



Newtown St Boswells Melrose TD6 0SA Tel: 01835 825251 Fax: 01835 825071 Email: [ITSystemAdmin@scotborders.gov.uk](mailto:ITSystemAdmin@scotborders.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100048598-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Ferguson Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Tim	Building Name:	Shiel House
Last Name: *	Ferguson	Building Number:	54
Telephone Number: *	01896 668 744	Address 1 (Street): *	Island Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Galashiels
Fax Number:		Country: *	UK
		Postcode: *	TD1 1NU
Email Address: *	tim@fergusonplanning.co.uk		

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="C/O"/>
First Name: *	<input type="text" value="Sandra"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Newton"/>	Address 1 (Street): *	<input type="text" value="Shiel House"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="54 Island Street"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Galashiels"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="TD1 1NU"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Scottish Borders Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="650968"/>	Easting	<input type="text" value="315771"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

The construction of two new residential properties with associated access and parking provision

## Type of Application

What type of application did you submit to the planning authority? \*

- ☐ Application for planning permission (including householder application but excluding application to work minerals).
- ☒ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Refer to Statement of Appeal

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

1. Appeal Form 2. Statement of Appeal 3. Planning Application Form 4. Supporting Statement 5.  
Location and Site Plan 6. Report of Handling 7. Decision Notice 8. Report of Handling for Application  
13/00300/FUL

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

17/00044/PPP

What date was the application submitted to the planning authority? \*

19/01/2017

What date was the decision issued by the planning authority? \*

06/03/2017

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Ferguson Planning Tim Ferguson

Declaration Date: 03/05/2017



LOCAL REVIEW BODY - STATEMENT OF APPEAL

ERECTION OF TWO DWELLINGHOUSES

(17/00044/PPP)

GARDEN GROUND OF WOODLANDS, BROOMLEE

MAINS, WEST LINTON

CLIENT: MRS SANDRA NEWTON

MAY 2017

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Shiel House  
54 Island Street  
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**NI Office:**  
61 Moyle Road  
Ballycastle  
Co. Antrim  
BT54 6LG



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## **1. Introduction**

- 1.1 This statement of appeal has been prepared by Ferguson Planning on behalf of the client, Mrs Sandra Newton, who seeks to erect two dwellinghouses on her land at Broomlee Mains, West Linton.
- 1.2 The related planning application (17/00044/PPP) was lodged on 19<sup>th</sup> January 2017 with a decision, via delegated powers, to refuse the application received on 6<sup>th</sup> March 2017. As such, we now seek to appeal the decision via the Local Review Body.
- 1.3 This statement responds to the reason for refusal and, where appropriate, cross referring to the delegated officer's report, Local Development Plan and material considerations. The relevant appeal documentation is listed within Appendix 1.

## 2. Reason for Refusal

2.1 Within the Decision Notice there was a single reason for refusal that being:

**"The proposal for a dwellinghouse at this location is contrary to Scottish Borders Local Development Plan Policy HD2 Housing in the Countryside and Supplementary Planning Guidance New Housing in the Borders Countryside as the site is not located within a building group of three or more houses and there are no overriding, economic needs or benefits to the local community that would justify approval. The site would not have a satisfactory relationship to any existing building group or contained sense of place at this location."**

### **Representations**

2.2 There were a total of 5 representations to the proposal.

2.3 **Archaeology or Environmental Health** have outlined no objections to the proposal.

2.4 **West Linton Community Council** does not support the proposal as they feel the building group is complete and any further development would represent overdevelopment. They feel that the D111-4 road is too narrow for the additional traffic.

2.5 **Roads Planning Service** has no objections in principle. They have raised a number of points that could be conditioned and be incorporated into any final design. They note that the road linking the B7059 and the development site (D111-4) is adopted and is of "a sufficient standard to accommodate the additional traffic".

### 3. Planning Context

#### Site Context

- 3.1 The site is situated at Broomlee Mains to the south east of West Linton. It is located between Woodlands Farmhouse and Broomlee Mains Court (converted steadings) and within an existing building group of ten dwellings. The site is accessed by an established two lane road (D111-4) from Station Road which also accesses Woodlands Farmhouse and the converted steading residential development. The plot itself is former garden ground of Woodlands Mains Farmhouse.
- 3.2 There have been no additions to the building group within the current plan period. An application for the erection of a dwellinghouse to the west of Woodlands Farmhouse was recommended for approval in 2016 but the applicant withdrew the application before it was determined.

#### Related Planning Policy

- 3.3 Within the 'Report of Handling' the Planning Officer has focussed the determination of the application on **Policy HD2 Housing in the Countryside**, **Policy HD3 Protection of Residential Amenity**, **PMD2 Quality Standards** and **Supplementary Guidance New Housing in the Borders Countryside**.
- 3.4 Policy HD2 (A) Building Groups states:
- Housing of up to a total of 2 additional dwellings or a 30% increase of the building group, whichever is the greater, associated with existing building groups may be approved provided that:*
- a) The council is satisfied that the site is well related to an existing group of at least three houses or buildings currently in residential use*
  - b) The cumulative impact of new development of the character of the building group, and on the landscape and amenity of the surrounding area will be taken into account when determining new applications*
  - c) Any consents for new builds should not exceed two housing dwellings or a 30% increase in addition to the group during the Plan period*
- 3.5 Policy HD3 aims to protect the amenity of both existing established residential areas and proposed new housing developments. This policy applies to areas "where the predominant use is residential".
- 3.6 Policy PMD2 aims to ensure that all new housing development is of a high quality and respects the environment in which it will be contained. Development should not negatively impact on the existing buildings, or surrounding landscape and visual amenity of the area.

- 3.7 Any housing in the countryside proposal also requires to meet the Supplementary Planning Guidance New Housing in the Borders Countryside. Section 2.b. (page 10) of this document states that:

*"the existence of a group will be identifiable by a sense of place which will be contributed by natural boundaries such as water courses, trees or enclosing landform or man-made boundaries such as existing buildings. Roads, plantations or means of enclosure.*

*Sites should not normally break into previously undeveloped fields, particularly where there exists a definable natural boundary between the existing group and the field. Natural boundaries should take precedence over man-made boundaries when defining the extent of a building group".*

### **Material Consideration**

- 3.8 A further material consideration in the determination of this appeal is the application for the erection of a dwellinghouse (Ref: 13/00300/FUL) also within the garden grounds of Woodlands. The applicant withdrew the application due to personal reasons after the council approved planning permission in April 2016. The council stated that "although not within the Broomlee Main Steading development, Woodlands Farmhouse and the old Broomlee Mains Farmhouse were considered as the original building group together with converted buildings which allowed the building group to expand northwards. The houses all share the same access road from Station Road. Therefore it is considered that Woodlands Farmhouse is part of this building group".
- 3.9 A copy of the officer's report for this application forms part of our appeal documents as listed in Appendix 1.

## 4. Grounds of Appeal

### Reason for Refusal

- 4.1 The reason for refusing the application is outlined in chapter 2. It centres on the belief that the application fails to comply with Policy HD2 of the Scottish Borders Local Development Plan 2016 in that the site in question does not form part of any existing building group.
- 4.2 Our response to the reason for refusal forms the Grounds of Appeal and which are now listed below.

