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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 100061198-001

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:	Ericht Planning & Property Consultants		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Kate	Building Name:	The Office - Gifford House
Last Name: *	Jenkins	Building Number:	
Telephone Number: *	07795 974 083	Address 1 (Street): *	Bonnington Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Peebles
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH45 9HF
Email Address: *	kate@kjenkins.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="Pilgrim Cottage"/>
First Name: *	<input type="text" value="Patricia"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Crippin"/>	Address 1 (Street): *	<input type="text" value="Venn Farm Lane"/>
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text" value="Teignmouth"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Devon"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="England"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="TQ14 9PB"/>
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

Easting

## 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)

Erection of dwelling and retaining wall (part retrospective). Land to north west of Craigerne Coach House, Edderston Road, Peebles

## 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.

Please see Supporting Statement.

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)

SUPPORTING STATEMENT (for the Review). 17/00323/FUL Officer's Report 17/00323/FUL Decision Notice 17/00323 Landscape Architect +Roads response 17/00323 Agent response to Landscape Architect 17/00323/FUL Location Plan, Site Plan and Elevations 17/00323/FUL Site Plan with RPA 17/00323/FUL email confirming removal of stove 17/00323/FUL Tree Report 17/00323/FUL Original Application Supporting Statement

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

17/00323/FUL

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

28/02/2017

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

03/05/2017

## 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

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

The Officer's key reason for refusal relates to the relationship between the Craigerne Coach House development (6 attached units) and the proposed site. As a result, and in order to fully understand the relationship, it is considered to be important and necessary that Members undertake a site visit.

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: Mrs Kate Jenkins

Declaration Date: 28/07/2017



**Supporting Statement to Notice of Review**

**in relation to Scottish Borders Council's refusal of planning permission for the  
erection of a dwellinghouse on land to the west of Craigerne Coach House,  
Edderston Road, Peebles**

**on behalf of Mrs Patricia Crippin**

**28<sup>th</sup> July, 2017**

## 1.0 INTRODUCTION

1.1 This Notice of Local Review is submitted on behalf of Mrs Patricia Crippin against the decision of Scottish Borders Council to refuse planning permission, on 3<sup>rd</sup> May, 2017, for the erection of a dwelling to the west of Craigerne Coach House. The application reference was 17/00323/FUL.

1.2 The appeal site is located adjacent to the development: ***“6 houses by sub-division, alteration and extension at Craigerne Coach House”***. This statement necessarily considers the relationship between the two proposals within the Grounds of Appeal, as that matter forms part of the Planning Authority’s reason for refusal.

1.3 The reasons for refusal include the Planning Officer’s view that:

- The proposal would result in a cramped form of development;
- The house would result in an overdevelopment of ground, and reduction of ground, required for a landscaped and wooded setting of the above-mentioned Craigerne Coach House;
- The proposal would result in an inappropriate congested appearance between the development and Edderston Road;
- The proposal would undermine the retention of a preserved tree;

1.4 This statement will provide the background to the application, planning history and context and set out the grounds for Local Review, prior to demonstrating the acceptability of the proposal under those grounds.

1.5 This Appeal Statement is submitted by Ericht Planning & Property Consultants on behalf of Mrs Patricia Crippin to seek to challenge the refusal, by Scottish Borders Council, of consent for the erection of a two storey dwellinghouse on land to the west of Craigerne Coach House which fronts Edderston Road.

1.6 A different application within the same application boundary was submitted in 2015. It was for a house which was 30% larger than the proposal under Review, and of a different, less suitable, design. A revised application was submitted in February, 2017 and refused in May, 2017 for a house of 11.35 m frontage and 6.7 m height. This appeal asks that the decision to refuse that second application be reviewed.



- 1.7 The following 17/00323/FUL application drawings are included with the Local Review.
- Location Plan Ref: 2014/12/101/A
  - Site Plan Ref: 2014/12/102/C + separate drawing with **root protection area**
  - Floor Plans Ref: 2014/12/103/C
  - Elevations Ref: 2014/12/104/C
- 1.8 Site photographs are provided. This information was available to the Planning Authority during the application's processing, as at least one site visit was made. Photographs are recent (July '17). It clearly would not have been possible to provide these actual photographs at the time of the application (Feb '17) and it is material to this Review that the depicted Coach House development is now complete (no longer under development) as a key reason for refusal relates to the relationship between the Coach House and the proposed plot. **A site visit by LRB Members is strongly encouraged and is the only way to fully understand the relationship between the proposed site and the Coach House.**
- 1.9 Members of the Local Review Body are requested to note a number of key points regarding the application. These are set out below:
- 1.10 The subjects are located within the Peebles town boundary, adjacent to the 6-unit development at the Coach House [Refs: 12/00314/FUL; 14/00786/FUL and 15/01081/FUL]. The relationship of the subjects to the Coach House development can be seen within the 'Proposed Elevations' drawing 2014/12/104/B.
- 1.11 The footprint of the house has been reduced by 30% from 112 sqm to 79 sqm (comparing the 2015 application to that under review at present);
- 1.12 The frontage of the house has been reduced by 4.65 metres (comparing the 2015 application to that under review at present);
- 1.13 There have been significant changes to design, including fenestration. The Planning Officer has consequently stated that following design changes of the house since the earlier application and local review "*I find no reason to oppose the revised application on the grounds of design*" (which was a previous reason for refusal in 2015).

- 1.14 Key external finishes include wet dash render walls (painted white), slated roof, timber casement windows, composite woodgrain effect external doors and upvc gutters and downpipes etc.
- 1.15 The distance of the northern gable to the site boundary (where tree planting is to occur) has increased from 7.35m to 12m (comparing the 2015 application to that under review at present). The Planning Officer states (following submission of a tree report) *"I would conclude that that the new proposal resolves one element of the previous reason for refusal being sufficiency of ground for the establishment of replacement tree planting."* It has been firmly established that there is enough ground for the tree planting required. The planting was carried out in April, 2017.
- 1.16 The tree report also notes that the existing drainage in this northern part of the site will not have a detrimental impact upon tree establishment or their ability to reach maturity. The issues expressed at the previous LRB (in relation to the then-proposed larger house) and impact upon replacement planting/ root protection areas and impact of drainage on root systems are thus satisfactorily answered.
- 1.17 The appellant is agreeable to retention of all trees on the subjects and carrying out additional planting of 3 trees. As noted, this was done in April, 2017, following issue of the tree report. Two beech trees and one oak tree were planted. The Appellant confirms that the proposal does not impact upon Root Protection Areas, a point now accepted by the Planning Authority, as can be seen from the Planning Officer's Report.
- 1.18 The Officer's decision largely centers on the relationship of the appeal site with the approved Craigerne Coach House development. It is therefore necessary to consider the appeals subjects in that context. It is relevant to inform Members that a reduced application boundary in respect of the Coach House development was consented in 2014 and 2015. The Planning Authority approved the omission of the land on which the appeal site lies from the Craigerne Coach House development –twice. The proposed house is located within the area which was 'excluded' from the Craigerne Coach House development boundary.
- 1.19 Access to the subjects will be taken by way of the existing access to Craigerne Coach House as shown on the Site Plan. No new access is to be created, thus maintaining the wall and hedge alongside Edderston Road. No new opening in the wall is required. Access to the dwelling from the parking spaces is by way of a pedestrian walkway. An

accessible permeable walkway between the house and parking will be formed to prevent impact on trees' root protection areas.

- 1.20 The dry stone wall fronting Edderston Road will be preserved, with no new opening to be formed and the beech hedge inside this wall will remain intact.
- 1.21 The adjacent Coach House is no longer a listed building.
- 1.22 A 1.2m high timber close boarded fence has been erected along the boundary of the Coach House development and the subjects, with a new beech hedge to be planted along the top of the banking. The retaining wall to the rear of the subjects will be 1.5m high above finished ground level of the plot.
- 1.23 There have been no public objections or Community Council objections to the proposal (either the first (2015) or second (2017) applications).

## 2.0 PLANNING CONTEXT AND HISTORY

- 2.1 A summary of previous applications/ local review for one dwellinghouse on land to northwest of Craigerne Coach House:

15/01034/FUL Application – 5 bedroomed house: Refused 27 October '15  
16/00001/RREF Review – 5 bedroomed house: LRB Decision Notice 2 March '16

17/00323/FUL Application – 2 bedroomed house: Refused 3<sup>rd</sup> May, 2017  
17/00323/FUL Application subject to this Local Review

### **Previous Application 15/01034/FUL and Local Review 16/00001/RREF**

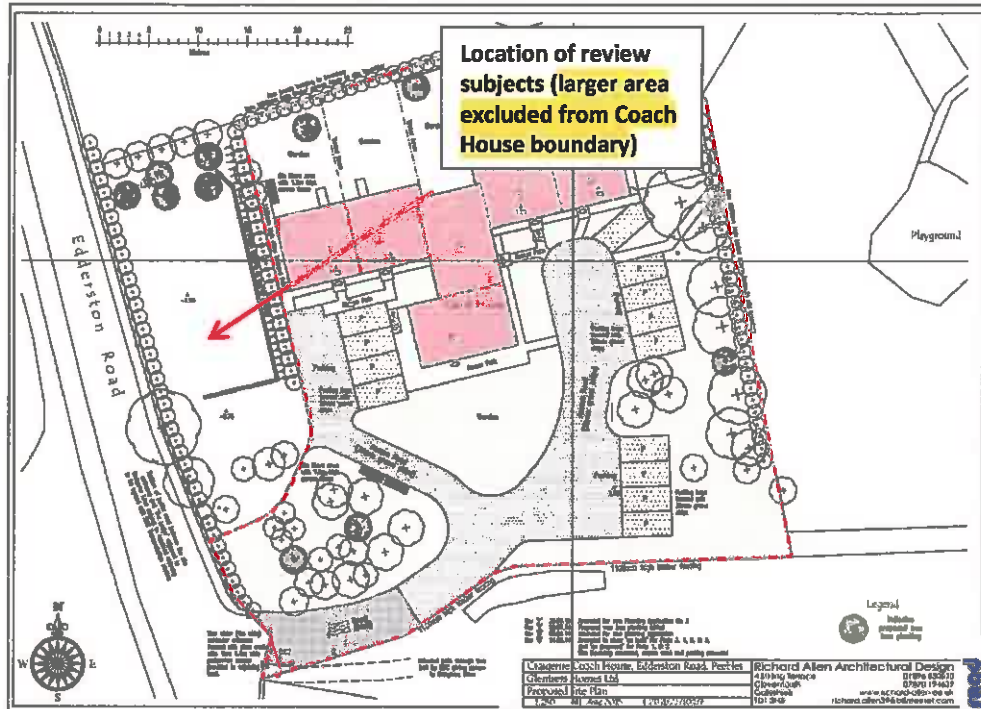
- 2.2 An application for a 5 bedroomed house of footprint 112 sqm, frontage 16.0 m and height 7.2m (north gable) was refused by the Planning Authority in October, 2015. This decision was subject to Local Review, at which the Local Review Body upheld the Officer's decision (by a majority vote 2:5) in March, 2016.
- 2.3 There were no objections by the Officer relating to impact on residential amenity.
- 2.4 There were no objections to the proposal from the Roads Planning Service. Glentress Homes Ltd recently constructed a passing place in the west side of Edderston Road.

