

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

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

**Application for Planning Permission**

**Reference : 17/01266/FUL**

**To : Mr Daren Silcock per E Dalton Design Kilmory Crombie Point Crombie Dunfermline United  
Kingdom KY12 8LQ**

With reference to your application validated on **12th September 2017** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal : Erection of dwellinghouse with integral garage**

**At : Plot 1 Hardens Road Duns 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 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 November 2017  
Planning and Regulatory Services  
Environment and Infrastructure  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**Signed**



**Depute Chief Planning Officer**

**APPLICATION REFERENCE : 17/01266/FUL**

**Schedule of Plans and Drawings Approved:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
1705.D.01	Location Plan	Approved
1705.D.02	Block Plans	Approved
1705.D.03A	Elevations	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 roofing material is to be slate. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the building have been submitted to and approved in writing by the Planning Authority, and 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.
- 2 Visibility splays of 2.4 x 180metres must be provided in both directions onto the public road. These splays must be provided prior to occupation of the dwellinghouse and retained thereafter in perpetuity. Furthermore:

  - Turning and parking for two cars must be provided within the site before the dwellinghouse is occupied and retained thereafter in perpetuity.
  - The service lay-by indicated on drawing 1705.D.02 must be completed prior to the dwellinghouse being occupied.
  - Any gates proposed for the access must be hung so as to open into the plot and not out towards the public road.

Reason: In the interests of road safety on Hardens Road and at the junction with the site.
- 3 No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include:

  - i. Indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration
  - ii. Location of new trees, shrubs, hedges and grassed areas, including replacement of any trees removed
  - iii. Schedule of plants to comprise species, plant sizes and proposed numbers/density
  - iv. Programme for completion and subsequent maintenance.

Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.

- 4 Prior to commencement, full details of the means of water supply and of foul and surface water drainage are to be submitted to and approved in writing by the Planning Authority. Thereafter the development is to be completed in accordance with the approved details unless subsequently agreed in writing with the Planning Authority. No water supplies other than the public mains shall be used to supply the Development without the written agreement of the Planning Authority.  
Reason: To ensure that the Development is adequately serviced with water and drainage provided with a sufficient supply of wholesome water, and that there are no unacceptable impacts upon the amenity of any neighbouring properties
- 5 Prior to the commencement of development full details of the storage space for domestic waste and recycling are to be submitted to and approved in writing by the Planning Authority. Thereafter the development is to be completed in accordance with the approved details.  
Reason: To ensure that suitable arrangements for domestic waste and recycling are in place.
- 6 Only trees first identified on a removal plan agreed in writing by the Planning Authority in advance shall be removed.  
Reason: The existing trees represent an important visual feature which the Planning Authority considers should be substantially maintained.
- 7 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, or equivalent, 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.

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

It should be noted that:

- 1 Attention is drawn to the consultation response of the Roads Planning Service. It should be borne in mind that only contractors first approved by the Council may work within the public road boundary.

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 (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 require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, 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.