

Tuesday, 23 May 2023



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

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

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



Dear Customer,

Garden Ground, Cheviot View Eden Road, Gordon, TD3 6JT
Planning Ref: 23/00716/FUL
Our Ref: DSCAS-0087161-5CC
Proposal: Erection of dwellinghouse

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 Gordon 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.

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 5kg 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,

Angela Allison

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."

**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	26.05.2023	Consultee reference:
Planning Application Reference	23/00716/FUL	Case Officer: Cameron Kirk
Applicant	Mr Nigel Carey	
Agent	N/A	
Proposed Development	Erection of dwellinghouse	
Site Location	Garden Ground Of Cheviot View Eden Road Gordon 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 garden ground of Cheviot View, off the main street of Eden Road which runs more or less east to west through the village of Gordon, in the central parts of the Scottish Borders.</p> <p>The proposed location is in the surroundings of one the mapped entries in the Scottish Borders Historic Environment Record (HER) lying as it does within a historic village of the area.</p> <p>Previous planning applications have been made for the area, but no previous Archaeology Officer comments have been made.</p>	
Key Issues (Bullet points)	<ul style="list-style-type: none"> • Currently garden or open ground previously occupied by buildings • Limited potential for any archaeological material • Previous planning applications for the site and the lack of Archaeology Officer comment upon them 	
Assessment	<p>The proposed site of the house is in existing garden or at the very least open ground off the southern side of Eden Road. The site is shown free of buildings by the various 19th and early 20th century editions of the Ordnance Survey mapping. No archaeological finds, features and/or deposits have been previously recorded from this area of Gordon.</p> <p>The submitted details include mention of a 1940s to 1970s buildings being on site prior to its removal. No further details of these are known and they have not appeared to have received archaeological comments, such as for a historic building recording condition.</p> <p>No previous archaeological comments were made for this area during the previous planning applications for the site; some disturbance of the site will have already taken place in the erection of the building.</p> <p>The proposed footprint of the new building appears to be largely over the area of the previous buildings. These appear in the first post-Second World War mapping to have had a narrow space between them and it is there that fresh groundworks</p>	

	<p>may encounter archaeological materials, but to either side of this gap the previous buildings may have led to some disturbance already.</p> <p>It is possible that there may be some evidence of backland activities identified during these groundworks for the house's foundations and service trenches should this application be progressed and consented. These are not likely to be any more than locally significant as none of the adjacent buildings are labelled as to a function in the old Ordnance Survey map editions and may be present as a scatter of material from middens or in discrete rubbish pits. There will be no impact from this application to the church building located on the opposite (northern) side of Eden Road.</p> <p>An informative in case of any major concentrations of finds, features and/or deposits would be a useful addition to any granted planning permission in line with the <i>Planning Advice Note 2/2011: Planning and Archaeology</i> paragraphs 31 and 32. The suggested wording for such an informative are given below.</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	No archaeological conditions are recommended for this application.			
Recommended Informatives	<p>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.</p> <p>The <i>Planning Advice Note 2/2011: Planning and Archaeology</i> notes that;</p> <p><i>32. Planning Authorities and developers should be aware of the legal requirement to report the discovery of human remains and archaeological artefacts whether recovered in planned investigation or by chance. Human remains should be reported to the police. Archaeological artefacts should be reported for identification and assessment as possible "Treasure Trove", or as "wreck" if found under water. Human remains and artefacts must if possible be left in situ while the archaeologist is summoned, rather than being lifted and taken off site.</i></p>			

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Officer Name and Post:	Contact e-mail/number:		
	EVH - Contaminated Land Officer			
Date of reply	13 th June 2023	Consultee reference: 23/01397/PLANCO		
Planning Application Reference	23/00716/FUL	Case Officer: Cameron Kirk		
Applicant	Mr Nigel Carey			
Agent	N/A			
Proposed Development	Erection of dwellinghouse			
Site Location	Garden Ground Of Cheviot View Eden Road Gordon 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>The above application appears to be proposing the redevelopment of land which was previously operated as a garage. This is understood to have included licensed petroleum storage which was subsequently converted to diesel.</p> <p>This land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose.</p>			
Key Issues (Bullet points)				
Assessment	<p>It is recommended that planning permission should be granted on condition that development is not be permitted to start until a site investigation and risk assessment has been carried out, submitted and agreed upon by the Planning Authority.</p> <p>Any requirement arising from this assessment for a remediation strategy and verification plan would become a condition of the planning consent, again to be submitted and agreed upon by the Planning Authority prior to development commencing.</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

<p>Recommended Conditions</p>	<p>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.</p> <p>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:-</p> <ul style="list-style-type: none"> 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. <p>and thereafter</p> <ul style="list-style-type: none"> 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. <p>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.</p> <p>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.</p>
<p>Recommended Informatives</p>	

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Roads Planning Service		
Officer Name, Post and Contact Details	Mark Payne Roads Planning Officer		mark.payne@scotborders.gov.uk 01835 825018
Date of reply	5 th June 2023	Consultee reference:	
Planning Application Reference	23/00716/FUL	Case Officer: Cameron Kirk	
Applicant	Mr Nigel Carey		
Agent	N/A		
Proposed Development	Erection of dwellinghouse		
Site Location	Garden Ground Of Cheviot View Eden Road Gordon Scottish Borders		
<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	<ul style="list-style-type: none"> • Adjacent site 21/00913/FUL Erection of dwellinghouse (Approved) • 21/01111/FUL Erection of dwellinghouse (Withdrawn) • 21/01905/FUL Erection of dwellinghouse (Refused at LRB) 		
Key Issues	<ul style="list-style-type: none"> • Parking and turning 		
Assessment	<p>Roads Planning Service were consulted about the previous applications on this site and offered no objections to the principle of development at this site. Concern was however noted about the operation of the parking and turning at the adjacent plot, subject to application 21/00913/FUL.</p> <p>The amended plans provided for the new application address this issue and allow for parking and turning for two vehicles and provision for the same at the adjacent plot.</p> <p>As such, I shall have no objection to this proposal subject to the condition below being included in any subsequent approval.</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>Parking and turning for two vehicles, excluding garages, for both dwellings must be provided within the curtilage of the plot before the dwellinghouse is occupied and retained thereafter in perpetuity.</p> <p>Reason: To ensure the property is served by adequate parking at all times.</p>		
Recommended Informatives			

Signed: AJS