

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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

Application for Planning Permission

Reference: 13/00526/FUL

**To: Cold Sands Ltd per Bain Swan Architects (Eyemouth) 28 Harbour Road Eyemouth
Scottish Borders TD14 5HY**

With reference to your application validated on **30th April 2013** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal: Erection of dwellinghouse

At: Garden Ground Of The Mount Coldingham 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 conditions on the attached schedule imposed by the Council for the reasons stated

**Dated 30th April 2014
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed



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Head of Planning and Regulatory Services

APPLICATION REFERENCE: 13/00526/FUL**Schedule of Plans and Drawings Approved:**

Plan Ref	Plan Type	Plan Status
P01	Location Plan	Approved
P02	Elevations	Approved
P03	Elevations	Approved
P04	Elevations	Approved
P05	Sections	Approved
P06	Specifications	Approved
12/0382/100	Site Plan	Approved
12/382/SK1	Report	Approved
12/382/SK2	Sections	Approved

REASON FOR DECISION

Subject to the conclusion of a legal agreement, and subject to compliance with the schedule of conditions, it is considered that the proposed development represents a suitable addition which is well related to the sense of place of an identified building group which has the numeric capacity to accept an additional dwelling. The modern design of the proposed development represents a sensitive addition to the character of its building group which is anchored by the Mount and does not cause significant demonstrable harm to the character and appearance of the setting of Coldingham Bay and the surrounding area. The proposal is considered consistent with the Consolidated Local Plan 2011 and Supplementary Planning Guidance having accounted for other material considerations.

SCHEDULE OF CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Local Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
- 3 No development shall commence until a sample of all materials to be used on all exterior surfaces of the development hereby permitted shall be submitted to and approved in writing by the Planning Authority.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.

- 4 No development shall commence until a sample of the external finish of the dwarf wall and precise details of the surface paving and gravel surface finishes have been submitted to and agreed in writing by the Planning Authority.
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.
- 5 No development shall commence until a scheme of landscaping works, which shall first be submitted to and approved in writing by the Planning Authority, and shall include;

 - i. location of new trees, shrubs, hedges within the site, in particular this should include provision of planting to the north eastern corner of the site to screen the parking area
 - ii. schedule of plants to comprise species, plant sizes and proposed numbers/density
 - iii. programme for completion and subsequent maintenance for the new planted areas and also future management of the existing screen planting along the north eastern boundary of the site
 - iv. location and design, including materials of any other walls, fences and gates

Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.
- 6 Only the trees identified for removal on Drawing No P08 shall be removed from the site and all other trees shall be retained unless the written agreement is received from the Planning Authority for any further removal.
Reason: The existing trees represent an important visual feature which the Planning Authority considers should be substantially maintained.
- 7 The development shall be undertaken in accordance with the Construction Sequence specified within Chapter 4.00 Appendix of the Design Commentary and Drawing Numbers 12/382/100, 12/382/SK1 and 12/382/SK2. Any variation to this construction method informed by McKay and Partners Structural Engineers shall first be agreed in writing with the Planning Authority and thereafter implemented in accordance with the approved details.
Reason: The site is in a sensitive location and it is essential that construction methods are known and approved, to ensure minimal environmental impact occurs.
- 8 No development shall commence until a schedule of implementing the upgrades to the sites access road illustrated on Drawing No P06 and precise details of the proposed surface treatments have been submitted to and agreed in writing with the Planning Authority. Thereafter the works shall be implemented in accordance with the approved details unless any variation thereto is agreed in with the Planning Authority.
Reason: To ensure that the access to the site is upgraded to the required adoptable standard in order to achieve safe access.
- 9 No development shall commence until the construction specification of the site's new private access road, including gradients and details of the edge protection, have been submitted to and agreed in writing by the Planning Authority. Thereafter the works shall be implemented in accordance with the approved details unless any variation thereto is agreed in with the Planning Authority.
Reason: To ensure that safe access to the site is achieved.
- 10 The parking area shall be properly consolidated within the site before the occupation of the dwellinghouse and retained in perpetuity.
Reason: To provide adequate parking.

- 11 No site clearance works, which includes tree felling and scrub clearance, shall be carried out during the breeding bird season (March-September) without the express written permission of the Planning Authority. Supplementary surveys will be required to be submitted for agreement with the Planning Authority with possible appropriate mitigation measures if site clearance works are to commence during the breeding bird season.
Reason: To safeguard the ecological interests of the site.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

With reference to Condition 9, the applicant may wish to liaise with the Council's Building Standards Team and the Fire Service to ensure that the sites private access road meets the design requirements of these other specialists.

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.