| From: | Planning & Regulatory Services | | | | |
| Contact: | Erica Hume Niven | Ext. 6704 | Ref: | 22/00297/FUL | Date: 25/03/22 |

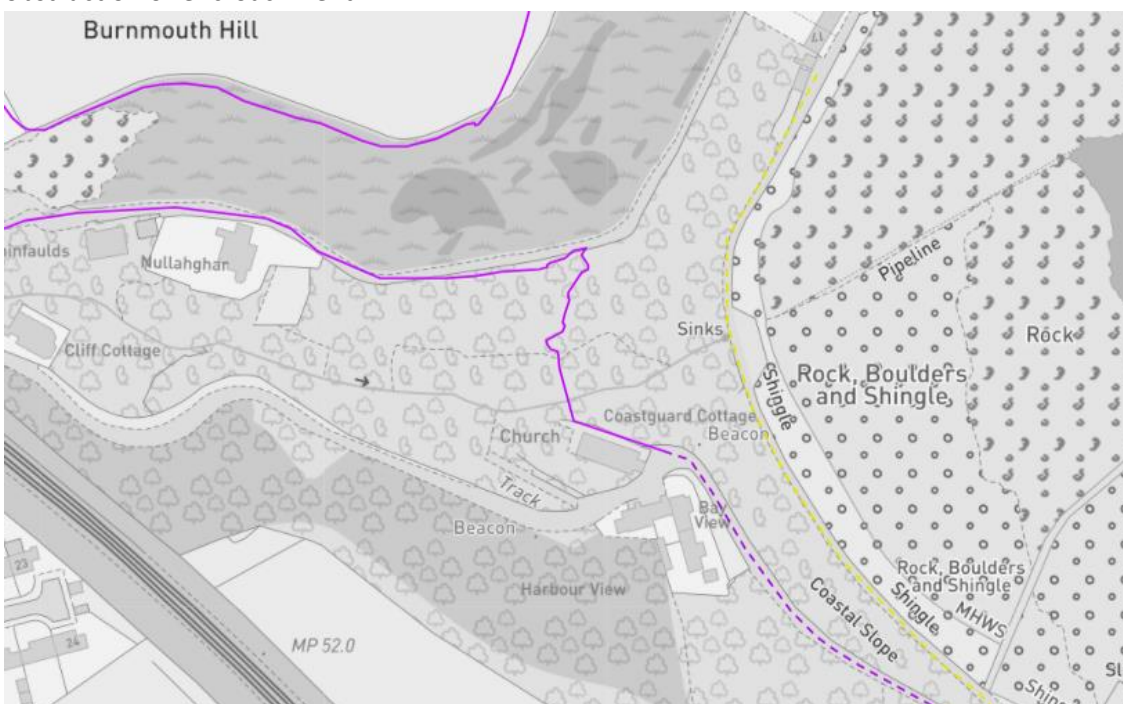
| | |
|---------------------|--|
| Nature of proposal: | Erection of 3 no holiday pods and associated parking |
| Site: | Land West Of Burnmouth Church Stonefalls Burnmouth Eyemouth Scottish Borders |

Comments: ACCESS

Core Paths

According to the records held in the Planning & Economic Development Section, there is one core path on, or adjacent to, this area of land, as shown on the attached plan as a purple line. Core path 2 runs by or through the north-west corner of the proposed site boundary. Clarification is sought on whether the site boundary, as proposed, encroaches on the core path.

Core paths are protected by law under the Land Reform (Scotland) Act 2003 s.19 'The local authority may do anything which they consider appropriate for the purposes of ... keeping a core path free from obstruction or encroachment.'



Land Reform (Scotland) Act 2003

There are other tracks in the area that the public would have a 'right of responsible access' to under the Land Reform (Scotland) Act 2003. This right also extends to most land and inland water in Scotland.

Countryside (Scotland) Act 1967

Please note that Scottish Borders Council does not have a definitive record of every claimed right of way within its area. The Scottish Rights of Way and Access Society, the community council and local residents may have evidence of existence of claimed rights of way that have not yet been recorded by SBC.

Rights of Way are protected by law under the Countryside (Scotland) Act 1967 sec. 46 'It shall be the duty of a...planning authority to assert, protect, and keep open and free from obstruction or encroachment any public right of way which is wholly or partly within their area.'

