

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

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

**Application for Planning Permission**

**Reference : 13/00299/FUL**

**To : Mr Rob Cameron per Sutherland Hussey Architects Per Charlie Hussey 99 Giles  
Street Edinburgh EH6 6BZ**

With reference to your application validated on **18th March 2013** for planning permission under the  
Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal : Demolition of existing nursing home and erection of two villas containing eight  
apartments**

**at : The Shieling Nursing Home Coldingham Sands Road Coldingham Eyemouth Scottish  
Borders TD14 5PA**

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 14th July 2015  
Planning and Regulatory Services  
Environment and Infrastructure  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**Signed**

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**Head of Planning and Regulatory Services**

**APPLICATION REFERENCE : 13/00299/FUL**
**Schedule of Plans and Drawings Approved:**

Plan Ref	Plan Type	Plan Status
GA-01	Location Plan	Approved
GA-02A	Site Plan	Approved
GA-03A	Site Plan	Approved
GA-04A	Site Plan	Approved
GA-05A	Floor Plans	Approved
GA-06A	Floor Plans	Approved
GA-07A	Floor Plans	Approved
GA-08	Sections	Approved
GA-09	Sections	Approved
GA-10	Sections	Approved
GA-11	Sections	Approved
GA-12	Sections	Approved
GA-13A	Elevations	Approved
GA-14	Elevations	Approved
GA-15A	Elevations	Approved
GA-16	Floor Plans	Approved
GA-17	Floor Plans	Approved
GA-18	Floor Plans	Approved
EX-01	Site Plan	Approved
EX-02	Sections	Approved
GA-07	Existing Elevations	Approved
GA-13 REV A	Elevations	Approved
GA-14 REV A	Elevations	Approved
GA-07	Sections	Approved
BW-03	Sections	Approved

**REASON FOR DECISION**

Subject to conclusion of a legal agreement, and subject to compliance with the schedule of conditions, it is considered that, having regard to the existing building that occupies the site, there is potential for redevelopment of the scale proposed. On balance, the design of the proposed development considered acceptable within the setting of Coldingham Bay without causing significant demonstrable harm the character and appearance of the surrounding area. The proposal is considered consistent with the Consolidated Local Plan 2011 and Supplementary Planning Guidance having accounted for other material considerations.

**SCHEDULE OF CONDITIONS**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Local Planning Authority.  
Reason: To ensure that the development is carried out in accordance with the approved details.

- 3 No development shall commence until amended plans which incorporate measures to provide a screen on each of the north eastern and south western outer balcony edges has been submitted to and approved in writing with the Planning Authority. Thereafter no development shall take place except in strict accordance with those details.  
Reason: In the interests of protecting the amenity of neighbouring properties.
- 4 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 development.  
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 5 Prior to occupation of accommodation at Level 1, balcony screening intimated on Drawing Numbers GA-05, GA-09 and GA-11 shall be implemented to the satisfaction of the Planning Authority.  
Reason: In the interests of protecting the amenity of neighbouring properties.
- 6 No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the planning authority. Details of the scheme shall include;

  - i. existing and finished ground levels in relation to a fixed datum preferably ordnance
  - ii. existing landscaping features and vegetation to be retained and, in the case of damage, restored
  - iii. location and design, including materials, of walls, fences and gates
  - iv. soft and hard landscaping works
  - v. A programme for completion and subsequent maintenance.

Reason: To ensure the satisfactory form, layout and assimilation of the development.
- 7 No development shall commence until a scheme of details for localised widening of the carriageway on the road between Coldingham Sands Road and Coldingham village has been submitted to and approved in writing by the Planning Authority. The agreed improvements shall be completed prior to construction work commencing on site.  
Reason: To ensure sufficient access to the site can be achieved.
- 8 The parking illustrated on Drawing Numbers GA-05 shall be a properly consolidated bituminous surface or approved equivalent and must be provided within the site before the occupation of the first dwellinghouse and retained in perpetuity. The spaces shall be clearly marked and not allocated to individual property.  
Reason: To ensure that the development is served by safe and satisfactory means of access prior to occupation.
- 9 No development shall commence until a survey of the condition of Coldingham Sands Road between St. Vedas and St. Abb's Haven has been undertaken and submitted to and verified by the Planning Authority. On completion of the development a post construction survey of this length of public road shall be undertaken and submitted to the Planning Authority, any remedial works to this road identified in the post construction survey which are a result of this development shall be undertaken by the developer to the satisfaction of the Planning Authority within three months. During construction, any emergency repairs requiring to be undertaken to this length of Coldingham Sands Road as a result of damage from this construction must be undertaken to the satisfaction of the Planning Authority by the developer within one week of identification or any subsequently approved timescale.  
Reason: To ensure that the construction of the development does not give rise to unacceptable and/or un-remedied impacts upon the public road network.

- 10 No demolition/conversion works or clearance/disturbance of habitats which could be used by breeding birds, such as hedgerows and trees, shall be carried out during the breeding bird season (March-September) without the express written permission of the Planning Authority. Checking surveys will be required if any demolition works or habitat clearance are to commence during the breeding bird season.  
Reason: To safeguard the ecological interests of the site.
- 11 The following ecological mitigation measures shall be incorporated into the development in suitable locations on the building or within the redevelopment site and must be carried out by a suitably qualified person;
- i. Two bat slates or bricks within the construction
  - ii. Two Schwegler woodcrete boxes
  - iii. Three nest cups or ledged for swallows
  - iv. Three house martin nest boxes
- Reason: To safeguard the ecological interests of the site.
- 12 No development shall commence until detailed schemes to confirm the surface water drainage within the development and means of foul drainage have been submitted to and agreed by the Planning Authority.  
Reason: To ensure the sustainable and suitable disposal of site services.

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

It should be noted that:

- 1 The developers will require a European Protected Species (EPS- bats) licence from Scottish Natural Heritage prior to the commencement of works and will need to meet the terms of such a licence.
- 2 With reference to Condition 11, opportunities exist to enhance the local habitat network for by incorporating bird nest boxes such as the Schwegler 1N Deep Nest Box can be attached to mature trees to provide nesting opportunities for a range of bird species which are likely to be present in the area, and provide protection against predators.

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, 4<sup>th</sup> Floor, 75 Waterloo Street, Glasgow, G2 7BD

Susiephone System – **0800 800 333**

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

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may appeal to the Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of the appeal should be addressed to The Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Falkirk FK1 1XR. A copy of the notice of the appeal must, at the same time, be sent to the Legal Services Section, Scottish Borders Council, 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.