**Key differences between 2015 application & 2017 application (subject of this review)**

- 2.5 The proposal under Review, whilst being contained within the same application boundary as the larger house 2015 application, is demonstrably different from the earlier application in the following respects:
1. The **footprint** of the house was reduced by almost 30% from 112 sqm to 79.4 sqm. The **frontage** of the house was reduced from 16.0m to 11.35m.
  2. The distance of the northern gable of the house from the northern boundary has been increased from 7.35m to 12.0m leaving, in particular, increased (and sufficient) space for **tree planting** (now implemented) and long term retention of these trees;
  3. The **fenestration** on the front elevation has been altered. In particular, the northernmost dormer windows were reduced to double units (from triple units). The ground floor windows were reduced to triple units (from quadruple units).
- 2.6 The appeal site is closely related to the adjacent Craigerne Coach House development. Given that a key concern of the Planning Officer has been the perceived impact on the *“success of the [Coach House] development and amenity of the area”*, it is essential to consider the appeal subjects in the context of the Coach House development.
- 2.7 The Coach House development comprises sub-divisions, alterations and extensions to form 6 dwellinghouses. 3 applications were submitted for this: an original proposal (2012) and two variations (2014 and 2015). These applications have all been approved.
- 2.8 In 2012, the boundary of the Coach House development included the area of land on which the appeal subjects are located. Reduction in the size of the Coach House site boundary was approved by the Planning Authority **twice** without objection; once in application 14/00876/FUL and again in application 15/01081/FUL. The result of both these applications was to exclude the subjects of this review from the development boundary of Craigerne Coach House. The approved plans for applications 12/00314/FUL; 14/00876/FUL and 15/01081/FUL are provided overleaf to demonstrate how the plot was excluded from the boundary of development at Craigerne Coach House.
- 2.9 The extent of open space associated with Coach House permissions 14/00876/FUL and 15/01081/FUL was thus reduced from the 2013 consent by way of approved altered site boundaries, as per the plans overleaf. The Planning Authority did, however, seek, by way of planning condition, the submission of a proposed landscaping scheme to cover both the Craigerne Coach House application boundary and the current application subjects.



Fig 3: 2015 site plan – 15/01081/FUL



- 2.10 The Appellant maintains that adequate shared open space is available for the Coach House development without the land of the appeal subjects, which is appropriate to a development of that scale within the Peebles settlement boundary. The shared open space exists in addition to private garden ground.
- 2.11 It is also worth noting that Craigerne Coach House used to be a category B listed building. It is, however, no longer listed. After detailed consideration and consultation with Scottish Borders Council, Historic Environment Scotland confirmed on 25<sup>th</sup> June, 2015 that the listed status of Craigerne House and Craigerne Lodge had been updated and the Coach House had been removed from the statutory listing address.
- 2.12 The Case Officer has been clear in reports concerning the previous applications on this plot that *“any assessment of this current application for a new house cannot take into account listings or the previous listed status of the house”*.



### 3.0 REFUSAL OF APPLICATION BY SCOTTISH BORDERS COUNCIL

- 3.1 The application was refused by Scottish Borders Council on 3<sup>rd</sup> May, 2017 on the basis set out below.

*The application is contrary to policies PMD2, PMD5 and EP13 of the Scottish Borders Local Development Plan 2016 in that the proposed development would represent overdevelopment, and a significant reduction in, an area of ground required for landscaped and wooded setting for the Craigerne Coach House development, resulting in an inappropriate congested appearance between the development and Edderston Road and providing insufficient space from existing preserved trees which would undermine their protection.*

- 3.2 It is noted that the Planning Officer has **removed two key points of objection** which formed part of reason for refusal of the 2015 application (larger house of different design), on the appeal site.

1. There is now no objection to the **design** of the proposed house;
2. There is now acceptance, following submission of a Tree Report, that there is **enough room for the tree planting, and the future growth of the trees to maturity**, which the Planning Authority requires be carried out at the north of the site. It is also accepted that the trees' root systems will not be detrimentally impacted by drainage pipes which serve the Coach House.

### 4.0 GROUNDS FOR LOCAL REVIEW

- 4.1 The Appellant sets out the following two Grounds for Review, both of which are justified in the next section 5.0 'Case for the Appellant'.

**Ground 1 – Addresses issues of spatial context and relationship to Coach House development.**

The proposal would not comprise a cramped form of development or overdevelopment of the area around the Coach House. The area between the Coach House and the road would not appear 'congested'.

**Ground 2 – Addresses issue of trees and landscaping relating to the Coach House development**

There is no material reduction in the ground otherwise required for the landscaped and wooded setting of the Coach House. The proposal does not undermine the retention of the preserved trees.

**5.0 CASE FOR THE APPELLANT**

**The Case for the Appellant is provided within the context of information provided in Sections 1, 2 and 3 of this Report, all of which forms the basis of Appeal.**

**GROUND 1:** The proposal would not comprise a cramped form of development or overdevelopment of the area around the Coach House. The area between the Coach House and the road would not appear 'congested'.

- 5.1 The proposed site lies within the settlement boundary of Peebles. There are various houses and garages along the upper section of Edderston Road including:  
[See Appendix 1 for photographs]
- Loaningdale,
  - The Steading (Loaningdale)
  - Tantah Lodge/ Sandwood
  - Tantah Cottage
  - Craigerne Lodge/ Garage
- 5.2 The area of land is considered to comprise a **gap site** in terms of policy on **infill development**. In this regard, the proposal does not conflict with the established residential use of the area, nor detract from its character and amenity.
- 5.3 The proposal can be satisfactorily accommodated within the site:
- The dry stone wall fronting Edderston Road will be preserved, with no new opening.
  - The beech hedge inside the dry stone wall alongside Edderston Road will remain intact.
  - Vehicle access is via the Coach House entrance. There is no need to create a new wall opening.
  - The size of the parking area, as required by the Roads Officer (5m wide by 5m long to accommodate 2 vehicles) can be achieved.



- Access to the dwelling from the parking spaces is by way of a pedestrian walkway. A compliant walkway will be formed from gravel filled 'ground guard' to prevent impact on trees' root protection areas.
  - The elements of replacement tree planting required in terms of the Craigerne Coach House development, in so far as they lie within the application boundary, have been provided as shown on the Block Plan.
  - The Appellant confirms that the proposal does not impact upon Root Protection Areas of existing trees – a point now accepted by the Planning Authority.
  - The adjacent Coach House is no longer a listed building.
- 5.4 The level of open space remaining at Craigerne Coach House is sufficient for a development which lies within the Peebles settlement boundary at this location. There are several other properties with direct road frontage.
- 5.5 The site has no impact upon the provision of the public 'pedestrian access corridor' which exists from the entrance gate of Craigerne Coach House through the wood to the Cala Homes development, as was required by the Access Officer as part of the Coach House development.
- 5.6 The Appellant strongly asserts that the development of the subjects would not lead to overdevelopment based upon the plot sizes in the vicinity – the development of the house known as 'Sandwood' has been carried out behind Tantah Lodge (notwithstanding it is a listed building). It is noted that, at consultation, the Landscape Officer did not wish to comment on the relevance of that proposal (which is directly relevant) stating "*I have no previous knowledge of the case*". It must be assumed that the said Officer could have reviewed an archived file, but elected not to.
- 5.7 The proposal on the appeal site has road frontage with open agricultural land to the west and woodland to the north. It has an open 'spacious' aspect.
- 5.8 The scale of the proposal is in keeping, in terms of footprint, with the houses within the Cala Homes development, although its overall massing is significantly smaller than most. Its relationship with the massing of the Coach House development is considered to be appropriate also. The development will not result in loss of daylight, sunlight or privacy to the properties at Craigerne as a result of overshadowing or overlooking. It is situated on a lower level. The design of the house and the lack of impact on residential amenity were acceptable to the Case Officer in his report.

- 5.9 There are several houses with direct road frontage in the immediate vicinity, including Tantah Lodge, Tantah Cottage, Craigerne Lodge with its prominent modern roadside garage (see Appendix 1 photographs) and The Steading at Loaningdale. **The presence of numerous houses in the immediate locality having road frontage is established.** The proposed house is set back by 4m and separated from the road by the wall and hedge, unlike Tantah Lodge or Cottage.

**Tantah Lodge (07/00668/OUT and 09/01496/AMC)**

- 5.10 In 2007, planning consent was obtained for the development of a house, now called 'Sandwood' in the garden ground to the rear of Tantah Lodge, next to the Coach House. (Ref: 07/00668/OUT and 09/01496/AMC). This application was not considered to be overdevelopment. See map overleaf to view Sandwood sitting in the rear garden of Tantah Lodge. The application boundary for the house is shown in red.
- 5.11 The Officer's report for the "Sandwood" case made the following comments which the Applicant considers to be of relevance to the current appeal.
- a) *'The proposal does not intrude into the open countryside and it would be consistent with the character of the settlement as well as being consistent with and conforming to the form of the settlement'*.  
**Comment:** This is considered to be equally true in respect of the subjects.
- b) *'There would be some impact on the amenity of Tantah Lodge but it is considered that this would be minimal'*.  
**Comment:** Similarly, the impact of development of the subjects on Craigerne Coach House would not be significant.
- c) *'The proposal can be satisfactorily accommodated within the site. The garden areas would be consistent with Tantah Lodge and Tantah Cottage'*.  
**Comment:** The garden ground afforded to the current proposal is greater than that afforded to Tantah Lodge and Cottage. The footprint of the appeal subjects is 79 sqm and the application boundary measures 536sqm. The house thus occupies 14.7 % of the plot. The figure for Tantah Lodge appears to be higher at c.30%.
- d) *'The area surrounding the application site is predominantly residential in character, and the type of development would be consistent with its surroundings'*.  
**Comment:** The same comment applies to the proposed development.

