

Public Document Pack



LOCAL REVIEW BODY WEDNESDAY, 15 JULY 2020

A MEETING of the LOCAL REVIEW BODY will be held on WEDNESDAY, 15 JULY 2020 at 10.00 am. The meeting will be conducted remotely by Microsoft Teams live event.

Arrangements are in place to stream the meeting for public viewing. Further information and a link will be provided on the Council's website before the meeting.

J. J. WILKINSON,
Clerk to the Council,

8 July 2020

BUSINESS		
1.	Apologies for Absence.	
2.	Order of Business.	
3.	Declarations of Interest.	
4.	<p>Continuation: Consider request for review of refusal of application for erection of dwellinghouse and detached garage on land SW of 3 Mill Lade, Blyth Bridge. 19/01645/FUL. 20/00005/RREF.</p> <p>Copies of the following papers attached:-</p>	
	(a) Submission from SEPA and Flood Risk Officer on additional information	(Pages 3 - 8)
	(b) Applicant response to submission from SEPA and Flood Risk Officer	(Pages 9 - 12)
	(c) Review papers	(Pages 13 - 86)
	<p>Copies of papers re-circulated as follows:-</p> <p>Notice of Review - page 13 Decision Notice - page 24 Officer's Report - page 45 Papers referred to in Officer's Report- page 51 Consultations - page 67 List of Policies - page 77</p>	
5.	<p>Continuation: Consider request for review of refusal of application for erection of dwellinghouse with attached garage at Disused Sawmill Cowdenknowes Earliston. 19/01611/FUL. 20/00007/RREF.</p> <p>Copies of the following papers attached:-</p>	

	(a) Further visual information provided by applicant	(Pages 87 - 104)	
	(b) Planning Officer response to further information	(Pages 105 - 106)	
	(c) Review Papers	(Pages 107 - 322)	
	Copies of papers re-circulated as follows:-		
	Notice of Review	- page 107	
	Decision Notice	- page 184	
	Officer's Report	- page 175	
	Consultations	- page 153	
	Papers referred to in Officer's Report	- page 297	
	List of Policies	- page 315	
6.	Any Other Items Previously Circulated		
7.	Any Other Items which the Chairman Decides are Urgent		

NOTE

Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.

Membership of Committee:- Councillors T. Miers (Chairman), A. Anderson, J. A. Fullarton, S. Hamilton, H. Laing, S. Mountford, C. Ramage, N. Richards and E. Small.

Please direct any enquiries to Fiona Walling 01835 826504
email fwalling@scotborders.gov.uk

Our ref: PCS/171543
Your ref: 20/00005/RREF

If telephoning ask for:
Sheena Jamieson

10 June 2020

Fiona Walling
Scottish Borders Council
Council Headquarters
Newtown St Boswells
Melrose
TD6 0SA

By email only to: localreview@scotborders.gov.uk

Dear Fiona

Appeal reference: 20/00005/RREF
Planning application: 19/01645/FUL
Erection of dwellinghouse and detached garage
Land South West Of 3 Mill Lade Blyth Bridge Scottish Borders

Thank you for your consultation email which SEPA received on 28 May 2020.

Advice for the planning authority

We **maintain our objection** to this planning application on the grounds of lack of information and that it may place buildings and persons at flood risk contrary to Scottish Planning Policy.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

We will review this objection if the issues detailed in Section 1 below are adequately addressed.

1. Flood Risk

1.1 We previously responded to this proposed development in April 2018 at the pre-planning stage (our ref PCS/158530) and requested additional information in support of the application. In March 2019, we objected in principle to a formal planning application (19/00194/FUL, our ref PCS/163954) on the grounds that limited topographic information indicated that the development was located within the functional floodplain. We objected again in December 2019 (19/01645/FUL our ref PCS/168814) due to limited information, and potential land raising within the functional floodplain. Please read this response in conjunction with previous responses.

1.2 We have reviewed the following documents:



Chairman
Bob Downes
Page 3
Chief Executive
Terry A'Hearn

SEPA Edinburgh Office

Silvan House, 3rd Floor, 231 Corstorphine Road,
Edinburgh EH12 7AT.

www.sepa.org.uk • customer enquiries 03000 99 66 99

- Statement of Review, Planning Application 19/01645/FUL Land to South West of Mill Lade, Blyth Bridge
- Drawing: “Flood Risk Assessment – Proposed Condition Sheet 1”, drawing no. 20-001-FR 002, 02/2020
- Drawing: “Flood Risk Assessment – Proposed Condition Sheet 2”, drawing no. 20-001-FR 003, 02/2020
- Drawing: “Flood Risk Assessment – Existing Condition”, drawing no. 20-001-FR-001, 01/2020

- 1.3 The “Statement of Review” states that the proposed dwelling is above the freeboard required in the event of a 1 in 200 year flood. However clarification is required as to how the level of the 1 in 200 year flow was attained. We will only accept a level obtained from a satisfactory detailed flood risk assessment undertaken by a qualified professional. Please note that SEPA flood maps are purely indicative and should never be used to inform development plans or finished floor levels.
- 1.4 Drawing “20-001-FR 002”, Section 3-3 implies that the garage will be elevated outwith the functional flood plain by land raising. Drawing 20-001-FR-002 implies that the finished floor level shall be achieved through land raising within the functional flood plain. As mentioned in our previous responses, we do not support land raising within the functional floodplain. Land raising within the functional floodplain will impact on both the floodwater conveyance and storage functions of the floodplain which will potentially increase the risk to other receptors.
- 1.5 There should be flood free access and egress from the property. Drawing 20-001-FR 001 seems to imply that access and egress shall take place through flood waters.
- 1.6 Please be aware that any Flood Risk Assessment undertaken may only serve to confirm that this site is unsuitable for this development.
- 1.7 In summary, information is required to address the following points before we would consider removing our objection to the proposed development:
- A satisfactory detailed flood risk assessment, undertaken by a suitably qualified professional, that can demonstrate that the proposed development is outwith the 0.5% AP (1:200) floodplain.
 - Confirmation that no land raising will take place within the functional flood plain.
 - Demonstrate safe access and egress from the property.

Caveats & Additional Information for Applicant

1. The [SEPA Flood Maps](#) have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess, flood risk at the community level and to support planning policy and flood risk management in Scotland.
2. We refer the applicant to the document entitled: [“Technical Flood Risk Guidance for Stakeholders”](#). This document provides generic requirements for undertaking Flood Risk Assessments. Please note that this document should be read in conjunction with [Policy 41 \(Part 2\)](#).

3. Our [Flood Risk Assessment Checklist](#) should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process.
 4. Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.
 5. The flood risk advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Scottish Borders Council as Planning Authority in terms of the said Section 72 (1).
- 1.8 If you have any queries relating to this letter, please contact me by e-mail at planning.se@sepa.org.uk.

Yours sincerely

Sheena Jamieson
Senior Planning Officer
Planning Service

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).

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Consultation Reply



ENVIRONMENT AND INFRASTRUCTURE

To: DEMOCRATIC SERVICES

FAO: Fiona Walling

Your Ref: 20/00005/RREF

From: HEAD OF ENGINEERING & INFRASTRUCTURE

Date: 11th June 2020

Contact: Ian Chalmers

Ext: 5035

Our Ref: B48/2815

Nature of Proposal: Erection of dwellinghouse and detached garage

Site: Land south west of 3 Mill Lade, Blyth Bridge, Scottish Borders

The previous response from the Flood and Coastal Management Technician, Lauren Addis, in November 2019 stated that the site was at risk of flooding within SEPA's 1 in 200 year indicative flood mapping and made a request for a full Flood Risk Assessment (FRA) to be submitted in support of the application.

A formal FRA was never submitted before the planning decision and flood risk was one of the reasons for refusal.

The applicant has appealed this decision and I note that they have submitted three drawings in support of their application with regards to flood risk. These drawings are referenced Drawing "20-001-FR 001", "Drawing 20-001-FR 002" and "Drawing 20-001-FR 003".

These drawings state that the FFL of the property is at a level higher than the 1 in 200 year flood extent. I acknowledge that the applicant is attempting to locate the FFL of the property above the 1 in 200 year flood extent plus a freeboard allowance of 600mm, this is what is required.

However, there is no indication of where the 1 in 200 year flood levels have been derived from, the hydrological parameters used or what methodology was used. Therefore, I cannot determine whether this flood level is accurate. No Flood Risk Assessment has been submitted in support of the application. I would require that 1 in 200 year flood levels are derived from a Flood Risk Assessment (and/or hydraulic modelling) to provide accurate flood levels on site.

Given the uncertainty as to the accuracy of the flood levels shown on the drawing and the lack of FRA, I cannot support this application and would maintain our objection on the grounds of flood risk.

Please note that this information must be taken in the context of material that this Council holds in fulfilling its duties under the Flood Risk Management (Scotland) Act 2009.

Ian Chalmers
Engineer – Flood and Coastal Management

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KANAK K BOSE

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TEL 01555 840971 MOB 07736 503321 E kanakbose@yahoo.co.uk

Ms Fiona Walling
Scottish Borders Council
Headquarters
Newtown St Boswells
TD6 0SA

26th June 2020

Dear Ms Walling

Re : Ref 20/00005/RREF – Land to The South West of 3 Mill Lade, Blyth Bridge.

Thank you for the correspondence you have sent me and your prompting to reply to you by today's date.

I referred the SEPA letter and the Consultation to the engineer who carried out the flood study as he is better qualified to comment. I attach his comments which I received this week.

The reason for the review is to fully appraise whether the principle of a house on this site would be upheld. As such, we felt it inappropriate to involve the client in a full flood study which would have been a considerable expense. A flood study may have proved to be compatible but the planning permission may still have failed on one of the other policy issues.

We considered it more appropriate to carry out a desk-top appraisal which is what ENV Consulting Engineers were asked to do. The result, and I see that your own engineer concurs with our engineer, is that the proposed house floor levels are above the 1 in 200 year flood risk level.

However, using current flood design criteria one can assume that in the event of the 1 in 200 year flood, the whole of the central part of Blyth Bridge may be at risk so access to the new plot along with all the other homes in the nucleus may be impaired for the duration of the flood. This enigma occurs in many locations in Scotland and if such criteria were upheld for every planning application, one can assume that there would be little or no development in Scotland.

We ask the review board to consider carefully all the points I have raised in my submission. There are several additional points I should like to raise given the torrid times the world has encountered during the last few months.