### Grounds of Appeal (GOA)

#### GOA 1

- 4.3 We believe that there is not a full understanding of the geography and history of the wider site at Broomlee Mains and feel that the basis on refusing this application is because of the incorrect interpretation of the original building group.
- 4.4 The report of handling suggests that the building group only consists of the Broomlee Mains steading/courtyard, *"comprising of at least 8 properties formed in a courtyard style"*. It also states that *"Woodlands Farm House is separated from the building group by agricultural land, an access road, field access track plus mature boundary planting"*.
- 4.5 We would like to draw attention to the officer's report for application 13/00300/FUL. This states that Woodlands Farmhouse (the west property that directly abuts the application site) and the old Broomlee Mains Farmhouse (closest property to the north) were **"considered as the original building group together with converted buildings which allowed the building group to expand northwards"**.
- 4.6 To us the subject site represents a natural infill opportunity between the Woodlands property and the remaining cluster of dwellings. The site is contained within an existing fence line and does not break into open farmland.

#### GOA 2

- 4.7 The site in question does form part of the wider existing building group of ten dwellings and as a result should be assessed against Policy HD2 on this basis.
- 4.8 We believe that the proposal for the two dwellings in this location is in accordance with Policy HD2 (A) as the building group has not been extended during this plan period and represents a 16% increase which is well below the threshold (Criterion C).

### GOA 3

- 4.9 We would strongly challenge the assertion that the site in question would *"not have a satisfactory relationship to any existing building group or contained sense of place at this location"*.
- 4.10 It is clear when one comes off the B7059 (Station Road) onto the D111-4 that Woodlands Farmhouse on the right is the start of the building group with the remainder tucked into the rear within the steading. We consider that the Broomfield dwelling forms part of this with the subject site forming an infill which would go largely unnoticed on the main approach.
- 4.11 All of these properties are accessed off the D111-4 and clearly operate as one building group and overall sense of place. All of which is contained within a defined and existing fence line.

### GOA 4

- 4.12 The officer's conclusion that the site has no satisfactory relationship to any existing building group or contained sense of place at this location due to it being *"separated by agricultural land and an access road"*.
- 4.13 Section 2.b.1 of Supplementary Guidance 'New Housing in the Borders Countryside' clearly states that sites should not *"normally break into previously undeveloped fields, particularly where there exists a definable natural boundary between the existing group and field"*.
- 4.14 The site in question is former garden land of the Woodlands Farm House and is not prime agricultural land. It therefore does not represent an undeveloped field or break into one for that matter.
- 4.15 A defined and existing defensible boundary exists. The core focus should not be simply about an existing road when other defensible boundaries exist and, in this case, where there is a dwelling that neighbours and is located on the opposite side of the access road. The focus should be on the grouping and not whether it is north or south of the road as ribbon development on one side of a road is again generally discouraged.

### GOA 5

- 4.16 The southern boundary of the proposed plots is a continuation of the southern boundary of the existing Woodlands Farm House and ensures a defensible boundary is present.
- 4.17 The applicant has acknowledged to further strengthen this existing defensible boundary she is willing to move the fence line (under her ownership) closer to the southern boundary of the site and commit to plant beech hedging along this line.
- 4.18 In our view this provides an appropriate boundary treatment and ensures an attractive edge to the site which further helps it to integrate it with the surrounding existing group. An indication of the landscape/defensible boundary is shown below in Appendix 2 and in Appeal Document 5.

## **GOA 6**

- 4.19 The informal 'paddock' area between the proposed dwellings and the Old Broomlee Mains Farmhouse will remain and potentially landscaped in future months.

## **GOA 7**

- 4.20 The proposed houses form and design will be of the highest quality, reflect the semi-rural location and ensure it will establish itself within the steading housing development.
- 4.21 The plots are also sufficient distance from the steading properties to ensure no adverse effect on the amenity of the existing residencies. They are of a scale, massing, height and density suitable to its surroundings and the southern boundary proposed beech hedging ensures an attractive edge which further contains the site within the building group.

## **GOA 8**

- 4.22 The access point will be taken from the principle access before the existing steading development and thus ensures no increased traffic entering the steading development.
- 4.23 The Roads Department of the Council note that this access road is adopted and is of "a sufficient standard to accommodate the additional traffic".

## **GOA 9**

- 4.24 There will be no adverse effect on the amenity of the neighbouring dwellings in terms of overlooking, loss of privacy or sunlight and will not result in a significant increase in traffic.

## **GOA 10**

- 4.25 This development is not extending the building group beyond its existing boundary, which is identified in the officer's report for application 13/00300/FUL as Woodlands Farmhouse. In fact this approved dwelling was further away from the current steading group. The subject site will relate well to the existing building group and will not result in a loss of prime agricultural land.

## **GOA 11**

- 4.26 The applicant is willing to enter into a Section 75 agreement regarding the contribution requirements towards Education and Lifelong Learning and Affordable Housing.

