

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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

Application for Planning Permission

Reference : 16/01221/FUL

To : Robert Gaston Ravelaw Farm Whitsome Duns Scottish Borders TD11 3NQ

With reference to your application validated on **10th October 2016** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Installation of biomass boiler and associated cabinet (retrospective)

at : Ravelaw Farm Whitsome Duns Scottish Borders TD113NQ

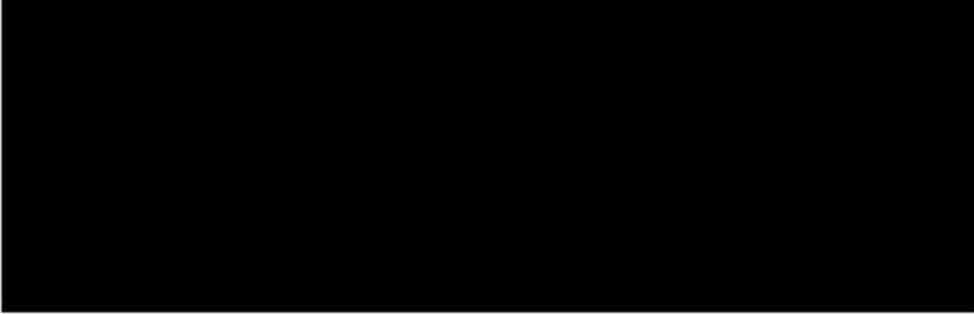
The Scottish Borders Council hereby **grant planning permission** in accordance with the approved plan(s) and the particulars given in the application and in accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, subject to the following direction:

- 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 26th June 2017
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed


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Chief Planning Officer

APPLICATION REFERENCE : 16/01221/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
L/01	Location Plan	Approved
100	Elevations	Approved
	Boiler Specification	Approved
GA-ID-500-G-V2-R180	Industrial Drier	Approved
ID-500-G	Data Sheet	Approved
	Quotation	Approved

REASON FOR DECISION

The use of renewable technologies for farm business purposes has become more common in the Borders, with approvals for biomass and AD plants granted in the locality.

It is accepted that the proposed development will be consistent with the Council's policies on renewable energy production. It is an appropriate building in terms of design, scale and massing and it is considered that due to the topography and vegetation screening the visual impact will be negligible.

The development will not have a significant adverse impact on the environment, landscape or the setting of nearby buildings.

The key issues raised by the objectors relate to matters which are to be controlled by conditions. The EHO and Roads Officer have not objected to the principle of the development.

It is considered that subject to appropriate conditions the proposed development will not have any adverse impacts upon the wider residential amenities of the area, in compliance with Policy HD3.

On the basis of the resolution of these matters through listed conditions the application can be supported.

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, in unless agreed in writing by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
- 2 All combustion plant and associated flues shall be maintained and serviced in accordance with the manufacturer's recommendations. The combustion plant should only use fuel of a type and grade as specified by the manufacturer and which has been used for the basis of the air quality assessment. If different fuel arrangements are made the boiler shall be re commissioned to ensure that the assessed emissions are not exceeded.
Reason: To protect the residential amenity of nearby properties.

- 3 Any noise emitted by plant and machinery used on the premises shall not exceed Noise Rating Curve NR20 between the hours of 2300 - 0700 and NR 30 at all other times when measured within the nearest noise sensitive dwelling (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2.
Reason: To protect the residential amenity of nearby properties.
- 4 All plant and machinery will be maintained and service in accordance with the manufacturer's instructions so as to stay in compliance with the aforementioned noise limits.
Reason: To protect the residential amenity of nearby properties.

FOR THE INFORMATION OF THE APPLICANT

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 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.