

Date: 11th May 2023

NAME OF APPLICANT: Mr R And Mrs A Shanks

NATURE OF PROPOSAL: Erection of two dwellinghouses with access and associated works

SITE: Land East Of Buckletons Stichill Stables Kelso
Scottish Borders

REQUEST FOR OBSERVATIONS OF: Ednam, Stichill & Berry Moss C.C

FAO

Euan Calvert

Your Ref: 23/00695/PPP

Thank you for your request of 11 May 2023 for the observations of ES&BCC on the above proposal. This proposal was discussed at the meeting of Ednam, Stichill and Berry Moss Community Council on Tuesday 30 May 2023. The principal concern of the Community Council is that the proposal is not in line with the current local plan seeking, as it does, to use undeveloped and productive agricultural land for house building. We also recognise that local residents perceive that the proposed development will make additional demands on already strained infrastructure, particularly access routes and mains water pressure levels.

George Anderson

Secretary Ednam, Stichill and Berry Moss Community Council

(Hedgehope Cottage, Ednam Road, Stichill TD5 7TD [REDACTED])

Friday, 12 May 2023



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

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

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



Dear Customer,

Land East Of Buckletons, Stichill Stables, Kelso, TD5 7TJ
Planning Ref: 23/00695/PPP
Our Ref: DSCAS-0086557-WNZ
Proposal: Erection of two dwellinghouses 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 Capacity Assessment

Scottish Water has carried out a Capacity review and we can confirm the following:

- ▶ There is currently sufficient capacity in the Robertson 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.
- ▶ The nearest public water main is approx. 600m from the proposed site.

Waste Water Capacity 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.

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](#).
-

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	Roads Planning Service	
Officer Name, Post and Contact Details	Mark Payne Roads Planning Officer	mark.payne@scotborders.gov.uk 01835 825018
Date of reply	6 th June 2023	Consultee reference:
Planning Application Reference	23/00695/PPP	Case Officer: Euan Calvert
Applicant	Mr R And Mrs A Shanks	
Agent	Ferguson Planning	
Proposed Development	Erection of two dwellinghouses with access and associated works	
Site Location	Land East Of Buckletons Stichill Stables Kelso 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		
Key Issues (Bullet points)	<ul style="list-style-type: none"> • Access 	
Assessment	<p>I have concerns regarding the private access road(s) leading to the proposed site.</p> <p>Having visited site and used the existing access from the public B6364 at North Lodge, the road quickly becomes unsuitable for normal residential vehicles. Whilst on site, I witnessed occupants within the mentioned building group utilising the more easterly private road leading to the access with the B6364 at the telephone exchange, as the road surface was marginally better along this route. This road suffers from poor junction visibility where it meets the B6364.</p> <p>The private road leading west from Buckletons to Garden Cottage is impassable for normal residential vehicles and similarly, the road leading south west directly to Stichill quickly becomes unsuitable for all but 4x4 vehicles.</p> <p>In addition, any construction traffic using the proposed route would only help to further deteriorate the private access road in its current condition.</p> <p>Currently there are four dwellinghouses served by this private access road that were constructed post 1984, that are not conversions, replacements or change of use (Woodend House, Ardbeg, Highfield and Butler's Chase). Although Butler's chase was constructed on the site of the Old Stichill House, the house was previously demolished and the planning application was for the erection of a dwellinghouse, not replacement. As such, construction of two new dwellings would increase the number of properties being served by the private access road leading from North Lodge to a level greater than that which can be served by a private access (5 max) , as per the Council's Proposed Local Development Plan.</p>	

	Therefore, due to the ambiguity around access to the site and poor condition of the existing private access roads, I am unable to support this application as it stands.			
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 for refusal	The proposal does not meet the requirements of Policies PMD 2 and PMD 4 of the current Council Local Development Plan in that it does not benefit from appropriate and adequate access infrastructure for the level of development proposed.			

Signed: DJI

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Roads Planning Service		
Officer Name, Post and Contact Details	Alan Scott Senior Roads Planning Officer		ascott@scotborders.gov.uk 01835 826640
Date of reply	21 st September 2023	Consultee reference:	
Planning Application Reference	23/00695/PPP	Case Officer: Euan Calvert	
Applicant	Mr & Mrs Shanks		
Agent	Ferguson Planning		
Proposed Development	Erection of two dwellings		
Site Location	Land at Buckletons, Stichill. Kelso		
<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>			
Key Issues	<ul style="list-style-type: none"> Suitability of access 		
Assessment	<p>Further to our previous response to this proposal, can I clarify our reasons for recommending refusal. The current application is for two new dwellings. The access route already serves 4 dwellings which have been approved since 1984. The current Local Plan, via Policy IS6 (not IS4 as previously intimated) and Appendix 3, states that a maximum of 4 new dwellings which have been approved since 1984 can be served via a private access. Any more than that will require to be served by a public road.</p> <p>It is proposed to increase this number from 4 to 5 in the forthcoming Local Development Plan and whilst this has yet to be formally adopted, given there were no objections to this proposal during the formal consultation period, this number is now a material consideration for new applications received.</p> <p>As the current proposal for two dwellings (if approved) would take the “new” dwellings approved since 1984 to 6. This is above the threshold which can be served via a private access and there are no proposals included within the application to upgrade the access route to an adoptable standard. Even if there were, we would still have to consider if this is an appropriate place to have a level of development which requires a public road.</p> <p>Furthermore, the current condition of the access route is not suitable for the level of traffic this proposal would generate over and above the existing traffic. This is contrary to Policy PMD2 of the current Local Development Plan. Whilst a recent submission has intimated intended improvement works, these are not sufficient to bring the access route to a standard suitable for adoption.</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
Recommended Conditions	The development hereby proposed does not comply with Policies PMD2 and IS6 of the Councils current Local Development Plan in terms of suitability of access and level of development.		