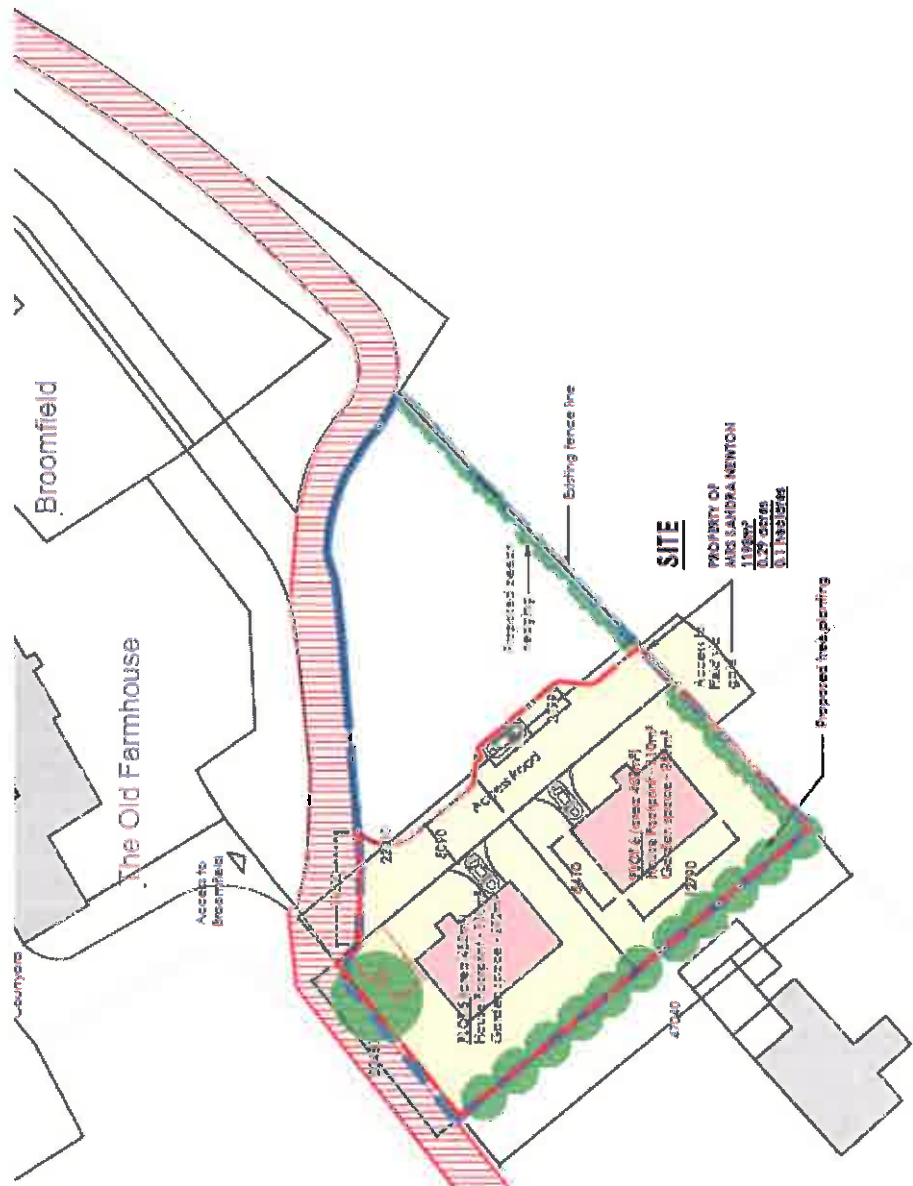
## 5. Conclusion

- 5.1 We believe the subject site is a sound location for the proposed dwellinghouses for the reasons outlined in our Grounds of Appeal.
- 5.2 This application was refused on the basis that it was considered that the site was outwith the existing Broomlee Mains Courtyard and thus not part of the building group.
- 5.3 However, as stated within the officer's report for application 13/00300/FUL, Woodlands Farmhouse and the Old Broomlee Mains Farmhouse are considered the original building group. As our proposal falls between these two dwellings we feel that this proposal is a form of infill development and thus complies with Policy HD2 and HD3.
- 5.4 Furthermore, the proposal complies with Policy PMD4. There will be no adverse effect on the amenity of the neighbouring dwellings in terms of overlooking, loss of privacy or sunlight and will not result in a significant increase in traffic.
- 5.5 The addition of the proposed dwellings will not extend the existing building group. The plots relate well to the existing building group and will further integrate the Broomfield property into the building group as a whole.
- 5.6 The southern boundary of the proposed plots is a continuation of the southern boundary of Woodlands Farm House and ensures a defensible boundary is present. The existing fence line will be moved to this line with further beech hedging to strengthen this defensible boundary.
- 5.7 The Roads Department has no objections to the proposal and note the access road is adopted and is of *"a sufficient standard to accommodate the additional traffic"*.
- 5.8 We therefore respectfully request that this appeal be allowed.



## **Appendix 1: Appeal Document List**

1. Appeal Form
2. Statement of Appeal
3. Planning Application Form
4. Supporting Statement
5. Location and Site Plan
6. Report of Handling
7. Decision Notice
8. Report of Handling for Application 13/00300/FUL





Newtown St Boswells Melrose TD6 0SA Tel: 01835 825251 Fax: 01835 825071 Email: [ITSystemAdmin@scotborders.gov.uk](mailto:ITSystemAdmin@scotborders.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100036383-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Construct two new residential properties with associated access and parking provision.

Is this a temporary permission? \*

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*

☐ Yes ☒ No

Has the work already been started and/or completed? \*

☒ No ☐ Yes – Started ☐ Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	D2 Architectural Design Ltd.		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	David	Building Name:	
Last Name: *	Ingram	Building Number:	9
Telephone Number: *	01315615114	Address 1 (Street): *	Eskbank Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Dalkeith
Fax Number:		Country: *	Scotland
		Postcode: *	EH22 1HD
Email Address: *	dingram@d2architecturaldesign.co.uk		

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Whinstane House
First Name: *	Sandra	Building Number:	
Last Name: *	Newton	Address 1 (Street): *	Station Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	West Linton
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	EH46 7BT
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

Scottish Borders Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

650970

Easting

315772

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☒ Yes ☐ No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

☐ Meeting ☐ Telephone ☐ Letter ☒ Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

In conclusion whilst the proposal complies with some aspects of the current policies, there would need to be a supporting statement submitted with any application to demonstrate that the new dwellings have an acceptable relationship with the building group. For clarification I consider that Woodlands Farmhouse does not form part of the building group.

Title:

Mr

Other title:

First Name:

Dorothy

Last Name:

Amyes

Correspondence Reference Number:

Date (dd/mm/yyyy):

30/11/2016

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

1271.00

Please state the measurement type used:

☐

Hectares (ha)

☒

Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Greenfield site

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

☒

Yes

☐

No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

☐

Yes

☒

No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

☒

Yes

☐

No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

☐

Yes – connecting to public drainage network

☒

No – proposing to make private drainage arrangements

☐

Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? \*

☐

New/Altered septic tank.

☒

Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).

☐

Other private drainage arrangement (such as chemical toilets or composting toilets).

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: \*

This application is for planning permission in principle therefore the details of this as yet have not been fully determined . It is proposed to likely discharge to a biodisc treatment plant.

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

☒ Yes ☐ No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

- ☒ Yes  
☐ No, using a private water supply  
☐ No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

☐ Yes ☒ No ☐ Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

☐ Yes ☒ No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 \*

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

☐ Yes ☒ No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

☒ Yes ☐ No

Is any of the land part of an agricultural holding? \*

☐ Yes ☒ No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: David Ingram

On behalf of: Mrs Sandra Newton

Date: 12/01/2017

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

☐ Yes ☐ No ☒ Not applicable to this application



Town and Country Planning (Scotland) Act 1997

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

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.  
☐ Elevations.  
☐ Floor plans.  
☐ Cross sections.  
☐ Roof plan.  
☐ Master Plan/Framework Plan.  
☐ Landscape plan.  
☒ Photographs and/or photomontages.  
☐ Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☒ Yes ☐ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). \*

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☐ Yes ☒ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement. \*

☐ Yes ☒ N/A

Other Statements (please specify) (Max 500 characters)

