

Mr Michael Ridgway
per Ferguson Planning
54 Island Street
Galashiels
Scottish Borders
TD1 1NU

Please ask for: Julie Hayward
☎ 01835 825585
Our Ref: 18/01712/PPP
Your Ref:
E-Mail: jhayward2@scotborders.gov.uk
Date: 13th October 2020

Dear Sir/Madam

PLANNING APPLICATION AT Land North of Leader House Oxtou Scottish Borders

PROPOSED DEVELOPMENT: Erection of two dwellinghouses

APPLICANT: Mr Michael Ridgway

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 : 18/01712/PPP

To : Mr Michael Ridgway per Ferguson Planning 54 Island Street Galashiels Scottish Borders TD1 1NU

With reference to your application validated on **19th December 2018** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of two dwellinghouses

At : Land North of Leader House Oxton 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 an application for approval of matters specified in the conditions set out in this decision shall be made to the Planning Authority before whichever is the latest of the following:
 - a) The expiration of three years from the date of this permission, or
 - b) The expiration of six months from the date on which an earlier application for approval of matters specified in the conditions set out in this decision notice was refused or dismissed following an appeal.Only one application may be submitted under paragraph (b) of this condition, where such an application is made later than three years after the date of this consent.
- The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the matters specified in the conditions set out in this decision.

And subject to the conditions on the attached schedule imposed by the Council for the reasons stated

**Dated 8th October 2020
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 18/01712/PPP

Schedule of Plans and Drawings Approved:

| Plan Ref | Plan Type | Plan Status |
|-----------------|------------------|--------------------|
| 2A | Site Plan | Approved |

REASON FOR DECISION

Following the submission of amended drawings and the reduction in the number of proposed houses from three to two, the proposal is now considered compliant with policies and guidance designed to allow appropriate rural housing development within established building groups. Subject to a legal agreement and 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 No development shall commence until the details of the layout, siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site have been submitted to and approved in writing by the Planning Authority.
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
- 2 No development shall commence until all matters specified in conditions have, where required, been submitted to and approved in writing by the Planning Authority. Thereafter the development shall only take place except in strict accordance with the details so approved.
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
- 3 A drawing showing existing and proposed ground levels, finished floor levels and sectional drawings of the site and proposed dwellings to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site. Once approved in writing by the Planning Authority the development then to be completed in accordance with the approved drawings.
Reason: To enable the proper effective assimilation of the development into its wider surroundings.
- 4 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.

- 5 Details of all proposed means of enclosure around the site and between plots to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site. Once approved in writing by the Planning Authority the development then to be completed in accordance with the approved details.
Reason: To enable the proper effective assimilation of the development into its wider surroundings.
- 6 Full details of the means of water supply and of foul and surface water drainage are to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site. Once approved in writing by the Planning Authority the development is to be completed in accordance with the approved details and the drainage and water supply to be functioning, as approved, before the dwellinghouses are occupied.
Reason: To ensure that adequate drainage and a sufficient supply of wholesome water is provided and to ensure that there are no unacceptable impacts upon the amenity of any neighbouring properties.
- 7 Parking and turning for a minimum of two vehicles, excluding any garages, are to be provided within the curtilage of each plot prior to occupation and thereafter to be retained in perpetuity.
Reason: To ensure the development is served by satisfactory off-street parking so as to not have a detrimental impact on the adjacent public road network.
- 8 No development shall commence until a surface water drainage scheme has been with the first Approval of Matters Specified in Conditions application or detailed application for the site which demonstrates that surface water run-off from the site will be maintained at pre-development levels using sustainable drainage methods during construction of the development and occupancy of the dwellinghouse. The development shall be completed in accordance with the approved details.
Reason: To ensure the development can be adequately serviced and to safeguard the public road and neighbouring properties from potential run-off.
- 9 A detailed drawing showing the access to each plot, to the specification of the Planning Authority, to be submitted with the first Approval of Matters Specified in Conditions application or detailed application for the site. The first 5m of any access and the parking and turning areas to be no greater than 1 in 15 with the intervening lengths to be no greater than 1 in 8. Visibility, a minimum of 2.4m x 43m, to be provided where an access meets the public road. The accesses to be completed in accordance with the approved drawing prior to occupation of the dwellinghouse it serves.
Reason: To ensure the development is served by an adequate access of acceptable gradients.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

1. In respect of Condition 4, and notwithstanding the indicative landscaping shown on the approved site plan, the scheme of soft landscaping shall include a robust planting strip along the west and north boundaries of the application site to ensure the development is properly assimilated into the building group.
2. In respect of condition 9, it should be borne in mind that only contractors first approved by the Council may work within the public road boundary.

3. In respect of Conditions 1 and 3 the applicant should pay particular attention to the plot layout, the siting, design (including position of windows), orientation and height of the proposed dwellings to ensure that the residential amenity of existing dwellings is not unduly compromised by loss of privacy or overlooking.

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 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 appeal to the Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997 (as amended) 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 (as amended).