

Mr Phil Davies
per Paterson Architects
3 Seton Mains
Longniddry
Scotland
EH32 0PG

Please ask for: Cameron Kirk
☎ 01835 825253
Our Ref: 22/00342/FUL
Your Ref:
E-Mail: cameron.kirk@scotborders.gov.uk
Date: 8th February 2023

Dear Sir/Madam

PLANNING APPLICATION AT Workshop Hunters Yard Station Road Gordon Scottish Borders TD3 6LR

PROPOSED DEVELOPMENT: Demolition of former industrial shed, erection of Class 4 unit and four dwellinghouses

APPLICANT: Mr Phil Davies

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 : 22/00342/FUL

To : Mr Phil Davies per Paterson Architects 3 Seton Mains Longniddry Scotland EH32 0PG

With reference to your application validated on **7th March 2022** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Demolition of former industrial shed, erection of Class 4 unit and four dwellinghouses

at : Workshop Hunters Yard Station Road Gordon Scottish Borders TD3 6LR

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 conditions attached to the following schedule for the reasons stated.

**Dated 8th February 2023
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 22/00342/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
PL_01	Location Plan	Approved
PL_03	Proposed Plans	Approved
PL_04	Proposed Plans	Approved
PL_05 A	Proposed Roof Plan	Approved
PL_06	Proposed Plans, Sections & Elevations	Approved
PL_07	Proposed Plans, Sections & Elevations	Approved
PL_08	Proposed Plans, Sections & Elevations	Approved

REASON FOR DECISION

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 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.

- 2 Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.
The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-
 - a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition.
and thereafter
 - b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.
 - c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).
 - d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.

e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.

- 3 No works in connection with the development hereby approved shall commence until detailed engineering drawings for the alterations of the junction with the public road have been submitted to and agreed in writing by the Planning Authority. Thereafter, the junction with the public road shall be altered and completed in strict accordance with the approved drawings prior to the occupation of the first dwellinghouse or business unit, whichever is first, unless otherwise agreed in writing by the Planning Authority.
Reason: To ensure the junction is constructed to the correct standard to allow for vehicular and pedestrian movements in the interests of road safety.
- 4 No works in connection with the development hereby approved shall commence until detailed engineering drawings for the construction of the internal access road have been submitted to and agreed in writing by the Planning Authority. Thereafter, the access road shall be formed and completed in strict accordance with the approved drawings prior to the occupation of the first dwellinghouse or business unit, whichever is first, unless otherwise agreed in writing by the Planning Authority.
Reason: To ensure the access road is formed to a suitable standard to serve the development.
- 5 Two parking spaces, not including any garages, shall be provided within the curtilage of each plot prior to the dwellinghouse being occupied. Thereafter the parking spaces must be retained in perpetuity.
Reason: To ensure parking and turning are made available within the site.
- 6 No works in connection with the development hereby approved shall be undertaken during the breeding bird season (March to August inclusive), unless in strict compliance with a Species Protection Plan for breeding birds, including provision for pre-development supplementary survey, that shall be submitted to and agreed in writing by the Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Species Protection Plan.
Reason: To protect the ecological interest of the site in accordance with Local Development Plan policies EP2 and EP3.
- 7 No works in connection with the development hereby approved shall commence until a scheme for compensatory nest boxes for birds has been submitted to and agreed in writing by the Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved details.
Reason: To ensure the development accords with the requirements of Local Development policy EP3.

- 8 No works in connection with the development hereby approved shall commence until a details have been submitted to and agreed in writing by the Planning Authority for the protection of trees, within and adjacent to the application site. The approved protection measures shall be implemented prior to any works commencing on site and they shall be removed only when the development has been completed.
Reason: In the interests of preserving the health and vitality of existing trees on the development site, the loss of which would have an adverse effect on the visual amenity of the area.
- 9 Waste water from the proposed development shall be disposed of via the public sewer as indicated in the submitted application and shall not be disposed of via private means, unless otherwise agreed in writing by the Planning Authority. The development shall be connected to the public sewer prior to the occupation of the first dwellinghouse or business unit, whichever is first.
Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.
- 10 The proposed development shall be connected to the public water supply as indicated in the submitted application and shall not be connected to a private water supply, unless otherwise agreed in writing by the Planning Authority. The development shall be connected to the public water supply prior to the occupation of the first dwellinghouse or business unit, whichever is first.
Reason: To ensure the long term sustainability of the development and the safety and welfare of the occupants and visitors to the site.
- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) or the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any order amending, revoking or re-enacting these Orders, the business unit hereby approved (identified as plot 5 of the approved drawing PL_03) shall be used only for a purpose within Use Class 4 and shall not be used for any other purpose without the express grant of planning permission from the Planning Authority.
Reason: To enable the planning authority to consider the implications of any subsequent change of use on the amenities of the area.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

- 1 If any finds of archaeological interest are identified during the groundworks to progress this application, these should be recovered, reported and, if necessary, recorded with the Treasure Trove Unit in line with the law of the land in Scotland. If finds are made, then contacts with the Archaeology Officer can be made in case to advise whether Treasure Trove Unit recording will be required. Pictures can be sent with any email to archaeology@scotborders.gov.uk, though a general rule of post-1850 finds are not considered to be of special interest.
- 2 In the event that bats are discovered following the commencement of works, works should stop immediately and the developer must contact NatureScot for further guidance. Works can only recommence by following any guidance given by NatureScot. The developer and all contractors to be made aware of accepted standard procedures of working with bats at www.bats.org.uk.

- 3 It should be borne in mind that only contractors first approved by the Council may work within the public road boundary.

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.

Under The Control of Pollution Act 1974, the Council recommends the following hours for noisy construction-related work:

Monday-Friday 0700-1900

Saturday 0800-1300

Sunday and Public Holidays - no permitted work (except by prior agreement with the Council)

Contractors will be expected to adhere to the measures contained in BS 5228:2009 "Code of Practice for Noise and Vibration Control on Construction and Open Sites".

For more information or to make a request to carry out works outside the above hours, please contact an Environmental Health Officer at the Council.

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

There are a number of risks created by built over gas mains and services; these are:

- Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
- Gas entry into buildings – pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
- Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:

1. Check your proposals against the information held at <https://www.linesearchbeforeudig.co.uk/> to assess any risk associated with your development **and**
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone 0800 912 1722 / Email plantlocation@sgn.co.uk

In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.

Further information on safe digging practices can be found here:

- Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work <https://www.sgn.co.uk/damage-prevention>

Further information can also be found here <https://www.sgn.co.uk/help-and-advice/digging-safely>

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 require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice.

The notice of review must be submitted on the standard form and addressed to the Clerk of The Local Review Body, Democratic Services, Scottish Borders Council, Council Headquarters, Newtown St Boswells. TD6 0SA or sent by email to localreview@scotborders.gov.uk. The standard form and guidance notes can be found online at [Appeal a Planning Decision](#). Appeals to the Local Review Body can also be made via the Scottish Government Planning and Environmental Appeals Division by clicking on the following link [PEAD](#)

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).