## **Declare – For Application to Planning Authority**

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr David Logan

Declaration Date: 12/01/2017

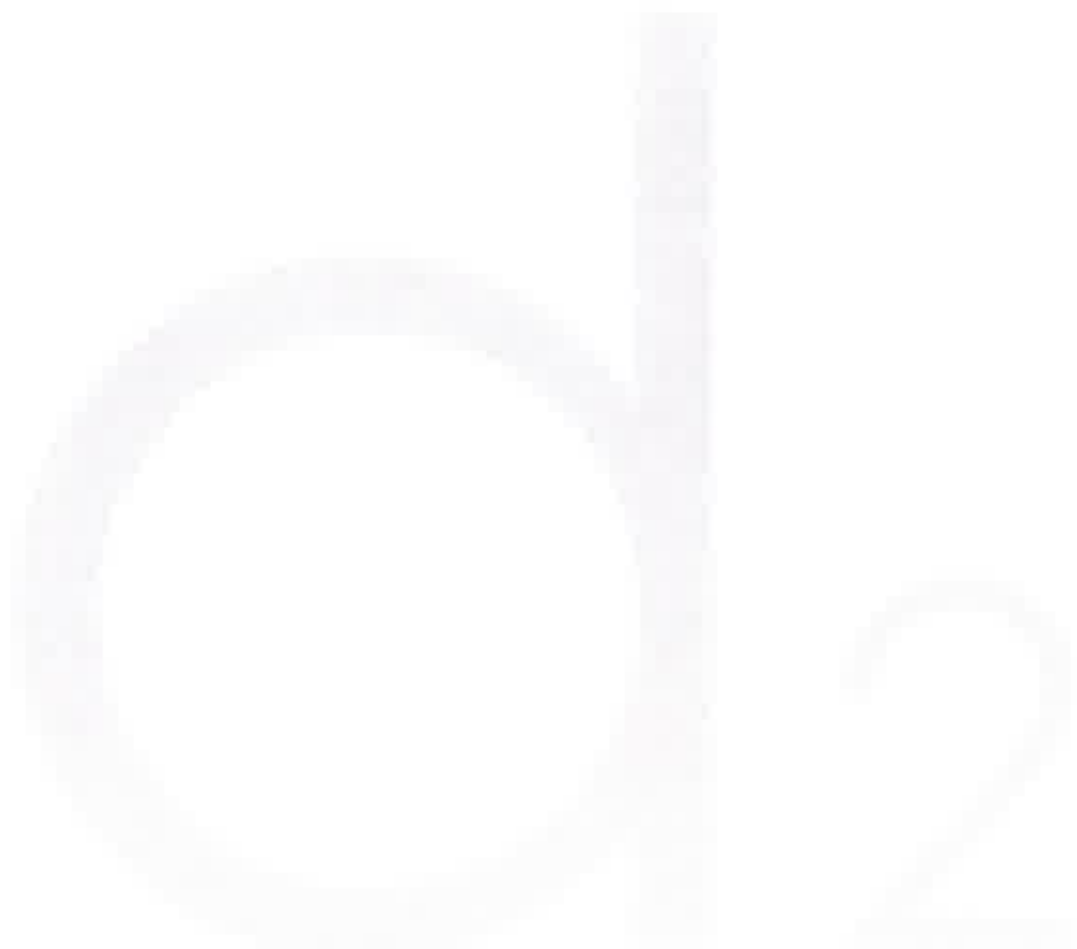
## **Payment Details**

Cheque: Sandra Newton, 100309

Created: 12/01/2017 16:54

Proposed Houses (2 no.) at Land to North East of  
Woodlands Farmhouse, Off Station Road, West Linton.

## **Supporting Statement**



# **INDEX**

Introduction

Page 3

## **Scottish Borders Council Local Development Plan (LDP).**

### **POLICIES**

Policy HD2: Housing in the countryside

Page 5

*Key policies also referenced within:*

Policy PMD2: Quality Standards.

Policy ED10: Protection of agricultural land and carbon rich soils.

Policy HD1: Affordable and special needs housing.

Policy EP6: Countryside around towns.

## INTRODUCTION

Our client Mrs Sandra Newton seeks planning permission in principle for the erection of 2 no. dwelling houses at land located to the north east of Woodlands Farmhouse off Station Road. This is located on the southern outskirts of West Linton Village (See fig 1).

The site is accessed by an established two lane road from Station Road which accesses Woodlands Farmhouse and a converted steading residential development. The proposed site, Woodlands farmhouse and the steading development are surrounded by fields.

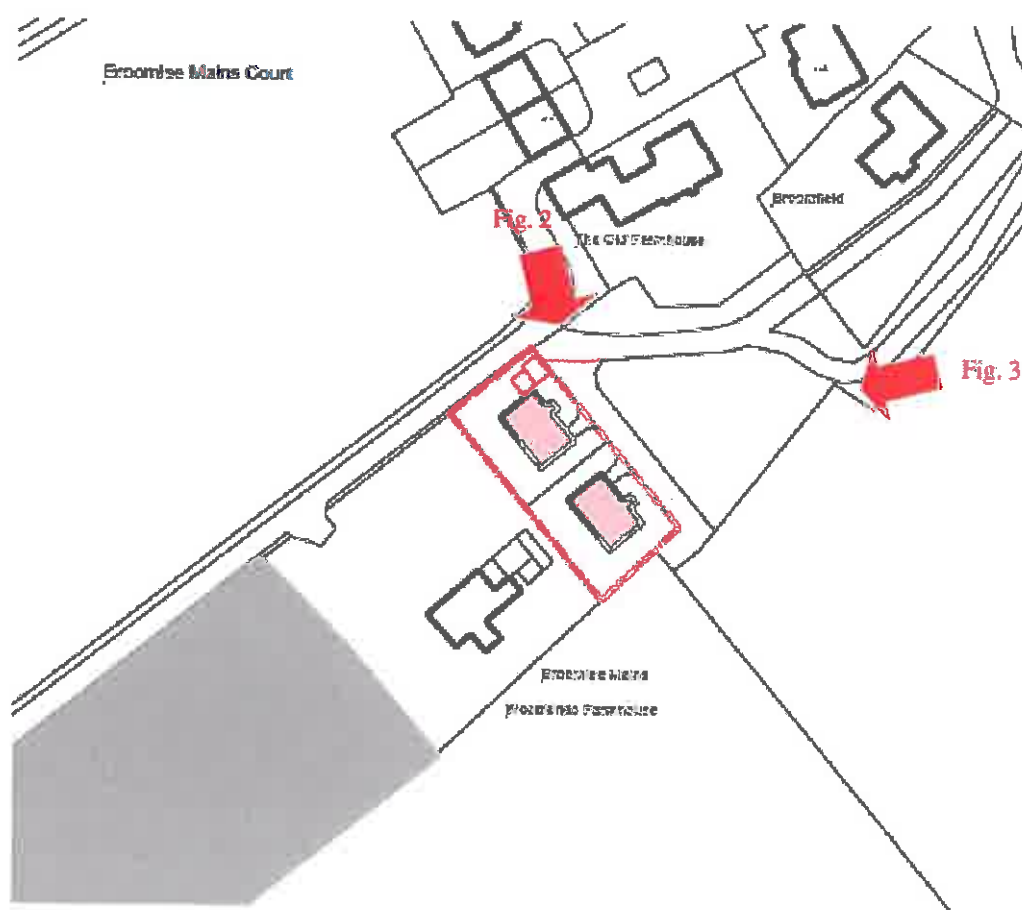


Fig. 1



Fig. 2



Fig. 3

## Scottish Borders Council Local Development Plan (LDP)

### POLICY HD2: HOUSING IN THE COUNTRYSIDE

The Council wishes to promote appropriate rural housing development:

- a) in village locations in preference to the open countryside where permission will only be granted in special circumstances on appropriate sites;
- b) associated with existing building groups where this does not adversely affect their character or that of the surrounding area; and
- c) in dispersed communities in the Southern Borders housing market area.

Three general principles in addition to the requirement for suitable roads access will be the starting point for the consideration of applications for housing in the countryside, which will be supplemented by Supplementary Planning Guidance / Supplementary Guidance on New Housing in the Borders Countryside and on Placemaking and Design.