- e) 'There would be an insignificant increase in traffic and the visual impact would be minimal'.

**Comment:** Likewise, there would be insignificant traffic increase. The visual impact from Edderston Road would not be unreasonable, particularly given the presence of other houses in the vicinity with road frontage. The subjects would be partially screened at low level by the wall and hedge. The relationship of the two developments can be seen within the elevation drawings.

**Fig 4:** Development of a new house 'Sandwood' to the rear of listed Tintah Lodge – immediately adjacent to the TPO woodland.



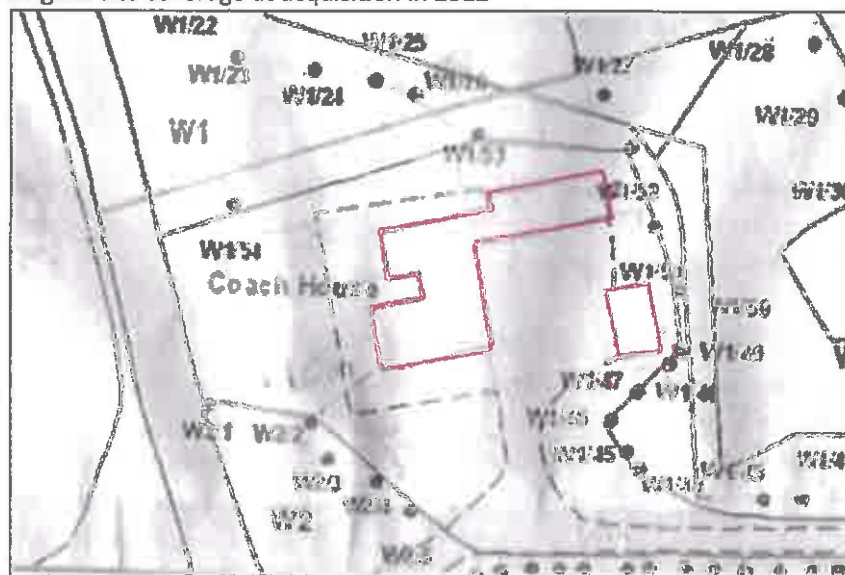
- 5.12 This proposal provides for a dwelling which fronts Edderston Road, adjacent to existing development at Craigerne Coach House. The proposal respects the character of the surrounding area, neighbouring uses and neighbouring built form in terms of scale, massing, height and density. The resulting density of development is not inconsistent with the surrounding area as can be seen from the Location Plan. It is specifically noted that Craigerne Coach House's main elevation faces to the south. Its key outlook and setting is the land to the south and not to the west (road). The proposed house will not obscure the principal elevation of the Coach House.
- 5.13 The house will have slate roof and white-painted wet dash harled render to ensure that it is in keeping with the development at Craigerne Coach House. Finishes include timber casement windows and woodgrain effect composite doors. The proposal will fit well with the sense of place at Craigerne and will complete the development at this location. The acceptability of the design was confirmed by the Planning Officer in his Report.
- 5.14 The proposal retains the physical features of the stone wall along Edderston Road, together with the mature beech hedge. This will ensure that the development will retain an attractive boundary as viewed from the public road. There is no requirement to form a new access through the wall.
- 5.15 The Officer's Report refers to the approx. 5m separation distance between the Coach House's western gable and the proposed house. The Officer omitted to consider, however, the fact that the new house is to be set at a lower level than the Coach House. The previous LRB did, however state "*Members noted the relationship between the proposed house and the new western wing on the Coach House and raised no issues in terms of overlooking or any detrimental impacts on privacy or amenity*". The Officer had expressed the view, in relation to the previous 2015 application for the larger dwelling, that the impact on residential amenity is not such to warrant refusal.
- 5.16 The Officer expresses concern about the visually intrusive nature of the retaining wall. This would not be visible to the rear of the house to be constructed.

**GROUND 2:** There is no material reduction in the ground otherwise required for the landscaped and wooded setting of the Coach House. The proposal does not undermine the retention of the preserved trees.

- 5.17 The build development coverage (area of land with buildings thereon) of the Coach House site when the land was acquired by Glentress Homes, pre any development

taking place, was 336 sqm. This included the Coach House, two lean-to extensions and dilapidated garages to the east. The site coverage by the completed Coach House development (excluding the proposed plot) is 335 sqm. The coverage of the Coach House site has remained consistent and the addition of the proposed house with road frontage is considered to be reasonable in the context of the setting. In his Report, the Planning Officer refers to “the enlarged Coach House” in terms of a requirement for an associated ‘green apron’ setting. This is misleading. The overall footprint of the Coach House has enlarged by only one square metre.

Fig 5: Original site coverage at acquisition in 2012



- 5.18 The Planning Officer has accepted that, following the provision, of a tree report, the proposed development does leave enough space for trees which are to be planted on the site, to become established. This previous ground of objection (and part-reason for refusal) has thus been dropped.
- 5.19 The Appellant is agreeable to all existing trees being retained within the subjects and carrying out required new planting within the boundary. The proposal has been designed to respect the Root Protection Areas of the existing and replacement trees.
- 5.20 It has been accepted by the Planning Authority that construction could be carried out using a ‘slab foundation’ and ‘no dig techniques’ within the area of slight overlap into the root protection area (RPA) of one mature tree to the south west of the site. This is acceptable to the Appellant. It has therefore been accepted by the Landscape and

- Planning Officers that the no root protection areas of any trees would be detrimentally impacted by the proposed development, subject to these construction techniques, where required. The Landscape Officer wrote " *Following discussion with our Tree Officer, I can confirm that we agree a no-dig method of construction is essential where the building comes within the RPA and it could be achieved by either mini pile and beam, pads or reinforced slab*".
- 5.21 The Planning and Landscape Officers maintain the view that there could be pressure on the above-mentioned preserved tree as a result of overshadowing *in the future*. This is clearly a highly subjective view, a point which has been acknowledged by the Landscape Officer, stating "*shading and overshadowing is to some degree a subjective matter*". There are many houses in Peebles with woodland (TPO and non-TPO) immediately adjacent e.g. Sandwood, Edderston Road and Witch Wood, Bonnington Road.
- 5.22 The proximity of the house, "Sandwood" to TPO trees outwith its boundary is noted to be only 1.2m and this does not appear to have given rise to any concern. See Fig 14 below in Photograph Appendix 1
- 5.23 The Appellant strongly asserts that the Coach House development would remain situated in attractive grounds as illustrated within photographs at Appendix 1.
- 5.24 The Planning Officer observes that "*There is no doubt that these trees, hedges and walls form a strong positive characteristic of Edderston Road.*" It should be noted that these trees, hedges and the wall remain fully intact within the Appellant's proposal.
- 5.25 Whilst it is acknowledged that the final landscaping plan for the Coach House is to be agreed, as it will be dealt with by way of a planning condition associated with the Coach House consent, it is a matter of fact that the Planning Authority agreed (in 2014 and again in 2015) to a reduction in the area of ground contained within the development site boundary of the Coach House which resulted in the appeal subjects being excluded from the Coach House development boundary.
- 5.26 The Officer has indicated that the land which comprises the appeal subjects must be used entirely as landscaping for the Coach House development. In this regard it should be noted that the ownership of the appeal site is separate from the ownership of the Coach House site (Glentress Homes). Any planning conditions relating to landscaping associated with the Coach House would be required to meet the tests contained in Planning Circular 4/1998.



- 5.27 The Circular states that particular care needs to be taken over conditions which require works to be carried out on land in which the applicant has no interest at the time when planning permission is granted. If the land is outside that site, a condition requiring the carrying out of works on the land cannot be imposed unless the Authority is satisfied that the applicant has sufficient control over the land to enable those works to be carried out. Any planning condition which requires the appeal subjects to be used solely for landscaping purposes may not be enforceable given the facts at hand and the separate ownership.
- 5.28 In terms of timescales, the Disposition by Glentress Homes in favour of Mrs Patricia Crippin and Mr Trevor Crippin is understood to have been signed in December, 2015. The timing of the transfer of ownership was a point of discussion at the previous Local Review.
- 5.29 The Coach House development (application 15/01081/FUL) was submitted on 15<sup>th</sup> September, 2015 and approved, with conditions (including landscaping conditions) on 3<sup>rd</sup> February, 2016. The imposition of the landscaping condition thus appears to **post-date the signing of the disposition** by Glentress Homes Ltd to Mr & Mrs T Crippin. In essence, application 15/01081/FUL was approved almost 2 months after the signing of the Disposition by Glentress Homes Ltd in favour of Mr & Mrs Crippin *snr*. Glentress Homes Ltd state that it is now not possible to achieve landscaping on the disposition (application) subjects.

**Appendix 1 – Photographs**

(Planning Officer made site inspection. This visual information was available at application.)

