

SCOTTISH BORDERS COUNCIL

**APPLICATION FOR PLANNING PERMISSION TO BE DETERMINED UNDER POWERS
DELEGATED TO THE HEAD OF PLANNING AND BUILDING STANDARDS**

PART III REPORT

REF : 08/02063/FUL

APPLICANT : Mr & Mrs M McCrave

AGENT : Sally Ruel Architect

DEVELOPMENT : Erection of dwellinghouse with integral garage

LOCATION: Site Of Old Stichill House
South West Of Lairds Hill
Stichill
Scottish Borders

TYPE : FUL Application

The site of Old Stichill House is situated to the north west of Stichill and accessed by an access track from the B6364 via Stichill Stables. The site was once occupied by a large mansion house which was demolished and all that remains is a section of wall and stair.

To the south is a modern dwellinghouse that replaced an existing bungalow (Green Bungalow) and to the north east is Lairdshill, a conversion of the outbuildings of the old mansion house into a dwellinghouse and a new dwellinghouse, both completed and occupied.

The proposal is to erect a two storey dwellinghouse on the site. This would have five bedrooms and an integral garage. It would be constructed of blockwork with a rendered finish and would have timber windows and a slate roof. The house would be accessed from the existing access track and two parking spaces and a turning area would be provided within the site.

No objections have been received from the Director of Technical Services.

The Director of Education advises that the site is located within the catchment area for Ednam Primary School and Kelso High School and will not be seeking a developer contribution towards the provision of infrastructure for the schools in the catchment area.

Environmental Health advises that no details have been provided as to the water supply that is to be used for the proposal. With this in mind, it is known that there are some properties in the vicinity of the proposals that are served by the public water mains supply network and some that are, or used to be, served by a private water supply. If the supply is to be a private supply details of the quality and quantity of the supply and impact on existing properties are required.

The Council's Access Officer advises that there is one Right of Way on this area of land. Rights of Way are protected by law under the Countryside (Scotland) Act 1967.

Ednam, Stichill and Berry Moss Community Council has no objections to the proposal and no other representations have been received.

Planning permission was granted in 2006 for the erection of a dwellinghouse on this site. At that time no building group existed in this location and so the proposal was to rebuild part of the butlers quarters of the mansion house. It was considered that this proposal complied with the rebuilding section of policy D2 of the Finalised Local Plan.

Since that time planning permission was granted for the house to the north east of Lairdshill. Therefore, three houses exist in this location and so a building group exists. It is considered that the site is well related to the other properties in the group, being an infill site. The proposal therefore complies with policy D2 – Building Groups of the Scottish Borders Local Plan Adopted 2008.

The design of the proposed dwellinghouse is considered to be acceptable in this location and is similar to the new house to the north east of Lairdshill. The proposed dwellinghouse would have rendered walls and a natural slate roof, also in keeping with the new house to the north east. It is considered that the proposal would not be unduly prominent in the landscape nor harm the visual amenities of the area.

The proposed dwellinghouse would be some distance from Green Bungalow to the south and Lairdshill to the north east and so the residential amenities of occupiers of these properties would not be affected by the proposal.

The Director of Education has advised that no contributions are required towards education facilities in the area and so no developer contributions are required.

REASON FOR DELAY:

No delay.

Recommendation by - Mrs Julie Hayward (Principal Planning Officer) on 6th February 2009.

Recommendation:

Approve subject to:

1. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of the materials to be used in the construction of the external walls and roofs of the buildings have been submitted to and approved in writing by the Planning Authority, and thereafter no development shall take place except in strict accordance with those details.
Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
2. The roofing material to be natural slate.
Reason: To safeguard the visual amenity of the area.
3. The proposed development shall incorporate measures to maximise the efficient use of energy and resources, and the incorporation of sustainable building techniques and renewable energy technologies, in accordance with a scheme of details that shall first have been submitted to and approved in writing by the Planning Authority.
Reason: To minimise the environmental impact of the development.
4. The access track from the entrance at the site along its length as far as the junction with Stichill Stables to be improved with blinding material and surfacing appropriate for use by domestic vehicles, with the specification submitted for approval by the Planning Authority,

and the work carried out in full prior to occupation of the dwellinghouse, unless otherwise agreed with the Planning Authority.

Reason: In the interests of road safety.

5. The vehicular access to the site and the on-site parking and turning for two vehicles, excluding garages, must be provided before the dwellinghouse is occupied and retained in perpetuity.

Reason: In the interests of road safety.

6. Details of all proposed means of enclosure around the site shall be submitted to and approved in writing by the Planning Authority before work on the site is commenced. The development then to be implemented in accordance with the approved scheme.

Reason: To enable the proper effective assimilation of the development into its wider surroundings.

7. No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include:

- i. indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration
- ii. location of new trees, shrubs, hedges and grassed areas
- iii. schedule of plants to comprise species, plant sizes and proposed numbers/density
- iv. programme for completion and subsequent maintenance.

Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.

8. None of the trees to be within the application site shall be felled, lopped, lifted or disturbed in any way without the prior consent of the Planning Authority.

Reason: The existing trees represent an important visual feature which the Planning Authority considered should be substantially maintained.

9. Before any part of the permitted development is commenced, the trees to be retained on the site shall be protected by a chestnut paling fence 1.5 metres high, placed at a minimum radius of one metre beyond the crown spread of each tree, and the fencing shall be removed only when the development has been completed. During the period of construction of the development:

- (a) No excavations, site works, trenches or channels shall be cut, or pipes or services laid in such a way as to cause damage or injury to the trees by interference with their root structure;
- (b) No fires shall be lit within the spread of the branches of the trees;
- (c) No materials or equipment shall be stored within the spread of the branches of the trees;
- (d) Any accidental damage to the trees shall be cleared back to undamaged wood and be treated with a preservative if appropriate;
- (e) Ground levels within the spread of the branches of the trees shall not be raised or lowered in relation to the existing ground level, or trenches excavated except in accordance with details shown on the approved plans.

Reason: In the interests of preserving the health and vitality of existing trees on the development site, the loss of which would have an adverse effect on the visual amenity of the area.

10. Details of the means of surface water drainage to be submitted to and approved by the Planning Authority before the development is commenced. The development then to be completed in respect of the approved scheme.
Reason: To ensure that the site is adequately serviced.
11. The means of water supply to be submitted to and approved by the Planning Authority before the development is commenced. If the water supply is to be a private supply a report by a qualified person is to be submitted to the Planning Authority containing information on the quantity and quality of the private water supply to serve the proposed dwellinghouse and the impact of the proposal on the water supply to existing properties. The development then to be completed in accordance with the approved scheme.
Reason: To ensure that the site is adequately serviced.
12. The right of way on the south east boundary of the site to be kept open and free from obstruction or encroachment during the construction of the dwellinghouse and thereafter. This right of way should not to form part of the curtilage of the dwellinghouse and should not be stopped up or obstructed during or after development.
Reason: To ensure the right of way remains open and free from obstruction.

Informatives:

In respect of condition 7, the planting scheme to include a hedge of native species along the boundaries of the site.

In respect of condition 10, the Planning Authority normally requires that drainage complies with sustainable urban drainage system guidance (SUDS). The Planning Authority will only consider alternative arrangements where SUDS is not appropriate. Advice on the most appropriate drainage system can be obtained from Scottish Water.

The consultation response from the Council's Environmental Health Department is attached for the information of the applicant.