#### (A) BUILDING GROUPS

Housing of up to a total of 2 additional dwellings or a 30% increase of the building group, whichever is the greater, associated with existing building groups may be approved provided that:

- a) the Council is satisfied that the site is well related to an existing group of at least three houses or buildings currently in residential use or capable of conversion to residential use. Where conversion is required to establish a cohesive group of at least three houses, no additional housing will be approved until such conversion has been implemented;
- b) the cumulative impact of new development on the character of the building group, and on the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts;
- c) any consents for new build granted under this part of this policy should not exceed two housing dwellings or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.

In addition, where a proposal for new development is to be supported, the proposal should be appropriate in scale, siting, design, access, and materials, and should be sympathetic to the character of the group.

The calculations on building group size are based on the existing number of housing units within the group at the start of the Local Development Plan period. This will include those units under construction or nearing completion at that point.

In response to the above policy we offer the following supporting information:

As mentioned, the proposed site is situated to the immediate south of a converted steading with associated additional new build housing comprising in total of nine established residential properties (see fig. 4). These properties were constructed in early 2000's. To the south west of the site lies Woodlands farmhouse, an Arts and Crafts style house which was constructed circa 1920's.

It has been established that due to the location of Woodlands Farmhouse and the nature of this independent dwelling that this does not form part of an established building group. The steading development north of the proposed site does however form an established residential building group. The two proposed dwellings fall both within the requirements of policy HD2 by not exceeding 2 no. proposed houses or indeed a 30% increase in the building group.

The existing steading development reflects a typical communal courtyard layout with the residences sited around the courtyard with access to each property from this central location. The private amenity/garden spaces are located the rear of the properties and outer perimeter of the development.

The residential property 'Broomfield' situated to the south east of the development (see fig. 5) forms an exception to the courtyard layout as this lies outwith the envelope of the courtyard and boasts an independent access also located outwith the development.

Parallel to the entrance to this property runs an access road under our client's ownership which accesses the land to the north and east of the steading development. This would also form the access to the two proposed residential properties as denoted on drawing PP01.

It is proposed to site the two houses towards the west of the site under our client's ownership to provide access to the properties from the existing established access point whilst also maintaining an easy access route to the field located to the south of the site via the current gate also located to the south east of the site.

The proposed house form and design will be reflective of those established within the steading housing development (see fig's 5-8) with finishes to match these properties. Taking into consideration the location of the proposed site, the development is situated a sufficient distance from the steading properties so that it will not have any adverse effect on the existing amenity of the residencies whilst also utilising and integrating into the existing established infrastructure. The access point will tail off from the principle access to the existing development thus meaning no increased traffic entering the steading development or additional parking requirement within.

The proposed parking requirements will be met by the provision of a minimum of one integral parking space to each property and a two communal parking space layby located immediately outside the two properties on the opposite roadside.

As mentioned previously, the existing steading development is primarily self-contained and as such contributes largely to its own sense of place. The residential property 'Broomfield' is located outwith the established steading/courtyard development however, from a combination of the positioning of the house, the design and scale and its overall context as a result, this would not appear to have any detrimental impact on the existing sense of place within the development.

The location of the two proposed houses draw upon the positioning of the property 'Broomfield' in order to expand upon the established sense of place. Broomfield's front elevation faces in a south easterly direction out onto the fields. Due to the nature of the steading layout, the properties to the north west side of the development also face in a south easterly direction with the two adjacent wings being at 90 degrees to this and the opposite wing facing onto these properties. The proposed development sites the two houses with a similar orientation to the south westerly wing of the steading development and perpendicular to the 'Broomfield' residence. This mimics the orientation of the steading development as well as working to the boundary of Woodlands Farm house to the south. It also replicates the 90 degree angle to the 'Broomfield' residence to avoid any potential increased loss of amenity to said property as this will be viewed from the side by the proposed development. The introduction of the additional proposed residences and associated infrastructure could be viewed as further integrating the 'Broomfield' residence into the building group as whole.

The access as mentioned will be via the principle access road to the steading development with a branch access road to the new properties which will incur minimal impact on the existing access. The volume of additional vehicular traffic going to and from the new properties will also have minimal impact on the traffic load and with the existing principle access road taking the form of an adopted two lane road; this should be able to absorb the additional traffic without any issue.

The proposed housing will also benefit from being sited within close proximity to West Linton village centre and all the local amenities on offer. West Linton village also provides a primary school educational facility.



It was also noted that planning permission was recommended for approval (pending a section 75 agreement) for a single residential dwelling within the curtilage of Woodlands farmhouse boundary in 2013. This would appear to perhaps constitute a precedent for development in this proximity when taking into consideration the policies of the local development plan HD2 discussed above in particular that the proposed residential property was in direct relation to the farmhouse. The farmhouse does not represent part of an established building group therefore perhaps could be viewed as constituting an isolated development.

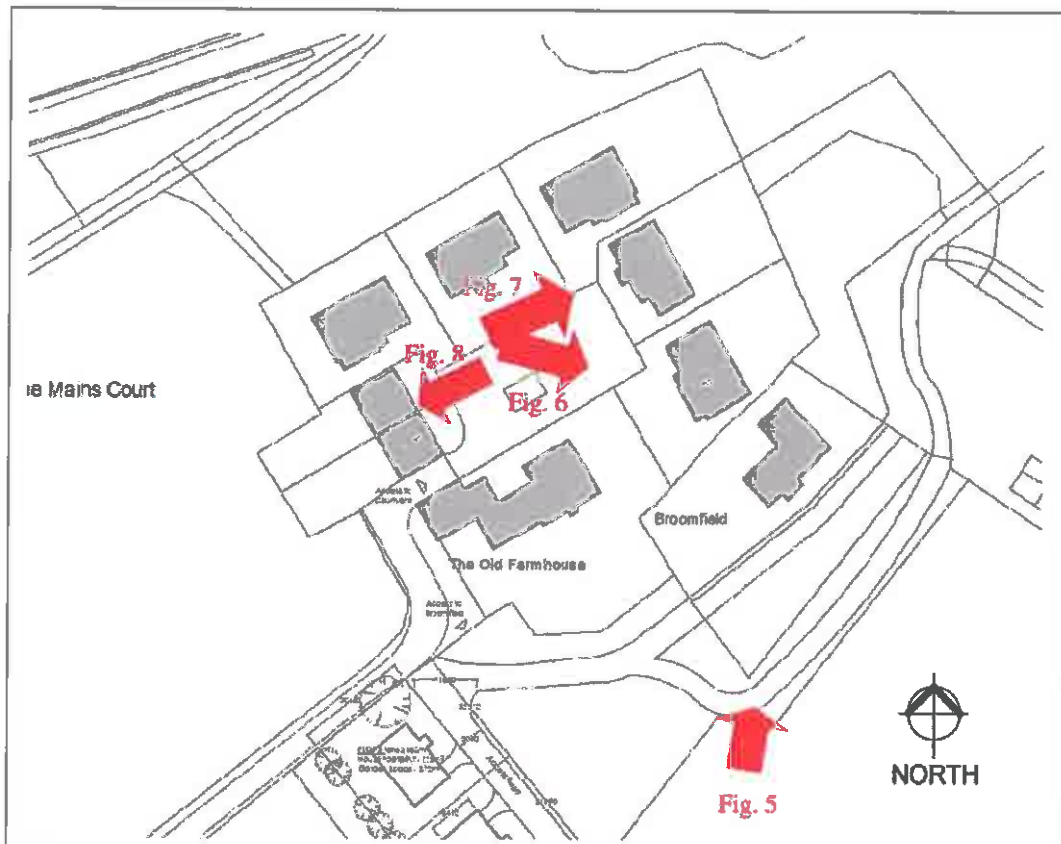


Fig. 4



Fig. 5



Fig. 6



Fig. 7



Fig. 8

## POLICY PMD2: QUALITY STANDARDS

All new development will be expected to be of high quality in accordance with sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings. The standards which will apply to all development are that:

