

Heiton and Roxburgh Community Council

Your Ref: 23/01065/FUL

12 Aug 2023

Scottish Borders Council,
Council Headquarters
Newtown St Boswells
Melrose
Scottish Borders
TD6 OSA

Dear Sirs

Re: 23/01065/FUL | Erection of dwelling house | Land Adjacent Carnlea, Main Street, Heiton

One of the South of Scotland Regional Economic Strategy six themes is 'thriving and distinct communities' and a key priority in this theme is housing. In order to sustain rural villages support should be given the development of low impact housing 'to better integrate generations, attract new people to the area and ensure those farthest from the labour market have a stable platform from which to progress and prosper'

SBC's Local Development Plan outlines that the Housing Needs and Demand Assessment identified a continued need for some 100 houses per annum over the next 5 years and that the plan will *'seek to encourage the delivery of affordable housing opportunities to meet local need'*

It is understood that this site had previously been granted planning permission, but this lapsed before construction could start. The subsequent application and appeal were unsuccessful, and this new application has taken on board design considerations that lead to the refusal – repositioning of windows to avoid overlooking, reduction in the height of the dwelling and the inclusion of a turning circle. The applicant appears to have taken all reasonable steps within their control to make changes to the plan.

We understand from the application that there are currently four properties on this private road and there has been for at least a decade. Each dwelling has at least one vehicle and according to the SWECO transport report the existing access has no history of road safety issues.

It is noted that visibility splay is a key concern. If it is necessary, despite it not being an issue for the current dwellings, the suggestion of painted markings is reasonable. However, the creation of a small build out to increase visibility splay has the potential to cause disruption to the flow of traffic and parking issues for neighbouring properties and therefore poses some concern.

This application appears to align with the local development plan regeneration policy (ED5) which aims to encourage redevelopment of land, supporting bringing land back into

productive use, and the infill development policy (PMD5). Both policies state that development on sites will be approved in all cases where the following criteria is satisfied:

- a) Does not conflict with established land use of area.
- b) Does not detract from the character and amenity of the surrounding area.
- c) The individual and cumulative effects of the development can be sustained by the social and economic infrastructure.
- d) It respects the scale, form, design and materials and density in context of its surroundings.
- e) Adequate access and servicing can be achieved.
- f) It does not result in any significant to loss of daylight, sunlight or privacy as a result of overshadowing or overlooking.

There is no known reason this criterion is not satisfied.

This application also appears to support the LDP Policy HD2: Housing in the countryside, which states *'the council wishes to promote appropriate rural housing development in village locations'*.

Yours sincerely



Chloe Brown (Mrs)

On behalf of Heiton and Roxburgh Community Council

Monday, 24 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
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G33 6FB

Development Operations
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E-Mail - DevelopmentOperations@scottishwater.co.uk
www.scottishwater.co.uk



Dear Customer,

Land Adjacent Carnlea Main Street, Heiton, Scottish Borders, TD5 8JR
Planning Ref: 23/01065/FUL
Our Ref: DSCAS-0091078-6ZS
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 Roberton 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 Heiton 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.

Asset Impact Assessment

Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets.

100mm Combined Sewer within your site boundary.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via [our Customer Portal](#) for an appraisal of the proposals.

The applicant should be aware that any conflict with assets identified will be subject to restrictions on proximity of construction. Please note the disclaimer at the end of this response.

Written permission must be obtained before any works are started within the area of our apparatus

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,

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."

**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	7 th August 2023	Consultee reference:
Planning Application Reference	23/01065/FUL	Case Officer:
Applicant	Mr Mark Graham	
Agent	Ferguson Planning	
Proposed Development	Erection of dwellinghouse	
Site Location	Land Adjacent Carnlea Main Street Heiton 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	There is a history of recent applications at this site which Roads Planning have objected to on road safety concerns.	
Key Issues (Bullet points)	<ul style="list-style-type: none"> • Access • Visibility 	
Assessment	<p>There are two changes since the previous application which relate to Roads Planning:</p> <ol style="list-style-type: none"> 1) The proposed Local Development Plan allowing a maximum of 5 dwelling units to be served from a private access road. 2) A proposed build out from the private access on to the A698 to create better visibility. <p>Regarding point 1 above, it is my view that although the private access road would not have to conform to an adoptable standard, the access from the private road is still unsuitable for this level of development.</p> <p>Regarding point 2, I would not support any scheme to narrow the carriageway along the A698 as this is incongruous with the road through Heiton and any scheme in isolation may have a detrimental effect on road safety.</p> <p>Although I appreciate that the applicant has proposed a turning head to alleviate some problems at the site, there remains the issue of the junction with the public road. It is exceptionally constrained in terms of geometry and visibility and is only wide enough for one vehicle. Visibility in both directions is effectively zero, with a vehicle having to encroach significantly into the running carriageway before any visibility is afforded. Furthermore, since the land surrounding the access is outwith the applicant's control, there is no scope for suitable improvements.</p> <p>As such, I must object to this proposal.</p>	

Recommendation	<input checked="" type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required
Reason of Objection	The proposal does not comply with policy PMD2 of the Local Development Plan 2016 in that it would be result in extra vehicular traffic on a sub-standard access to the detriment of road safety.			

Signed: DJI