**Fig 1: The Coach House principal elevation (south).**



**Fig 2: The Coach House central and eastern sections**





**Fig 3 The Coach House and plot viewed from the west**

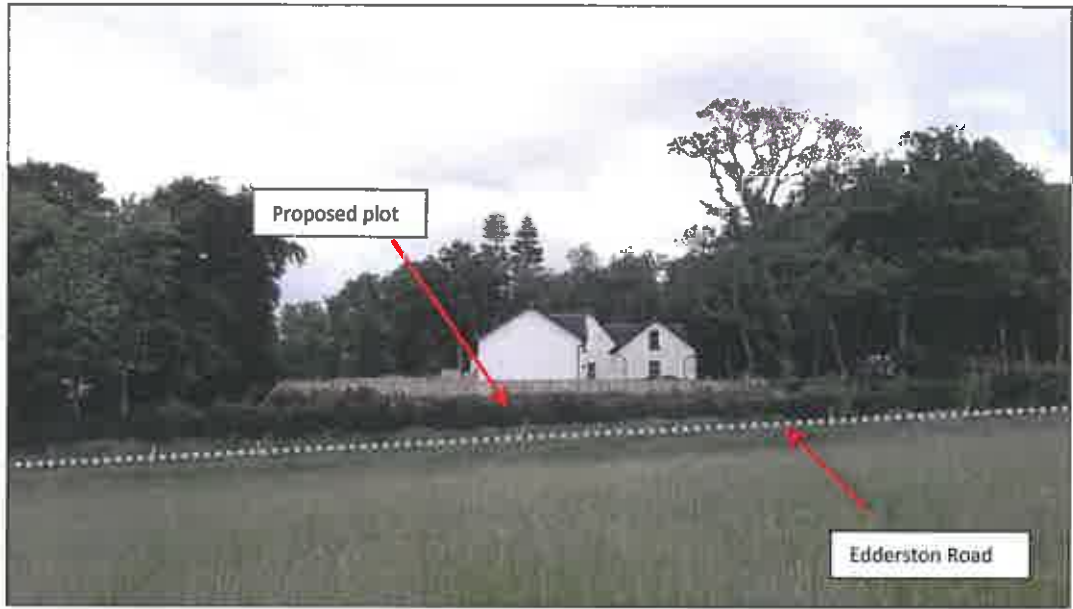
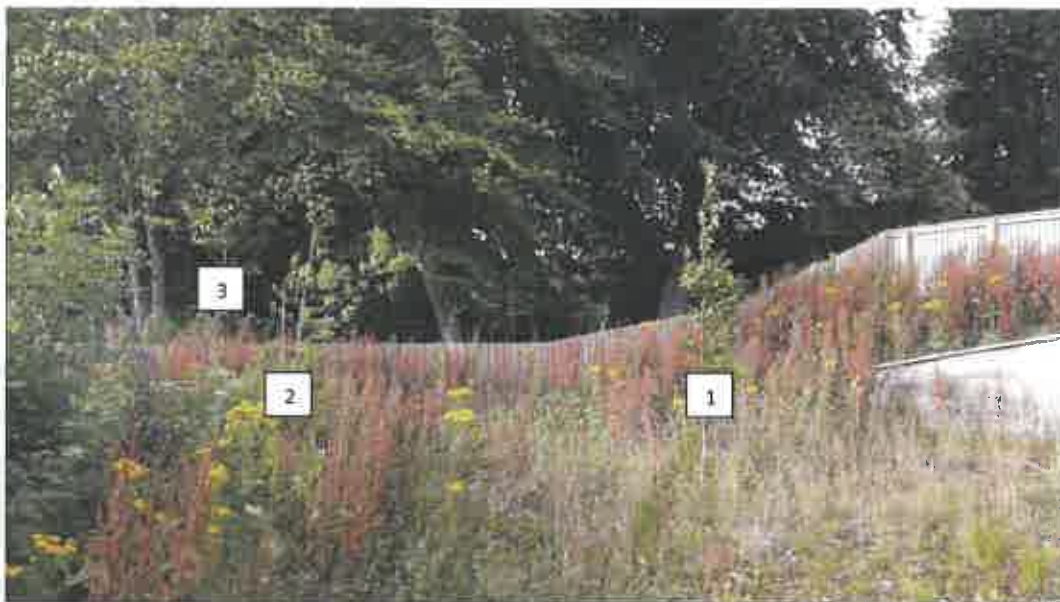


Fig 4: Three trees planted on plot in accordance with tree report



**Fig 5:** View north on Edderston Road showing wall, trees and beech hedge which will remain intact



**Fig 6:** Access into Craigerne Coach House which will be used by the plot



**Fig 7: Sandwood – adjacent to Craigerne Coach House and TPO woodland**





**SCOTTISH BORDERS COUNCIL**

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

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

**REF :** 17/00323/FUL  
**APPLICANT :** Mrs Patricia Crippin  
**AGENT :** Ericht Planning & Property Consultants  
**DEVELOPMENT :** Erection of dwellinghouse and retaining wall (part retrospective)  
**LOCATION:** Land West Of Craigerne Coachhouse  
Edderston Road  
Peebles  
Scottish Borders  
  
**TYPE :** FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
2014/12/102/C	Site Plan	Refused
2014/12/101/A	Location Plan	Refused
2014/12/103/C	Floor Plans	Refused
2014/12/104/C	Elevations	Refused
PLANNING SUPPORTING STATEMENT		Report Refused

**NUMBER OF REPRESENTATIONS: 0**

**SUMMARY OF REPRESENTATIONS:**

**Roads Planning:**

The previous application for a dwelling on this site (15/01034/FUL), which was subsequently refused, raised no objection from the Roads Planning Service subject to certain conditions.

Given the above, I will reiterate my previous comments which must be satisfactorily addressed by any subsequent planning approval;

o The parking area shown on the Proposed Site Plan (Dwg 2014/12/102/B) must be a minimum of 5 metres wide by 5 metres long in order to accommodate two vehicles. The parking area must be fully formed and available for use prior to occupation of the dwelling.

o A £1000 contribution, as a result of the proposed unit, is required as per the current SBC Development Contributions SPG. This contribution is towards improving traffic management in and around the town centre and/or towards the funding of transport appraisal work in respect of options for a second vehicular crossing in the town over the River Tweed.

o No access, either pedestrian or vehicular, is to be taken directly off Edderston Road.

**Landscape Architect:**

he site has been visited on a number of occasions, most recently on 15th March 2017.

The proposed development is almost identical to the application made in 2015, albeit the footprint of the house has been reduced by approximately a quarter.

As stated in my consultation response to the previous application 'I am of the opinion that the addition of another sizeable house on this small site immediately to the west of the original coachhouse, diminishes the aesthetic and setting of the 6 unit development. It does not offer any meaningful garden ground to the proposed house and I suggest will put the remaining TPO trees under pressure of removal due to future overshadowing.'

The oak tree to the south west of the proposed house is one of the TPO trees that would be affected - a mature specimen that lies within 5m of the footprint of the proposed house. None of the supporting information identifies the Root Protection Area (RPA) of this tree but it is extremely likely that the house would be well within its RPA. If it is decided that a house is appropriate in this location, the development should be moved out of the RPA of this tree to protect its long term viability.

I reiterate my previous concerns about a development in this location - 'I think this proposal will have a negative impact on the setting and amenity of the approved development and will undermine the Tree Preservation Order by putting undue pressure on the remaining trees in the immediate area.... in accordance with BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations. I suggest that the proposal amounts to overdevelopment of the site and therefore, on landscape and visual grounds, I cannot support this application.'

Response to points raised by Kate Jenkins on behalf of her client in email below are as follows;

The Landscape Consultation response sent to Planning Officer on the 4th November 2017 is now on IDOX

(as of 19th April 2017)

It is good to have the TPO tree (mature oak) now accurately located on site as my previous comments

, including its distance away from the proposed development, was based on its position as shown on the

Proposed Site Plan. I do not take issue with Ken Harvey's revised position or the measurements and agree the RPA of the tree is as shown.

The distance I referred to was based on the position of the tree shown on Proposed Site Plan (see also

above) submitted, and had assumed that it was reasonably accurate.

Following discussion with our Tree Officer, I can confirm that we agree a no-dig method of construction is absolutely essential where the building comes within the RPA and is could be achieved by either mini

pile and beam, pads or reinforced slab. Detail of preferred method should be submitted for approval, should this development be consented.

I can agree to some degree that shading and overshadowing is a subjective matter, but I do consider the

tree will be under long term pressure for removal given its position to the south west of the proposed house.

I acknowledged the reduction in size -whether it is a 29% reduction in size or as I stated 'has been reduced by approximately a quarter' is not the main disagreement -my concern is that the proposal will have a negative impact on the setting and amenity of the approved development and will undermine the Tree Preservation Order by putting undue pressure on the remaining trees in the immediate area and suggest that the proposal amounts to overdevelopment of the site.

I cannot comment on Sandwood as I have no previous knowledge of this case .

Archaeology Officer: No known implications.

Education and Lifelong Learning:

I refer to your request for Educations view on the impact of this proposed development which is located within the catchment area for Halyrude Primary School, Kingsland Primary School and Peebles High School.

A contribution of £7,463 is sought for Kingsland Primary School and £1,051 is sought for Peebles High School.

Rolls over 90% place strain on the schools teaching provision, infrastructure and facilities and reduce flexibility in timetabling, potentially negatively effecting quality standards within the school environment. Contributions are sought to raise capital to extend or improve schools or where deemed necessary to provide new schools in order to ensure that over capacity issues are managed and no reduction in standards is attributed to this within the Borders Area.

This contribution should be paid upon receipt of detailed planning consent but may be phased subject to an agreed schedule.

Please note that the level of contributions for all developments will be reviewed at the end of March each year and may be changed to reflect changes in the BCIS index, therefore we reserve the right to vary the level of the contribution if the contribution detailed above is not paid before 1 April 2017.

Environmental Health:

Amenity and Pollution

Assessment of Application

Air quality  
Nuisance

This Application indicates that a solid fuel heating appliance will be installed in the dwelling.

The plans lodged with the Application show that properties situated downwind of the site have window openings at a higher level than the discharge point for the heating appliance.

This is liable to impact on the health and amenity of other occupiers.

Recommendation  
Object.

Peebles and District Community Council: Response awaited.