- I consider this site to be suited for development and have made the point that development and its associated planting would enhance and complete the village. However, it must be stressed that such rural sites are at a premium, not so much financially but to enable people to live and exist in partial isolation within a community, an important factor which must not be forgotten after what has happened in the world.
- I further submit that planning policies should be flexing so as more people are encouraged to live a more rural existence, not merely co-habiting in confined spaces.

These considerations having been aired, I also understand my client is willing if the principle of a house on this site were to be successful, to redesign the building and produce a more design-aware solution. They would be willing to discuss this with the planning department. Indeed, they would be willing to accept conditions to fully address matters of ecology, landscaping and flood-risk, the latter where hopefully if more factual information became available, all parties could find a solution to the potential problem.

I look forward to hearing what the review board says, knowing they will give a robust appraisal of my earlier submission. That said, my opinion that we as a nation should be altering the way we consider living is also a valid point and not one any of us can disagree with. Planning should be minded of this and not waiting for another pandemic before sensible measures to live rurally are put in place.

Yours sincerely

Kanak Bose

Kanak Bose

Forwarded message -----

From: "russell@env-consultants.co.uk" <russell@env-consultants.co.uk>

To: 'Kanak Bose' <kanakbose@yahoo.co.uk>

Sent: Wednesday, 24 June 2020, 16:35:53 BST

Subject: RE: Blyth Bridge FRA

Kanak

I have been through both SEPA and SBC responses.

First of all ,and before going into technical debate I would like to confirm , I am a Civil Engineering Professional of some 35years experience. I have undertaken many such studies and hence I consider myself, as do my clients competent in such work.

The SBC response really just reiterates the SEPA comments although Ian Chalmers does agree that the FFL we have quoted is correct at 600mm above the stated 1/200 year level.

In detail ,there seems to be two arguments ,

1. The source and accuracy of flood info
2. Access capability.

It is frustrating for the industry that the base SEPA maps cannot be used by professionals for detailed assessment but they are frequently quoted by authorities as tools for decision making. Notwithstanding that point other public information exists and these lend back up to the information presented . In particular, I refer to Messrs JBA Consulting whose commission, by SBC to assess flood risk across the Borders is widely accepted as a better data base.

To support the application OS/LIDAR topographical information was used to generate ground contours. These were checked against known datum and the accuracy deemed consistent for use .

In terms of flood data, both SEPA and JBA flood maps were overlain to generate the 1/200 year line for the site. The JBA editions were deemed more accurate and hence used for analysis.

This work show the house plot clear of the 1/200 year event and hence the FFL was set 600mm above , to with SBC agree in principle. Nominal floor raising could be implemented for outer-buildings and there is significant lands that compensatory storage could be generated.

The issue of access was raised based on the flood maps. We have to take this in context as the current proposal is via the existing housing development, which if the maps are correct are already below water. This has never happened. However , from the site boundary there is nothing to preclude lifting the access road on "Stilts" as it is private and can be designed to accommodate any such vehicles as needed. Taking this argument further there is no technical reason that access cannot be generated directly from the A702 ,across the burn and into the site.

FRA work is now very much model based but a practical view on the general topography and use has to be taken into account. From my walk over , there were features like upstream fence chokes and channel obstructions that have not been taken into account in the published models which would certainly alleviate/minimise the results.

In my view , at worst , the site could be conditioned and not just rejected.

I hope this is of assistance.

Regards

Russell

Russell Blackhall
Director

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Cavalry Park, Peebles EH45 9BU
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Livingston Office:

Munro House

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w: env-consultants.co.uk

Notice of Review



RECEIVED
26 FEB 2020

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013

IMPORTANT: Failure to supply all the relevant information could invalidate your notice of review.

Use **BLOCK CAPITALS** if completing in manuscript

Applicant(s)	Agent (if any)
Name Mr & Mrs William Rose	Name Kanak Bose
Address 2 Mill Lade, Blyth Bridge, West Linton	Address Oqscastle, Camwath, Lanark
Postcode EH46 7HY	Postcode ML11 8NE
Contact Telephone 1	Contact Telephone 1 01555 840971
Contact Telephone 2	Contact Telephone 2 07736 503321
E-mail*	E-mail* kanakbose@yahoo.co.uk
	Mark this box to confirm all contact should be through this representative: <input checked="" type="checkbox"/>
	Yes No
* Do you agree to correspondence regarding your review being sent by e-mail?	<input checked="" type="checkbox"/> <input type="checkbox"/>

Planning authority Scottish Borders Council

Planning authority's application reference number 19/01645/FUL

Site address Land to the south west of 3 Mill Lade, Blyth Bridge

Description of proposed development Erection of Dwelling House and detached garage

Date of application 19/11/2019 Date of decision (if any) 20/1/2020

Notice of Review

Note: this notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review (tick one box)

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

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.

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

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

The flood risk assessment is an ongoing procedure and more information may become available; should it be felt that an ecology report is appropriate we are happy to commission this

Site inspection

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

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Notice of Review

Statement

You must state, in full, why you are seeking a review of your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

see attached documents entitled Statement of Review

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 new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

We are now in receipt of flood risk information carried out by our appointed engineers
We have submitted within the statement of review a note of consequence regarding the applicants and their standing within the rural community

Notice of Review

List of documents and evidence

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. **Note:** there will be no opportunity to submit further documents to accompany this notice of review.

Statement of review
SBC planning refusal notice 19/01645/FUL
SBC planning refusal notice 19/00194/FUL
Planning submission drawing OGS 298 01
Sequential Maps of the village
Flood Study (3 sheets)
Letter from SNH regarding the Tarth Water and corridor for biodiversity

Note: the planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

[Redacted signature box]

Date

25/2/2020

The completed form should be returned to the Clerk of the Local Review Body, Democratic Services, Scottish Borders Council, Council Headquarters, Newtown St. Boswells TD6 0SA or sent by email to localreview@scotborders.gov.uk

9 Summary

- The development of this site is a natural progression to finish and close the Mill Lade development and strengthen and enhance the village boundaries to the south of the village.
- Rather than being branded as an 'isolated rural' development the site and the respective building thereon should be considered to be part of the entire building group at Blyth Bridge.
- The boundary treatment and tree-planting proposed around the East, South and West boundaries will complete the soft edge of the south of the village. It will also improve the visual amenity to what is otherwise a derelict piece of ground and will provide an enhanced biodiversity for wildlife.

10 Appendices

- No 1 Scottish Borders Council Planning Refusal Notice 19/01645/FUL
- No 2 Scottish Borders Council Planning Refusal Notice 19/00194/FUL
- No 3 Planning Submission Drawing OGS 298 01
- No 4 Sequential Maps of the Village showing how it has developed
- No 5 Flood Study Sections 200-001-FR drawings 001;002;003
- No 6 Letter from SNH (relates to the earlier application)

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STATEMENT OF REVIEW
Planning Application 19/01645/FUL
Land to South West of Mill Lade, Blyth Bridge

1 Introduction

This statement is supporting the review of a decision not to grant planning permission in detail for a dwelling house at land to the south-west of Mill Lade, Blyth Bridge.

The planning application was a re-application following a refusal for planning consent earlier in 2019. The earlier refusal was entitled 19/00194/FUL. Both refusals were made based on policy matters, namely contravention of policies HD2; PMD2; & PMD4.

In the later refusal (to which this review refers) an additional two reasons were added, namely IS8 which refers to flooding and EP1, EP2 & EP3 which refers to biodiversity. I am unclear as to why these policies were not represented in the earlier refusal notice and this highlights inconsistencies that can occur during the planning process.

In the planning officers report, it mentioned that no pre-application discussions took place. This is an interesting statement when the current policy at Scottish Borders Council is not to entertain pre-application advice or discussion. Both applications were determined within the targeted timescale and at no time has there been a suggestion that the applicant or the agent could enter any discourse which might have strengthened the case of the respective application. (Please see Refusal notices)

2 Site Context

The site is located to the south of Mill Lade, Blyth Bridge. It is accessed from the A701 via the adopted road servicing Mill Lade. The site is greenfield although it is redundant and serves no agricultural use. The site is out-with the current settlement boundary at Blyth Bridge.

Mill Lade was developed some 15-20 years ago. The development site is to the rear of two earlier properties, Knock Knowes and Mill View. The new development contains six houses, generally 1.5 storey, grouped around the cul-de-sac access.

The applicant developed the Mill Lade site. They retained a portion of ground to the South of the development site which forms the application site. It is accessed from the hammerhead in Mill Lade. From the hammerhead, the ground rises and the proposed house is to be placed on the highest sector of the site. The axis of the proposed building is North East to South West which generally accords with the other neighbouring properties.

Two of the three site boundaries are natural historic enclosures. The Tarth Water envelopes the South and South East of the site whilst the west boundary is a progression of the settlement boundary. The third boundary is the boundary conterminous with Mill Lade.
(Please see OGS 298 01)

3 Reason for Refusal No 1.

The first reason for refusal of the planning application 19/001645/FUL states that the house would not relate sympathetically to the character of the existing building group.

The applicants live in No 2 Mill Lade, which they built several years previously. When I was briefed to design the new building, the design was to be based on their existing house. We almost copied the existing building - its eaves and ridge heights, massing and fenestration reflect the house at No 2, which is also very much a design harmonising with the other properties in Mill Lade.

4 Reason for Refusal No 2

This states the development or new house would be unsympathetic to the character of the surrounding area and would fail to make a positive contribution to the sense of place.

I believe this is the reason that those considering this review should make a site visit. When one visits Mill Lade one is aware that the development has a beginning, a middle, but no end. The consensus of the owners of the neighbouring properties is that the development of this site would indeed give Mill Lade some finality and as such would enhance the sense of place rather than detracting from it.

5 Reason for Refusal No 3

There can be no argument that the site lies out-with the notional settlement boundary. There is argument however that the natural (and logical) settlement boundary does indeed include the application site.

Blyth Bridge developed around a small nucleus of buildings, namely a corn-mill, church and manse to the East of the A701 and a smithy and school to the west. As the village developed it generally followed a line towards the North along the access to Blyth Farm. A strong, straight boundary between the village and the agricultural land to the west developed and the start of this is visible on the first edition Ordnance Survey maps. During the 1980s the village expanded with a ribbon development of private housing running north along Blyth Farm Road and further development was allowed as infill between Blyth Farm Road and the A701.

