

From: Bruce Jackson [REDACTED]
Sent: 06 March 2023 10:38
To: DCConsultees
Subject: 23/00260 Land West Of Greywalls Gattonside Scottish Borders.
Erection of a dwelling with access, landscaping, garden space, and associated works

CAUTION: External Email

On behalf of Melrose Community Council I would make the following observation in relation to this application, which appears to be very similar to 22/01824 .

We commented then that it is recommended that an archaeological assessment is made a condition of the application, and we would agree this is desirable. In addition it is not clear from the application what the visual impact of the proposed house will be , particularly from the south bank of the river, but presumably there will be a further application clarifying this and the more detailed drainage arrangements, and energy efficiency proposals.

Bruce Jackson
Vice Chair, Melrose Community Council
6 March 2023

Thursday, 23 February 2023



Local Planner
Development Management
Scottish Borders Council
Newtown St. Boswells
TD6 0SA

Development Operations
The Bridge
Buchanan Gate Business Park
Cumbernauld Road
Glasgow
G33 6FB

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Sir/Madam,

Land West, Of Greywalls, Gattonside, TD6 9LT

Planning Ref: 23/00260/PPP

Our Ref: DSCAS-0081669-JMN

Proposal: Erection of a dwelling with access, landscaping, garden space, and associated works

Please quote our reference in all future correspondence

Audit of Proposal

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced. Please read the following carefully as there may be further action required. Scottish Water would advise the following:

Water Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the HOWDEN Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Waste Water Capacity Assessment

- ▶ This proposed development will be serviced by MELROSE Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow us to fully appraise the proposals we suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water via [our Customer Portal](#) or contact Development Operations.

Please Note

- ▶ The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.
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Drinking Water Protected Areas

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

Surface Water

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

General notes:

- ▶ Scottish Water asset plans can be obtained from our appointed asset plan providers:
 - ▶ Site Investigation Services (UK) Ltd
 - ▶ Tel: 0333 123 1223
 - ▶ Email: sw@sisplan.co.uk
 - ▶ www.sisplan.co.uk
- ▶ Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.

- ▶ If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
 - ▶ Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
 - ▶ The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
 - ▶ Please find information on how to submit application to Scottish Water at [our Customer Portal](#).
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Next Steps:

▶ All Proposed Developments

All proposed developments require to submit a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water via [our Customer Portal](#) prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

▶ Non Domestic/Commercial Property:

Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened to market competition for non-domestic customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at www.scotlandontap.gov.uk

▶ Trade Effluent Discharge from Non-Domestic Property:

- ▶ Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and laundrettes. Activities not covered include hotels, caravan sites or restaurants.
- ▶ If you are in any doubt as to whether the discharge from your premises is likely to be trade effluent, please contact us on 0800 778 0778 or email TEQ@scottishwater.co.uk using the subject "Is this Trade Effluent?".

Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found [here](#).

- ▶ Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.
- ▶ For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas, so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.
- ▶ The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at www.resourceefficientscotland.com

I trust the above is acceptable however if you require any further information regarding this matter please contact me on **0800 389 0379** or via the e-mail address below or at planningconsultations@scottishwater.co.uk.

Yours sincerely,

Carly Gourlay

Development Operations

developmentoperations@scottishwater.co.uk

Scottish Water Disclaimer:

"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."

PLANNING CONSULTATION

To: Archaeology Officer

From: Development Management

Date: 21st February 2023

Contact: Julie Hayward ☎ 01835 825585

Ref: 23/00260/PPP

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 14th March 2023. If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 14th March 2023, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr & Mrs N & C Cameron

Agent: Ferguson Planning

Nature of Proposal: Erection of a dwelling with access, landscaping, garden space, and associated works