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

Scottish Borders Local Development Plan 2016

Policy PMD2 Quality Standards  
Policy PMD5 Infill Development  
Policy HD3 Protection of Residential Amenity  
Policy EP13 Trees, Woodlands and Hedgerows  
Policy EP16 Air Quality  
Policy IS2 Developer Contributions  
Policy IS7 Parking Provisions and Standards  
Policy IS9 Waste Water Treatment Standards and Sustainable Urban Drainage

"Development Contributions" SPG  
"Trees and Development" SPG

**Recommendation by** - Craig Miller (Lead Planning Officer) on 24th April 2017

This is a revised application for the erection of a dwellinghouse on this site, following on the refusal of 15/01034/FUL in October 2015 for the following reason:

"The application is contrary to Policies G1, G7 and NE4 of the Scottish Borders Consolidated Local Plan 2011 in that the proposed development would represent a cramped form of development, out of character with this part of Edderston Road. The proposed house would result in an overdevelopment and significant reduction, of an area of ground which is required for landscaped and wooded setting for the approved Craigerne Coach House development, resulting in an inappropriate congested appearance between the development and Edderston Road, providing insufficient space for new and replacement planting, undermining the retention of preserved trees and being out of character with the design of the Coach House development and the traditional houses in the area."

The application was taken to the Local Review Body in March 2016 and the refusal decision was upheld, the LRB agreeing to the reasons for refusal of the application.

This revised application has been accompanied by another Planning Statement from the agent which details the history of the site and lists, at para 1.7, the changes represented by the current application. These are mainly a footprint reduction from 112 - 79 sq m, a frontage reduction of 4.65m, smaller two bedroom house, an increase in distance of the northern gable to boundary from 7.35 - 12m leaving more space for tree planting and amendments to frontage fenestration. The main determining issues are whether any of these changes would result in justification to reverse the previous decision of refusal which was upheld at LRB.

In considering this, it is important to reiterate parts of the previous case Handling Report as they remain relevant in relation to the principle of the proposal for a house on the site, as follows:

"Craigerne Coach House was previously a Category B Listed Building when extensions were consented to it to create an additional five dwellinghouses. This involved a new wing to the west towards Edderston Road and a reconfigured and enlarged wing to the east. The design was carefully negotiated during processing of the application to ensure that the character of the listed building and its landscaped, former parkland, setting were preserved. However, that development proceeded in an unauthorised manner with numerous changes which necessitated new applications for listed building and planning consent. Subject to conditions, consents were granted to rectify some of the less appropriate changes. A new application has now been submitted to attempt to keep some of the changes which were sought to be rectified by condition.

Before those conditions could be enforced, Craigerne Coach House was de-listed by Historic Environment Scotland for the reasons given by the agent in her Supporting Statement, Therefore, any assessment of this current application for a new house cannot take into account listings or the previous listed status of the house. Assessment must be based principally upon Local Plan Design, Infill and Tree Policies - G1, G7 and NE4. It is important to note that, although subsequent applications sought to create a cleared site without significant landscaping on the land between the proposed west wing and Edderston Road, no such approval has been granted for the final landscaping scheme on the overall site. Indeed, two TPO trees were removed within the site and an unauthorised retaining wall erected which is also the subject of this consent."

The only changes to be reflected in the above background are that there is now a new Local Plan in place and that the changes to the Coach House development were ultimately consented. However, the overall landscaping scheme for that development remains to be agreed, interrupted by the unauthorised retaining wall that this revised application agains seeks to retain.

In terms of the landscaped setting for the Coach House, the previous Handling Report stated:

"The agent has submitted a Supporting Statement which gives the background to the site, justification for the application, reports on pre-app consultation and draws parallels with other recent infill developments. I have looked carefully at this Statement and the examples given elsewhere but do not believe that any of them can be considered direct comparisons which form a compelling case to allow this development. Despite Craigerne Coach House being delisted, the overall property, with extensions, would lie in attractive landscaped grounds whereby the amenity of the area is preserved by protected trees, walls, hedges and a general green apron and setting to the site. There is no doubt that these trees, hedges and walls form a strong positive characteristic of Edderston Road and the retention and protection of this setting was considered vital in the decisions to allow the enlargement and extension of the Coach House. Despite the western wing being allowed which would bring the built form nearer to the public road, it was felt that, with



retention and augmentation, the landscaped framework could enhance the attraction and amenity of the building despite its enlargement. Although there have been subsequent revisions and a delisting of the building, the landscaped framework is still considered essential to the success of the development and amenity of the area - and has never been finally consented through successive conditions and landscaping submissions."

"Indeed, nomatter what size, shape or height of house proposed on the site, the hardening of the space would be detrimental to the green setting of the enlarged Coach House, exacerbated by the intrusive retaining wall which has been formed along the length of the site and the circulation space required around the house. Although the wall and hedge are intending to be retained along the roadside, the face of the house will be no more than 3-4 metres from the hedging, its 15.5m length and 6-7m height dominating the boundary treatment and reducing the attraction and setting currently created by the wall and hedge. If the application is refused, then it is partially retrospective in relation to the retaining wall and this would need to be addressed in the overall discharge of the landscaping condition."

I maintain these views which are supported by the Landscape Section. Their response makes it clear that this area of ground should not be considered to be suitable for a house and that any development "...diminishes the aesthetic and setting of the 6 unit development." The reductions in the house size still do not improve the impacts of the house within the limited depth of the site, it still being 3-4m from the roadside hedging and at least 6.7m in height. The reduction in length is welcomed but does not outweigh the congestion, dominance and detrimental impacts on the landscaped boundary treatment that exists and that is required to be restored in this location.

The revised development should also be assessed against impacts on existing TPO trees and those trees requiring to be replanted as part of a previous agreement for felling of trees at the northern end of the plot. The previous Handling Report stated the following:

"Two trees were felled within and at the northern end of the site which have been agreed to be replaced. Five trees are shown on the plan at the northern end but it was also noted that services appear to run through this part of the site which also raises questions about the success and suitability of new planting in this area. Furthermore, only 6-7 metres space is given between the site boundary and the northern gable of the proposed house which is considered wholly inadequate for the replanting of appropriate tree replacements and their subsequent growth. The comments of the Landscape Architect on the revised application make it clear that the reservation of green apron and appropriately planted space with hedging and dry stone walling are essential to be retained in line with Local Plan Policy NE4 and the requirements of Policies G1 and G7. "

"The Landscape Architect opposes the proposal for the above reasons but also makes the point that due to the congested nature of the proposal and lack of garden ground around it, there would be increased pressure on the remaining and replacement TPO trees as a result, which will undermine the integrity and protection of the Tree Preservation Order."

The revised application improves the gap between the northern gable of the house and the northern boundary to provide more space for the establishment of three replacement beech trees which are proposed. A report from a tree specialist also accompanies the revised application which attempts to advise that sufficient space would be allowed for the establishment of these trees and that, despite the presence of drainage through this part of the site, any future problems of drain ingress by roots would be likely to be caused by existing trees outwith the site and that there should not be any impacts on the new trees with regards to drainage maintenance works etc. The tree specialist concludes that the site can comfortably accommodate the three new trees and that they could develop to maturity.

The Landscape Architect makes no specific reference to this matter apart from remaining opposed to the development due to insufficient garden space and proximity of the house to existing preserved trees. As the house has been reduced in size and there is no challenge from her to the report from the tree specialist over space and suitability of the ground for the new planting, I would conclude that the new proposal resolves one element of the previous reason for refusal over sufficiency of ground for the establishment of replacement tree planting.

The other element is not resolved with regard to impacts of the development on existing preserved trees. Meaningful garden ground is still not provided for the development which remains congested and close to protected trees at the southern end, partly due to the scarcement required from the new trees to be planted at the northern end. The Landscape Architect continues to express objections that protected trees will be under long term pressure for removal, especially the oak tree to the south west of the proposed house. Whilst the distance from that tree has now been clarified and the Landscape Architect considers specialist construction would not, necessarily, damage the roots of the tree, proximity of living quarters will still result in overshadowing and pressure for removal. I concur with this view and do not believe that the site represents an appropriate infill opportunity which would respect the setting of the former Coach House, its consented expansion nor the longer term protection of the preserved trees in the immediate area.

The issue of overdevelopment and congestion were central to the refusal of the previous application and to the decision of the Local Review Body. The Handling Report stated the following:

"Apart from the impacts on amenity, there are also issues of congestion and overdevelopment caused by the actual proposal on both the site and immediate surrounds itself and on the approved western wing of the Coach House development. Whilst the agent has sought to reference other plot ratios on modern developments elsewhere, none compare to this particular case where significant enlargement and development of Craigerne Coach House has already been allowed, partly on the basis of retention and augmentation of its landscaped and wooded grounds. To place a large house (over 200 square metres) on an intervening space of no more than 15m and within 5m of the new western gable of the Coach House would result in a congested and cramped visual relationship, to the detriment of the carefully design Coach House extension and the overall amenity of the area. The 5m separation between properties is further congested by the retaining wall, timber fencing and beech hedging. It is insufficient space without creating a strong impression of overdevelopment and congestion. Even if the house was proposed as a smaller single storey house, these impacts would still be considerable and considered inappropriate, the main restriction being the lack of depth of the site and the current house only being 6.5m deep - there is no further reduction possible in this respect.

The relationships of other existing houses to new houses referenced by the agent do not, in my opinion, create any compelling case for arguing that the relationship proposed at the application site is part of the general density or built fabric of the area. There is no accurate assessment of plot ratios on the other cases mentioned at Tantah Lodge or Craigmount and, in any case, both those cases involved retention of older houses to the site frontages where the relationship is already existing. The facts are that the relationship created by the proposal would represent overdevelopment and cramping both in terms of buildings to buildings and hard to soft buffer space and landscaping."

The paragraphs from the previous Handling Report particularly highlight the restricted depth of the site and the congestion between the proposed house and the western wing of the Craigerne Coach House development. Although the current house proposal is of reduced length, there is no difference in depth, height or impressions of overdevelopment. The previous Handling Report had identified that our objections would remain even if a single storey house was proposed - in this case, a one and three quarter storey house of the same height and depth as previously proposed is still intended. The impacts of cramping, congestion and overdevelopment, therefore, remain.

The agent continues to compare the proposed development with local cases but these have previously been considered and should have no bearing on the acceptability, or otherwise, of this proposal. They have previously been considered by both the Department and the LRB and cannot be compared as presenting the same issues and site specific constraints.

The previous application was also refused for being out of character with the local vernacular. The Handling Report stated:

"In terms of the design of the house, however, there are improvements that could be made in terms of the fenestration which is dominantly horizontal in emphasis along the frontage. The dormers are oversized and the triple and quadruple window arrangements provide an inappropriate suburban form within the context of

more vertical window patterns nearby and forming the character of the area. Had the application been acceptable in other respects, then there would have been further negotiation over the fenestration but, as it stands, the design represents a further reason to oppose the application, in line with Policies G1 and G7."

