

Application Comments for 15/01323/FUL

Application Summary

Application Number: 15/01323/FUL

Address: Land North East Of The Cottage Lauder Barns Lauder Scottish Borders

Proposal: Erection of dwellinghouse

Case Officer: Stuart Herkes

Customer Details

Name: Mrs Anne Hogarth

Address: Mosshouses C65 C77 At Langshaw To C76 At Clackmae, Galashiels, Scottish Borders
TD1 2PG

Comment Details

Commenter Type: Community Council

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: We have studied a planning application on this site previously. LCC realise there are contamination issues but are not qualified to comment. We have, up to date, had a negative comment on this application from a neighbour.

Transport Scotland

Trunk Road and Bus Operations (TRBO)
Network Operations - Development Management



Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997
The Town and Country Planning (Development Management Procedure)
(Scotland) Regulations 2013 S.I.2013 No 155 (S.25)

Town and Country Planning (Notification of Applications) (Scotland) Direction 2009

To Scottish Borders Council	Council Reference:-	15/01323/FUL
	TS TRBO Reference:	SE/106/2015

Application made by Angela Fairbairn per Andrew McCafferty Associates, Burn House, Collessie, Auchtermuchty, Cupar, KY15 7RQ and received by Transport Scotland on 04 November 2015 for planning permission for erection of dwellinghouse located at Land north east of The Cottage, Lauder Barns, Lauder affecting the A68 Trunk Road.

Director, Trunk Roads Network Management Advice

1. The Director does not propose to advise against the granting of permission
2. The Director advises that planning permission be refused (see overleaf for reasons).
3. The Director advises that the conditions shown overleaf be attached to any permission the council may give (see overleaf for reasons).

To obtain permission to work within the trunk road boundary, contact the Route Manager through the general contact number below. The Operating Company has responsibility for co-ordination and supervision of works and after permission has been granted it is the developer's contractor's responsibility to liaise with the Operating Company during the construction period to ensure all necessary permissions are obtained.

TS Contact:-

Route Manager (A68) 0141 272 7100 Network South, Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
SOUTH EAST
6a Dryden Road, Bilston Glen Industrial Estate, Loanhead, Edinburgh, EH20 9LZ
0800 0420188
OCCR.SESCOTLAND@amey.co.uk

Operating Company:-

Address:-

Telephone Number:-

e-mail address:-

CONDITIONS to be attached to any permission the council may give:-

1	The width of the access shall be at least 5.5 metres wide for a distance of 5 metres from the nearest edge of the trunk road carriageway
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REASON(S) for Conditions (numbered as above):-

1	To ensure that the access is wide enough to allow vehicles to enter and exit the access at the same time without conflict
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ADVISORY NOTES (to be passed to applicant):-

The applicant should be informed that the granting of planning consent does not carry with it the right to carry out works within the trunk road boundary and that permission must be granted by Transport Scotland Trunk Road and Bus Operations. Where any works are required on the trunk road, contact details are provided on Transport Scotland's response to the planning authority which is available on the Council's planning portal

Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation

Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.

Transport Scotland Response Date:-	13-Nov-2015
Transport Scotland Contact:-	Fred Abercrombie
Transport Scotland Contact Details:-	Trunk Road and Bus Operations, Network Operations - Development Management Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF Telephone Number: 0141 272 7382 e-mail: development_management@transportscotland.gsi.gov.uk

NB - Planning etc. (Scotland) Act 2006

Planning Authorities are requested to provide Transport Scotland, Trunk Road and Bus Operations, Network Operations - Development Management with a copy of the decision notice, and notify Transport Scotland, Trunk Roads Network Management Directorate if the recommended advice is not accepted.

REGULATORY SERVICES



To: **Development Management Service**
FAO S.HERKES

Date: 4/12/15

From: **Roads Planning Service**
Contact: **John Frater**

Ext: 5137

Ref: 15/01323/FUL

Subject: ERECTION OF DWELLINGHOUSE
LAUDER BARNS - LAUDER

I concur with the views of Transport Scotland regarding the junction onto the A68. Within the site there is ample provision for parking and turning.

No roads objections.

JAF

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	15/01323/FUL
Uniform Ref	15/02069/PLANCO
Proposal	Erection of dwellinghouse
Address	Land North East Of The Cottage , Lauder Barns, Lauder
Date	23/11/2015
Amenity and Pollution Officer	Mary Rose Fitzgerald
Contaminated Land Officer	Gareth Stewart

Amenity and Pollution

Assessment of Application

The proposal includes the installation of an air source heat pump. Consideration should be give to the location of the pump so as to avoid noise issues at neighbouring properties. Below I have proposed a condition for the heat pump.

Recommendation

Delete as appropriate – Agree with application in principle, subject to conditions / Further Information Required Before Application is Determined / Information to be Provided Before Work Commences (see conditions) / No Comment / Object /Informative Note

Contaminated land

Assessment of Application

The above application appears to be proposing the redevelopment of land which previously operated as mill pond which is understood to have been infilled. This land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose.

It is therefore recommended that planning permission should be granted on the condition that development is not permitted to start until a site investigation and risk assessment has been carried out, submitted and agreed upon by the Planning Authority.

Any requirement arising from this assessment for a remediation strategy and verification plan would become a condition of the planning consent, again to be submitted and agreed upon by the Planning Authority prior to development commencing.

The attached standard condition may be helpful in this respect

Recommendation

Delete as appropriate – Agree with application in principle, subject to conditions / Further Information Required Before Application is Determined / Information to be Provided Before Work Commences (see conditions) / No Comment / Object /Informative Note

Conditions

Any noise emitted by plant used on the premises will not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR 30 at all other times when measured within the nearest noise sensitive dwelling (windows can be open for ventilation). The noise emanating from any plant used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2

Reason To protect the residential amenity of nearby properties.

The Unit shall be maintained and serviced in accordance with the manufacturer's instructions so as to stay in compliance with the aforementioned noise limits.

Reason To protect the residential amenity of nearby properties.

Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. **No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.**

The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-

- a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council **prior to** addressing parts b, c, d, and, e of this condition.

and thereafter

- b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.
- c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).
- d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.
- e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, **shall be required by the Developer before any development hereby approved commences.** Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.