### SUSTAINABILITY

- a) in terms of layout, orientation, construction and energy supply, the developer has demonstrated that appropriate measures have been taken to maximise the efficient use of energy and resources, including the use of renewable energy and resources such as District Heating Schemes and the incorporation of sustainable construction techniques in accordance with supplementary planning guidance. Planning applications must demonstrate that the current carbon dioxide emissions reduction target has been met, with at least half of this target met through the use of low or zero carbon technology,
- b) it provides digital connectivity and associated infrastructure,
- c) it provides for Sustainable Urban Drainage Systems in the context of overall provision of Green infrastructure where appropriate and their after-care and maintenance,
- d) it encourages mineral water usage for new developments,
- e) it provides for appropriate internal and external provision for waste storage and presentation with, in all instances, separate provision for waste and recycling and, depending on the location, separate provision for composting facilities,
- f) it incorporates appropriate hard and soft landscape works, including structural or screen planting where necessary, to help integration with its surroundings and the wider environment and to meet open space requirements. In some cases agreements will be required to ensure that landscape works are undertaken at an early stage of development and that appropriate arrangements are put in place for long term landscaped open space maintenance,
- g) it considers, where appropriate, the long term adaptability of buildings and spaces.

### PLACEMAKING & DESIGN

- a) it creates developments with a sense of place, based on a clear understanding of the context, designed in sympathy with Scottish Borders architectural styles. This need not exclude appropriate contemporary and/or innovative designs,
- b) it is of a scale, massing, height and density appropriate to its surroundings and, where an extension or alteration, appropriate to the existing building,
- c) it is finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality and, where an extension or alteration, the existing building,
- d) it is compatible with, and respects the character of the surrounding area, neighbouring sites, and neighbouring built form,
- e) it can be satisfactorily accommodated within the site,
- f) it provides appropriate boundary treatments to ensure attractive edges to the development that will help integration with its surroundings,
- g) it incorporates, where appropriate, adequate safety and security measures, in accordance with current guidance on 'designing out crime'.

### ACCESSIBILITY

- a) street layouts must be designed to properly connect and integrate with existing street patterns and be able to be easily extended in the future where appropriate in order to minimise the need for turning heads and isolated footpaths,
- b) it incorporates, where required, access for those with mobility difficulties,
- c) it ensures there is no adverse impact on road safety, including but not limited to the site access,
- d) it provides for linkages with adjoining built up areas including public transport connections and provision for buses, and new paths and cycleways, linking where possible to the existing path network. Travel plans will be encouraged to support more sustainable travel patterns,
- e) it incorporates adequate access and turning space for vehicles including those used for waste collection purposes.

### GREEN SPACE, OPEN SPACE & BIODIVERSITY

- a) it provides meaningful open space that wherever possible, links to existing open spaces and that is in accordance with current Council standards pending preparation of an open-space open space strategy and local standards. In some cases a developer contribution to wider neighbourhood or sustainable provision may be appropriate, supported by appropriate arrangements for maintenance,
- b) it retains physical or natural features or habitats which are important to the amenity or biodiversity of the area or makes provision for adequate mitigation or replacements.

Developers are required to provide design and access statements, design briefs and landscape plans as appropriate.



With regards to the aforementioned policy PMD2 we would offer the following comment:

Each of the proposed dwellings will incorporate air source heat pumps to provide heating and hot water, this will also contribute to the measures of sustainability provision. The pumps will be in a wall mounted position to the side wall (north west) of each property. This position will ensure the pump is located a sufficient distance from Woodlands Farmhouse so as not to incur any acoustic transmission issues and affect the amenity of this property. The heat pump located on the northern most of the two proposed houses will be located approximately 35 metres from the closest residence within the steading development to the north also in an attempt to mitigate any acoustic transmission issues to said property.

As a result of the steading development, this cluster of established residential properties already benefit from all of the necessary standard utility provisions including a high speed broadband connection. These utilities as we understand it feed the steading development and Woodlands Farmhouse from the access road which ideally positions the new development for simple connection to these utilities.

With regards to the drainage of the property we have provisionally planned for the implementation of a soakaway system for both the foul and surface water drainage. We have also proposed a Bio disc treatment plant for the foul water prior to discharge into the soakaway. This proposal is also subject to further test inspections to be carried out on the ground conditions to ensure adequate suitability.

The proposed properties within the development will be designed to meet current building regulations and as such they will comply with the requirement for provision of water efficient sanitary fittings with all WC cisterns having a flush volume of not more than 4.5 litres and was hand basins not having a flow rate of more than 6 litres per minute.

The design and layout of the two residential units will also incorporate adequate internal and external waste storage and recycling provision and the location of the properties in close proximity to the adopted steading access road is also ideal for the weekly refuse/recycling collection. It is also proposed to implement a domestic composter within the property to afford and encourage prospective residents the option to transform all their Kitchen and Garden waste into nutrient rich soil for potential re-instatement into the Garden.

The proposed landscaping for the development all be it at this stage is yet undefined, it is proposed that this can be specifically designed in a manner as to comply with any potential landscaping conditions that may pertain to an approval.

As briefly touched upon in our comments pertaining to Policy HD2, the proposed development strives to create an integrated sense of place within the existing building group whilst not detracting from the already established amenities of the existing properties. The design of the houses will compliment those of the existing development and mirror the architectural styles which are typical to that of Countryside development within the Scottish Borders incorporating similar scale, massing, height and density. The external materials and finishes to match those of the existing properties in order to achieve an element of uniformity between the existing development and the proposed thus integrating into the development and further accentuating the sense of place.

The properties will also be designed to exceed the minimum regulatory safety and security requirements for that of a domestic residence.

The proposed access road into the two properties as mentioned will branch off the existing main access road to the steading development and form a simplistic integration into the circulation routes. The landscaping design will also incorporate 'accessible routes' encompassing the necessary hardstanding links from the parking spaces to each of the properties as required by current building regulations.

The proposed site as mentioned is also located within walking distance of West Linton village centre which offers a regular public bus service to neighbouring towns including Edinburgh city centre.

It is also proposed to introduce a number of bird and bat boxes within the development in an attempt to encourage biodiversity and invite additional wildlife to the area whilst maintaining the levels of wildlife currently apparent in the surrounding area.

