

Friday, 28 January 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](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

**Land West Of 1 The Wellnage, Station Road, Duns, TD11 3EJ**  
**Planning Ref: 22/00081/FUL**  
**Our Ref: DSCAS-0057199-XBX**  
**Proposal: Erection of two dwellinghouses with access and associated works**

**Please quote our reference in all future correspondence**

## **Audit of Proposal**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

### **Water Capacity Assessment**

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the Rawburn Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

### **Waste Water Capacity Assessment**

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

## Asset Impact Assessment

According to our records, the development proposals impact on existing Scottish Water assets.

- ▶ 1 x 450mm combined sewer in the site boundary

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) to apply for a diversion.

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

## 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](mailto:sw@sisplan.co.uk)
  - ▶ [www.sisplan.co.uk](http://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](#).
- 

## **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](http://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 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](mailto: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](http://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](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Angela Allison**

Development Services Analyst

[PlanningConsultations@scottishwater.co.uk](mailto: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: 27th January 2022

Contact: Cameron Kirk ☎ 01835 825253

Ref: 22/00081/FUL

### PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 17th February 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 17th February 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:** C & V Developments

**Agent:** Ferguson Planning

**Nature of Proposal:** Erection of two dwellinghouses with access and associated works  
**Site:** Land West Of 1 The Wellnage Station Road Duns Scottish Borders

---

Thank you for the Archaeology Service consultation for this case.

I have read and assessed the details of this application against the coverage of the Scottish Borders Historic Environment Record (HER) and further information sources held, such as old Ordnance Survey mapping, aerial photographs and so on. This has over 23409 entries (and is on-going) relating to archaeological sites and findspots, buildings and landscapes, of all periods.

#### Assessment

The two houses are proposed within the garden ground of 1 The Wellnage. The Wellnage is recorded within the HER as a historic house (Canmore ID 95371) with associated gate piers and boundary wall also as a Listed Building (Category B, LB26596), itself with an associated stable and cottage building separately Listed (Canmore IDs 218614 and 261889; Category B, LB26597). The house, stables and cottage are shown by the Ordnance Survey mid-19<sup>th</sup> century first edition mapping to be located in designed landscape grounds. Wellnage is described by the Duns Object Name Book compiled by the Ordnance Survey during their survey of the area as;

*A commodious Mansion, with stabling, Shrubbery, extensive gardens, and a few acres of ornamental grounds -- situate off the E. side of the Dunse & Kelso Turnpike Road. ([OS1/5/15/90 | ScotlandsPlaces](#)).*

The house is also shown by John Wood's 1824 *Plan of the Town of Dunse* which also shows the area of this application to be indicated as in 'Nursery' use together with adjacent ground on the eastern side of the road to Coldstream, as well as on the western side of the road (now largely the area of Duns Park). This map is available on the National Library of Scotland website at [View map: Plan of the Town of Dunse. - Town Plans by John Wood \(nls.uk\)](#). There are no archaeological sites in the immediate area, save for those monuments within Duns Park on the other side of the road to where is proposed for these houses.

The pair of houses proposed would have appear to have no specific archaeological impacts, but the loss of the open ground originally the grounds and surroundings of the Listed Building property is something to consider. This may be best done with my colleagues the Landscape Architect who you have already consulted and the Built Heritage and Design Officer who you have not. For my surface and below-ground archaeological point of view there are no concerns, as this distant from the historic core of Duns as covered by the Scottish Burgh Survey and the ground will have already been much disturbed by the nursery and later garden use of the ground.

### **Conclusion**

Therefore no archaeological conditions are specifically recommended for this application. My predecessor as Archaeology Officer, Dr Chris Bowles, recommended no archaeological conditions for other applications for this area previously as 16/01061/FUL. My recommendation here for this application would be in line with those previous comments.

**A Keith Elliott**  
**Archaeology Officer**

# CONSULTATION RESPONSE TO PLANNING OR RELATED APPLICATION

Comments provided by	SR Heritage & Design Officer	
Date of reply	15/03/2022	
Planning Application Reference	22/00081/FUL	Case Officer: CK
Proposed Development	Erection of two dwellinghouses with access and associated works	
Site Location	Land west of 1 The Wellnage, Station Road, Duns	
<p><b><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 and on the basis of the information provided. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></b></p>		
Background and Site description	<p>The proposal is within the setting of a Category B listed building of special architectural and historic interest (The Wellnage) as a major example of an early 19<sup>th</sup> century detached villa. Originally set in large grounds as denoted by the surviving historic stone boundary wall, much of the historic grounds have now been developed as housing. The area in question makes a strong contribution to the setting of the house due to:</p> <ul style="list-style-type: none"> <li>- being set immediately in front of the house and originally forming its primary vista</li> <li>- forming the primary setting as viewed and experienced from Station Road, where glimpsed views of the house remain despite later planting. Its retention as green space preserves the relationship between the road and the listed building.</li> <li>- being set immediately adjacent to the driveway and main access route to the historic house.</li> </ul>	
Principal Issues (not exhaustive)	<p>The principal legislative and policy considerations from a heritage perspective in this case are;</p> <ul style="list-style-type: none"> <li>• Section 59 of the Town and Country Planning (Scotland) Act 1997 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires the local planning authority to, “<i>have special regard to the desirability of preserving the building or its setting or any features of special architectural interest which it possesses</i>”, in considering whether the grant planning permission affecting a listed building.</li> <li>• One of the key outcomes for the planning system is to help protect and enhance our natural and cultural assets, and facilitating their sustainable use (Outcome 3, SPP).</li> <li>• The siting and design of development should take account of all aspects of the historic environment (paragraph 140, SPP)</li> <li>• Change to a listed building should be managed to protect its special interest while enabling it to remain in active use...special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest (paragraph 141, SPP)</li> <li>• Listed buildings should be protected from demolition or other work that would adversely affect it or its setting (paragraph 141, SPP)</li> </ul>	