Site: Land West Of Greywalls Gattonside Scottish Borders

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Officer Name and Post: Keith Elliott Archaeology Officer	Contact e-mail/number: Keith.Elliott@scotborders.gov.uk 01835 824 000 ext 8886
Date of reply	02.03.2023	Consultee reference:
Planning Application Reference	23/00260/PPP	Case Officer: Julie Hayward
Applicant	Mr & Mrs N & C Cameron	
Agent	Ferguson Planning	
Proposed Development	Erection of a dwelling with access, landscaping, garden space, and associated works	
Site Location	Land West Of Greywalls Gattonside Scottish Borders	
<p><i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></p>		
Background and Site description	<p>This application proposes the construction of a new house in the currently open ground to the south, and below, the house known as Greywalls in the land to the east of Gattonside village. This is currently open ground which at times been arable land; a series of archaeological cropmarks have been observed in the same ground further to the south.</p> <p>This archaeological consultation has been triggered by the nearby appearance of a number of entries mapped in the Historic Environment Record (HER) for the area.</p> <p>The application follows a previous applications for which I made Archaeology Officer comments earlier (21/00710/PPP and 22/01824/PPP). There are no changes in the current proposal that require any archaeological change to the recommendations.</p>	
Key Issues (Bullet points)	<ul style="list-style-type: none"> • Potential for archaeological sites to be encountered • Significance of those archaeological sites • Impact upon those archaeological sites 	
Assessment	<p>This application has been assessed against the Scottish Borders Historic Environment Record (HER) as the on-going record of all known, recorded and mapped across the area, be they Late Upper Palaeolithic lithic scatters and individual finds to more modern industrial complexes of buildings. Currently there are about 23559 entries in the record to date, but otherwise little change in the coverage of the immediate area of this application. My comments are, therefore, largely the same as for the previous application 21/00710/PPP and 22/01824/PPP.</p> <p>The application area is clearly shown in the submitted documentation. This is located south of the wooded slopes and adjacent properties, especially that known as Greywalls to the north. The area is shown by the old Ordnance Survey map editions from the mid-19th century onwards and at the base of the wooded slopes that utilised for other earlier, larger, houses of architectural note.</p> <p>Google Maps aerial photography, as well as that undertaken by Historic Environment Scotland, show the area of the application to be alternately set aside</p>	

	<p>and in arable cultivation. The likes of the field being in crop, then at times the cropmarks of a number of features have been identified. These include the cropmarks of pits, quarries as well as the furrows of rig and furrow (Canmore ID 361290); the nature of the pits is as yet unexplained. Additionally the lines of trackways have been digitised across the field to the south (Canmore IDs 343345, 343346 and 343347), one of which crossing the plot (and the area proposed for garden ground) of this development running north to south, as well as the find of a Roman coin made from somewhere in the general area (Canmore ID 11119). There is thus a moderate potential that further archaeological finds, features and/or deposits might be located in the area.</p> <p>There is little difference of the current application that means any revision of archaeological views. There remain groundworks for the house (with the likes of foundation and service trenches), some landscaping for garden and access roads.</p> <p>Whilst only the trackway is so far recorded as an HER entry crossing the area it would be recommended that some form of evaluation work be undertaken across the whole of the area, whether that be geophysical survey or trial trenching, to examine if there are any further archaeological finds, features or deposits to be encountered in this area. The ground-based impacts of trenching to progress would be clear enough for impact, but further the creation of the garden ground would also likely mean the cessation of cropmarking in this area also, so this too would also need to be considered if an acceptable loss.</p> <p>Therefore whilst not objecting to the development in principle, it would be recommended that an archaeological evaluation condition be attached to any granted planning permission should this be granted consent.</p>			
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required
Recommended Conditions	<p>ARCH02 Archaeology: Developer Funded Evaluation</p> <p>No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation outlining an Archaeological Evaluation. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to conduct a programme of evaluation prior to development. This will include the below ground excavation of evaluation trenches and the full recording of archaeological features and finds. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered the nominated archaeologist(s) will contact the Archaeology Officer for further consultation. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority.</p> <p>Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.</p>			

Recommended Informatives	
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PLANNING CONSULTATION

To: Ecology Officer

From: Development Management

Date: 21st February 2023

Contact: Julie Hayward ☎ 01835 825585

Ref: 23/00260/PPP

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 14th March 2023, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 14th March 2023, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr & Mrs N & C Cameron

Agent: Ferguson Planning

Nature of Proposal: Erection of a dwelling with access, landscaping, garden space, and associated works

