

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
SERVICE DIRECTOR REGULATORY SERVICES**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 15/00003/FUL

APPLICANT : Mr & Mrs A Gray

AGENT : D & H Farmer

DEVELOPMENT : Demolition of existing dwellinghouse and erection of replacement dwellinghouse

LOCATION: Westwater House
Bogsbank Road
West Linton
Scottish Borders
EH46 7BS

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
D006	Location Plan	Approved
D002	Site Plan	Approved
D003	Floor Plans	Approved
D004	Floor Plans	Approved
D005	Elevations	Approved
TREE SURVEY REPORT W/1114	Other	Other Approved Approved

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

Consultation Responses

Roads Planning

No objections in principle to the above proposal providing the following points are incorporated into the design;

- Visibility at the junction onto the public road to be improved by the removal of the shrubs/vegetation behind the roadside wall.
- The private track to be upgraded to provide a smooth, free draining running surface, capable of withstanding a minimum axle loading of 14 tonne.
- Parking and turning for a minimum of two vehicles, excluding garages, to be provided within the curtilage of the plot prior to the dwelling being occupied and retained in perpetuity thereafter.

During a site meeting with the applicant, it was intimated that there may be a proposal to widen the existing access and form a surfaced bellmouth. To date, no additional drawings have been submitted to reflect this discussion but I am happy to comment further should these plans be submitted.

Environmental Health

No objections subject to condition relating to drainage and informatives relating to drainage and chimney flue.

Landscape

Proposed tree treatment and root protection along access track is acceptable. It's notable that the overlapping RPA's cover the majority of the track.

Para 4 Mr Harvey's email is important for conditions.

- Specifically weight limit on vehicular usage along the access track.
- Type 1 additional layer, specification.
- Unloading area at entrance identified on plan along with all relevant RPA's shown with protective fencing.
- Final surface layer needs to be clarified

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Consolidated Local Plan 2011

Policy D2 Housing in the Countryside

Policy H2 Protection of Residential Amenity

Policy Inf4 Parking Provision and Standards

Policy G1 Quality Standards for New Development

Policy NE4 Trees, Woodlands and Hedgerows

Supplementary Planning Guidance

New Housing in the Borders Countryside

Trees and Development

Recommendation by - Dorothy Amyes (Planning Officer) on 3rd March 2015

The application site is currently occupied by a detached bungalow (of relatively modern design) and outhouses (timber shed), all in a poor state of repair. In 2013 planning consent was granted for the demolition of the existing buildings and the construction of a new dwellinghouse.

The current application proposes the demolition of the buildings and the construction of a dwellinghouse of a different design.

The principle of the demolition of the buildings on the site has been established through the previous consent as has the principle of a replacement dwellinghouse.

The proposed house will be partially built over the existing footprint and will comprise a central two storey section with two single storey wings, one for a living room and the other for a garage. The roof of the two storey section will be finished in natural slate whilst on the single storey wings the roofing material will be powder coated profiled metal sheeting finished in an anthracite colour. Photovoltaic roof panels will be placed on the south facing roof slopes. The walls on the two storey section and the garage will be finished in a smooth white render. The walls on the living room wing and the link to the garage will be clad in vertical Scotch larch boards. The window frames, doors and rainwater goods will also be finished in an anthracite colour.

A new tree survey was submitted with the application and additional survey information on the trees along the access drive has also been submitted.

The proposed dwellinghouse is considered to be acceptable in terms of its design, scale, massing and external materials for this site and would not have an adverse impact on the landscape quality of the area or the residential amenity of the nearby properties. The site is in a rural location and only just visible to the public from Bogsbank Road as it is mainly screened from view by mature trees within the site boundary.

The tree survey indicates that a number of trees within the site are to be removed and this is considered to be acceptable. Additional information on the trees along the access track from Bogsbank Road was submitted at the request of the Council's Tree Officer. This indicates that the root protection zones of these mature trees cover most of the track and that steps should be taken to protect the roots during and after construction. The proposed actions are acceptable but should be made a condition on the consent. One of the proposals is that any large construction vehicles should unload at the end of the track and materials transported on smaller vehicles. Whilst this is acceptable, Roads Planning have expressed concerns that this may cause a road safety issue on Bogsbank Road. For this reason it is considered appropriate to request a Construction Method Statement to be submitted and agreed prior to any work commencing on site.