The Mill Lade development is the only significant movement to the south of the village and is built on ground naturally enclosed by Tarth Water to the South and the former Mill Lade to the North and West. The working Mill Lade is no longer there. From the early maps one can clearly see that the land-use of the ground to which the application site relates is of differing land-use to the neighbouring agricultural ground.

The west boundary of the village encompasses the application site and careful planting around the periphery of the site would enhance the approach to the village from Kirkdean and give the southern end of the village closure, finalising the north-south divide between residential and agriculture. (Please see sequential maps)

6 Reason for Refusal No 4

Failure to prove the development will not be at risk of flooding.

As part of our ongoing research we now attach site sections following surveys and information collated by our appointed engineers. These show that the proposed house is above the freeboard required in the event of a 1 in 200-year flood.

The applicants have lived in Blyth Bridge for many years. There has only ever been one serious flood affecting the village and that was as a result of damage to the aqueduct taking water from Talla Reservoir to Edinburgh. This aqueduct is now redundant and the water route from Talla no longer passes through the village. (Please see Flood Study Sections)

7 Reason for Refusal No 5

Biodiversity, wild-life and habitats etc

As mentioned previously this was not a reason for refusal in the earlier planning application. As such it is an inconsistent statement. We have never been asked in either application to produce an ecology study, but if the review were to be successful, we would be happy to produce this as a condition of a granted planning consent.

In the earlier application Nature Scotland made some recommendations as to respecting the corridor through which the Tarth Water passes, and these recommendations have been included in the planning application to which this review relates. Please study my site plan on the application drawing and you will see this. (Please see Letter from SNH)

8 Matters of Consequence

There have been no local objections to this development.

There are no road safety issues worsened by this development.

There are no services constraints.

The applicants are local and have strong business links in the rural community, operating a successful second-generation family business serving the farming community and construction industry.

They are robust employers with a strong ethic of training and improving matters for their current workforce and any new staff.

Reaching retirement, the development of this site would give them some comfort in future years.

9 Summary

- The development of this site is a natural progression to finish and close the Mill Lade development and strengthen and enhance the village boundaries to the south of the village.
- Rather than being branded as an 'isolated rural' development the site and the respective building thereon should be considered to be part of the entire building group at Blyth Bridge.
- The boundary treatment and tree-planting proposed around the East, South and West boundaries will complete the soft edge of the south of the village. It will also improve the visual amenity to what is otherwise a derelict piece of ground and will provide an enhanced biodiversity for wildlife.

10 Appendices

- No 1 Scottish Borders Council Planning Refusal Notice 19/01645/FUL
- No 2 Scottish Borders Council Planning Refusal Notice 19/00194/FUL
- No 3 Planning Submission Drawing OGS 298 01
- No 4 Sequential Maps of the Village showing how it has developed
- No 5 Flood Study Sections 200-001-FR drawings 001;002;003
- No 6 Letter from SNH (relates to the earlier application)

Mr & Mrs William Rose
per Kanak Bose Ltd.
Ogscastle
Roman Road
Carnwarth
ML11 8NE

Please ask for: Ranald Dods
Ext. 8574
Our Ref: 19/01645/FUL
Your Ref:
E-Mail: Ranald.Dods@scotborders.gov.uk
Date: 20th January 2020

Dear Sir/Madam

PLANNING APPLICATION AT Land South West Of 3 Mill Lade Blyth Bridge Scottish Borders

PROPOSED DEVELOPMENT: Erection of dwellinghouse and detached garage

APPLICANT: Mr & Mrs William Rose

Please find attached the formal notice of refusal for the above application.

Drawings can be found on the Planning pages of the Council website at <https://eplanning.scotborders.gov.uk/online-applications/>.

Your right of appeal is set out within the decision notice.

Yours faithfully

John Hayward

Planning & Development Standards Manager

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

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

Application for Planning Permission

Reference : 19/01645/FUL

To : Mr & Mrs William Rose per Kanak Bose Ltd. Ogcastle Roman Road Carnwarth ML11 8NE

With reference to your application validated on **20th November 2019** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of dwellinghouse and detached garage

at : Land South West Of 3 Mill Lade Blyth Bridge Scottish Borders

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

**Dated 17th January 2020
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 19/01645/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
OGS 298 01	Proposed Plans & Elevations	Refused

REASON FOR REFUSAL

- 1 The development would be contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it would not relate sympathetically to the character of an existing building group or surrounding landscape.
- 2 The development would be contrary to policy PMD2 of the Local Development Plan 2016 and Placemaking and Design 2010 in that it would be unsympathetic to the character of the surrounding area and it would fail to make a positive contribution to the sense of place.
- 3 The development would be contrary to policy PMD4 of the Local Development Plan 2016 in that it would be development beyond the settlement boundary for which there is insufficient justification and it would lead to an isolated house in the countryside with a resulting adverse impact on the character of the surrounding area.
- 4 The development would be contrary to policy IS8 of the Local Development Plan 2016 in that the applicant has failed to prove that the proposed development will not be at risk of flooding or materially increase the probability of flooding elsewhere.
- 5 The development would be contrary to policies EP1, EP2 and EP3 of the Local Development Plan 2016 and Biodiversity guidance in that the applicant has failed to prove that the development will not have an adverse effect on European Protected Species or other protected species and habitats which may be present on or adjacent to the site.

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 (as amended) within three months from the date of this notice.

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

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

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Mr & Mrs Willam Rose
per Kanak Bose Ltd.
Ogscastle
Roman Road
Carnwarth
ML11 8NE

Please ask for: Ranald Dods
Ext. 8574
Our Ref: 19/00194/FUL
Your Ref:
E-Mail: Ranald.Dods@scotborders.gov.uk
Date: 9th April 2019

Dear Sir/Madam

PLANNING APPLICATION AT Land South West of 3 Mill Lade Blyth Bridge Scottish Borders

PROPOSED DEVELOPMENT: Erection of dwellinghouse and detached garage

APPLICANT: Mr and Mrs Willam Rose

Please find attached the formal notice of refusal for the above application.

Drawings can be found on the Planning pages of the Council website at
<https://eplanning.scotborders.gov.uk/online-applications/>.

Your right of appeal is set out within the decision notice.

Yours faithfully

John Hayward

Planning & Development Standards Manager

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

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

Application for Planning Permission

Reference : 19/00194/FUL

To : Mr and Mrs Willam Rose per Kanak Bose Ltd. Ogscastle Roman Road Carnwarth ML11 8NE

With reference to your application validated on **12th February 2019** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of dwellinghouse and detached garage

At : Land South West of 3 Mill Lade Blyth Bridge Scottish Borders

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

**Dated 5th April 2019
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 19/00194/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
OGS 298 01	General	Refused

REASON FOR REFUSAL

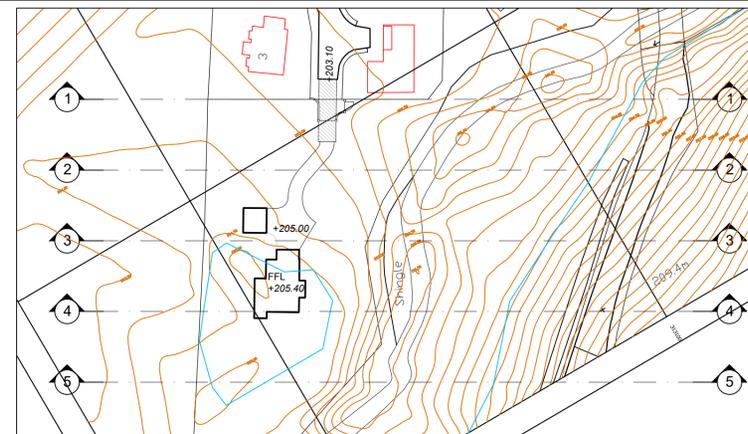
- 1 The development is contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it does not relate to an existing building group and this would set an undesirable precedent for an isolated house in the countryside.
- 2 The development is contrary to policy PMD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it fails to make a positive contribution to the sense of place. This would set an undesirable precedent for an isolated dwellinghouse in a rural setting.
- 3 The development is contrary to policy PMD4 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it fails to meet any of the tests set out in that policy which would enable it to be considered as a candidate for exceptional approval. This would set an undesirable precedent for development of an unallocated site outwith the development boundaries defined in the Local Development Plan 2016.

FOR THE INFORMATION OF THE APPLICANT

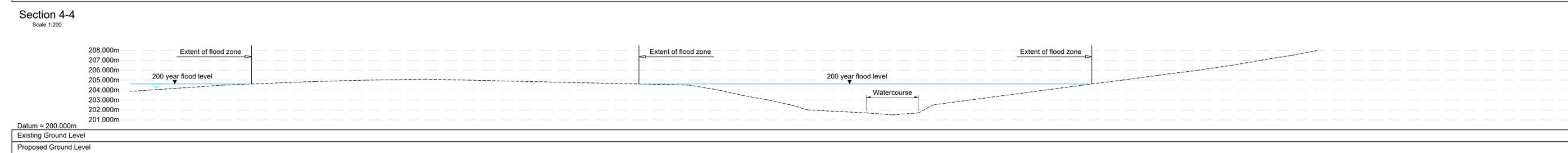
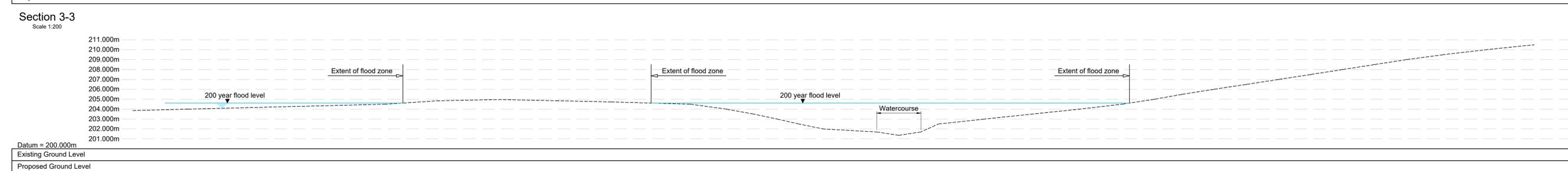
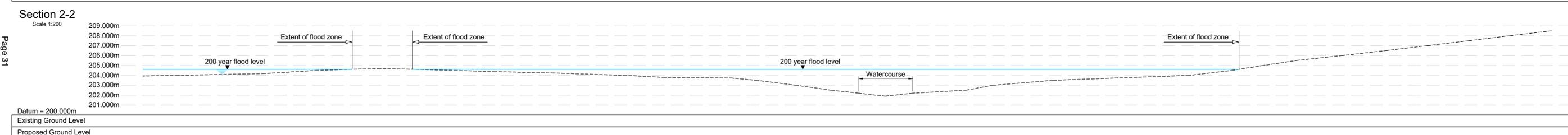
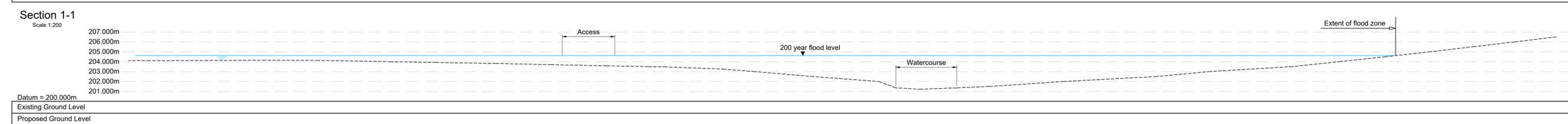
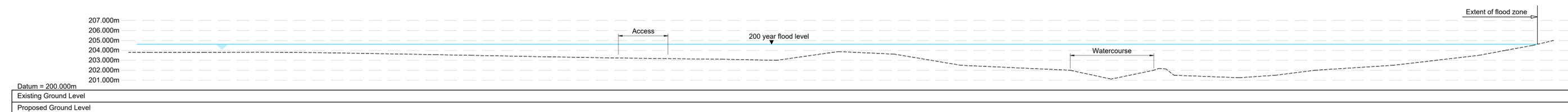
If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) 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 OSA.

