

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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

Application for Planning Permission

Reference : 16/00842/FUL

**To : Mrs Sukie Barber per Caledonia Log Homes Ltd Per Chris Houston 17 Williams Court
Jedburgh Borders TD8 6BS**

With reference to your application validated on **12th July 2016** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Erection of log cabin for holiday let

at : Land South East Of Priestrig Croft Hawick 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 8th September 2016
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed

.....
Chief Planning Officer

APPLICATION REFERENCE : 16/00842/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
1	Location Plan	Approved
2	Site Plan	Approved
3	Floor Plans	Approved
4	Floor Plans	Approved
5	Elevations	Approved

REASON FOR DECISION

It is considered that, subject to conditions, the proposed holiday cabin complies with policies PMD2, EP7, HD3, IS7, IS8 and IS9 of the Scottish Borders Local Development Plan 2016 as this small scale development would provide holiday accommodation in this rural area for visitors to the Scottish Borders. The siting, scale, design and materials of the proposed cabin are considered to be appropriate to the rural character of the area and the proposal would not harm the visual amenities of the area or residential amenities. The site is accessible and adequate on-site car parking can be provided.

SCHEDULE OF CONDITIONS

- 1 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.
- 2 The holiday cabin shall be occupied for holiday use only and shall not be used as a person's sole or main residence or as temporary or permanent residential accommodation. The applicant shall maintain an up-to-date register of the names of all holiday makers staying in the cabin and their main home addresses, and shall make this information available for inspection by an authorised officer of the Planning Authority at all reasonable times. The cabin shall be used in connection with Priestrig Croft and kept within the same ownership as that dwellinghouse and not to be sold from that dwellinghouse.
Reason: The accommodation on the site is not designed for permanent occupation and permanent residential use would be contrary to the Council's housing in the countryside policies.
- 3 A sample of all materials to be used on all exterior surfaces of the development hereby permitted shall be submitted to and approved in writing by the Planning Authority before the development is commenced. The development then to be completed in accordance with the approved samples.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.

- 4 Details of all proposed means of enclosure around the site shall be submitted to and approved in writing by the Planning Authority before work on the site is commenced. The development then to be completed in accordance with the approved scheme.
Reason: To enable the proper effective assimilation of the development into its wider surroundings.
- 5 The vehicular access and parking and turning for a minimum of one vehicle to be provided within the site before the proposed use becomes operational and retained in perpetuity.
Reason: To ensure adequate on-site parking is provided, in the interests of road safety.
- 6 Details of the position, size, colour, materials and method of illumination of any signage to be displayed on the building, within the site, on the site boundaries or on the boundaries of the property Priestrig Croft to be submitted to and approved in writing by the Planning Authority prior to any signage being displayed. Thereafter the works are to be carried out strictly in accordance with the approved details.
Reason: In accordance with the provisions of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1994.
- 7 No development should commence until the applicant has provided evidence that the site will be serviced by a wholesome supply of drinking water of adequate volume. The supply should not have a detrimental effect on other private water supplies in the area.
Reason: To ensure that the site is adequately serviced without a detrimental effect on the water supplies of surrounding properties.
- 8 No development should commence until the applicant has provided evidence that arrangements are in place to ensure that the private drainage system will be maintained in a serviceable condition.
Reason: To ensure that the development does not have a detrimental effect on public health.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

1 Wood Burning Stove

Wood burning stove installations can cause smoke and odour complaints and any Building and Planning Consents for the installation do not indemnify the applicant in respect of Nuisance action. In the event of nuisance action being taken there is no guarantee that remedial work will be granted building/planning permission.

Accordingly this advice can assist you to avoid future problems:

The location of the flue should take into account other properties that may be downwind.

The discharge point for the flue should be located as high as possible to allow for maximum dispersion of the flue gasses.

The flue should be terminated with a cap that encourages a high gas efflux velocity.

The flue and appliance should be checked and serviced at regular intervals to ensure that they continue to operate efficiently and cleanly.

The appliance should only burn fuel of a type and grade that is recommended by the manufacturer.

If you live in a Smoke Control Area you must only use an Exempt Appliance <http://smokecontrol.defra.gov.uk/appliances.php?country=s> and the fuel that is Approved for use in it <http://smokecontrol.defra.gov.uk/fuels.php?country=s>.

In wood burning stoves you should only burn dry, seasoned timber. Guidance is available on – [http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/\\$FILE/eng-woodfuel-woodasfuelguide.pdf](http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/$FILE/eng-woodfuel-woodasfuelguide.pdf)

Treated timber, waste wood, manufactured timber and laminates etc. should not be used as fuel.

Paper and kindling can be used for lighting, but purpose made firelighters can cause fewer odour problems.

2 Water Supply:

To discharge condition 7, the applicant will need to provide details to demonstrate that the supply will be adequate for the size of the unit and not affect supplies in the vicinity. In order to do this the application should provide the following information:

1. The type of supply i.e. borehole, spring, well etc.
2. The location of the source by way of an 8 digit reference number
3. Details of other properties on the supply (if the supply is an existing one)
4. Estimated volume of water that the supply will provide (details of flow test)
5. Evidence that this supply will not have a detrimental effect on supplies in the area
6. Details of any emergency tanks
7. Details of treatment to be installed on the system
8. Details of any laboratory tests carried out to ensure the water is wholesome

The minimum daily volume of water that requires to be supplied by a private water supply must be equivalent to one cubic metre (or 1000 litres) of water per day for every five persons who will be using the supply. It is the provision of this quantity that must be ensured and, as such, water storage facilities may be necessary for this purpose. In addition, when designing storage facilities, the minimum recommended capacity is three days' worth of supply, in order to allow for supply interruption/failure.

As the proposal may result in the general public consuming the water from the private water supply, the supply will be classed as a Type A. This will mean that the supply will be subjected to annual water testing and a risk assessment of the supply. The applicant should contact an Environmental Health Officer before becoming operational to discuss testing of the water.

3 Private Drainage:

Private drainage systems often cause public health problems when no clear responsibility or access rights exist for maintaining the system in a working condition.

Problems can also arise when new properties connect into an existing system and the rights and duties have not been set down in law.

To discharge Condition 8 relating to the private drainage arrangements, the applicant should produce documentary evidence that the maintenance duties on each dwelling/unit served by the system have been clearly established by way of a binding legal agreement. Access rights should also be specified.

4 Flooding:

The Council's Flood Protection Officer recommends that the applicant adopts water resilient materials and construction methods as appropriate in the development as advised in PAN 69.

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

Notice of Initiation of Development

Section 27 of the Town and Country Planning (Scotland) Act (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable. A form is enclosed with this decision notice for this purpose.

Notice of Completion of Development

Section 27B requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD
Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA
Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU
British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND
Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA

Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL
BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH
THUS, Susiephone Department, 4th Floor, 75 Waterloo Street, Glasgow, G2 7BD
Susiephone System – **0800 800 333**

If you are in a Coal Authority Area (Carlops or Newcastleton), please contact the Coal Authority at the following address: The Coal Authority 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire NG18 4RG.

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997.