

Mrs Gladys Benton
per Vellow Wood Architecture
8-10 Silk Street
Paisley
PA1 1HG

Please ask for: Brett Taylor
X6628
Our Ref: 21/01210/FUL
Your Ref:
E-Mail: brett.taylor@scotborders.gov.uk
Date: 10th November 2021

Dear Sir/Madam

PLANNING APPLICATION AT Land North West of Strathmyre Old Belses Jedburgh Scottish Borders

PROPOSED DEVELOPMENT: Erection of dwellinghouse and formation of new access

APPLICANT: Mrs Gladys Benton

Please find attached the decision notice for the above application.

Please read the schedule of conditions and any informative notes carefully.

Drawings can be found on the Planning pages of the Council website at <https://eplanning.scotborders.gov.uk/online-applications/>. Please see the requirement for notification of initiation and completion of development as well as for Street naming and numbering as appropriate.

It should be noted that before works commence, where applicable, all necessary consents should be obtained under the Building (Scotland) Act 2003. If you require any further information in this respect, please contact the relevant Building Standards Surveyor.

Yours faithfully

John Hayward

Planning & Development Standards Manager

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (as amended)

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

Application for Planning Permission

Reference : 21/01210/FUL

To : Mrs Gladys Benton per Vellow Wood Architecture 8-10 Silk Street Paisley PA1 1HG

With reference to your application validated on **26th July 2021** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of dwellinghouse and formation of new access

at : Land North West of Strathmyre Old Belses Jedburgh 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 (as amended), 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 5th November 2021
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 21/01210/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
4025/001	Location Plan	Approved
1016/002	Design Strategy	Approved
1016/003	Proposed Site Plan	Approved
1016/004	Proposed Plans & Elevations	Approved
1016/005	Proposed Plans & Elevations	Approved
Ground Assessment Report	Report	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 development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority, unless otherwise required by any other condition in this schedule.
Reason: To ensure that the development is carried out in accordance with the approved details.
- 2 No development shall commence until precise details of the boundary treatments surrounding the site have first been submitted to and approved by the Planning Authority. The development shall be completed wholly in accordance with the approved details thereafter.
Reason: To ensure a satisfactory form of development which contributes appropriately to its setting.
- 3 No development shall commence until details of the finished floor level of the dwellinghouse and finished ground levels of the site, in addition to the existing ground levels, all related to a fixed off-site datum, have been submitted to and approved in writing by the Planning Authority. The development shall be implemented in accordance with the approved levels.
Reason: To visually integrate the development sympathetically with the context.
- 4 A sample of all materials to be used on all exterior surfaces (including building and hard surfacing materials) of the development, hereby permitted shall be submitted to and approved in writing by the Planning Authority before development commences. The development shall be implemented using the approved materials.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.

- 5 No development shall commence until written evidence is provided to the Planning Authority on behalf of Scottish Water to confirm that a mains water connection shall be made available to serve the development. The mains water supply and approved foul drainage scheme shall be operational prior to occupancy of the dwellinghouse, and surface water drainage shall be managed using sustainable measures in a manner that maintains greenfield run-off levels.
Reason: To ensure the development can be adequately serviced.
- 6 No development shall take place except in strict accordance with a scheme of landscaping, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include:
i. location of all new trees, shrubs, hedges and grassed areas;
ii. schedule of plants to comprise species, plant sizes and proposed numbers/density;
iii. programme for planting 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.
- 7 No development to be commenced until further details of the site access are submitted to, and approved in writing by, the Planning Authority. Thereafter the development to be completed in accordance with the approved details prior to occupation of the dwellinghouse unless otherwise agreed. The details shall include:
i. A visibility splay of 2.4m x 120m to be formed in both directions at the junction of the site entrance with the public road;
ii The site entrance to be designed as per DC3 standards for a service lay-by;
iii Drainage, levels and construction proposals.
Reason: To ensure satisfactory form of access and in the interests of road safety.
- 8 The dwellinghouse not to be occupied until parking and turning sufficient for two cars is provided within the site, excluding the garage, and maintained thereafter in perpetuity.
Reason: In the interests of road safety.
- 9 Notwithstanding the upper floor window designs as shown on drawing no: 1016/004, no development shall commence until amended window designs for the upper floors for the front and rear elevations are submitted to, and approved in writing by, the Planning Authority. Once approved, the development shall then be completed in accordance with those details.
Reason: To safeguard the visual amenity of the area.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

- 1 The access to the site from the public road should be constructed as a vehicular crossing to my standard specification DC-10. All work within the public road boundary must be undertaken by a contractor first approved by the Council.

- 2 If the stove has an output of more than 45kw, the applicant should contact the Council's Environmental Health Service and provide further information in order that a screening assessment can be carried out. Stove installations can cause smoke and odour complaints and any Building and Planning Consents for the installation do not indemnify the applicant in respect of nuisance action. In the event of nuisance action being taken there is no guarantee that remedial work will be granted a Building Warrant/Planning Permission, including changes to the height and position of the flue.

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 1997 (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 available on the Council's website for this purpose.

Notice of Completion of Development

Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) 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 require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice.

The notice of review must be submitted on the standard form and addressed to the Clerk of The Local Review Body, Democratic Services, Scottish Borders Council, Council Headquarters, Newtown St Boswells. TD6 0SA or sent by email to localreview@scotborders.gov.uk. The standard form and guidance notes can be found online at [Appeal a Planning Decision](#). Appeals to the Local Review Body can also be made via the Scottish Government Planning and Environmental Appeals Division by clicking on the following link [PEAD](#)

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 (as amended).