The agent has stated that the new design changes the front fenestration by changing triple window dormers to double windows and reducing quadruple ground floor windows to triple units. Compared to the refused application, the revised design provides a shorter building with a greatly improved front public facade. The dormers are better proportioned and the quadruple one removed, the ground floor windows also being improved by being reduced to triples. The design now meets the principles of the "Placemaking and Design" SPG and complies better with the local architectural vernacular. Traditional materials such as slate and wet render continue to be proposed. I find that there is no reason to oppose the revised application on the grounds of design.

One final issue is returned to by the agent in the supporting statement which is in relation to the timing and ownership of the site in relation to the required landscaping which is seen as an obstacle to developing the site. Whilst the timing of the sale of the site to the current applicants is not disputed, the site was sold without the issue of overall landscaping being resolved and approved. The agent states that the site is owned by the parents of the original Coach House developer and that "...it is not now possible to achieve landscaping on the disposition". This matter was also debated at length at the LRB. Whatever view is taken of the "impossibility" of achieving landscaping on a site that has been sold but retained within the family, this cannot be used as a reason to approve the site for housing development on grounds that nothing else would be achievable. In fact, the previous site owner only got permission to fell trees subject to replanting on the site and must still carry this out - yet this is not suggested by the agent as being prohibited by site ownership. It seems inconsistent to suggest that whilst replacement planting can be carried out, a suitable landscape restoration treatment cannot be due to land ownership restriction. The site has been sold without the benefit of planning permission for a house and the current site owners will need to address the requirement for landscape treatment of the overall site.

There are no other issues impacting on the decision, matters relating to residential amenity, roads and Environmental Health either having been dealt with by amended plans or being able to be addressed by planning conditions. There is also no suggestion that the development would not comply with the required development contributions.

Overall, and whilst the revised and reduced design has addressed a couple of previous reasons for refusal, it is not considered that these sufficiently outweigh or satisfactorily address the main reasons for refusal.

## **REASON FOR DECISION :**

The application is contrary to Policies PMD2, PMD5 and EP13 of the Scottish Borders Local Development Plan 2016 in that the proposed development will represent overdevelopment, and significant reduction, of an area of ground which is required for landscaped and wooded setting for the Craigerne Coach House development, resulting in an inappropriate congested appearance between the development and Edderston Road and providing insufficient space from existing preserved trees which would undermine their protection.

## **Recommendation: Refused**

- 1 The application is contrary to Policies PMD2, PMD5 and EP13 of the Scottish Borders Local Development Plan 2016 in that the proposed development will represent overdevelopment, and significant reduction, of an area of ground which is required for landscaped and wooded setting for the Craigerne Coach House development, resulting in an inappropriate congested appearance

between the development and Edderston Road and providing insufficient space from existing preserved trees which would undermine their protection.

**“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 : 17/00323/FUL**

**To : Mrs Patricia Crippin per Ercht Planning & Property Consultants Per Kate Jenkins 57  
Northgate Peebles EH45 8BU**

With reference to your application validated on **1st March 2017** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal : Erection of dwellinghouse and retaining wall (part retrospective)**

**At : Land West Of Craigerne Coachhouse Edderston Road Peebles Scottish Borders**

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

**Dated 3rd May 2017  
Regulatory Services  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**Signed**



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

**APPLICATION REFERENCE : 17/00323/FUL****Schedule of Plans and Drawings Refused:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
2014/12/102/C	Site Plan	Refused
2014/12/101/A	Location Plan	Refused
2014/12/103/C	Floor Plans	Refused
2014/12/104/C	Elevations	Refused
PLANNING SUPPORTING STATEMENT	Report	Refused

**REASON FOR REFUSAL**

- 1 The application is contrary to Policies PMD2, PMD5 and EP13 of the Scottish Borders Local Development Plan 2016 in that the proposed development will represent overdevelopment, and significant reduction, of an area of ground which is required for landscaped and wooded setting for the Craigerne Coach House development, resulting in an inappropriate congested appearance between the development and Edderston Road and providing insufficient space from existing preserved trees which would undermine their protection.

**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.

**From:**McDermott, Siobhan  
**Sent:**20 Apr 2017 10:29:48 +0100  
**To:**Miller, Craig  
**Cc:**Wilkinson, Simon  
**Subject:**RE: Craigerne -Landscape reply 17/00323/FUL

Craig,

Response to points raised by Kate Jenkins on behalf of her client in email below are as follows;

'As an aside, my Client notes that Landscape's consultation to the original application 15/01034/FUL is still not posted to the public access portal. I note that you kindly acknowledged this matter by email on 26/11/15 and asked your Officer to have it posted to the portal that day, but it does not seem to have reached it. This is relevant as the Landscape Officer refers to her original consultation in the current consultation'

The Landscape Consultation response sent to Planning Officer on the 4<sup>th</sup> November 2017 is now on IDOX (as of 19<sup>th</sup> April 2017)

'Ken Harvey, Tree Consultancy Group states that the tree to which your Officer refers is 19m high, has average crown radius of 8m, trunk diameter of 0.81m and the crown develops above 3m. The RPA (i.e. 12 x trunk diameter) has a radius of 9.72m measured from centre of the trunk. The noted oak, and its average crown radii (green) and RPA (red), is indicated on the attached version of the site plan.'

It is good to have the TPO tree (mature oak) now accurately located on site as my previous comments , including its distance away from the proposed development, was based on its position as shown on the Proposed Site Plan. I do not take issue with Ken Harvey's revised position or the measurements and agree the RPA of the tree is as shown.

'Your Landscape Officer indicates the noted oak to be 5.0 m from the south west corner of the house. My Client has measured the distance at 5.75 m.'

The distance I referred to was based on the position of the tree shown on Proposed Site Plan (see also above) submitted, and had assumed that it was reasonably accurate.

Ken Harvey notes that oaks are deep rooting on clay (source - Cutler & Richardson: *Tree Roots and Buildings* 1981) but that foundations would need to be no-dig where the building comes within the RPA. My Clients states that this is acceptable and a reinforced slab foundation would be used to take into account part of the footprint lying within the RPA.

Following discussion with our Tree Officer, I can confirm that we agree a no-dig method of construction is absolutely essential where the building comes within the RPA and is could be achieved by either mini pile and beam, pads or reinforced slab. Detail of preferred method should be submitted for approval, should this development be consented.

'As far as shading and overshadowing is concerned, this is a subjective matter. It is noted that the tree has been pruned in the past.'

I can agree to some degree that shading and overshadowing is a subjective matter, but I do consider the tree will be under long term pressure for removal given its position to the south west of the proposed house.

My Client also notes the almost 30% reduction in house footprint (reduced from 112 sqm to 79.4 sqm) so does not understand why the Landscape Officer states the application to be "almost identical" to the last one. Indeed, it needed to be materially different to enable it to be validated (albeit that this is a discretionary point).

I acknowledged the reduction in size -whether it is a 29% reduction in size or as I stated 'has been reduced by approximately a quarter' is not the main disagreement –my concern is that the proposal will have a negative impact on the setting and amenity of the approved development and will undermine the Tree Preservation Order by putting undue pressure on the remaining trees in the immediate area and suggest that the proposal amounts to overdevelopment of the site.

My Client has requested that the consenting of adjacent Sandwood within RPAs of adjacent TPO trees be noted.

I cannot comment on Sandwood as I have no previous knowledge of this case.

I hope this clarifies my comments but please come back to me if you wish to discuss further

Siobhan

*Siobhan McDermott*

*Landscape Architect*



*Built and Natural Heritage*

*Regulatory Services*

*Scottish Borders Council  
Newtown St Boswells, Melrose TD6 0SA*

*tel: 01835 824000 ext 5425*

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**From:** Miller, Craig  
**Sent:** 17 April 2017 10:58

**To:** McDermott, Siobhan  
**Subject:** FW: Craigerne -Landscape reply 17/00323/FUL

Siobhan – email 3 of 3.

Can you do two things. Firstly ensure your response to 15/01034/FUL is put on IDOX. Secondly, consider the points below and respond with any comments asap ?

Thanks

Craig

Craig Miller MRTPI

Lead Planning Officer

Development Management

Regulatory Services

Scottish Borders Council

tel - 01835 825029 mobile - 07765 386404

email - [cmiller@scotborders.gov.uk](mailto:cmiller@scotborders.gov.uk)



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**From:** Kate Jenkins [<mailto:kate@kjenkins.co.uk>]  
**Sent:** 14 April 2017 18:47  
**To:** Miller, Craig  
**Subject:** Craigerne -Landscape reply

Craig,

My Client wishes to respond to Landscape's consultation posted on 5<sup>th</sup> April, 2017 as follows please:

As an aside, my Client notes that Landscape's consultation to the original application 15/01034/FUL is still not posted to the public access portal. I note that you kindly acknowledged this matter by email on 26/11/15 and asked your Officer to have it posted to the portal that day, but it does not seem to have reached it. This is relevant as the Landscape Officer refers to her original consultation in the current consultation.

Ken Harvey, Tree Consultancy Group states that the tree to which your Officer refers is 19m high, has average crown radius of 8m, trunk diameter of 0.81m and the crown develops above 3m. The RPA (i.e. 12 x trunk diameter) has a radius of 9.72m measured from centre of the trunk. The noted oak, and its average crown radii (green) and RPA (red), is indicated on the attached version of the site plan.

Your Landscape Officer indicates the noted oak to be 5.0 m from the south west corner of the house. My Client has measured the distance at 5.75 m.

Ken Harvey notes that oaks are deep rooting on clay (source - Cutler & Richardson: *Tree Roots and Buildings* 1981) but that foundations would need to be no-dig where the building comes within the RPA. My Clients states that this is acceptable and a reinforced slab foundation would be used to take into account part of the footprint lying within the RPA.

As far as shading and overshadowing is concerned, this is a subjective matter. It is noted that the tree has been pruned in the past.

My Client also notes the almost 30% reduction in house footprint (reduced from 112 sq. to 79.4 sqm) so does not understand why the Landscape Officer states the application to be “almost identical” to the last one. Indeed, it needed to be materially different to enable it to be validated (albeit that this is a discretionary point).