We hope you find the above comments favourable and the planning department can support the application.



**SCOTTISH BORDERS COUNCIL**

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO  
CHIEF PLANNING OFFICER**

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF :** 17/00044/PPP

**APPLICANT :** Mrs Sandra Newton

**AGENT :** D2 Architectural Design Ltd

**DEVELOPMENT :** Erection of two dwellinghouses

**LOCATION:** Garden Ground Of Woodlands  
Broomlee Mains  
West Linton  
Scottish Borders

**TYPE :** PPP Application

**REASON FOR DELAY:**

---

**DRAWING NUMBERS:**

Plan Ref	Plan Type	Plan Status
PP01	Block Plans	Refused

**NUMBER OF REPRESENTATIONS: 1**

**SUMMARY OF REPRESENTATIONS:**

1 No representation received - main points raised  
Condition requested in respect of noise from proposed heat pumps  
Privacy concerns  
Detrimental to neighbour amenity  
Character of steading development includes historic house

Community Council: Objects - main points

The existing building group is considered to be complete  
Overdevelopment  
Traffic and road safety concerns

EHO: No comments

Archaeologist: There are no known implications for this proposal.

Roads Planning: In principle I have no objections to this proposal. The road linking the B7059 and the development site is the D111-4 which is adopted and is of a sufficient standard to accommodate the additional traffic.

Notwithstanding the above, there a number of points, detailed below, that will need to be addressed at detailed planning stage in order to gain my support.

The section of new private road which is to serve the proposed plots must be surfaced for the first 5 metres from the public road, to the following specification "75mm of 40mm size single course bituminous layer blinded with bituminous grit all to BS 4987 laid on 375mm of 100mm broken stone bottoming blinded with sub-base, type 1."

The remaining section of private road must be formed with a well compacted, free draining running surface which must be able to withstand a 14 tonne axle loading. The road must thereafter be maintained as such in perpetuity.

Parking and turning for two vehicles per plot must be provided and retained in perpetuity. The current proposal is for one curtilage space and one communal space per plot. My preference would be for two curtilage spaces per plot, however if the applicant wishes to proceed as per their submission then the communal parking must be nose-in rather than layby parking. This will allow better access/egress to the parking bays.

All agricultural traffic to be removed from the private residential access road to remove any potential conflict between agricultural and residential traffic.

The applicant may wish to consider surfacing the entire length of the private road serving the two plots given that vehicles will be turning on this surface in order to enter/exit the parking spaces. This will significantly reduce the ongoing maintenance costs of ensuring the private road is maintained to the original standard.

Providing the above points are satisfactorily addressed, I will not object to this application.

#### **PLANNING CONSIDERATIONS AND POLICIES:**

Scottish Borders Local Plan 2016

PMD2 Quality Standards  
HD2 Housing in the Countryside  
HD3 Protection of Residential Amenity  
IS2 Developer Contributions  
IS7 Parking Provision & Standards

SPG New Housing in the Borders Countryside

**Recommendation by** - Lucy Hoad (Planning Officer) on 5th March 2017

#### **Pre-application stage**

The plan submitted was tabled as a provision enquiry. The applicant was advised that Woodlands Farm House was regarded as not forming part of any building group and that any proposal would need to demonstrate that the existing building group at Broomlie Mains Court was capable of absorbing 2 additional units, with any new houses adding to the established sense of place. The existing roadway was considered a strong man-made boundary.

The application site is a rectangular area of ground to the north east of the property known as Woodlands Farm House, a C20 Arts & Crafts style dwelling, located within a rural setting to the south of the village of West Linton. The undeveloped ground is separated from the house by a timber fence.

The application seeks planning permission in principle for the erection of 2No dwellings within the site, with access to be taken from the existing road D111-4.

As this is an outline proposal no details plans of house type have been provided at this stage, however an indicative layout to show the footprint of 2No dwellings has been submitted. The plan illustrates that the buildings would sit perpendicular to the metalled road and Woodlands House. The proposed dwelling nearest the road would project beyond the front building line of Woodlands House, which is set back within its plot.



It is noted that the Community Council are not supportive of the application raising concerns over the siting of the proposed dwellings and access and traffic road safety concerns. The CC considered that the steading conversion building group was complete.

Any application for a dwellinghouse in the countryside must be assessed against the prevailing policies and, in this case, it is mainly Local Plan policy HD2- Housing in the Countryside and Supplementary Planning Guidance New Housing in the Borders Countryside.

Woodlands Farm House is regarded as being a detached stand-alone property not forming part of any building group.

There is a building group located to the north west of Woodlands Farm House, known as Broomlie Mains Court, comprising of at least 8 properties formed in a courtyard style scheme. The scheme comprises a mixture of traditional stone dwellings (steading conversion) and new builds properties. Woodlands Farm House is separated from the building group by agricultural land, an access road, field access track plus mature boundary planting to the edge of the group, all contributing to strong boundary edging to this particular group. The proposed 2 new dwellings would be sited at a distance from the building group and therefore would not relate well to these properties nor would they contribute to the contained sense of place or character of the group.

Given the above, it is considered that the application should be refused, as the site is not located within an existing group of at least three houses as required by Policy HD2 A Building Groups. The site would not have a satisfactory relationship to any existing building group or contained sense of place at this location.

It should be noted that, if the application were to be approved it would attract development contributions of towards Education and Lifelong Learning and Affordable Housing.

Roads required several amendments to include upgrade of access and parking provision with all agricultural traffic to be removed from the private residential access road to remove conflict between types of traffic.

Nuisance concerns have been raised over potential noise source (heat pumps) with condition sought for noise limits.

#### **REASON FOR DECISION :**

The proposal for a dwellinghouse at this location is contrary to Scottish Borders Local Development Plan policy HD2 Housing in the Countryside and Supplementary Planning Guidance New Housing in the Borders Countryside as the site is not located within a building group of three or more houses and there are no overriding economic needs or benefits to the local community that would justify approval. The site would not have a satisfactory relationship to any existing building group or contained sense of place at this location.

#### **Recommendation: Refused**

- 1 The proposal for a dwellinghouse at this location is contrary to Scottish Borders Local Development Plan policy HD2 Housing in the Countryside and Supplementary Planning Guidance New Housing in the Borders Countryside as the site is not located within a building group of three or more houses and there are no overriding economic needs or benefits to the local community that would justify approval. The site would not have a satisfactory relationship to any existing building group or contained sense of place at this location.

**“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997****Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013****Application for Planning Permission****Reference : 17/00044/PPP****To : Mrs Sandra Newton per D2 Architectural Design Ltd Per David Ingram 9 Eskbank Road  
Dalkeith Scotland EH22 1HD**

With reference to your application validated on **19th January 2017** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal : Erection of two dwellinghouses****At : Garden Ground Of Woodlands Broomlee Mains West Linton Scottish Borders**

The Scottish Borders Council hereby **refuse** planning permission for the **reason(s) stated on the attached schedule**.