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

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- GENERAL NOTES**
1. This drawing is to be read in conjunction with all other drawings and specifications produced by both the Architect and Engineer. Any discrepancy or conflict between the drawings should be referred to either party before proceeding.
 2. All work shall be in accordance with all the relevant British Standards, Codes of Practice and the Building Standards (Scotland) Regulations.
 3. Do not scale from these drawings. All dimensions are to be checked on site by Contractor prior to commencement of work on site or any fabrication or materials ordering.
 4. The Contractor's attention is drawn to their responsibility to ensure the safety and well-being of both site operatives and the public during the course of the works.
 5. Fire protection to Architect's details. Fire protection to be 60mins and provided by fire board or intumescent paint.



ARCHITECT:
SKIRLING ARCHITECTS

CLIENT:
Mr. & Mrs. Wm Rose

PROJECT:
PROPOSED HOUSE WITH GARAGE
site to South West of Mill Lade
Blyth Bridge,
by Peebles,
EH46 7HY



Munro House,
Quarrywood Court,
Livingston, EH54 6AX
Tel: 01506 490 344
www.env-consultants.co.uk

Suite 2, 1 Rowan Court
Cavalry Park,
Peebles, EH45 9BU
Tel: 01721 540 606
www.env-consultants.co.uk

REV	DATE	DESCRIPTION	BY	CHK'D

DRAWING TITLE:
Flood Risk Assessment -
Existing Condition

DRAWN BY: MD	CHKD: RB	AUTHORISED BY: RB
DATE: Jan 2020	DATE: Jan 2020	DATE: Jan 2020
SCALE: 1:200@A1		REV:

DRG. NO: 20-001-FR 001

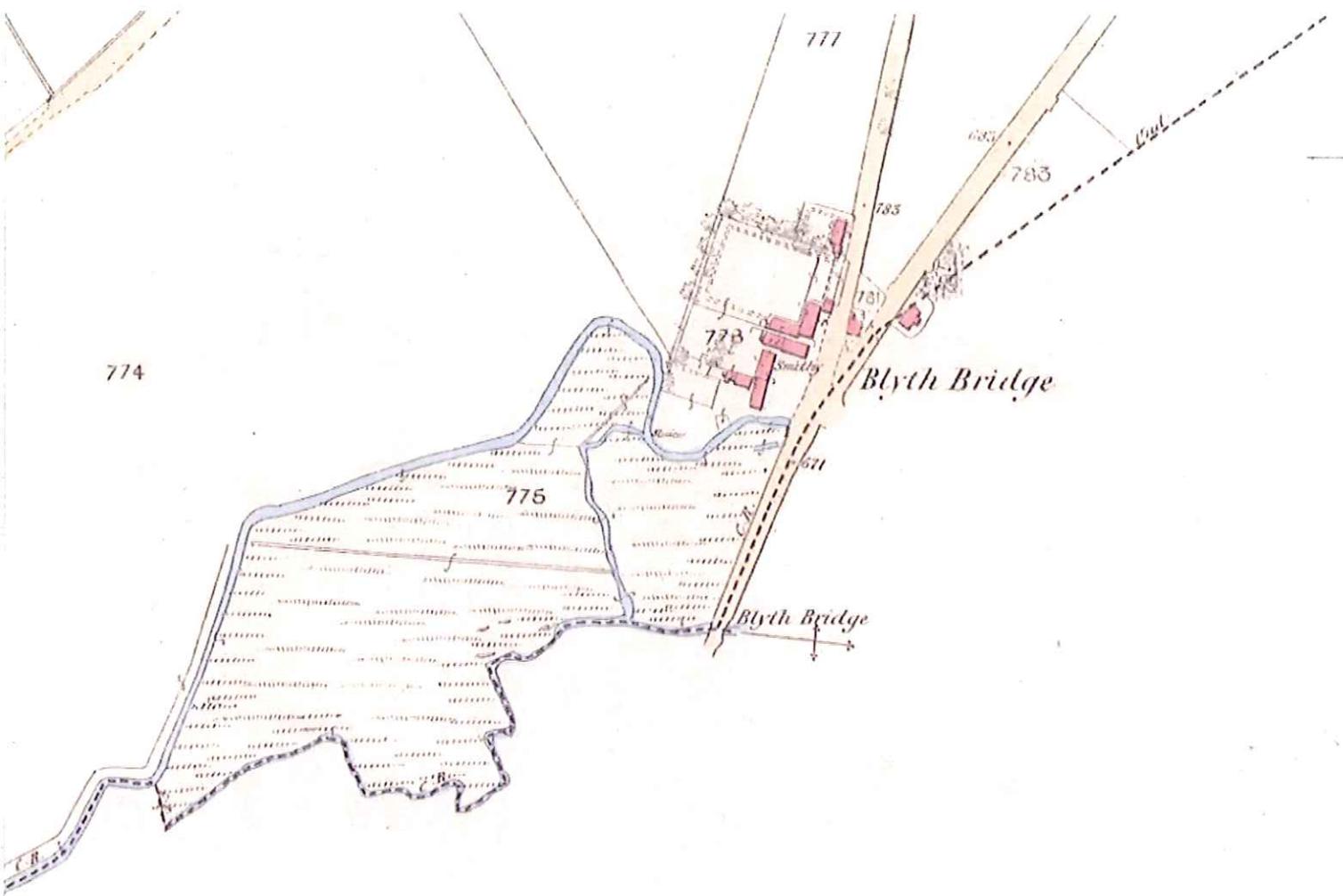
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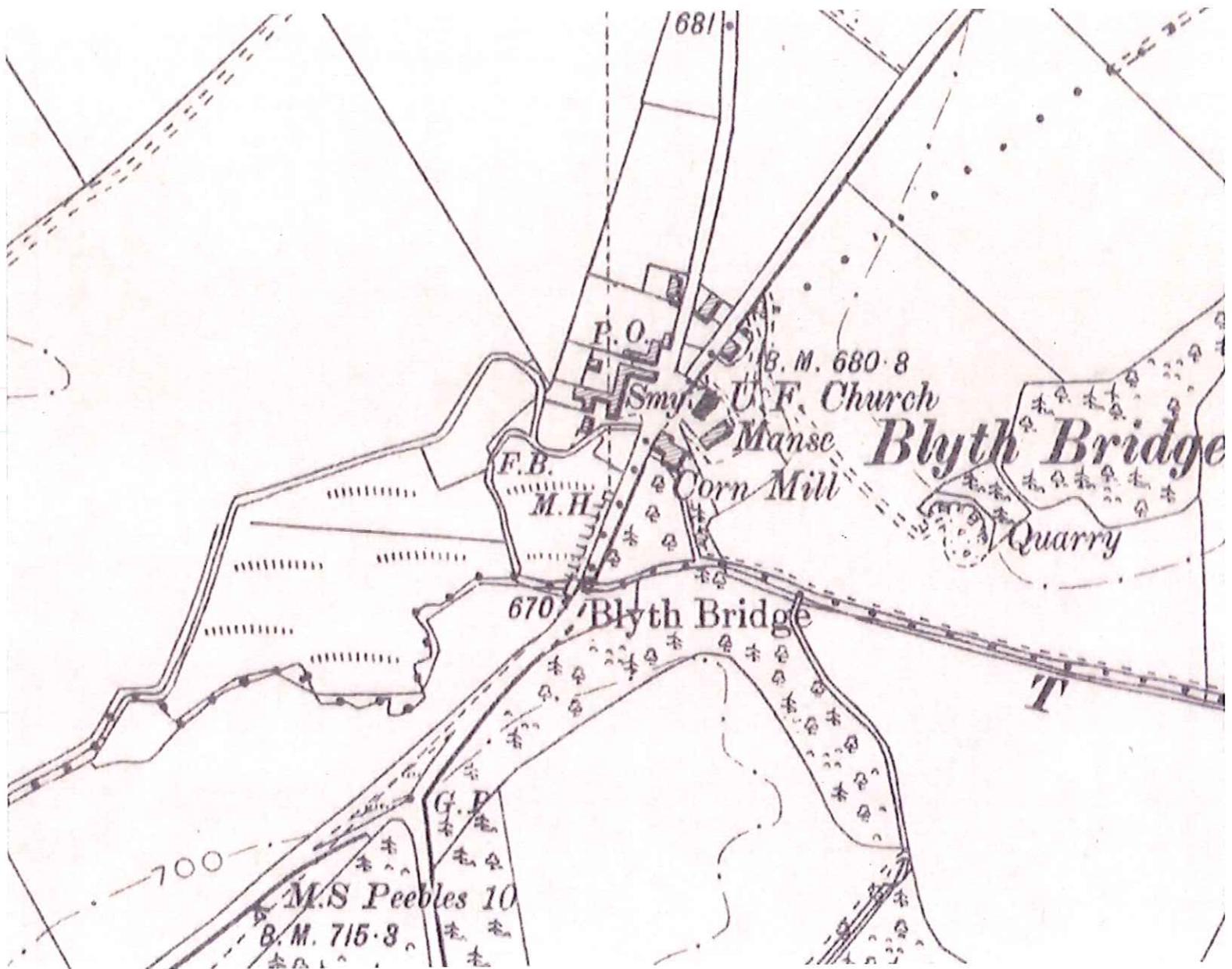
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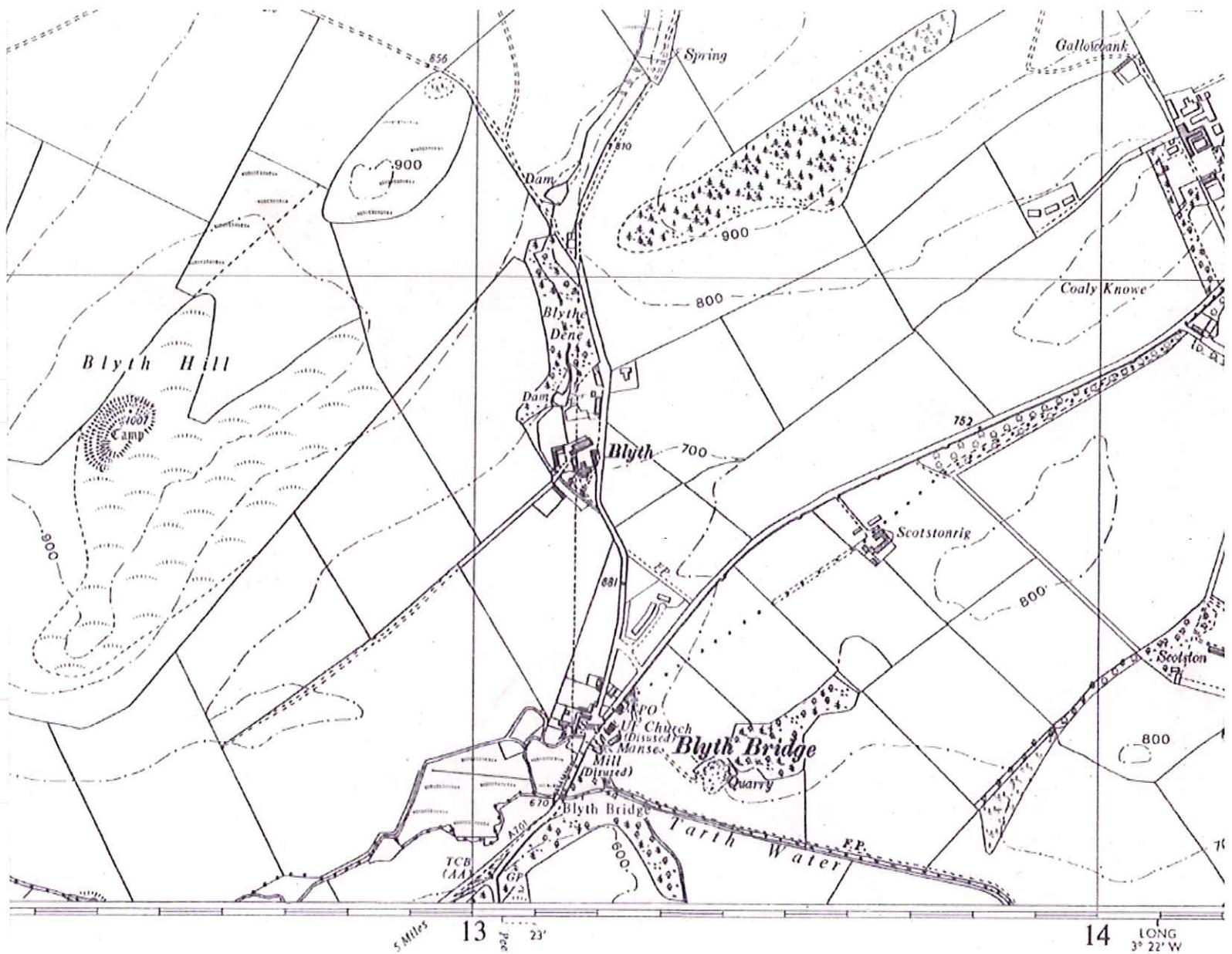
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Appendix 1
Supporting Statement
Site to South West of Mill Lade
Blyth Bridge

