

Mr David Parkinson  
Ravensbourne  
Douglas Road  
Melrose  
TD6 9QT

**Please ask for:** Julie Hayward  
01835 825585  
**Our Ref:** 22/01283/PPP  
**Your Ref:**  
**E-Mail:** jhayward2@scotborders.gov.uk  
**Date:** 23rd January 2023

Dear Sir/Madam

**PLANNING APPLICATION AT Land South of Dundas Terrace Melrose**

**PROPOSED DEVELOPMENT:** Erection of dwellinghouse (renewal of planning permission 19/00101/PPP)

**APPLICANT:** Mr David Parkinson

Please find attached the decision notice for the above application.

Please read the schedule of conditions and any informative notes carefully.

Drawings can be found on the Planning pages of the Council website at <https://eplanning.scotborders.gov.uk/online-applications/> . Please see the requirement for notification of initiation and completion of development as well as for Street naming and numbering as appropriate.

It should be noted that before works commence, where applicable, all necessary consents should be obtained under the Building (Scotland) Act 2003. If you require any further information in this respect, please contact the relevant Building Standards Surveyor.

Yours faithfully

John Hayward

Planning & Development Standards Manager

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (as amended)**

**Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013**

**Application for Planning Permission**

**Reference : 22/01283/PPP**

**To : Mr David Parkinson Ravensbourne Douglas Road Melrose TD6 9QT**

With reference to your application validated on **19th August 2022** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

**Proposal : Erection of dwellinghouse (renewal of planning permission 19/00101/PPP)**

**at : Land South of Dundas Terrace Melrose**

Scottish Borders Council hereby **grant planning permission** in accordance with the approved plan(s) and the particulars given in the application and in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 (as amended), subject to the conditions attached to the following schedule for the reasons stated.

**Dated 19th October 2022  
Regulatory Services  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**John Hayward  
Planning & Development Standards Manager**

**APPLICATION REFERENCE : 22/01283/PPP**

**Schedule of Plans and Drawings Approved:**

Plan Ref	Plan Type	Plan Status
	Location Plan	Approved

**REASON FOR DECISION**

Subject to a legal agreement and compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

**SCHEDULE OF CONDITIONS**

- 1 No development shall commence until the details of the layout, siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site have been submitted to and approved in writing by the Planning Authority.  
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
- 2 Application for approval of matters specified in the conditions set out in this decision shall be made to the Planning Authority before whichever is the latest of the following:  
(a) the expiration of three years from the date of this permission, or  
(b) the expiration of six months from the date on which an earlier application for approval of matters specified in the conditions set out in this decision notice was refused or dismissed following an appeal.  
Only one application may be submitted under paragraph (b) of this condition, where such an application is made later than three years after the date of this consent.  
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 3 No development shall commence until all matters specified in conditions have, where required, been submitted to and approved in writing by the Planning Authority. Thereafter the development shall only take place except in strict accordance with the details so approved.  
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
- 4 The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the matters specified in the conditions set out in this decision.  
Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
- 5 Detailed drawings showing the following to be submitted with the first Approval of Matters Specified in Conditions application for approval in writing by the Planning Authority:

  - a) Existing and proposed levels of the site, the finished floor levels of all buildings and clearly identifiable datum points located outwith the site and sufficient for the purpose of establishing the heights of the existing and proposed levels;
  - b) Any retaining walls (position, height, materials);
  - c) Any walls, fences or gates (position, height, design, materials).

The development then to be completed in accordance with the approved drawings.

Reason: To achieve a satisfactory form of development that safeguards visual amenities.

- 6 A proportionate ecological impact assessment, including surveys of the site for bats and breeding birds and any required mitigation plans, to be submitted with the first Approval of Matters Specified in Conditions application for approval in writing by the Planning Authority. The surveys shall include any trees on the site to be felled and to be carried out and prepared by a suitably qualified person. The approved mitigation plans then to be implemented as part of the development, as required.  
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.
- 7 A tree survey and arboricultural impact assessment to be submitted with the first Approval of Matters Specified in Conditions application for approval in writing by the Planning Authority. This to include supporting plans identifying any trees proposed for removal and any tree works, replanting proposals (number, position, species, maintenance programme and a timescale for implementation) and tree protection measures for the construction phase (in accordance with BS 5837: 2012 Trees in relation to design, demolition and construction - Recommendations) as required. The tree protection measures to be implemented before the development commences and retained until completion of the development. The development to be completed in accordance with the approved drawings and the planting to be completed and maintained as approved (as necessary).  
Reason: As the trees are worthy of retention and contribute to the visual amenities of the area.
- 8 A drawing showing the access to the site, parking, excluding garages, for a minimum of two vehicles within the curtilage of the site and a single adoptable parking bay to be formed within the curtilage of the site and/or the boundary of the existing public road, construction details and surfacing materials to be submitted with the first Approval of Matters Specified in Conditions application for approval in writing by the Planning Authority. The access and parking to be formed in accordance with the approved drawing before the dwellinghouse is occupied and be retained thereafter in perpetuity.  
Reason: To ensure the development hereby approved is served by an adequate level of parking and to ensure the development hereby approved does not have a detrimental impact on the parking available in the vicinity.
- 9 The gradient of the parking bays must be not greater than 1 in 15.  
Reason: To ensure the bays are useable and are not excessively steep.
- 10 A Construction Management Plan to be submitted with the first Approval of Matters Specified in Conditions application for approval in writing by the Planning Authority. This shall include arrangements for ensuring supervision of large vehicle (circa 6 metres length) access and egress to and from the site, management of other site traffic (parking and turning), management of deliveries to the site, management of any excavations of the public road for the installation of services and management and storage of all plant, equipment and materials on the site during the construction period. The development shall only be implemented in accordance with the approved plan.  
Reason: To ensure the construction does not cause an issue for adjacent road users.
- 11 The means of water supply and of surface water and foul water drainage to be submitted with the first Approval of Matters Specified in Conditions application for approval in writing by the Planning Authority. The water supply and foul and surface water drainage then to be installed as approved and be operational before the dwellinghouse is occupied.  
Reason: To ensure that the site is adequately serviced.

## FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

1. In respect of conditions 8 and 9, the parking bays should be a minimum of 2.5m x 5m in size. These dimensions may have to increase depending on any boundary feature (such as walls) which are adjacent to the bays and the proposed location of the bays.

The parking bays should be constructed using a sealed surface to ensure debris is not dragged on to the adjacent public road to the detriment of users, particularly when considering the likely parking arrangement.

The single parking bay will be adopted as part of the public road network upon its completion. The minimum specification for its construction should be a 40mm layer of 14mm size close graded bituminous surface course to BS 4987 laid on a 100mm layer of 28mm size dense base (roadbase) to the same BS laid on a 310mm layer of 100mm broken stone bottoming blinded with sub-base, type 1.

All work within the public road boundary, and prospectively adoptable work, must be carried out by a contractor first approved by the Council.

2. In respect of condition 11, Scottish Water advises that there is currently sufficient capacity in the Howden Water Treatment Works to service the development. This proposed development will be serviced by Melrose Waste Water Treatment Works. Unfortunately, Scottish Water is unable to confirm capacity currently so to allow them to fully appraise the proposals they suggest that the applicant completes a Pre-Development Enquiry (PDE) Form and submits it directly to Scottish Water. For reasons of sustainability and to protect their customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

### **Notice of Initiation of Development**

Section 27 of the Town and Country Planning (Scotland) Act 1997 (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable. A form is available on the Council's website for this purpose.

### **Notice of Completion of Development**

Section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended) requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD

Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA

Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU

British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND

Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA

Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL

BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH

THUS, Susiephone Department, 4<sup>th</sup> Floor, 75 Waterloo Street, Glasgow, G2 7BD

Susiephone System – **0800 800 333**

**There are a number of risks created by built over gas mains and services; these are:**

- Pipework loading – pipes are at risk from loads applied by the new structure and are more susceptible to interference damage.
- Gas entry into buildings – pipework proximity increases risk of gas entry in buildings. Leaks arising from previous external pipework able to track directly into main building from unsealed entry.
- Occupier safety – lack or no fire resistance of pipework, fittings, or meter installation. Means of escape could be impeded by an enclosed meter.

**Please note therefore, if you plan to dig, or carry out building work to a property, site, or public highway within our gas network, you must:**

1. Check your proposals against the information held at <https://www.lineearchbeforeudig.co.uk/> to assess any risk associated with your development **and**
2. Contact our Plant Protection team to let them know. Plant location enquiries must be made via email, but you can phone us with general plant protection queries. See our contact details below:

Phone 0800 912 1722 / Email [plantlocation@sgn.co.uk](mailto:plantlocation@sgn.co.uk)

**In the event of an overbuild on our gas network, the pipework must be altered, you may be temporarily disconnected, and your insurance may be invalidated.**

Further information on safe digging practices can be found here:

- Our free Damage Prevention e-Learning only takes 10-15 minutes to complete and highlights the importance of working safely near gas pipelines, giving clear guidance on what to do and who to contact before starting any work <https://www.sgn.co.uk/damage-prevention>

Further information can also be found here <https://www.sgn.co.uk/help-and-advice/digging-safely>

If you are in a Coal Authority Area (Carlops or Newcastleton), please contact the Coal Authority at the following address: The Coal Authority 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire NG18 4RG

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or

approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice.

The notice of review must be submitted on the standard form and addressed to the Clerk of The Local Review Body, Democratic Services, Scottish Borders Council, Council Headquarters, Newtown St Boswells, TD6 0SA or sent by email to [localreview@scotborders.gov.uk](mailto:localreview@scotborders.gov.uk). The standard form and guidance notes can be found online at [Appeal a Planning Decision](#). Appeals to the Local Review Body can also be made via the Scottish Government Planning and Environmental Appeals Division by clicking on the following link [PEAD](#)

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).