Signed: MIP

From: ReduceReuseRecycle
Sent: 27 June 2023 16:49
To: Calvert, Euan
Cc: DCConsultees
Subject: RE: SBC 23/00695/PPP Land East Of Buckletons Stichill Stables Kelso Scottish Borders PLANNING CONSULTATION

Good afternoon

We would have no objections with the proposed site.

Kind regards

Olivia

Olivia Hogarth
Waste & Recycling Advisor
Scottish Borders Council
Telephone: 01835 826609
Email: reducereuserecycle@scotborders.gov.uk

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-----Original Message-----

From: ecalvert@scotborders.gov.uk <ecalvert@scotborders.gov.uk>
Sent: 27 June 2023 11:50
To: ReduceReuseRecycle <reducereuserecycle@scotborders.gov.uk>
Subject: SBC 23/00695/PPP Land East Of Buckletons Stichill Stables Kelso Scottish Borders PLANNING CONSULTATION

CAUTION: External Email

Please see attached. Please remember to e-mail the DCConsultees Mailbox to advise when you have inserted your reply into Idox

From: ReduceReuseRecycle
Sent: 28 June 2023 09:22
To: Calvert, Euan
Subject: RE: SBC 23/00695/PPP Land East Of Buckletons Stichill Stables Kelso Scottish Borders PLANNING CONSULTATION

Good Morning Euan,

The current bins are communal, a site visit would have to be carried out to check the bin capacity vs the number of properties. I am the aware that there was a hard stand put on the verge to stop the communal bins from sinking, if the current bins would not be adequate from the extra two houses the hard stand would have to be extended so we could fit in extra bins.

Kind regards

Olivia

Olivia Hogarth
Waste & Recycling Advisor
Scottish Borders Council
Telephone: 01835 826609
Email: reducereuserecycle@scotborders.gov.uk
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-----Original Message-----

From: Calvert, Euan <ECalvert@scotborders.gov.uk>
Sent: 27 June 2023 16:57
To: ReduceReuseRecycle <reducereuserecycle@scotborders.gov.uk>
Subject: RE: SBC 23/00695/PPP Land East Of Buckletons Stichill Stables Kelso Scottish Borders PLANNING CONSULTATION

Thank you Olivia,

Please can you confirm the proposed precise details for this application; I understand there is one point of collection at the edge of the public road for Lairdshill - at the North Lodge - <https://goo.gl/maps/HD2om2TXRFZADz3g6>

And you would expect this to be the location to present bins in this application?

Please can you confirm if the bins are communal or individual?

And finally whether an additional dwelling would change this?

Many thanks

Euan Calvert
Assistant Planning Officer (Development Management) Planning, Housing & Related Services Scottish Borders Council, Council Headquarters, Newtown St Boswells, MELROSE, TD6 0SA
Tel: 01835 826513 | ecalvert@scotborders.gov.uk

-----Original Message-----

From: ReduceReuseRecycle <reducereuserecycle@scotborders.gov.uk>
Sent: 27 June 2023 16:49
To: Calvert, Euan <ECalvert@scotborders.gov.uk>
Cc: DCConsultees <dconsultees@scotborders.gov.uk>
Subject: RE: SBC 23/00695/PPP Land East Of Buckletons Stichill Stables Kelso Scottish Borders PLANNING CONSULTATION

Good afternoon

We would have no objections with the proposed site.

Kind regards

Olivia

Olivia Hogarth
Waste & Recycling Advisor
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Telephone: 01835 826609
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-----Original Message-----

From: ecalvert@scotborders.gov.uk <ecalvert@scotborders.gov.uk>
Sent: 27 June 2023 11:50
To: ReduceReuseRecycle <reducereuserecycle@scotborders.gov.uk>
Subject: SBC 23/00695/PPP Land East Of Buckletons Stichill Stables Kelso Scottish Borders PLANNING CONSULTATION

CAUTION: External Email

Please see attached. Please remember to e-mail the DCConsultees Mailbox to advise when you have inserted your reply into Idox