Lastly, My Client has requested that the consenting of adjacent Sandwood within RPAs of adjacent TPO trees be noted.

Regards

Kate

Kate Jenkins MRICS MRTPI | Director

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Message

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 Actions - Tags Select - Editing Zoom

From: Kate Jenkins <kate@kjenkins.co.uk>  
 To: 'Miller, Craig'  
 Cc:  
 Subject: Original: Eddwinton Road Plot (Comments on Landscape Response)

Craig

I have been asked to respond to Landscape's most recent consultation response dated 20<sup>th</sup> April, 2017.

- My Client welcomes the Officer's comment " I can confirm that we agree a no dig method of construction is absolutely esse beam, pads or reinforced slab", and the agreement that "to some degree shading and overshadowing is a subjective matter"
- My Client wishes it to be noted that measures have been undertaken to address the concerns previously identified by La trees, (2) arboricultural assessment by Tree Consultancy Group, (3) the significant (30%) reduction in footprint of the pro
- It is accepted that the particular Landscape Officer was not involved in the application(s) relating to the property now kn own merits, the decision making process therein be reviewed with regard to trees to ensure consistency in decision maki

Regards

Kate

Kate Jenkins MRICS MRTPI | Director  
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# REGULATORY SERVICES



To: **Development Management Service**  
**FAO Craig Miller**

Date: 28 Mar 2017

From: **Roads Planning Service**  
Contact: **Paul Grigor**

Ext: 6663

Ref: 17/00323/FUL

---

**Subject: Erection of dwellinghouse and retaining wall (part retrospective)**  
**Land West of Craigerne Coachhouse, Edderston Road, Peebles**

---

The previous application for a dwelling on this site (15/01034/FUL), which was subsequently refused, raised no objection from the Roads Planning Service subject to certain conditions.

Given the above, I will reiterate my previous comments which must be satisfactorily addressed by any subsequent planning approval;

- The parking area shown on the Proposed Site Plan (Dwg 2014/12/102/B) must be a minimum of 5 metres wide by 5 metres long in order to accommodate two vehicles. The parking area must be fully formed and available for use prior to occupation of the dwelling.
- A £1000 contribution, as a result of the proposed unit, is required as per the current SBC Development Contributions SPG. This contribution is towards improving traffic management in and around the town centre and/or towards the funding of transport appraisal work in respect of options for a second vehicular crossing in the town over the River Tweed.
- No access, either pedestrian or vehicular, is to be taken directly off Edderston Road.

**AJS**







# TREE CONSULTANCY GROUP

ARBORICULTURE - URBAN FORESTRY - PLANNING

## ARBORICULTURAL REPORT

**To:** Ericht Planning and Property Consultants  
Attn: Ms K Jenkins

**Date:** 21st March 2017

**Our ref:** CC0317

**Client:** Mrs P Crippin

**Subject:** Land west of Craigerne Coachhouse, Edderston Road, Peebles.

---

Dear Ms Jenkins,

Further to your emailed instructions, I confirm that I visited the site on 17th March 2017 to assess whether the area of land to the north of the proposed new house at Craigerne Coachhouse, as shown on Richard Allen Architectural Design's Drawing No.2014/12/102/C, can support three mature forest-type trees. I understand that doubts have been raised by the Planning Department at Scottish Borders Council that the site can accommodate this number of trees to maturity, and that this issue is a material consideration in determining the planning application. Concerns have also been raised with regard to the new trees' proximity to the existing drain running across the north-eastern corner of the site. I comment and advise on these matters as follows, numbering the paragraphs for ease of reference:

- 1 The site is a rectangular piece of ground located to the north of the proposed new house and is shown on the proposed development plan as 'Woodland Garden Area' with three indicative trees shown highlighted in green. It is bounded by a mature beech hedge along the Edderston Road frontage, a timber fence along the northern boundary, and a timber fence along the eastern boundary. The site has been partially excavated and is now generally level with a small depression towards the northern end, and a new retaining wall running roughly north to south close to the eastern boundary fence. A mature woodland of mixed broadleaved species lies immediately to the north of the northern boundary fence. To the south of the development site, there is a group of semi-mature to mature broadleaved trees within the curtilage of Craigerne Coachhouse.
- 2 In order to ascertain whether the site can support three forest-type trees into maturity, I looked at the existing stocking density (i.e. the number of trees per hectare) of the adjacent mature woodland immediately to the north of the site, and also the group of semi-mature and mature trees to the south between the site and the access drive into Craigerne Coachhouse. I will refer to these as Woodland



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**PRINCIPAL CONSULTANT:  
KENNETH HARVEY, DIP. FOR.**

Area 1 and Woodland Area 2 respectively. A sample plot taken in Woodland Area 1 adjacent to the boundary fence measured 19m wide by 17m deep and contained 11 trees over 100mm trunk diameter. A sample plot taken in Woodland Area 2 measured 19m wide by 12.6m deep and contained 19 trees with trunk diameters greater than 100mm.

3 The ground within the development site to the north of the proposed house is approximately 14.5m wide, and 11.5m deep measured from the boundary hedge to the retaining wall. I will refer to this as the 'Site'. It contains three recently planted young trees; two beech and an oak of 8 - 10 cm girth.

4 A comparison of the relative stocking density for each site is given below:

**Site:**

Area is 11.5m x 14.5m = 166.75m<sup>2</sup> or 0.017ha.

At 3 trees, stocking density is  $1/0.017 \times 3 = 176.5$  trees per hectare.

**Woodland Area 1:**

Sample plot area of 19m x 17m = 323m<sup>2</sup> or 0.033ha.

At 11 trees, stocking density is  $1/0.033 \times 11 = 233.3$  trees per hectare.

**Woodland Area 2:**

Area is 12.6m x 19m = 239.4m<sup>2</sup> or 0.024ha.

At 19 trees, stocking density is  $1/0.024 \times 19 = 791.5$  trees per hectare.

5 As can be seen from the above, with three trees the stocking density of the site is below the density being supported comfortably by the adjacent woodland to the north, and well below the density being supported by the tree group to the south, both of which appear to be quite satisfactory and appropriate components within the local landscape. At a stocking density of 176.5 trees per hectare, the site has 53% of the density of Area 1 and 22% of the density of Area 2.

6 The stocking density of three trees in the site will give the newly-planted trees more room to grow both above, and below, ground than the trees in Woodland Areas 1 and 2, where the trees are relatively narrow and drawn due to mutual competition although they are still quite acceptable from both silvicultural and arboricultural perspectives.

7 The three new trees have been planted towards the front of the site roughly equidistant from both the existing drainage run (as shown on the supplied plan) and the proposed house. Given the constraints of the site, they are in the most appropriate positions. I would anticipate that any issues with root ingress into the drain in the future would be caused by the existing trees in the adjacent woodland, and not from the new trees as they develop. Should future access to the drain be required for maintenance or repair, the new trees would not hinder the works nor should the work result in excessive and damaging root severance.

I therefore believe that the site can comfortably accommodate the three new trees and allow them to develop to the same maturity as the adjacent woodlands. If the proposed development proceeds as shown on the supplied plans, I would not recommend any additional trees be planted, as this could have a detrimental impact on the living conditions of any occupiers, leading to future pressure to either remove some or have them reduced in size.

I trust this gives you the information you require. If I can be of any further assistance, please let me know.

yours sincerely,



Kenneth Harvey Dip. For.  
for Tree Consultancy Group



**From:**Kate Jenkins  
**Sent:**27 Mar 2017 13:08:52 +0100  
**To:**Miller, Craig  
**Subject:**17/00323/FUL- Craigerne, Edderston Road  
**Attachments:**Elevations 270317.pdf, Floor Plan 270317.pdf

Craig,

Further to Environmental Health's objection due to flue, my Client has instructed me to issue revised floor plan and elevation following removal of stove and associated flue.

Regards

Kate

Kate Jenkins MRICS MRTPI | Director

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**Planning Supporting Statement**

**Land west of Craigerne Coach House, Edderston Road, Peebles EH45 9JD**

**Erection of one dwellinghouse and retaining wall (part retrospective)**

**On behalf of Mrs Patricia Crippin**

**28<sup>th</sup> February, 2017**

## 1.0 INTRODUCTION AND PROPOSAL

- 1.1 This Planning Application is submitted by Ericht Planning & Property Consultants on behalf of Mrs Patricia Crippin (land owner) to seek planning permission for the erection of a two storey dwellinghouse and retaining wall on land to the west of Craigerne Coach House which fronts Edderston Road. Access to the plot will be taken by way of the existing access to Craigerne Coach House as shown on the Site Plan.
- 1.2 The Disposition by Glentress Homes in favour of Mrs Patricia Crippin and Mr Trevor Crippin is understood to have been signed in December, 2015. This is noted herein as the timing of the transfer of ownership was a point of discussion at the Local Review.
- 1.3 The Coach House development (application 15/01081/FUL) was submitted on 15<sup>th</sup> September, 2015 and approved, with conditions (including landscaping conditions) on 3<sup>rd</sup> February, 2016. The imposition of the landscaping condition thus post-dated the signing of the disposition by Glentress Homes Ltd to Mr & Mrs T Crippin.
- 1.4 The original application 15/01034/FUL for the plot at Edderston Road (the subject of this application) was submitted on 2<sup>nd</sup> September, 2015 and refused on 26<sup>th</sup> October, 2015.
- 1.5 The plot is located adjacent to the development which is subject to (most recently) planning permission 15/01081/FUL to form six dwellinghouses. The relationship of the buildings is shown within the Site Plan drawing 2014/12/102/B.
- 1.6 The following drawings have been provided by Richard Allen, Architect and form part of this application:
- Site Location Plan      Ref: 2014/12/101/A
  - Site Plan                      Ref: 2014/12/102/B
  - Floor Plans                    Ref: 2014/12/103/B
  - Elevations                    Ref: 2014/12/104/B



- 1.7 The application, whilst being contained within the same application boundary, is demonstrably different from the application made in September, 2015 in the following respects:
- The footprint of the house has reduced by almost 30% from 112 sqm to 79.4 sqm;
  - The frontage of the house has reduced from 16.0m to 11.35m;
  - The resulting, smaller, 2 bedroomed house offers a more balanced dwelling;
  - The distance of the northern gable of the house from the northern boundary has increased from 7.35m to 12.0m leaving, in particular, increased (and sufficient) space for tree planting and long term retention of these trees;
  - The fenestration, discussed at LRB and noted in the Officer's Report of 15/01034/FUL, on the front elevation is altered. In particular, the northern-most dormer windows have been reduced to double units (from triple units). The ground floor windows have been reduced to triple units (from quadruple units).
  - It is also noted that this application is made under the new Local Development Plan (adopted May, 2016). The previous application was made under the Consolidated Local Plan (2011).
- 1.8 The application includes the following proposals:
- Retention of the beech hedge to east of the dry stone wall alongside Edderston Road.
  - No requirement to break through the existing wall as vehicle access is via the Coach House entrance, with parking as shown on the Site Plan.
  - Key external finishes to include wet dash render walls (painted white), slated roof, timber casement windows, composite woodgrain effect external doors and upvc gutters and downpipes etc.
  - Access to the dwelling from the parking spaces is by way of a pedestrian walkway.
  - Planting of 3 new beech trees at the north west of the site.