Please note: There are a number of statutory provisions contained in both public and private Acts under which public paths may be formally diverted. (s.37 Countryside Act 1967, s.199 Town & Country Planning Act 1972, s.9 &12 Roads Act 1984) The diversion of a path may only be undertaken if the planning authority can be satisfied that the diversion will result in the efficient use of land or that a shorter or more convenient path will be created. It should be noted that formal diversions of paths involve a lengthy legal process.

Erica Hume Niven

Access Ranger

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

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| Comments provided by | Roads Planning Service | Contact e-mail/number: | | |
| Officer Name and Post: | Keith Patterson Roads Planning Officer | kpatterson@scotborders.gov.uk 01835 826637 | | |
| Date of reply | 31 st March 2022 | Consultee reference: | | |
| Planning Application Reference | 22/00297/FUL | Case Officer: Paul Duncan | | |
| Applicant | ASE Holiday _ Property Rentals Ltd | | | |
| Agent | Camerons Strachan Yuill Architects | | | |
| Proposed Development | Erection of 3 no holiday pods and associated parking | | | |
| Site Location | Land West Of Burnmouth Church Stonefalls Burnmouth Eyemouth Scottish Borders | | | |
| <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) | <ul style="list-style-type: none"> • Access | | | |
| Assessment | <p>I am unable to support this proposal due to the sub-standard nature of the access onto the public road and the lack of meaningful improvements that can be carried out. The existing access is narrow, which does not allow two vehicles to pass, and the visibility at the junction is very poor. Further, making a left turn into the site is extremely difficult in anything other than the very smallest of vehicles meaning visitors are likely to carry out multiple manoeuvres on the public road or potentially reverse into or out of the site to the detriment of road safety.</p> <p>It can be argued that the site previously had a number of dwellings on it; however this was a significant number of years ago when car ownership was a lot less than it is today and as such, I do not consider this a valid argument.</p> | | | |
| Recommendation | <input checked="" type="checkbox"/> Object | <input type="checkbox"/> Do not object | <input type="checkbox"/> Do not object, subject to conditions | <input type="checkbox"/> Further information required |
| Reason for Refusal. | The proposal does not comply with policy PMD2 of the Local Development Plan 2016 in that it would result in extra vehicular traffic on a sub-standard access to the detriment of road safety. | | | |
| Recommended Informatives | | | | |

Signed: DJI

**RE-CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

| | | | | |
|---|--|---|---|---|
| Comments provided by | Roads Planning Service | Contact e-mail/number: | | |
| Officer Name and Post: | Keith Patterson Roads Planning Officer | kpatterson@scotborders.gov.uk 01835 826637 | | |
| Date of reply | 10 th June 2022 | Consultee reference: | | |
| Planning Application Reference | 22/00297/FUL | Case Officer: Paul Duncan | | |
| Applicant | Stonefalls Development Partnership | | | |
| Agent | Camerons Strachan Yuill Architects | | | |
| Proposed Development | Erection of 3 no holiday pods and associated parking | | | |
| Site Location | Land West Of Burnmouth Church Stonefalls Burnmouth Eyemouth Scottish Borders | | | |
| <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 | This is a reconsultation following the submission of additional information. | | | |
| Key Issues (Bullet points) | | | | |
| Assessment | <p>I have now had the opportunity to review the submitted additional information and in particular the Access Appraisal (AA) and would comment as follows: The swept path analysis demonstrates that for a vehicle to turn left into the site, they have to utilise the opposite side of the carriageway on approach to the access. As this manoeuvre would also be on the approach to a bend in the road, I would consider it to be unacceptable. The AA also suggests that to allow vehicles to manoeuvre in and out of the junction, a section of the roadside crash barrier will have to be removed. There is a significant level difference between the public road and the private access at this location and it is extremely difficult to ascertain how acceptable gradients could be provided.</p> <p>Given the above I have no option but to continue my objection to this proposal.</p> | | | |
| Recommendation | <input checked="" type="checkbox"/> Object | <input type="checkbox"/> Do not object | <input type="checkbox"/> Do not object, subject to conditions | <input type="checkbox"/> Further information required |
| Reason for refusal | The proposal does not comply with policy PMD2 of the Local Development Plan 2016 in that it would result in extra vehicular traffic on a sub-standard access to the detriment of road safety. | | | |
| Recommended Informatives | | | | |

AJS