A Sequential Look at Maps showing how the Village Developed
Spread over 160 years









Imagery ©2019 Google, M



Scottish Natural Heritage
Dualchas Nàdair na h-Alba
nature.scot

Ranald Dods
Planning & Economic Development
Scottish Borders Council
Newtown St Boswells
TD6 0SA

Date: 5 March 2019
Our ref: CNS/DC/SBC/CDM154330

Dear Ranald

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
19/00194/FUL – Erection of dwelling and garage, Blyth Bridge
River Tweed Special Area of Conservation**

Thank you for consulting SNH on the above proposal, dated 18 February 2019.

The proposal is for a single dwelling and garage immediately to the south west of Mill Lade at Blyth Bridge.

The proposal area overlaps with the River Tweed Special Area of Conservation (SAC) designated for its fish species (brook, river and sea lamprey and salmon), otter and vegetation associated with water crowfoot.

The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters, The Conservation of Habitats and Species Regulations 2017 apply. Consequently, Scottish Borders Council is required to consider the effect of the proposal on the SAC before it can be consented (commonly known as Habitats Regulations Appraisal). The SNH website has a summary of the legislative requirements (<https://www.snh.scot/professional-advice/safeguarding-protected-areas-and-species/protected-species/legal-framework/habitats-directive-and-habitats-regulations>).

In our view, it is unlikely that the proposal will have a significant effect on any qualifying interests either directly or indirectly. An appropriate assessment is therefore not required.

However, SNH has a standard requirement for a 10 m gap between the SAC and the start of the proposal footprint. A further 10 m gap between this buffer and the footprint of the house and garage is also required. For this proposal, therefore, garden ground should begin 10 m from the river edge, but the house and garage should be a further 10 m away. For this proposal the 10 m gap does not relate to the tree planting.

Scottish Natural Heritage, Anderson's Chambers, Market Street, Galashiels TD1 3AF
Tel: 01896 661 710 www.nature.scot

Dualchas Nàdair na h-Alba, Seòmraichean Anderson, Sràid a' Mhargaidh, Galashiels TD1 3AF
Fòn: 01896 661 710 www.nature.scot

The gap serves various purposes. It provides a buffer between development and the SAC, ensuring that disturbance, siltation or pollution caused by construction is not immediately adjacent to the SAC. It ensures that activities associated with the established development do not have a direct impact on the SAC. Importantly, it creates an ecological edge to the SAC that allows natural processes to take place. Natural processes includes the migration of species such as otter along the length of the river, and allows the river to meander and change course naturally.

If the buffer is not included, the development could compromise the ecology of the SAC, or conversely, the natural meanders of the river could affect the development in future years. More information on development and the River Tweed SAC can be found at the following web address:

<https://www.nature.scot/sites/default/files/2017-12/Publication%202017%20-%20River%20Tweed%20SAC%20and%20SSSI%20guidance%20for%20planners%20and%20developers.pdf>.

The tree planting proposal is for 'native Scottish hardwoods ... intermixed with conifers'. Since the Tarth Burn forms part of the River Tweed SAC, only species native to Scotland should be used. Given the relatively small space available for planting, I would suggest that birch and rowan would be appropriate, with some willow at the water's edge. Tree planting within the buffer area is acceptable since it should enhance the character and ecological setting of the SAC.

The applicant should submit a plan showing the appropriate buffer and listing the tree species to be planted.

If you need to discuss any of these points please get in touch on (01896) 661716.

Yours sincerely

[by email]

Stuart Macpherson
Operations Officer
Southern Scotland

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 19/01645/FUL

APPLICANT : Mr & Mrs William Rose

AGENT : Kanak Bose Ltd.

DEVELOPMENT : Erection of dwellinghouse and detached garage

LOCATION: Land South West Of 3
Mill Lade
Blyth Bridge
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
OGS 298 01	Proposed Plans & Elevations	Refused

NUMBER OF REPRESENTATIONS: 0
SUMMARY OF REPRESENTATIONS:

No representations were received.

Consultation responses were received from:

Roads - no objection subject to conditions. Conditions suggested;

Flood Risk Officer - it is not clear how the maps have been derived and what supporting information has been used. A full FRA including details of the hydrology and modelling methods adopted to derive the flood maps are submitted for us to determine if the flood maps are an accurate representation of the flood risk at the application site will be required. The FRA should also address whether there is flood free access and egress to the proposed dwellinghouse and include any details of proposed mitigation or property resilience;

Ecology Officer - the application is not supported by any ecological information and the Ecology Officer undertook a desk-top assessment. The development has potential to have a direct and indirect impact on the Tarth water (River Tweed SAC) and protected species. Further information is required before permission can be granted. In accordance with Scottish Government guidance, identified in the council's survey guidance planning authorities must establish whether European Protected Species (EPS), such as otters, are present on or near development sites, whether they are likely to be affected by the development and to fully consider potential impacts on otters prior to the determination of a planning application. The site appears to contain habitats which have the potential to support badgers. The proposed development may affect ground-nesting breeding birds using grassland, river bank and river shingle habitats within. A proportionate Preliminary Ecological Appraisal should be carried out in conjunction with the otter survey to identify any ecological constraints, any mitigation measures likely to be required and any further surveys required to inform an Ecological Impact Assessment;

Scottish Natural Heritage - The proposal is close to the River Tarth which is part of the River Tweed Special Area of Conservation (SAC) designated for its habitat and species. The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters, The Conservation of Habitats and Species Regulations 2017 apply. Consequently, Scottish Borders Council is required to consider the effect of the proposal on the SAC before permission can be consented (commonly known as Habitats Regulations Appraisal). In SNH's view, it is unlikely that the proposal will have a significant effect on any qualifying interests either directly or indirectly. An appropriate assessment is therefore not required. SNH has a standard requirement for a 10m gap between the SAC and the start of the development footprint;

SEPA - objection on the grounds of lack of information and on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy. In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. SEPA stresses that based on the information submitted, an FRA will likely only confirm that the site is unsuitable for the proposed development and they would subsequently object in principle to any future consultations.