Site: Land West Of Greywalls Gattonside Scottish Borders

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Officer Name and Post:	Contact e-mail/number:
	Ecology Officer RD	
Date of reply		Consultee reference:
Planning Application Reference	23/00260/PPP	Case Officer: Julie Hayward
Applicant	Mr & Mrs N & C Cameron	
Agent	Ferguson Planning	
Proposed Development	Erection of a dwelling with access, landscaping, garden space, and associated works	
Site Location	Land West Of Greywalls Gattonside Scottish Borders	
<p><i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></p>		
Background and Site description		
Key Issues (Bullet points)	<ul style="list-style-type: none"> • Badgers • Barn owls • Veteran trees 	
Assessment	<p><i>Relevant policies are LDP policy EP1 and EP2 and NPF4 policies 3 (Biodiversity) and 4 (Natural places) and 6 (Forestry Woodland and trees)</i></p> <p><i>I have previously visited the site in connection with a previous application for development.</i></p> <p>Protected Species</p> <p>The Preliminary Ecological Assessment submitted for this application (the Wildlife Partnership, 2022) highlights that of the four veteran ash trees to the west of the site, one is used by barn owls for roosting/resting but not for breeding (tag 3497 as per the Tree Survey report by Caledon, December 2020).</p> <p>A repeat survey should be carried out and the findings submitted with a detailed planning application for the site. A Species Protection Plan for Barn Owls should be submitted as a planning condition.</p> <p>The PEA notes that the badger sett which was found in 2020 appears to be disused. It is also noted that the sett would be outside the 30m buffer for which a badger licence would be required. The submitted site plan and aerial images of the site show that the sett appears to be less than 30m from the proposed dwelling.</p> <p>Given that this is an application for planning permission in principle and the exact location of the building could still change, a repeat survey for badgers should be carried out and submitted as part of a detailed application.</p>	

	<p>The site and adjacent habitat are suitable for breeding birds. A Species Protection Plan will be required should development be carried out within the bird breeding season.</p> <p>Trees To better protect the veteran ash trees, the site boundary should be moved further east to exclude those trees from garden grounds. This would help prevent adverse impacts on these trees of high biodiversity value as set out in NPF4 policy 6.</p> <p>A Construction Method Statement should also be submitted with any detailed application, to show how existing trees will be protected during construction.</p> <p>Only native species should be used for new planting. Details of the proposed planting should be submitted with a detailed application.</p> <p>Some new planting beyond that which may be required for compensation, will likely be necessary to meet the requirements for biodiversity enhancements as set out in NPF4. Enhancements could also be provided through the installation of bat and bird boxes.</p>			
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required
Recommended Conditions	<p>No development shall be undertaken during the breeding bird season (March to August), unless the developer submits for approval in writing by the Planning Authority a detailed Species Protection Plan for breeding birds, as outlined in the survey report <i>Friarshaugh, Gattonside, Update to Existing PEA (the Wildlife Partnership, September 2022)</i>. Thereafter, no development shall take place except in strict accordance with the approved plan.</p> <p><u><i>Reason: To protect the ecological interest in accordance with Local Development Plan policy EP2 and NPF4 policy 3</i></u></p> <p>Prior to commencement of development, a Species Protection Plan for badgers shall be submitted to and approved in writing by the Planning Authority. The SPP shall incorporate provision for a pre-development supplementary survey and a mitigation plan. No development shall be undertaken except in accordance with the approved in writing SPP.</p> <p><u><i>Reason: To protect the ecological interest in accordance with Local Development Plan policy EP2 and NPF4 policy 3.</i></u></p> <p>Prior to commencement of development, a Species Protection Plan for barn owls shall be submitted to and approved in writing by the Planning Authority. The SPP shall incorporate provision for a pre-development supplementary survey and a mitigation plan. No development shall be undertaken except in accordance with the approved in writing SPP.</p> <p><u><i>Reason: To protect the ecological interest in accordance with Local Development Plan policy EP2 and NPF4 policy 3.</i></u></p> <p>Prior to the commencement of development, the developer shall submit for approval by the Planning Authority, details on the proposed Biodiversity Enhancement Scheme. Thereafter, no development shall take place except in strict accordance with the approved scheme.</p>			

	<p><u>Reason: To protect the ecological interest in accordance with NPF4 policy 3</u></p> <p>Prior to commencement of development a Construction Method Statement incorporating the latest good practice guidelines and statutory advice to protect trees shall be submitted to and approved in writing in writing by the Planning Authority. Any works shall thereafter be carried out strictly in accordance with the approved in writing scheme</p> <p><u>Reason: To protect the ecological interest in accordance with Local Development Plan policy EP2 and NPF4 policy 6.</u></p>
<p>Recommended Informatives</p>	

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Flood & Coastal Management	Contact e-mail/number:
Officer Name and Post:	Flood Protection Officer - Duncan Morrison	dmorrison@scotborders.gov.uk 01835 826701
Date of reply	2 nd May 2023	Consultee reference: 3423
Planning Application Reference	23/00260/PPP	Case Officer: Julie Hayward
Applicant	Mr & Mrs N & C Cameron	
Agent	Ferguson Planning	
Proposed Development	Erection of a dwelling with access, landscaping, garden space, and associated works	
Site Location	Land West Of Greywalls Gattonside Scottish Borders	

The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.

