

**SCOTTISH BORDERS COUNCIL**

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO  
CHIEF PLANNING OFFICER**

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF:** 22/00795/AMC

**APPLICANT:** Mr & Mrs Erlend and Karen Milne

**AGENT:** Hunter Architecture

**DEVELOPMENT:** Erection of dwellinghouse, workshop/garage and associated works  
(approval of all matters specified in planning permission 19/01646/PPP)

**LOCATION:** Land South East Of Tarf House  
West Linton  
Scottish Borders

**TYPE:** AMC Application

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**DRAWING NUMBERS:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
1344-PL-01	Location Plan	Approved
1344-PL-02	Proposed Block Plan	Approved
1344-PL-03 rev A	Proposed Plans & Elevations	Approved

**NUMBER OF REPRESENTATIONS:** 0

**SUMMARY OF REPRESENTATIONS:**

No representations were received.

Consultation responses were received from: Roads. No objection; Outdoor Access Officer - there is a right of way across the site. A discussion with the landowner in 2019 suggested that the right of way was outwith the planning application site. The route of the right of way on the ground needs to be clarified before the commencement of any development; Scottish Water - no objection. There is capacity at the local water treatment works but cannot confirm capacity at the local Waste Water Treatment Works; Transport Scotland - does not advise against granting permission.

**PLANNING CONSIDERATIONS AND POLICIES:**

In determining the application, the following policies and guidance were taken into consideration:

Scottish Borders Local Development Plan 2016  
PMD2 - Quality standards  
HD2 - Housing in the countryside  
HD3 - Protection of residential amenity  
EP13 - Trees, woodlands and hedgerows  
EP16 - Air quality  
IS2 - Developer contributions  
IS5 - Protection of access routes  
IS7 - Parking provision and standards  
IS9 - Waste water treatment standards and sustainable urban drainage

Supplementary Planning Guidance:  
New housing in the Borders countryside;  
Placemaking and design;  
Privacy and sunlight guide;  
Sustainable urban drainage systems;  
Waste management.

**Recommendation by** - Ranauld Dods (Planning Officer) on 26th July 2022

The application is made for the approval of matters specified in conditions imposed by the Local Review Body on 19/01646/PPP, granted on 9 Nov 21 after the conclusion of a section 69 agreement. That application was for the erection of a dwellinghouse. The principle of development has therefore been accepted.

The application under consideration was validated on 17 May 2022 which is within three years of the PPP being approved. The site boundary matches that which was approved in the 2017 submission. There were 7 conditions imposed on permission 19/01646/PPP and consideration is given below to each of those.

**Condition 1**

This requires approval of the layout, siting, design and external appearance of the buildings, means of access and landscaping of the site.

The site plan shows a single house, orientated north - south within the site. Also shown is a workshop building (which would be finished in vertical timber boarding and have an anthracite profile steel roof) located on the north eastern boundary of the site. No neighbouring properties would be affected by the proposed house or workshop building. The siting of the buildings is acceptable. The proposed landscaping and boundary treatment are simple but acceptable, although the drawing states that the planting would be carried out no later than 6 months after the occupation of the house and that may not fall within a planting season. A condition requiring planting to be carried out within the first available planting season is recommended.

The design of the house was revised slightly to make the south elevation appear less broad. Although it is still somewhat awkward in appearance, that elevation is not visible from the public realm and I am content to accept the design. Had circumstances been different, I would have required further revisions to be made.

A flue, venting a solid fuel stove, projects through ridge of the house. Given the rural setting of the property, it is unlikely that this will have a negative effect on local air quality and therefore complies with policy IS16. A condition is recommended relating to the external appearance of the flue.

The access to the site is from the private track and neither Transport Scotland nor Roads object to the proposals.

**Condition 2**

No submissions were required by this condition.

**Condition 3**

This condition relates to the occupation of the property and no submissions were required.

**Condition 4**

The condition relates to the provision of parking and turning space within the site. No submission was required.

**Condition 5**

This condition requires the provision of evidence of maintenance arrangements for the private drainage system. No details have been provided and the condition remains to be purified.

**Condition 6**

This condition relates to the water supply to the site. No submissions were required.

#### Condition 7

This condition relates to public access across the site. The council's Outdoor Access Officer had discussed the right of way routing with the applicant and, although no submissions were required, evidence was provided that the right of way route runs around the edge of the site rather than through it.

#### Condition 8

This condition requires the submission of a scheme of waste storage. The plans show a stance outside both the house and the associated business building which would be for the siting of waste and recycling containers. This is acceptable.

#### Conclusion

Subject to compliance with the schedule of conditions, the development will satisfy conditions 1 and 8 of planning permission in principle 19/01646/PPP and will accord with the relevant provisions of the Local Development Plan 2016. There are no material considerations that would justify a departure from these provisions.

#### **REASON FOR DECISION:**

Subject to compliance with the schedule of conditions, the development will satisfy conditions 1 and 8 of planning permission in principle 19/01646/PPP and will accord with the relevant provisions of the Local Development Plan 2016. There are no material considerations that would justify a departure from these provisions.

#### **Recommendation:** Approved - conditions & informatives

- 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.  
Reason: To ensure that the development is carried out in accordance with the approved details and to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 2 The planting within the site and the new boundary planting around the site, shown on approved drawing 1344\_PL\_02, shall be implemented in accordance with the approved specification in the first available planting season following commencement of development. Thereafter, the planting shall be maintained in accordance with the approved maintenance schedule.  
Reason: To better integrate the development into the surrounding area.
- 3 The finish of the flue shall be matt black or dark grey.  
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.

#### Informatives

It should be noted that:

- 1 Conditions 3, 5 and 6 of 19/01646/PPP still apply. In particular, it should be noted that condition 3 requires that the occupation of the proposed dwellinghouse is limited to a person employed in the saddle and leather goods businesses.
- 2 Whilst the parking and turning provision are acceptable, condition 4 of 19/01646/PPP requires that those are retained in perpetuity.
- 3 If a stove is to be installed with an output of more than 45kw, contact should be made with the council's Environmental Health Service to provide further information in order that a screening assessment can be carried out. Stove installations can cause smoke and odour complaints and planning permission for the flue's installation does not indemnify the applicant in respect of statutory nuisance action. In the event of nuisance action being taken there is no guarantee that remedial work will be granted planning permission, including for changes to the height and position of the flue.

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

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