	<ul style="list-style-type: none"> <li>• New developments within the curtilage of listed buildings must respect the original structure in terms of setting, scale, design and materials. New development that adversely affects the setting of a listed building will not be permitted (LDP Policy EP7).</li> <li>• Historic Environment Scotland guidance is available on Managing Change in the Historic Environment: Setting:  <a href="https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationid=80b7c0a0-584b-4625-b1fd-a60b009c2549">https://www.historicenvironment.scot/archives-and-research/publications/publication/?publicationid=80b7c0a0-584b-4625-b1fd-a60b009c2549</a></li> </ul> <p>Therefore, the principal considerations from a heritage perspective from this case are;</p> <ul style="list-style-type: none"> <li>• Whether the proposed works would preserve or enhance the special interest of the listed building, including any contribution made by its setting</li> </ul>			
<b>Assessment</b>	<p>Objections were raised to proposed development of two houses in this location in 2016, at which point the proposed development was amended to remove these plots and development of the remaining plots was approved. The approved houses (4 plots, set to the side of The Wellnage although also within its setting and former grounds) were considered still to have an impact on the setting of The Wellnage but the impact was considered acceptable given the landscaped area in front of the house was preserved.</p> <p>With this proposal, the listed building would be largely surrounded by later development, leaving it isolated from its historic setting. It would considerably erode the relationship between the house and the road which forms a primary part of its setting. This relationship and the experience of arrival along Station Road and along the driveway would also be adversely impacted, as currently the driveway accesses views across the undeveloped former grounds of the property, providing a 'rural' approach to the house.</p> <p>The development requires a further access to be created onto Station Road, which requires loss of a further section of historic stone boundary wall and further erosion of the historic character, layout and integrity of the historic estate.</p> <p>Although later hedging/vegetation has been inserted which obscures some views between the house, grounds and road, there are still glimpsed views. The concept of setting is also wider than just views, taking in how the listed building is experienced and understood within its surroundings. The open space and former grounds subject to this application contribute to this experience and understanding and should be retained as open space.</p>			
<b>Recommendation</b>	<input checked="" type="checkbox"/> <b>Object</b>	<input type="checkbox"/> <b>Do not object</b>	<input type="checkbox"/> <b>Do not object, subject to conditions</b>	<input type="checkbox"/> <b>Further information required</b>
<b>Recommended Conditions</b>				



<b>Recommended Informatives</b>	
-------------------------------------	--

**CONSULTATION RESPONSE TO  
PLANNING OR RELATED APPLICATION**

<b>Comments provided by</b>	Roads Planning Service	<b>Contact e-mail/number:</b>		
<b>Officer Name and Post:</b>	Keith Patterson Roads Planning Officer	<a href="mailto:kpatterson@scotborders.gov.uk">kpatterson@scotborders.gov.uk</a> <b>01835 826637</b>		
<b>Date of reply</b>	3 <sup>rd</sup> March 2022	<b>Consultee reference:</b>		
<b>Planning Application Reference</b>	22/00081/FUL	<b>Case Officer:</b> Cameron Kirk		
<b>Applicant</b>	C & V Developments			
<b>Agent</b>	Ferguson Planning			
<b>Proposed Development</b>	Erection of two dwellinghouses with access and associated works			
<b>Site Location</b>	Land West Of 1 The Wellnage Station Road Duns 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>				
<b>Background and Site description</b>				
<b>Key Issues (Bullet points)</b>				
<b>Assessment</b>	I shall have no objections to this proposal provided the conditions set out below are included in any consent issued.			
<b>Recommendation</b>	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> <b>Do not object, subject to conditions</b>	<input type="checkbox"/> Further information required
<b>Recommended Conditions</b>	<p>The vehicular access to the site to be formed to the satisfaction of the planning authority prior to occupation of the first dwelling. Reason: To ensure adequate access to the site in the interests of road safety.</p> <p>A vehicle turning area and two parking spaces per dwelling, not including any garage space, shall be provided within the site prior to the occupation of each dwellinghouse hereby approved and shall be retained in perpetuity. Reason: To provide and maintain adequate off road parking.</p>			
<b>Recommended Informatives</b>	<p>Specification for access.</p> <ul style="list-style-type: none"> <li>The first 6m of the proposed access onto Station Road to be surfaced to my specification i.e. 40mm of 14mm size close graded bituminous surface course to BS 4987 laid on 60mm of 20mm size dense binder course (basecourse) to the same BS laid on 350mm of 100mm broken stone bottoming blinded with sub-base, type 1.</li> <li>The first 6m of the proposed access onto Station Road to have a gradient no steeper than 1 in 15.</li> <li>The visibility splays on the submitted plan to be provided prior to occupation of the first dwelling and retained thereafter in perpetuity.</li> <li>No part of the proposed private access to exceed 1 in 8 in gradient (1 in 15 for parking and turning areas).</li> </ul> <p>It should be borne in mind that only contractors first approved by the Council may work within the public road boundary.</p>			

**AJS**