Background and Site description	
Key Issues (Bullet points)	<ul style="list-style-type: none"> Flood Risk Assessment
Assessment	<p>The proposal is similar to a recent application (22/01824/PPP) and the consultation comments made to that application are applicable to the current submission, therefore I have copied them below for your information;</p> <p><i>“In terms of information that this Council has concerning flood risk to this site, I would state that The Indicative River, Surface Water & Coastal Hazard Map (Scotland) known as the “third generation flood mapping” prepared by SEPA indicates that the site is at risk from a flood event with a return period of 1 in 200 years. That is the 0.5% annual risk of a flood occurring in any one year.</i></p> <p><i>The Indicative River & Coastal Flood Map (Scotland) has primarily been developed to provide a strategic national overview of flood risk in Scotland. Whilst all reasonable effort has been made to ensure that the flood map is accurate for its intended purpose, no warranty is given.</i></p> <p><i>Due to copyright restrictions I cannot copy the map to you however, if the applicant wishes to inspect the maps they can contact me to arrange a suitable time to view them.</i></p> <p><i>Review of the SEPA flood maps indicate that the Southern part of the house is partially within an area of medium to high risk of both fluvial and pluvial flooding. The indicated surface water flood risk covers 1:10 year and 1:200 year flood events. The fluvial flood risk is indicated for a 1:200 year flood event.</i></p> <p><i>Due to the indicated flood risk and the fact that the indicative mapping does not account for climate change, I would require that a Flood Risk Assessment (FRA) is undertaken and submitted with a detailed planning application.</i></p>

	<p><i>The FRA is required to establish a 1 in 200 year plus 59% climate change flood level on the site and to assess if the new development would be at risk of fluvial or pluvial flooding. The FRA should also show if and how much flood plain storage would be lost.</i></p> <p><i>Should the FRA show that compensatory storage is required the FRA should include measures to provide this.</i></p> <p><i>The FRA should provide details of the flood risk associated with a 1 in 200 year plus climate change flood event at this site and any level and survey information should be provided in metres Above Ordnance Datum.</i></p> <p><i>The FRA should include:</i></p> <ul style="list-style-type: none"> <i>• Flow velocities</i> <i>• Flood depths</i> <i>• Flow paths</i> <i>• Details of mitigation measures to reduce flood risk including details of compensatory storage</i> <p><i>Ideally a Finished Floor Level (FFL) above the 1 in 200 year plus climate change level should be developed with an appropriate allowance for freeboard.</i></p> <p><i>Alternatively, the dwellinghouse could be located further North on the site away from the indicative flooding extents, in which case a FRA may not be required.</i></p> <p><i>Please note that this information must be taken in the context of material that this Council holds in fulfilling its duties under the Flood Risk Management (Scotland) Act 2009.”</i></p> <p>A subsequent email to the agent is also on the planning file for the previous application and I have copied below an extract from that email confirming the need for an FRA;</p> <p><i>“As you will appreciate the SEPA flood maps are entirely indicative and based on a generic set of modelling parameters which are applied across Scotland. The revised location plan shows the house to be located on the very limit of the indicative flood envelope. Climate change allowance also has to be considered and the recommended uplift for the Tweed Catchment has increased significantly as of the Spring 2022 from 33% to 59% uplift. It is highly likely that the proposed location of the property will be within the flood envelope. However to determine this more accurately a FRA will be required.</i></p> <p><i>Following the adoption of NPF4, there is now a requirement to include an appropriate allowance for climate change, if an FRA is undertaken this will required to be included and completed as per SEPA guidance.”</i></p>			
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required
Recommended Conditions	<p>A Flood Risk Assessment shall be required as part of any subsequent detailed application. Reason: To ensure the Flood Risk is mitigated as far as possible.</p>			