

**CONSULTATION RESPONSE TO PLANNING OR RELATED APPLICATION**

<b>Comments provided by</b>	<b>Officer Name and Post:</b> Environmental Health Craig Liddle	<b>Contact e-mail/number:</b> PLACEhealth@scotborders.gov.uk
<b>Date of reply</b>	16/8/23	<b>Consultee reference:</b> 23/00433/PLANCO
<b>Planning Application Reference</b>	23/00262/FUL	<b>Case Officer:</b> Paul Duncan
<b>Applicant</b>	Mr Graeme Forsyth	
<b>Agent</b>	Yeoman (Berwick) Ltd	
<b>Proposed Development</b>	Change of use of derelict agricultural building and extension to form dwellinghouse and erection of 15m high wind turbine	
<b>Site Location</b>	The Blue House Near Swansfield Farm Reston Eyemouth Scottish Borders TD14 5LN	
<p><b><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></b></p>		
<b>Background and Site description</b>	The applicant requests permission for the conversion and extension of an existing agricultural store to a dwellinghouse. Further information was previously requested by Environmental Health in relation to the associated wind turbine, which has now been received.	
<b>Key Issues (Bullet points)</b>	<ul style="list-style-type: none"> <li>• Impact on residential amenity – private water supply, wind turbine</li> </ul>	
<b>Assessment</b>	<p>Environmental Health has no objections in principle to the proposal, however we have the following comments to make:</p> <p><b>Private water supply</b></p> <p>The information provided refers to the dwelling being connected to a private water supply. Full details should be submitted to ensure the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties. It is therefore recommended that Condition 1 is attached to the consent if granted. The information required to be submitted to satisfy this condition is provided by the private water supply informative, also provided below.</p> <p><b>Wind turbine</b></p> <p>Acoustic information has now been submitted in relation to the testing of a Kingspan KW6 turbine in accordance with the BWEA Small Wind Turbine Performance and Safety Standard. When considering this alongside the distance from the turbine to noise sensitive receptors, there is unlikely to be an impact on amenity. In order to safeguard this, we recommend Condition 2 is attached to the consent if granted.</p> <p><b>Private drainage arrangements</b></p> <p>Private drainage arrangements are proposed, however no further detail has been provided at this stage. Private drainage systems often cause public health problems when no clear responsibility or access rights exist for maintaining the</p>	

	<p>system in a working condition. Problems can also arise when new properties connect into an existing system and the rights and duties have not been set down in law. However, in this case it appears the new system will be located on land owned by the applicant and will only serve the applicant's property. If this is not the case, it is recommended that a condition is attached to the planning consent requiring evidence to be submitted of the arrangements in place to ensure the system will be maintained in a suitable condition.</p>			
<b>Recommendation</b>	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> <b>Do not object, subject to conditions</b>	<input type="checkbox"/> Further information required
<b>Recommended Conditions</b>	<p>1. No development is to commence until a report has been submitted to and approved in writing by the Planning Authority, demonstrating the provision of an adequate water supply to the development in terms of quality and quantity. The report must also detail all mitigation measures to be delivered to secure the quality, quantity and continuity of water supplies to properties in the locality which are served by private water supplies and which may be affected by the development. The provisions of the approved report shall be implemented prior to the occupation of the building(s) hereby approved.</p> <p><i>Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.</i></p> <p>2. In accordance with ETSU-R-97 (Simplified Method) the noise from the wind turbine must not exceed an LA90,10min of 35dB at the boundary of the curtilage of any noise sensitive premises at wind speeds of up to 10m/s at 10m height.</p> <p><i>Reason: In the interests of residential amenity of neighbouring properties.</i></p>			
<b>Recommended Informatives</b>	<p><u>Private water supply</u></p> <p>To fulfil this Condition (Condition1), the following information should be provided:</p> <ol style="list-style-type: none"> <li>1. A description of the source(s) / type of the supply – i.e. whether the supply is taken from a watercourse, loch, spring, well or borehole, or any other source or combination of sources.</li> <li>2. The location of the source(s) of the supply – i.e. the appropriate eight figure Ordnance Survey National Grid Reference(s).</li> <li>3. The estimated maximum average volume of water provided by the supply in cubic metres per day (m<sup>3</sup>/day), including the details of any pump tests / flow rate tests undertaken to determine this estimate. For boreholes / wells, refer to BS ISO 14686:2003 “Hydrometric determinations - Pumping tests for water wells - Considerations and guidelines for design, performance and use”.</li> <li>4. The intended use of the proposed building(s) – e.g. owner-occupied domestic dwelling(s), rented domestic dwelling(s), holiday accommodation, etc.</li> <li>5. Where there are existing users of the supply:</li> </ol>			

- a) the addresses of all properties served;
  - b) the existing occupancy levels of all such properties, as far as is reasonably practicable. As a minimum, the provision of the number of bedrooms per property will allow an estimate to be made of potential occupancy levels;
  - c) the current use of all properties served – i.e. as above;
  - d) information identifying if and how the development will impact on the existing users; and
  - e) the details of any mitigating measures to be implemented to ensure the quality, quantity and continuity of the water supply to the existing users will be secured.
6. Where there are other properties' private water supplies in the vicinity of the development that may be affected thereby (e.g. neighbouring boreholes, wells, springs, etc.):
    - a) information identifying if and how the development will impact on these other supplies; and
    - b) the details of any mitigating measures to be implemented to ensure the quality, quantity and continuity of the water supply to these other properties will be secured.
  7. Details of all laboratory analysis / tests carried out to demonstrate that the water supplied to the development will be wholesome. For clarification, the quality of the water throughout the building(s) must conform to the requirements of the legislative provisions appropriate to the use of the supply, as described below.
  8. Details of all water treatment systems to be installed to ensure that the water supplied to the development will be wholesome.

For information, the minimum daily volume of water that requires to be supplied by a private water supply must be equivalent to 200 litres of water per person per day who will be using the supply. It is the provision of this quantity that must be ensured and, as such, water storage facilities may be necessary for this purpose. When designing storage facilities, the minimum recommended capacity is three days' reserve, in order to allow for supply interruption / failure.

If the supply only serves owner-occupied domestic dwellings, it will be classed as an "Exempt" (formerly "Type B") private water supply and the quality of the water must comply with the requirements of The Private Water Supplies (Scotland) Regulations 2006 ("the 2006 Regulations"). If there is any commercial use of the supply, it will be classed as a "Regulated" supply and the water quality must comply with the requirements of The Water Intended for Human Consumption (Private Supplies) (Scotland) Regulations 2017 ("the 2017 Regulations"). Additionally, the supply will require to be sampled (monitored) on at least an annual basis and Scottish Borders Council will be required to undertake a risk assessment of the supply and reviews of said risk assessment periodically.

Finally, if for any reason the supply to be used is or will be a Regulated supply, it is an offence for the development to use it unless a risk assessment (or a review of an existing risk assessment) has been carried out by Scottish Borders Council at least 8 weeks before said intended first use by the development. It is also an offence for the development to use the supply prior to Scottish Borders Council confirming (by notice to the applicant) that it may be used by the development, on the basis that the intended use does not constitute a potential danger to human health. As such, the applicant must contact the Environmental Health Department of Scottish

	Borders Council sufficiently in advance of the intended occupation of the building(s) to ensure that compliance with these legislative provisions is able to be secured.
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