Survey for bats and breeding birds were undertaken for the previous application and a survey was not requested for this application. Although no bats or breeding birds were found to be in the buildings at that time, as a precautionary note it is proposed that an informative should be added to the consent, in the event that any are now present.

There are no objections from Environmental Health but they have requested that a condition is placed on any consent relating to drainage.

REASON FOR DECISION :

The proposals are acceptable and subject to conditions comply with the relevant Local Plan policies relating to new housing in the countryside in that the new house provides environmental benefits as it is a more sustainable and energy efficient design. The siting, design, scale, massing and materials of the proposed replacement dwelling are considered acceptable without creating significant adverse effects on the landscape and amenity of the surrounding area.

Recommendation: Approved - conditions & informatives

- 1 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.

- 2 Visibility at the junction onto the public road to be improved by the removal of the shrubs/vegetation behind the roadside wall.

Reason: To ensure that there is adequate access onto the public road in the interests of road safety

- 3 The private track to be upgraded to provide a smooth, free draining running surface, capable of withstanding a minimum axle loading of 14 tonne.

This will require the following:

1. Prior to any demolition or work commencing on site the access track shall:
 - be scraped clean of any accumulated surface soil/grass/leaf litter
 - have a new, additional layer of Type 1 laid and rolled.
2. Prior to the occupation of the building surface should be 'made good', filling any ruts etc with fresh Type 1 and levelling before installing a final profiled surface to allow water run-off.
3. Before any of the above takes place precise details of the material to be used shall be submitted to the planning authority for approval.
4. No large construction vehicles shall use the track and before any work commences on site a detailed method statement showing how the delivery of all materials can be delivered to site shall be submitted to and approved by the local planning authority.

Reason: To ensure that there is satisfactory access to the property and that any construction traffic does not cause damage to the root systems of the trees along the access road as these are important landscape features.

- 4 Parking and turning for a minimum of two vehicles, excluding garages, to be provided within the curtilage of the plot prior to the dwelling being occupied and retained in perpetuity thereafter.
Reason: To ensure that there is adequate off road parking provided within the site.
- 5 Only the trees identified in the Arboricultural Assessment dated 22 December 2014 submitted with the application shall be removed. No other trees within the application site and along the access track from Boggsbank Road shall be felled, lopped, lifted or disturbed in any way without the prior consent of the Local Planning Authority.

Reason: The existing trees represent an important visual feature which the Local Planning Authority considers should be substantially maintained.
- 6 Before any part of the permitted development is commenced, the trees to be retained on the site shall be protected by a chestnut paling fence 1.5 metres high, placed at a minimum radius of one metre beyond the crown spread of each tree, and the fencing shall be removed only when the development has been completed. During the period of construction of the development:
(a) No excavations, site works, trenches or channels shall be cut, or pipes or services laid in such a way as to cause damage or injury to the trees by interference with their root structure;
(b) No fires shall be lit within the spread of the branches of the trees;
(c) No materials or equipment shall be stored within the spread of the branches of the trees;
(d) Any accidental damage to the trees shall be cleared back to undamaged wood and be treated with a preservative if appropriate;
(e) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, or trenches excavated except in accordance with details shown on the approved plans.
Reason: In the interests of preserving the health and vitality of existing trees on the development site, the loss of which would have an adverse effect on the visual amenity of the area.
- 7 Public access along the access track from Boggsbank 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

Informatives

It should be noted that:

1 Stoves

These installations can cause smoke and odour complaints and any Building and Planning Consents for the installation do not indemnify you in respect of Nuisance action.

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.

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

Private Drainage

Private drainage systems often cause public health problems when no clear responsibility or access rights exists 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 the Condition relating to the private drainage arrangements, the Applicant should produce documentary evidence that the maintenance duties on each dwelling served by the system have been clearly established by way of a binding legal agreement

- 2 Building contractors are advised 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. 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. Further information 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

“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.