

Planning Application reference 22/01947/FUL

PLANNING APPLICATION Erection of dwellinghouse with detached garage

SITE: Land South Of Headshaw Farmhouse Ashkirk Selkirk Scottish Borders

Comments from Lilliesleaf, Ashkirk and Midlem Community Council (LAMCC)

The LAMCC makes the following comments about the above planning application:

These comments are based on a review of all documents relating to the planning application on the SBC planning Portal, followed by a site visit. The following observations are made:

- Clearly the development has been very carefully considered in terms of its accommodation and style
- Its site is sympathetic to the lay of the land and does not adversely affect other dwellings
- The landscaping and planting scheme is, similarly, carefully and sympathetically considered
- Its purpose is to provide housing for family that will, in due course, enable the current owner to retire on site
- The design and materials aim to be energy efficient and green as far as possible
- Services will be provided on site.

In conclusion, the LAMCC has no objection to this development.

Lilliesleaf Ashkirk & Midlem Community Council

January 2023

Monday, 19 December 2022



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

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

Development Operations
Freephone Number - 0800 3890379
E-Mail - DevelopmentOperations@scottishwater.co.uk
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Dear Customer,

Headshaw, Ashkirk, Selkirk, TD7 4NT
Planning Ref:
Our Ref: DSCAS-0078133-RVG
Proposal: 22/01947/FUL | Erection of dwellinghouse with detached garage |
Land South Of Headshaw Farmhouse Ashkirk Selkirk Scottish Borders

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 Robertson 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

- ▶ Unfortunately, according to our records there is no public Scottish Water, Waste Water infrastructure within the vicinity of this proposed development therefore we would advise applicant to investigate private treatment options.

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.

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,

Ruth Kerr
Development Services Analyst
PlanningConsultations@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: Alla Hassan

Date: 16/02/2023

From: RD

Ref: 22/01947/FUL

PLANNING CONSULTATION

Subject: Erection of Dwellinghouse - Land at Headshaw Farm, Askirk

OBSERVATIONS OF: Ecology Officer

CONSULTATION REPLY

Relevant Local Development Plan (LDP) policies are EP1 International Nature Conservation Sites and Protected Species and EP2 National Nature Conservation and Protected Species and EP3 Local Biodiversity.

I have not visited the site to inform this consultation response. An assessment was made using desk survey data, aerial photography and details submitted by the applicant.

A Preliminary Ecological Assessment for the site was carried out by Ellendale Environmental Ltd in August 2022. No signs of protected species or breeding birds were found.

Generally, the site seems to be of low ecological value as the trees within the site are very scattered (not suitable for commuting bats) and the site is currently used for grazing.

In principle, I have no objection to the proposal. The only condition I would suggest is one relating to details of the proposed planting.

In relation to this, I want to note that - in my opinion - a native hedge would be much more appropriate for the rural setting of the site than the proposed beech hedge.

Recommendation: do not object, subject to conditions

Condition:

Prior to the commencement of development, the developer shall submit for approval by the Planning Authority, details on the proposed landscape planting. Thereafter, no development shall take place except in strict accordance with the approved scheme.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.

Informatives:

The applicant is reminded that, under the Wildlife and Countryside Act 1981, (as amended), it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a development does not provide a defence against prosecution under this act. If nesting birds

are discovered after works commence, such works must stop and a competent ecologist must be contacted for advice.

The applicant is reminded that it is an offence to disturb, kill, injure or otherwise harm species protected by national and international law, such as badgers. Planning consent for a development does not provide a defence against prosecution in accordance with protected species legislation.

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Roads Planning Service		
Officer Name, Post and Contact Details	Alan Scott Senior Roads Planning Officer		ascott@scotborders.gov.uk 01835 826640
Date of reply	19 th January 2023	Consultee reference:	
Planning Application Reference	22/01947/FUL	Case Officer: Ala Hassan	
Applicant	Mrs N Hunter		
Agent	Ferguson Planning		
Proposed Development	Erection of dwelling		
Site Location	Land at Headshaw Farm, Ashkirk		
<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>			
Background and Site description			
Key Issues (Bullet points)			
Assessment	The access road that serves this site is private and comes off the nearby A7 trunk road, as such, the comments of Transport Scotland should be sought to confirm the suitability of the junction to cater for any additional traffic this proposal may generate.		
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	Parking and turning for a minimum of two vehicles must be provided within the curtilage of the property prior to occupation and be retained thereafter in perpetuity. Reason: To ensure the development hereby approved is served by an appropriate level of parking.		

Signed: DJI