Transport Scotland - does not propose to advise against the granting of permission.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Local Development Plan 2016

PMD2 - Quality standards

PMD4 - Development outwith development boundaries

HD2 - Housing in the countryside

HD3 - Protection of residential amenity

EP1 - International nature conservation sites and protected species

EP2 - National nature conservation and protected species

EP3 - Local biodiversity

EP15 - Development affecting the water environment

EP16 - Air quality

IS2 - Developer contributions

IS7 - Parking provision and standards

IS8 - Flooding

IS9 - Waste water treatment and sustainable urban drainage

The site is not strategic, therefore the policies contained within SESplan have not been considered.

The following council guidance is material:

Biodiversity;

Development contributions;

Local Biodiversity Action Plan: Biodiversity in the Scottish Borders;

New housing in the Borders countryside;

Placemaking and design;

Privacy and sunlight guide;

Waste management.

Recommendation by - Ranald Dods (Planning Officer) on 14th January 2020

Site and design

The site, which is approximately 6350m², is located to the south west of Blyth Bridge and, although adjacent to the boundary of the village, is within countryside. Access is gained via the Mill Lade, which is itself accessed from the A701 public road. The site is undeveloped rough grazing mostly enclosed by a post and wire fence although a close boarded fence defines the boundary of the settlement and the last two properties in Mill Lade. A bund, approximately 1.8m high is located towards the north western boundary. The Tarth Water runs along the south eastern extent of the boundary. The ground slopes slightly from Mill Lade to the south western extremity of the application site.

The application is made for planning permission for a one and three quarter storey house and detached double garage. The house would be 4.3m to eaves and 8.5m to ridge. The layout shows the house located centrally within the site and approximately 43.5m from the development boundary.

Site history

There is relevant planning history associated with this site. Application 19/00194/FUL was refused permission on 4 April 2019. The design and siting of that house was identical to the proposal contained in the current application. No pre-application discussion was entered into prior to the submission of either application.

Principle

The principle of the development was not previously accepted. The applicant has submitted a supporting statement with this application and I have had account of that in my consideration of the application.

The site is an undeveloped field which is adjacent to the development boundary of Blyth Bridge and the proposed house would be located well clear of that boundary. Policy PMD4 states that proposals for new development outwith identified boundaries and which are not on allocated sites will normally be refused. The policy does set out that exceptional approvals may be granted, provided strong reasons can be given. In this instance, the proposed development would not be: a) a job-generating development in the countryside that has an economic justification; b) justified affordable housing; c) required to meet an identified shortfall in the provision of an effective 5 year housing land supply or; d) one which is considered would offer significant community benefits that outweigh the need to protect the development boundary. Since the application fails to satisfy any of those criteria, the proposal cannot be seen as a candidate for an exceptional approval and does not represent a logical extension to Blyth Bridge. The fact is that, although the design of the house could be altered to make it more acceptable, the house would be remote from the settlement and would be an incongruous feature in the countryside which would not relate well to the existing pattern of development in the settlement nor would it be a logical extension to the settlement. The incongruous nature of the development would be most visible when approaching Blyth Bridge on the A72 from the south and when travelling along the A701.

The council aims to encourage a sustainable pattern of development focused on defined settlements, whilst not precluding development of housing in the countryside. In this case, the site is outwith the defined settlement of Blyth Bridge and is not well associated with a building group. The proposal would not comply with policy HD2 and the council's guidance on New Housing in the Borders Countryside.

The siting of the house is so remote from the boundary of Blyth Bridge that the proposal would remain an isolated house within the countryside, despite the tree planting proposed by the applicant. In terms of placemaking and design, the proposal fails to understand clearly the context of the site and surrounding area and would fail to make a positive contribution to the sense of place. Though it would have a similar character to existing nearby houses, the proposal would be distant from them and its suburban character, yet isolated position, would contradict one another. Even if it were firmly alongside existing houses, however, the design would benefit from improvements to elements of it. In its current siting, however, it would not read so directly with existing houses, so its design within this setting will render it a rather incongruous feature. It would not be an appropriate addition to the existing pattern of development. While proposed planting may enhance the site and reduce its exposure, relying on planting which will take years to establish is not an appropriate approach to achieving sympathetic development. The development would therefore be contrary to the terms of policy PMD2 and related guidance.

Amenity and privacy

Notwithstanding above fundamental matters regarding the principle of development, the site appears to be capable of accommodating a modest house. That would, however, need to be balanced by the impact on the visual amenity of the rural location resulting from eventual design of the development. The submitted design is of little architectural merit and would be an incongruous feature in the countryside. That having been said, the house is so remote from the properties with the settlement that amenity and privacy would not be adversely affected.

Roads issues

The sites would be accessed from the Mill Lade, which is access from the A701 public road. No objection has been made by Roads, subject to conditions. There is sufficient space within the sites to provide the required number of parking spaces as well as space for turning vehicles. Transport Scotland was consulted although their remit extends only to trunk roads.

Trees

There are no trees currently on the site. The site plan indicates that tree planting will be carried out on the western bank of the Tarth Water and on the north western boundary of the site. The plan is not sufficiently detailed and, if permission were to be granted, a fully detailed landscaping plan would be required by condition. Even though the applicant has proposed tree planting, that would inevitably take several years to become sufficiently established to provide an adequate degree of screening.

Ecology

SNH has not expressed a concern about the physical impact of the development on the SAC given the inclusion of a 10m buffer between the SAC and the start of the development. The Ecology Officer, with whom I have discussed the case, has noted that the proposal has potential to have a direct and indirect impact on protected species which may be present on the site or within the adjacent Tarth Water (River Tweed SAC). The application lacks even the most basic information required to make a full assessment of the likely impact on European Protected Species (EPS) and other protected species. The lack of ecological information was raised in the previous application. It is therefore disappointing that, being fully aware of the requirement, the applicant has chosen not to supply that information with this application. The council cannot be satisfied that the proposed development will not have a likely significant effect on EPS, nationally important species or Borders Notable Species. Absence of that information leads me to conclude that the application must be found contrary to policies EP1, EP2 and EP3.

Flooding

The site is in close proximity to the Tarth Water and may result in a material increase in the number of buildings at risk of being damaged by flooding. The council's the Flood Risk Officer has indicated that a flood risk assessment (FRA) would be required. In addition, SEPA has objected in principle to the application due to the lack of information. The lack of an FRA was raised in the previous application and, therefore, the applicant was fully aware when making this application, that such information was required although they have chosen not to supply that. As a result, the proposal is contrary to policy IS8 which requires developers to prove that the development will not be at risk of flooding or materially increase the probability of flooding elsewhere. If the council was minded to grant permission, given the objection from SEPA, the application would have to be referred to Scottish Ministers for their determination.

Services

The applicant states that the site will be served by a private water supply. Foul drainage would be by means of a private system. There is ample space on site for discrete storage of waste and recycling containers.

Air quality

The floor plans show what appears to be two solid fuel stoves, although no flues are shown on the elevations. Even if flues were proposed, given the remote siting of the building, the open nature of the surroundings and the prevailing wind, it is unlikely that those would raise issues of local air quality.

Developer contributions

A contribution would be required for education provision were the application to be granted. The applicant has stated their willingness to secure that by means of a section 69 agreement.

Conclusion

The proposed development would be outwith any settlement envelope defined in the LDP and is located on a greenfield site within the countryside. It would not relate well to an existing building group or to the surroundings. The siting and design would not be appropriate for the rural location because it does not relate well to the existing pattern of development in Mill Lade. There is insufficient justification within the application to allow development beyond the development boundary of Blyth Bridge. The proposed house cannot be justified as on exceptional circumstances. The proposal is therefore contrary to policies HD2, PMD2 and PMD4 and, because of its location and some elements of design, it would fail to comply with the council's guidance on Placemaking and Design and New Housing in the Borders Countryside.

The site is in close proximity to the Tarth Water and may result in a material increase in the number of buildings at risk of being damaged by flooding. The application is not supported by a flood risk assessment and the applicant has not proved that the development will not be at risk of flooding or materially increase the probability of flooding elsewhere. The proposal is therefore contrary to policy IS8.

The proposed development would be close to the Tarth Water, which is part of the River Tweed SAC and would have the potential to affect protected species which may be present. The lack of any ecological information means that the planning authority cannot be satisfied that the development will not: be detrimental to the maintenance of the population of an EPS at a favourable conservation status in its natural range; affect adversely the integrity of the site and; have an unacceptable adverse effect on Scottish Borders Notable Species and Habitats of Conservation Concern. The proposal is, therefore, contrary to policies EP1, EP2 and EP3.

REASON FOR DECISION :

The development would be contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it would not relate sympathetically to the character of an existing building group or surrounding landscape.

The development would be contrary to policy PMD2 of the Local Development Plan 2016 and Placemaking and Design 2010 in that it would be unsympathetic to the character of the surrounding area and it would fail to make a positive contribution to the sense of place.

The development would be contrary to policy PMD4 of the Local Development Plan 2016 in that it would be development beyond the settlement boundary for which there is insufficient justification and it would lead to an isolated house in the countryside with a resulting adverse impact on the character of the surrounding area.

The development would be contrary to policy IS8 of the Local Development Plan 2016 in that the applicant has failed to prove that the proposed development will not be at risk of flooding or materially increase the probability of flooding elsewhere.

The development would be contrary to policies EP1, EP2 and EP3 of the Local Development Plan 2016 and Biodiversity guidance in that the applicant has failed to prove that the development will not have an adverse effect on European Protected Species or other protected species and habitats which may be present on or adjacent to the site.

Recommendation: Refused

- 1 The development would be contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it would not relate sympathetically to the character of an existing building group or surrounding landscape.
- 2 The development would be contrary to policy PMD2 of the Local Development Plan 2016 and Placemaking and Design 2010 in that it would be unsympathetic to the character of the surrounding area and it would fail to make a positive contribution to the sense of place.
- 3 The development would be contrary to policy PMD4 of the Local Development Plan 2016 in that it would be development beyond the settlement boundary for which there is insufficient justification and it would lead to an isolated house in the countryside with a resulting adverse impact on the character of the surrounding area.
- 4 The development would be contrary to policy IS8 of the Local Development Plan 2016 in that the applicant has failed to prove that the proposed development will not be at risk of flooding or materially increase the probability of flooding elsewhere.
- 5 The development would be contrary to policies EP1, EP2 and EP3 of the Local Development Plan 2016 and Biodiversity guidance in that the applicant has failed to prove that the development will not have an adverse effect on European Protected Species or other protected species and habitats which may be present on or adjacent to the site.

