

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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

Application for Planning Permission

Reference : 12/00298/FUL

**To : per Sorrell Associates Per Jim Sorrell The Green House 41 St Bernard's Crescent
Edinburgh EH4 1NR**

With reference to your application validated on **8th March 2012** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Change of use from disused barn, alterations and extension to form dwellinghouse

**at : Land East And North East Of Westwater Cottage Bogbank Road West Linton 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 conditions on the attached schedule imposed by the Council for the reasons stated

**Dated 18th June 2014
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed



.....
Service Director Regulatory Services

APPLICATION REFERENCE : 12/00298/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
106.1(PL)001A	Location Plan	Approved
106.1(PL)002A	Site Plan	Approved
106.1(PL)003A	Elevations	Approved

REASON FOR DECISION

The proposals are acceptable and, subject to conditions, a legal agreement and an informative, comply with the relevant Scottish Borders Structure Plan, Local Plan and Supplementary Planning Guidance on housing in the countryside in that it has been demonstrated that the building is suitable for and capable of conversion to residential use and that in terms of design and materials it is appropriate to a rural location and the immediate surroundings.

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 2008.
- 2 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.
- 3 The development hereby approved shall only be carried out in strict accordance with details of the materials to be used on the external walls and roof of the proposed building(s) which shall first have been submitted to and approved in writing by the Planning Authority.
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting
- 4 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 (as appropriate):
 - 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. existing and proposed services such as cables, pipelines, sub-stations
 - vi. other artefacts and structures such as street furniture, play equipment
 - vii. A programme for completion and subsequent maintenance.
 Reason: To ensure the satisfactory form, layout and assimilation of the development.
- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and shall be maintained

thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing.

Reason: To ensure that the proposed landscaping is carried out as approved.

- 6 Before any development commences on site the visibility at the junction of the private track with the public road shall be improved by cutting back the roadside shrubbery to the satisfaction of the local planning authority.
Reason: To provide a satisfactory access in the interests of road safety.
- 7 Prior to the occupation of the new dwellinghouse the private access track shall be upgraded to the satisfaction of the local planning authority to provide a properly compacted smooth running surface. It must be shaped to shed water as appropriate.
Reason: in the interests of road safety
- 8 Development shall not begin until details of the foul water and surface water drainage has been submitted to and approved in writing by the Local Planning Authority. The approved arrangements shall be implemented prior to the occupation of the dwellinghouse.
Reason: To ensure that satisfactory arrangements are made for the disposal of surface and foul water.
- 9 Public access along the access track from Bogsbank Road should be maintained during and after the house has been constructed and occupied and no gates should be placed across this track without the prior written approval of the planning authority.
Reason: To ensure that public access is maintained at all times
- 10 Roof of existing structures on cottage, wood cladding, fascia boards and soffit boards to be carefully stripped by hand. If bats are discovered following the commencement of works, works should stop immediately and the developer must contact SNH (tel: 01896-756652) for further guidance. Works can only recommence by following any guidance given by SNH.
Reason: To ensure that any bats on site are adequately protected.
- 11 On a precautionary basis, a provision of 5 bat boxes should be made in suitable locations on buildings or mature trees within and around the site.
Reason: To enhance the habitat for a European Protected Species
- 12 No works shall commence during the breeding bird season (March-August) without the express written permission of the Planning Authority. If works are to commence during the breeding bird season checking surveys of areas affected by the development and mitigation proposals for birds will be required.
Reason: To protect any breeding birds which may be within the site.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

Bats

Building contractors to adopt good practice for working with bats and buildings (Bats and Buildings: Bats and the Built Environment series Volume 1, Bat Conservation Trust)
http://www.bats.org.uk/publications_download.php/247/Bats_and_Buildings_finalDec2010.pdf

Further information on the design and suitable location for bat boxes can be found at:
http://www.bats.org.uk/publications_detail.php/234/bat_boxes_your_questions_answered

Opportunities exist to enhance the local habitat network for bats and breeding birds through a planting scheme including native trees and shrubs (FCS Native seed zone 204) or extended native species-rich hedgerows. A pond or SUDS feature can also enhance the local habitat network for bats.

Contaminated Land

As a building formerly used for agriculture there is potential land contamination that may have occurred prior to the referenced site ownership. Should unexpected ground conditions e.g. made ground extending to depth, discolouration or malodorous substances be encountered in excavations or evidence of potential contamination e.g. underground structures, remains of buried wastes or equipment be encountered during site works it is requested that Environmental Health are immediately consulted.

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.