



Mrs Annabel Freeland  
per Stuart Davidson Architecture  
Design Studio  
32 High Street  
Selkirk  
Scottish Borders  
TD7 4DD

**Please ask for:** Paul Duncan  
**☎** 01835 825558  
**Our Ref:** 21/01806/FUL  
**Your Ref:**  
**E-Mail:** paul.duncan@scotborders.gov.uk  
**Date:** 21st March 2022

Dear Sir/Madam

**PLANNING APPLICATION AT Land East Of Former Grain Silo Edington Mill Edington Mill  
Road Chirnside Scottish Borders**

**PROPOSED DEVELOPMENT: Erection of 2no dwellinghouses**

**APPLICANT: Mrs Annabel Freeland**

Please find attached the decision notice for the above application.

Please read the schedule of conditions and any informative notes carefully.

Drawings can be found on the Planning pages of the Council website at <https://eplanning.scotborders.gov.uk/online-applications/> . Please see the requirement for notification of initiation and completion of development as well as for Street naming and numbering as appropriate.

It should be noted that before works commence, where applicable, all necessary consents should be obtained under the Building (Scotland) Act 2003. If you require any further information in this respect, please contact the relevant Building Standards Surveyor.

Yours faithfully

John Hayward

Planning & Development Standards Manager

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

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

**Application for Planning Permission**

**Reference: 21/01806/FUL**

**To: Mrs Annabel Freeland per Stuart Davidson Architecture Design Studio 32 High Street Selkirk  
Scottish Borders TD7 4DD**

With reference to your application validated on **23rd November 2021** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

**Proposal: Erection of 2no dwellinghouses**

**At: Land East Of Former Grain Silo Edington Mill Edington Mill Road Chirnside 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 (as amended), 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 17th March 2022  
Planning and Regulatory Services  
Environment and Infrastructure  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**John Hayward  
Planning & Development Standards Manager**

**APPLICATION REFERENCE: 21/01806/FUL**

**Schedule of Plans and Drawings Approved:**

Plan Ref	Plan Type	Plan Status
P6696-PL-001	Proposed Plans & Elevations	Approved
P6696-PL-002	Proposed Plans & Elevations	Approved
P6696-PL-003	Proposed Site Plan	Approved
P6696-PL-004	Proposed Sections	Approved
P6696-PL-LOC	Location Plan	Approved
PL005	Proposed Site Plan	Approved

**REASON FOR DECISION**

Subject to compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

**SCHEDULE OF CONDITIONS**

- 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 Prior to the occupation of each dwelling, two parking spaces per dwelling shall be provided within the curtilage of the dwelling. Thereafter the parking shall be retained in perpetuity.  
Reason: To ensure the development is served by adequate parking provision at all times.
- 3 Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.

The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-

- a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition.

and thereafter

- b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.

- c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).
- d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.
- e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.

- 4 Prior to the commencement of development, a Construction Method Statement (CMS) shall be submitted for the written approval of the Planning Authority. The CMS shall detail simple measures to ensure the construction process does not cause environmental harm to the nearby watercourse. Thereafter, the construction process for the development hereby approved shall be carried out in strict accordance with the measures detailed in the agreed CMS.  
Reason: To avoid harm to the nearby watercourse in line with LDP Polcij EP15.
- 5 Notwithstanding the description of the materials in the application, no development shall be commenced until precise details and photos of samples of the materials to be used in the construction external areas of the building have been submitted to and approved in writing by the Planning Authority. Thereafter, no development shall take place except in strict accordance with those details.  
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 6 No development shall commence until details of foul and surface water drainage have been submitted to and approved in writing by the Planning Authority. Thereafter, the dwellinghouses hereby consented shall not be occupied until the surface water and foul drainage arrangements are functional in accordance with such agreed details.  
Reason: To ensure that the properties are fit for habitation ahead of them being occupied for the first time.
- 7 No development shall commence until written evidence is provided on behalf of Scottish Water to confirm that a mains water connection shall be made available to serve the development, unless otherwise agreed in writing by the Planning Authority. Thereafter, a public water mains connection shall be functional prior to the occupancy of the dwellinghouses hereby approved, and no water supply arrangements shall be used other than the public water mains without the written agreement of the Planning Authority.

Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.

- 8 Prior to the commencement of development, a scheme of details for hard and soft landscaping and boundary treatments shall be submitted to and approved in writing by the Planning Authority. The scheme of details shall include:
1. A site plan showing details of proposed hard and soft landscaping and boundary planting/ fencing/ walling;
  2. A plant/ tree/ shrub schedule including sizes, species and numbers;
  3. Details of boundary fence/ wall materials and heights;
  4. Details of hardstanding materials; and
  5. Details of planting maintenance.

Thereafter:

- a) the development shall be carried out wholly in accordance with the agreed scheme of details and no other boundary treatments shall be used other than those agreed;
- b) all agreed planting shall be carried out by the end of the first planting season following the occupation of the dwellinghouse hereby approved, unless otherwise agreed in writing by the Planning Authority; and
- c) all planting shall maintained thereafter in strict accordance with the agreed maintenance measures.

Reason: To ensure satisfactory form, layout and assimilation of the development.

### FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

- 1 The Council's Archaeology Officer notes as follows:

"it is worth drawing the attention to the applicants of the line of the tail race water channel from the mill building as this appears to issue northeastwards close to the line of the access track and parking area proposed of this application. It is unclear if this has been recognised in the application, but it may need to be considered within the proposed scheme."

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

Under The Control of Pollution Act 1974, the Council recommends the following hours for noisy construction-related work:

Monday-Friday 0700-1900

Saturday 0800-1300

Sunday and Public Holidays - no permitted work (except by prior agreement with the Council)

Contractors will be expected to adhere to the measures contained in BS 5228:2009 "Code of Practice for Noise and Vibration Control on Construction and Open Sites".

For more information or to make a request to carry out works outside the above hours, please contact an Environmental Health Officer at the Council.

### **Notice of Initiation of Development**

Section 27 of the Town and Country Planning (Scotland) Act 1997 (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 available on the Council's website for this purpose.

### **Notice of Completion of Development**

Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

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

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

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD  
Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA  
Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU  
British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND  
Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA  
Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL  
BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH  
THUS, Susiephone Department, 4<sup>th</sup> Floor, 75 Waterloo Street, Glasgow, G2 7BD  
Susiephone System – **0800 800 333**

### **There are a number of risks created by built over gas mains and services; these are:**

- Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
- Gas entry into buildings – pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
- Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

**Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:**

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development **and**
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone 0800 912 1722 / Email [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk)

**In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.**

Further information on safe digging practices can be found here:

- Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work <https://www.sgn.co.uk/damage-prevention>

Further information can also be found here <https://www.sgn.co.uk/help-and-advice/digging-safely>

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 (as amended) within three months from the date of this notice.

The notice of review must be submitted on the standard form and addressed to the Clerk of The Local Review Body, Democratic Services, Scottish Borders Council, Council Headquarters, Newtown St Boswells. TD6 0SA or sent by email to [localreview@scotborders.gov.uk](mailto:localreview@scotborders.gov.uk). The standard form and guidance notes can be found online at [Appeal a Planning Decision](#). Appeals to the Local Review Body can also be made via the Scottish Government Planning and Environmental Appeals Division by clicking on the following link [PEAD](#)

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 (as amended).