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

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Newtown St Boswells Melrose TD6 0SA Tel: Payments 01835 825251/System Help 01835 826705 Email: corporatebusinesssystems@scotborders.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100204129-001

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

Type of Application

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

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

Description of Proposal

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

Proposed Detached house with Garage

Is this a temporary permission? * Yes No

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

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Agent Details

Please enter Agent details

Company/Organisation:	Mr Kanak Bose		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Kanak	Building Name:	Ogscastle
Last Name: *	Bose	Building Number:	
Telephone Number: *	01555840971	Address 1 (Street): *	Ogscastle
Extension Number:		Address 2:	Carnwath
Mobile Number:		Town/City: *	Lanark
Fax Number:		Country: *	United Kingdom
		Postcode: *	ML11 8NE
Email Address: *	kanakbose@yahoo.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	Land to South West
First Name: *	William	Building Number:	
Last Name: *	Rose	Address 1 (Street): *	Mill Lade
Company/Organisation		Address 2:	Blyth Bridge
Telephone Number: *		Town/City: *	Peebles
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EH46 7HY
Fax Number:			
Email Address: *	kanakbose@yahoo.co.uk		

Site Address Details

Planning Authority:

Scottish Borders Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Site to South West Mill Lade Blyth Bridge

Northing

Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

0.45

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

paddock

Access and Parking

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

Yes No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

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

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

4

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

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

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

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

What private arrangements are you proposing? *

- New/Altered septic tank.
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
 Other private drainage arrangement (such as chemical toilets or composting toilets).

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

In curtilage treatment plant with discharge via soakaway to Tarth Water

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

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

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

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

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

Assessment of Flood Risk

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

Yes No Don't Know

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

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

Yes No Don't Know

Trees

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

Yes No

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

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details: * (Max 500 characters)

ample space is available within curtilage for storage of waste

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Kanak Bose

On behalf of: Mr & Mrs William Rose

Date: 19/11/2019

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

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

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

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

Declaration Name: Mr Kanak Bose

Declaration Date: 19/11/2019



NORTH WEST ELEVATION
ELEVATIONS AT 1:100



SOUTH EAST ELEVATION



SOUTH WEST ELEVATION



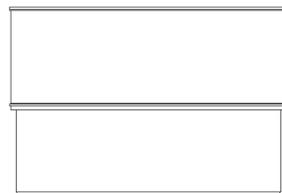
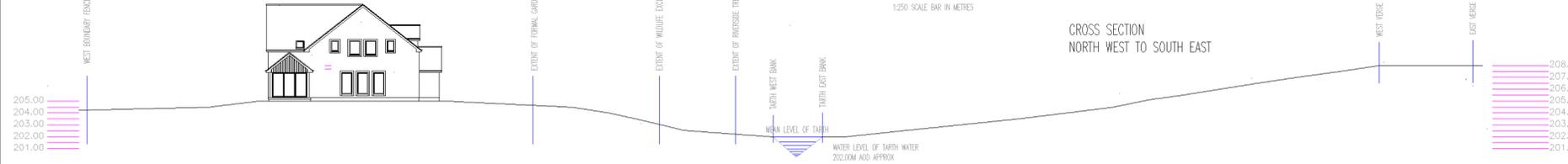
NORTH EAST ELEVATION



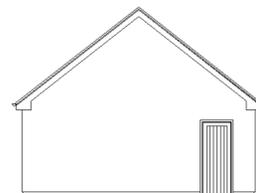
LONG SECTION
SOUTH WEST TO NORTH EAST



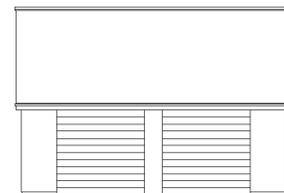
CROSS SECTION
NORTH WEST TO SOUTH EAST



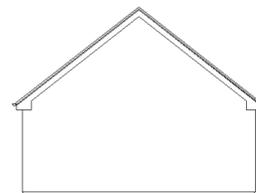
NORTH WEST ELEVATION
GARAGE ELEVATIONS
SCALE 1:100



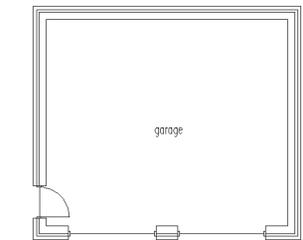
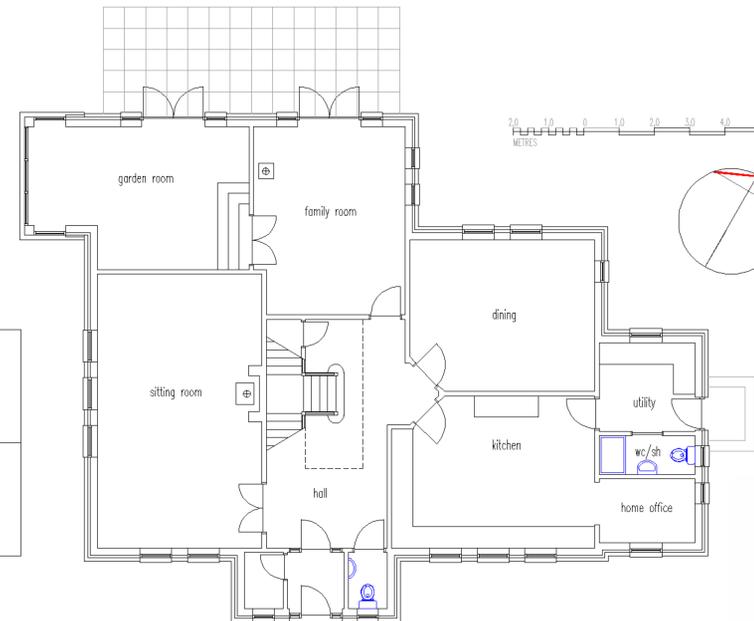
SOUTH WEST ELEVATION



SOUTH EAST ELEVATION



NORTH EAST ELEVATION



Scottish Borders Council
Town And Country
Planning (Scotland) Act
1997

REFUSED

subject to the
requirements of the
associated Decision
Notice

AMENDMENTS	
A	REVISIONS PRIOR TO BE SUBMITTED JULY 2019
B	
C	
D	
E	
F	



BESPOKE BUILDING DESIGN
e-mail: kankabose@yahoo.co.uk

SCALE 1:100 OR AS STATED jan 2019

OCS 298 01 GENERAL ARRANGEMENT
REVISION → (planning submission)

PROPOSED DETACHED HOUSE WITH GARAGE
site to South West of Mill Lode
Blyth Bridge, by Peebles, EH46 7HY

Mr & Mrs Wm & R Rose

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SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 19/00194/FUL
APPLICANT : Mr And Mrs Willam Rose
AGENT : Kanak Bose Ltd.
DEVELOPMENT : Erection of dwellinghouse and detached garage
LOCATION: Land South West Of 3 Mill Lade
Blyth Bridge
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
OGS 298 01	General	Refused

NUMBER OF REPRESENTATIONS: 0
SUMMARY OF REPRESENTATIONS:

No representations were received.

Consultation responses were received from:

Education and Lifelong Learning - no objection. Contributions required if granted;

Roads - no objection subject to conditions. Key issue, means of access. Conditions suggested;

Flood Risk Officer - Flood Risk Assessment (FRA) required to assess if the new development is at risk of flooding and, if appropriate, how much flood plain storage is lost;

Ecology Officer - a desk-top assessment has been made. The development has potential to have a direct and indirect impact on the Tarth water (River Tweed SAC/SSSI) and protected species. Further information is required before permission can be granted. In accordance with Scottish Government guidance, identified in the council's survey guidance planning authorities must establish whether European Protected Species (EPS), such as otters, are present on or near development sites, whether they are likely to be affected by the development and to fully consider potential impacts on otters prior to the determination of a planning application. The site appears to contain habitats which have the potential to support badgers. The proposed development may affect ground-nesting breeding birds using grassland, river bank and river shingle habitats within. A proportionate Preliminary Ecological Appraisal should be carried out in conjunction with the otter survey to identify any ecological constraints, any mitigation measures likely to be required and any further surveys required to inform an Ecological Impact Assessment;

Transport Scotland - does not propose to advise against the granting of permission;

Scottish Natural Heritage - The proposal area overlaps with the River Tweed Special Area of Conservation (SAC) designated for its fish species (brook, river and sea lamprey and salmon), otter and vegetation associated with water crowfoot. The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters, The Conservation of Habitats and Species Regulations 2017 apply. Consequently,

Scottish Borders Council is required to consider the effect of the proposal on the SAC before permission can be consented (commonly known as Habitats Regulations Appraisal). In SNH's view, it is unlikely that the proposal will have a significant effect on any qualifying interests either directly or indirectly. An appropriate assessment is therefore not required. However, SNH has a standard requirement for a 10m gap between the SAC and the start of the proposal footprint. A further 10m gap between this buffer and the footprint of the house and garage is also required. For this proposal, therefore, garden ground should begin 10m from the river edge but the house and garage should be a further 10m away. For this proposal the 10m gap does not relate to the tree planting. The gap provides a buffer between development and the SAC, ensuring that disturbance, siltation or pollution caused by construction is not immediately adjacent to the SAC; ensures that activities associated with the established development do not have a direct impact on the SAC and; it creates an ecological edge to the SAC that allows natural processes (including the migration of species such as otter along the length of the river and the meandering and change of course in the river naturally to take place). If the buffer is not included, the development could compromise the ecology of the SAC or, conversely, the natural meanders of the river could affect the development in future years. The tree planting proposal on the banks of the Tarth Water is for 'native Scottish hardwoods ... intermixed with conifers'. Since the Tarth forms part of the River Tweed SAC, only species native to Scotland (such as birch and rowan with some willow on the water edge) should be used. A more detailed plan showing the appropriate buffer and listing the tree species to be planted would be required.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Local Development Plan 2016

PMD2 - Quality standards

PMD4 - Development outwith development boundaries

HD2 - Housing in the countryside

HD3 - Protection of residential amenity

EP1 - International nature conservation sites and protected species

EP2 - National nature conservation and protected species

EP3 - Local biodiversity

EP15 - Development affecting the water environment

EP16 - Air quality

IS2 - Developer contributions

IS7 - Parking provision and standards

IS8 - Flooding

IS9 - Waste water treatment and sustainable urban drainage

The site is not strategic, therefore the policies contained within SESplan have not been considered.

The following council guidance is material:

Biodiversity;

Development contributions;

New housing in the Borders countryside;

Placemaking and design;

Privacy and sunlight guide.