**Dated 6th March 2017  
Regulatory Services  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**Signed****.....  
Chief Planning Officer**

**APPLICATION REFERENCE : 17/00044/PPP****Schedule of Plans and Drawings Refused:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
PP01	Block Plans	Refused

**REASON FOR REFUSAL**

- 1 The proposal for a dwellinghouse at this location is contrary to Scottish Borders Local Development Plan policy HD2 Housing in the Countryside and Supplementary Planning Guidance New Housing in the Borders Countryside as the site is not located within a building group of three or more houses and there are no overriding economic needs or benefits to the local community that would justify approval. The site would not have a satisfactory relationship to any existing building group or contained sense of place at this location.

**FOR THE INFORMATION OF THE APPLICANT**

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 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

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.

**SCOTTISH BORDERS COUNCIL**

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO  
CHIEF PLANNING OFFICER**

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF :** 13/00300/FUL

**APPLICANT :** Mr Julian Harburn

**AGENT :** Jefcoate Anderson Architects Ltd

**DEVELOPMENT :** Erection of dwellinghouse

**LOCATION:** Garden Ground Of Woodlands  
Broomlee Mains  
West Linton  
Scottish Borders

**TYPE :** FUL Application

**REASON FOR DELAY:**

---

**DRAWING NUMBERS:**

Plan Ref	Plan Type	Plan Status
0312 PL002	Existing Layout	Approved
0312 PL001	Planning Layout	Approved
0312 PL003	Elevations	Approved
	Location Plan	Approved

**NUMBER OF REPRESENTATIONS: 0**

**SUMMARY OF REPRESENTATIONS:**

**Consultation Response**

**Education**

The proposed development is located within the catchment area for West Linton Primary School and Peebles High School.

A contribution of £8612 will be sought for the Primary School and a contribution of £1213 will be sought for the High School, making a total contribution of £9825. (adjusted to 2013/2014 rates)

**Archaeology**

There are no archaeological implications for this proposal. I can support the principle of this development.

**Roads Planning**

The access point from the public road is adequate to serve 2 dwellings and plans provided show 2 parking spaces and turning areas for each dwelling, which meets my requirements. Parking and turning for a minimum of two vehicles, excluding any garages, must be provided for each property and be retained in perpetuity. Otherwise, no objections to the proposal.

**Community Council**

Support the application

## **PLANNING CONSIDERATIONS AND POLICIES:**

Scottish Borders Consolidated Structure Plan 2001-2018

N20 - Design

H7 - Housing in the Countryside: Building Groups

Scottish Borders Consolidated Local Plan 2011

G1 - Quality Standards for New Development

D2 - Housing in the Countryside

H2 - Protection of Residential Amenity

G5 - Developer Contributions

SPG - New Housing in the Countryside

SPG - Placemaking and Design

**Recommendation by** - Dorothy Amyes (Planning Officer) on 4th April 2016

Woodlands Farmhouse is a detached dwellinghouse situated to the southwest of the main building group at Broomlee Mains. It was constructed in a distinctive Arts and Crafts style with architectural features including astragalled windows, deep overhanging eaves, steep pitched roof clad in red tiles and feature dormer windows. There have also been some later additions.

It is proposed to construct a new dwellinghouse to the north west of the existing dwelling within the garden grounds. The proposed dwellinghouse will be located at 90 degrees to the existing property. It will be one and a half storey with dormer windows and finished in cream wet dash render, red roof tiles, cream finished timber windows with brick feature cills, and black rainwater goods. These materials will match or closely match those of the existing house. Vehicular access will be via an existing access and parking and turning will be provided within the site.

As the property is not located within the settlement boundary of West Linton it must be assessed against the relevant housing in the countryside policies. Although not within the Broomlee Main Steading development, Woodlands Farmhouse and the Old Broomlee Mains Farmhouse were considered as the original building group together with converted buildings which allowed the building group to expand northwards. The houses all share the same access road from Station Road. Therefore, it is considered that Woodlands Farmhouse is part of this building group. There have been no additions to the group during the Local Plan period and one additional dwelling is therefore acceptable. The proposed site is within the garden ground of the property and is not extending the building group beyond its existing boundary or breaking into any open fields. There is an existing hedge along this western boundary which it is proposed will be retained.

In terms of design, scale and massing, the design has taken distinctive elements of the Arts and Craft dwelling and incorporated them into a new dwelling with some more modern features such as the full length windows over the entrance hall. The roof height and floor level is lower than the existing dwelling and it is located within the garden ground such that it does not restrict views of any of the existing elevations. It is considered that it could be seen as complimentary to the existing dwelling and is acceptable. The new dwelling house can be adequately accommodated within the site and adequate residential amenity can be maintained for the residents of both properties. Any overshadowing will be mainly on the garden ground at the front of the property and this is considered to be acceptable.

No boundary treatments are proposed and, although it is understood that the house may be built for a member of the applicant's family, it is considered appropriate to place a condition on the consent requiring details of boundary treatments and other hard and soft landscaping to be submitted for approval to ensure that adequate privacy can be achieved.

There are a few mature trees within the existing garden grounds and along the boundary with the access road. None of the trees require to be felled to enable the development to proceed. The existing access will be used by both properties and a new drive will be constructed from this access to the existing house. Two

parking spaces are to be provided and adequate turning is available within the application site. A condition can be placed on the consent to ensure that the parking and turning facilities are maintained.

Development contributions are required for Education and Lifelong Learning and the applicant has confirmed that he is willing to enter into a section 75 legal agreement for this.

## **REASON FOR DECISION :**

The proposals are acceptable and, subject to conditions and a legal agreement for the payment of developer contributions towards Education and Lifelong Learning, comply with the relevant Scottish Borders Structure Plan and Local Plan policies for housing in the countryside and for new developments in that the site is within an existing building group, is well related to this group and it will not have any unacceptable adverse impact in terms of landscape and amenity. The proposed dwellinghouse is acceptable in terms of design, materials and massing, it can be satisfactorily accommodated on the site and is compatible with and respects the character of the surrounding area and neighbouring built form.

## **Recommendation: Withdrawn**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.  
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.  
Reason: To ensure that the development is carried out in accordance with the approved details.
- 3 A sample of all materials to be used on all exterior surfaces of the development hereby permitted shall be submitted to and approved in writing by the Planning Authority before development.  
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 4 Parking and turning for a minimum of two vehicles, excluding any garages, must be provided for the existing dwelling and the new property and shall be retained in perpetuity.  
Reason: To ensure that there is adequate parking within the site in the interests of road safety.
- 5 The existing hedge running along the South Western boundary of the site shall be retained and maintained in perpetuity.  
Reason: this is an important landscape feature which defines the boundary of the building group.
- 6 No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the Planning Authority. Details of the scheme shall include (as appropriate):
  - i. existing and finished ground levels in relation to a fixed datum preferably ordnance
  - ii. existing landscaping features and vegetation to be retained and, in the case of damage, restored
  - iii. location and design, including materials, of walls, fences and gates
  - iv. soft and hard landscaping works
  - v. existing and proposed services such as cables, pipelines, sub-stations
  - vi. other artefacts and structures such as street furniture, play equipment
  - vii. A programme for completion and subsequent maintenance.Reason: To ensure the satisfactory form, layout and assimilation of the development.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, and shall be maintained thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing.

Reason: To ensure that the proposed landscaping is carried out as approved.

**“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.**