- 1.2m high timber close boarded fence is to be erected along the boundary of 15/01081/FUL and the current application site, with a new beech hedge to be planted along the top of the banking.
- The retaining wall to the rear of the plot is 1.5m high above finished ground level of the plot.

## 2.0 BACKGROUND AND PLANNING HISTORY

### **Application 15/01034/FUL and Local Review 16/00001/RRF**

- 2.1 An application for a 5 bedroomed house of footprint 112 sqm, frontage 16.0 m and height 7.2m (north gable) was refused by the Planning Authority in October, 2015. This decision was subject to Local Review, at which the Local Review Body upheld the Officer's decision (by a majority vote 2:5) in March, 2016.
- 2.2 The key reasons for these decisions included:
- The house would represent overdevelopment;
  - The development would reduce the area of ground required for a landscaped and wooded setting for the approved development 15/01081/FUL at the adjacent Craigerne Coach House;
  - There would be an inappropriate congested appearance between the development and Edderston Road;
  - There would be insufficient space for replacement and new planting, undermining the retention of preserved trees;
  - The development would be out of character with the design of the Coach House, the traditional houses in the area and the specific part of Edderston Road.
- 2.3 It has been confirmed that there are no concerns by the Planning Authority relating to impact on residential amenity.
- 2.4 There are no objections to the proposal from the Roads Planning Service. Glentress Homes Ltd recently constructed a passing place in the west side of Edderston Road.
- 2.5 Craigerne Coach House is not a Listed Building. After detailed consideration and consultation with Scottish Borders Council, Historic Scotland confirmed on 25<sup>th</sup> June, 2015 that the listed status of Craigerne House and Craigerne Lodge had

been updated and the Coach House had been removed from the statutory listing address.

### 3.0 ANALYSIS AGAINST PLANNING POLICY

3.1 Key policies within the Scottish Borders Local Development Plan against which this application must be assessed include:

- PMD 5 Infill development;
- PMD 2 Quality Standards;
- EP13 Trees, Woodlands and Hedgerows;
- HD3 Protection of Residential Amenity.

### 3.2 Quality Standards

This proposal provides for a dwelling which fronts Edderston Road, adjacent to existing development at Craigerne Coach House. The proposal respects the character of the surrounding area, neighbouring uses and neighbouring built form in terms of scale, massing, height and density. The resulting density of development is not inconsistent with the surrounding area as can be seen from the Location Plan submitted with this application.

3.3 The distance between Edderston Road and the front elevation of the proposed house is c. 4 metres- substantially more than at adjacent Tintah Lodge.

3.4 The proposal can be satisfactorily accommodated within the site. The sale (footprint) of the dwelling has been reduced by almost 30%, as noted above. The Applicant requests that the Council consider the development of 'Sandwood', the house which was granted planning consent to the rear of Tintah Lodge (a listed building).

3.5 In 2007, planning consent was obtained for the development of what is now 'Sandwood' in the garden ground to the rear of Tintah Lodge. (Ref: 07/00668/OUT and 09/01496/AMC). The location of the site and its relationship with adjacent houses is shown overleaf. This application was not considered to be overdevelopment.

Fig 1: Tantah Lodge and Sandwood



- 3.6 In assessing the proposed “Sandwood”, the Officer made the following comments:
- a) *“The proposal can be satisfactorily accommodated within the site. The garden areas would be consistent with Tantah Lodge and Tantah Cottage”*. **Comment:** The garden ground afforded to the current proposal is greater than that afforded to Tantah Lodge and Cottage. The footprint of the house is 79.4 sqm and the application boundary measures 536sqm. The house thus occupies 14.8% of the plot. The figure for Tantah Lodge appears to be higher at c.30%.

- b) *"The area surrounding the application site is predominantly residential in character, and the type of development would be consistent with its surroundings"*. **Comment:** The same comment applies to the proposed development.
- c) *"There would be an insignificant increase in traffic and the visual impact would be minimal"*. **Comment:** Likewise, there would be insignificant traffic increase. The site lies within the Peebles town boundary. The visual impact from Edderston Road would not be unreasonable, particularly given the presence of other houses in the vicinity with road frontage. The site would be partially screened at low level by the wall and hedge. The relationship of the two developments can be seen within the elevation drawings.
- 3.7 The proposed house would have slate roof and white-painted wet dash harled render to ensure that it is in keeping with the development at Craigerne Coach House. Finishes include timber casement windows and woodgrain effect composite doors. The proposal will fit well with the sense of place at Craigerne and will complete the development at this location.
- 3.8 The proposal retains the physical features of the stone wall along Edderston Road, together with the mature beech hedge. This will ensure that the development will retain an attractive boundary as viewed from the public road. There is no requirement to form a new access through the wall. Existing trees are retained within the Craigerne Coach House development, and new planting is provided within the site boundary.
- 3.9 To the rear of the property is a 1.5m high retaining wall which is rounded off by an earth banking on which a new beech hedge will be planted on the west side of the 1.2m close boarded fence.
- 3.10 The level of open space remaining at Craigerne Coach House is appropriate and sufficient for a development which lies within the Peebles settlement boundary at this location. The site has no impact upon the provision of public access from the entrance gate of Craigerne to the Cala Homes development.
- 3.11 It is noted that the ownership of the Craigerne Coach House land, as depicted within planning permission 15/01081/FUL, and which requires landscape treatment in association with that permission, is owned by Glentress Homes Ltd, whereas the current application subjects are within separate ownership

(Mr and Mrs Crippin *snr*). The dates of the several 'Coach House' permissions, the Edderston Road plot's refusal and the subsequent Local Review Body decision are set out at parags. 1.2 -1.4, In essence, application 15/01081/FUL was approved almost 2 months after the signing of the Disposition by Glentress Homes Ltd in favour of Mr & Mrs Crippin *snr*. Glentress Homes Ltd state that it is now not possible to achieve landscaping on the disposition (application) subjects.

- 3.12 The extent of open space associated with permission 14/00876/FUL (and 15/01081/FUL) was reduced from the 2013 consent by way of an altered site boundary. This reduction in site area contained within the Coach House application boundary was approved by the Planning Authority, albeit that the Planning Authority sought, by way of planning condition, the submission of a proposed landscaping scheme to cover both the Craigerne Coach House application boundary and the current application subjects.
- 3.13 The applicant maintains that adequate shared open space is available for the Coach House development without the land of the application subjects, which is appropriate to a development of that scale within the Peebles settlement boundary. The shared open space exists in addition to private garden ground.
- 3.14 A proposed landscaping plan in respect of the Craigerne Coach House development was submitted on behalf of Glentress Homes to the Planning Authority on 17<sup>th</sup> August, 2015. A response was received by way of a consultation response to 15/01081/FUL on 26<sup>th</sup> November, 2015.

#### **Infill Development**

- 3.15 This application subjects are considered to comprise a gap site for the purposes of this policy. In this regard, the proposal does not conflict with the established residential use of the area, nor detract from its character and amenity. The Applicant wishes to express his opinion that there appears to have been little resistance, by the Planning Authority, to the development of gap sites within the Peebles town boundary.
- 3.16 The policy seeks to ensure that overdevelopment does not occur. The Applicant strongly asserts that the development of this site in the manner proposed, particularly given the reduced scale of the house, would not lead to overdevelopment, based upon the plot sizes in the vicinity, development which has been permitted behind (listed) Tantah Lodge and the specific location of

the proposal which has road frontage with open agricultural land to the west and woodland to the north.

- 3.17 The scale of the house proposed is smaller, in terms of footprint, with the houses within the adjacent Cala Homes development. The house's massing is significantly smaller than most in that development. The proposed dwelling's relationship with the Coach House development is considered to be appropriate also. The development will not result in loss of daylight, sunlight or privacy to the properties at Craigerne as a result of overshadowing or overlooking.
- 3.18 There are several houses which directly front Edderston Road in the immediate vicinity, including Tintah Lodge, Tintah Cottage, Craigerne Lodge and its prominent garage. The concept of the proposed house being located to front the road is established in the locality and should not be considered to be unacceptable. Indeed, the proposed house is set back and separated from the road by the wall and hedge, unlike Tintah Lodge.
- 3.19 The site will be served by mains drainage by connecting to the existing drainage system which serves the Craigerne Coach House development. Surface water will drain to a soakaway.

#### **Policy NE4 Trees, Woodlands and Hedgerows**

- 3.20 This policy supports the maintenance and management of woodland. Existing trees will be retained and replacement tree planting is to be carried out as shown on the Site Plan. The smaller scale of the house leaves a greater area for the growth of the new trees, which will be subject to TPO.

#### **Policy H2 Protection of Residential Amenity**

- 3.21 This development will not have adverse impact on the amenity of the residential area surrounding Craigerne in terms of the following points below. This has already been confirmed within the assessment of 15/01034/FUL.
- Loss of open space;
  - The scale, form and type of development in terms of its fit with the area;
  - The impact on surrounding properties in terms of overlooking and loss of privacy;
  - The generation of traffic or noise;
  - The level of visual impact (from the public road and from existing houses).

