

# Upper Teviotdale and Borthwick Water Community Council

Chairman: Mr Walter Douglas  
Carlenrig Farm  
Teviothead  
HAWICK TD9 0LH

Secretary:

Observations and response to planning application 23/01007/PPP

Generally as a CC we welcome new houses or upgrades to existing buildings in our area as we are keen to see more good quality homes to improve the housing stock for residents and more houses help to maintain the rural population.

There is obviously scope for a few new houses within the Teviothead 'village' area.

This planning application is for a new house on a plot adjacent to existent residences. As this is just an application in principle there are no details given of any proposed building but any detail given by the applicant would suggest that the plot would be sold on for a 'self provided home' and a fairly substantial 2 storey building is envisaged. We would comment that we feel that the biggest requirement in our area is for affordable houses, affordable houses to rent that would be suitable for older people and families with young children.

The applicant states that the plot would adjoin 3 existing plots and states "All three existing dwellings are detached houses which are bound together by a direct, linear relationship without setoff or separation". Whilst this may be true of the plots the dwellings themselves on these plots are well separated and each retains its privacy and there is no affect on light or shade between the properties. A new 2 storey residence as shown on the site plan would however have a considerable impact on the adjoining Mos Eisley both in terms of privacy, views and light. The new house would be much closer to its neighbour than the distance separating the existing residences. The morning sunshine especially could be completely cut out. As detailed by the owner of Mos Eisley there would be a huge impact on privacy. If as mentioned a high hedge was planted on the boundary this may partially mitigate the privacy issue but would exacerbate the light and view issues. This would be an unacceptable outcome for the residents of Mos Eisley especially given that there are options within the field to provide a site which would drastically reduce the impact on the existing residences.

The application states that the new house would connect to a private water supply. Given the number of other properties already reliant on this supply the CC endorses the response from Environmental Health and agrees that a full report on the water supply is completed to reassure the existing users that the supply will be able to accommodate another user.

Finally we feel that as well as the owners of Mos Eisley being on the neighbour notification list, the residents in the other 2 properties in the 3 existing properties should also have been notified.

Thursday, 13 July 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](mailto:DevelopmentOperations@scottishwater.co.uk)  
[www.scottishwater.co.uk](http://www.scottishwater.co.uk)



Dear Customer,

**Land East Of Mos Easley, Teviothead, Hawick, TD9 0LQ**  
**Planning Ref: 23/01007/PPP**  
**Our Ref: DSCAS-0090512-RPV**  
**Proposal: Erection of dwellinghouse with access and associated works**

**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 Assessment**

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

### **Foul 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.
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## 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.
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## 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](mailto:sw@sisplan.co.uk)
  - ▶ [www.sisplan.co.uk](http://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](http://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](mailto: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](http://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](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely,

**Ruth Kerr.**

Development Services Analyst

[PlanningConsultations@scottishwater.co.uk](mailto: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**

<b>Comments provided by</b>	<b>Officer Name and Post:</b>		<b>Contact e-mail/number:</b>	
	Environmental Health Craig Liddle		PLACEhealth@scotborders.gov.uk	
<b>Date of reply</b>	26 July 2023		<b>Consultee reference:</b> 23/01738/PLANCO	
<b>Planning Application Reference</b>	23/01007/PPP		<b>Case Officer:</b> Stuart Small	
<b>Applicant</b>	Buccleuch Estates Ltd			
<b>Agent</b>	Ferguson Planning			
<b>Proposed Development</b>	Erection of dwellinghouse with access and associated works			
<b>Site Location</b>	Land East Of Mos Easley Teviothead Hawick 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>				
<b>Background and Site description</b>	The applicant proposes the erection of a single dwelling on agricultural land. The site is located within a rural location adjacent to a group of existing dwellings.			
<b>Key Issues (Bullet points)</b>	<ul style="list-style-type: none"> <li>• Private water supply</li> <li>• Private drainage arrangements</li> </ul>			
<b>Assessment</b>	<p>Environmental Health has no objections in principle to the application, however we have the following comments to make:</p> <p><b>Private water supply</b></p> <p>The Planning Statement refers to the dwelling being connected to a private water supply on the estate, however no further detail is provided at this point. Full details should be submitted in order 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 the condition provided below (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>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 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. 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. Condition 2 is proposed in order to secure this and an informative on how to fulfil this condition is provided below.</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

<p><b>Recommended Conditions</b></p>	<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. No development should commence until the applicant has provided evidence that arrangements are in place to ensure that the private drainage system will be maintained in a serviceable condition.</p> <p><i>Reason: To ensure that the development does not have a detrimental effect on amenity and public health.</i></p>
<p><b>Recommended Informatives</b></p>	<p><b>Private water supply</b></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: <ol style="list-style-type: none"> <li>a) the addresses of all properties served;</li> <li>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;</li> <li>c) the current use of all properties served – i.e. as above;</li> <li>d) information identifying if and how the development will impact on the existing users; and</li> <li>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.</li> </ol> </li> </ol>

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.

### **Private drainage system**

Private drainage systems often impact on amenity and cause other problems when no clear responsibility or access rights exist for maintaining the 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. To discharge the Condition relating to the private drainage arrangements, the Applicant should produce documentary evidence that the maintenance duties on each dwelling



	served by the system have been clearly established by way of a binding legal agreement. Access rights should also be specified.
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**CONSULTATION RESPONSE TO  
PLANNING OR RELATED APPLICATION**

<b>Comments provided by</b>	<b>Roads Planning Service</b>		
<b>Officer Name, Post and Contact Details</b>	Ryan Johnston Roads Planning Technician		<a href="mailto:ryan.johnston@scotborders.gov.uk">ryan.johnston@scotborders.gov.uk</a> 01835 826999
<b>Date of reply</b>	07/08/2023	<b>Consultee reference:</b>	
<b>Planning Application Reference</b>	23/01007/PPP	<b>Case Officer:</b> Stuart Small	
<b>Applicant</b>	Buccleuch Estates Ltd		
<b>Agent</b>	Ferguson Planning		
<b>Proposed Development</b>	Erection of dwellinghouse with access and associated works		
<b>Site Location</b>	Land East Of Mos Easley Teviothead Hawick Scottish Borders		
<i><b>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.</b></i>			
<b>Background and Site description</b>			
<b>Key Issues (Bullet points)</b>			
<b>Assessment</b>	<p>I shall have no objections to the principle of this proposal provided a condition similar to the one below is attached to any consent given.</p> <p>I would note that given there is an existing field access for the site at the rear of the turning head it would be expected that the new access to the property from the public road would also be taken from this location as per the proposed site plan drawing no.10000-CSY-XX-XX-D-A-1202 rev D.</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>Parking and turning for two vehicles, excluding garages, must be provided within the curtilage of the plot before the dwellinghouse is occupied and retained thereafter in perpetuity. The parking area formed should be a minimum of 6 metres by 3 metres per space and the gradient should be no steeper than 1 in 12, unless otherwise agreed in writing with the Council.</p> <p>Reason: To ensure the property is served by adequate parking at all times.</p>		
<b>Recommended Informatives</b>			

**Signed: DJI**