Recommendation by - Ranald Dods (Planning Officer) on 4th April 2019

Site and proposal

The site, which is approximately 6350m², is located to the south west of Blyth Bridge and, although adjacent to the boundary of the village, is within countryside. Access is gained via the Mill Lade, which is itself accessed from the A701 trunk road. The site is undeveloped rough grazing mostly enclosed by a post and wire fence although a close boarded fence defines the boundary of the settlement and the last two properties in Mill Lade. A bund, approximately 1.8m high is located towards the north western boundary. The Tarth Water runs along the south eastern extent of the boundary. The ground slopes slightly from Mill Lade to the south western extremity of the application site.

The application is made for planning permission for a single house and detached double garage. The layout shows that house located centrally within the site and approximately 43.5m from the development boundary. The L shaped house would be one and a half stories high, being 4.3m to eaves and 8.1m to ridge.

Site history

There is no planning history associated with this site. No pre-application discussion was entered into.

Principle

The key policies against which this application is assessed are HD2, housing in the countryside and, due to the proximity of the site to the boundary of Blyth Bridge, policy PMD4, development outwith development boundaries. An assessment of both is set out below.

PMD2

The council aims to encourage a sustainable pattern of development focused on defined settlements. That aim does not preclude the development of housing in the countryside. Where rural housing is permitted by policy HD2, the aim is to locate development in appropriate locations. There are three general principles which are the starting point for the consideration of new houses in the countryside. Those are:

- 1) Locations within villages are preferred to open countryside, where permission will be granted in only special circumstances on appropriate sites;
- 2) sites associated with existing building groups and which will not be detrimental to the character of the group or surrounding area and;
- 3) sites in dispersed communities in the southern Borders Housing Market Area (HMA).

In this case, the site is not within the defined settlement of Blyth Bridge. Being outwith the settlement, there is no rural building group with which the proposal could be associated. Finally, the site is within the northern and not the southern HMA. The application therefore fails to meet any of the general principles used when assessing whether or not an application for rural housing is appropriate.

The policy sets out 6 further main criteria against which applications are assessed. Those are:

- A) Building groups;
- B) dispersed building groups;
- C) conversions of buildings to a house;
- D) restoration of houses;
- E) replacement dwellings
- F) economic requirement.

In terms of the above, the proposal fails to comply with any of the stated criteria. The proposed development breaks into an undeveloped field. This would fundamentally change the setting of the area.

PMD4

The development boundaries defined in the LDP indicate the extent to which settlements should be allowed to expand during the local plan period. Proposals for new development outwith identified boundaries will normally be refused. The policy sets out that exceptional approvals may be granted, provided strong reasons can be given that:

- a) it is a job-generating development in the countryside that has an economic justification under Policy ED7 or HD2;
- b) it is an affordable housing development that can be justified under in terms of policy HD1;
- c) there is a shortfall identified by the council through the housing land audit with regard to the provision of an effective 5 year housing land supply;
- d) it is a development that it is considered would offer significant community benefits that outweigh the need to protect the development boundary.

Since the application fails to satisfy any of the above criteria, the proposal cannot be seen as a candidate for an exceptional approval and does not represent a logical extension to Blyth Bridge.

The New Housing in the Borders Countryside supplementary planning guidance (SPG) reinforces the terms of policies HD2 and PMD4. No support for the proposal can be found within the SPG nor has the applicant advanced a case setting out why there is an overwhelming need for the development of the site. No

justification has been provided by the applicant which indicates that it may be possible to set aside the terms of either policy HD2, PMD4 or the SPG.

Since no supporting case has been submitted in support of the application, this proposal remains wholly inconsistent with planning policy and guidance. There are no material considerations of which I am aware that would suggest that policy provisions should be set aside in favour of the development and granting permission in principle would set an undesirable precedent.

In addition to those two key policies, the proposal fails to understand clearly the context of the site and surrounding area. The quality of design proposed is not of the highest quality, the density which would result from the proposal does not respect its surroundings and would be out of character with the area. The proposal fails to make a positive contribution to the sense of place and is contrary to the terms of policy PMD2.

The principle of development on these site as proposed is, therefore, not accepted.

Amenity and privacy

Notwithstanding above fundamental matters regarding the principle of development, the site appears to be capable of accommodating a modest house. That would, however, need to be balanced by the impact on the visual amenity of the rural location resulting from eventual design of the development. The submitted design is of little architectural merit and would be an incongruous feature in the countryside. That having been said, the house is so remote from the properties with the settlement that amenity and privacy would not be adversely affected.

Roads issues

The sites would be accessed from the Mill Lade, which is access from the A701 trunk road. Neither Roads nor Transport Scotland objects but the former suggested conditions if permission were to be granted. There is sufficient space within the sites to provide the required number of parking spaces.

Trees

There are no trees currently on the site. The site plan indicates that tree planting will be carried out on the western bank of the Tarth Water. The plan is not sufficiently detailed and, if permission were to be granted, a fully detailed landscaping plan would be required by condition.

Impact on River Tweed SAC

Both SNH and the Ecology Officer have noted that the proposal has the potential to affect the SAC. The application lacks the basic information required to make a full assessment of the likely impact on European Protected Species. Due to the principle of the proposal being unacceptable in terms of policies HD2 and PMD4, the applicant was not asked to submit that information. If the application were to be reviewed and found to be acceptable in terms of those policies, further submissions in relation to ecology would be required prior to a determination being reached.

Flooding

The site is in close proximity to the Tarth Water and the Flood Risk Officer has indicated that a flood risk assessment (FRA) would be required to make a proper assessment of the proposal. As the principle of development is not acceptable, the applicant was not asked to submit the information. If, however, the application were to be reviewed and found to be acceptable in terms of policies HD2 and PMD4, further submissions in the form of an FRA would be required prior to a determination being made.

Services

The applicant states that the site will be served by a private water supply. Foul drainage would be by means of a private system. In order to comply with policy IS9, future applications will have to demonstrate that the site can be serviced adequately in terms of water and drainage.

Developer contributions

Contributions would be required for education provision and affordable housing, were the applications to be granted. Contributions would be secured by means of either a section 69 or section 75 agreement.

Conclusion

The proposed development is located on a greenfield site within the countryside and does not relate well to an existing building group. Furthermore the proposed development lies outwith any settlement envelope defined in the LDP. The proposal is therefore contrary to policies HD2 and PMD4 and published guidance on new housing in the countryside. The applicant has not advanced material considerations that would set aside the terms of the development plan and it is recommended that planning permission is refused.

REASON FOR DECISION :

The development is contrary to policies HD2, PMD2 and PMD4 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it would amount to sporadic residential development in a countryside location and no overriding case for a dwellinghouse has been substantiated.

Recommendation: Refused

- 1 The development is contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it does not relate to an existing building group and this would set an undesirable precedent for an isolated house in the countryside.
- 2 The development is contrary to policy PMD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it fails to make a positive contribution to the sense of place. This would set an undesirable precedent for an isolated dwellinghouse in a rural setting.
- 3 The development is contrary to policy PMD4 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it fails to meet any of the tests set out in that policy which would enable it to be considered as a candidate for exceptional approval. This would set an undesirable precedent for development of an unallocated site outwith the development boundaries defined in the Local Development Plan 2016.

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

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9 December 2019

Ranalds Dods
Scottish Borders Council
Planning & Economic Development
Council Headquarters
Newtown St Boswells
Melrose
TD6 0SA

By email only to: dcconsultees@scotborders.gov.uk

Dear Ranald

**Planning application: 19/01645/FUL
Erection of dwellinghouse and detached garage
Land South West Of 3 Mill Lade Blyth Bridge Scottish Borders**

Thank you for your consultation email which SEPA received on 20 November 2019.

Advice for the planning authority

We **object** to this planning application on the grounds of lack of information and on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy.

In the event that the planning authority proposes to grant planning permission contrary to this advice on flood risk, the Town and Country Planning (Notification of Applications) (Scotland) Direction 2009 provides criteria for the referral to the Scottish Ministers of such cases. You may therefore wish to consider if this proposal falls within the scope of this Direction.

We will review this objection if information is submitted which adequately addresses the issues detailed in Section 1 below.

1. Flood Risk

- 1.1 We previously responded to this application in April 2018 at the pre-planning stage and requested additional information in support of the application. In February 2019, we objected in principle to a formal planning application on the grounds that limited topographic information indicated that the development was located within the functional floodplain.
- 1.2 Scottish Planning Policy paragraph 255 states “the planning system should promote: flood avoidance: by safeguarding flood storage and conveying capacity, and locating development away from functional flood plains and medium to high risk areas.”

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- 1.3 Again, limited information is provided within the current application. However, a synopsis of responses has been provided in spreadsheet format. From this, it is suggested that the freeboard of the proposed house is 3.4 metres above the Tarth Water. It is unclear whether this is based on bed level, bank level or water level on day of survey. There is also the suggestion in the spreadsheet that the site is in excess of 3 metres above the water level of the Tarth Water. Based on the information supplied within the planning application we cannot confirm that this height difference is sufficient to elevate the site out with the 1:200 year functional floodplain.
- 1.4 The North West Elevation diagram in the provided drawing (Drawing no. OGS 298 01, Rev. A.) suggests that finished ground levels, and finished floor levels shall be achieved through land raising. The information submitted in the current application does not include a Flood Risk Assessment (FRA). We are unable to confirm that land-raising is proposed out with the functional floodplain without a detailed FRA, based on topographic information related to metres Above Ordnance Datum (mAOD).
- 1.5 We do not support land raising within the functional flood plain as stated in SEPA guidance "Land raising in fluvial flood risk areas reduces the ability of the functional flood plain to store and/or convey water and can increase flood risk elsewhere". Furthermore, we do not deem that this application falls within the exceptional category that would enable land-raising within the functional floodplain to be offset through compensatory storage. We note that this is however for your authority to confirm.
- 1.6 Therefore, we would request a Flood Risk Assessment is submitted in support of the development to determine whether land-raising will take place out with the functional floodplain, does not create an island of development, and that safe, flood free access/egress can be provided.
- 1.7 We would stress that based on the information submitted, an FRA will likely only confirm that the site is unsuitable for the proposed development and we would subsequently object in principle to any future consultations.

Caveats & Additional Information for Applicant

1. The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km² using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>
2. Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

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3. The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Scottish Borders Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "*Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities*" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>.

2. Other relevant aspects of the development

- 2.1 Please refer to [SEPA standing advice for planning authorities and developers on development management consultations](#) for other aspects of the development due to the fact that the consultation is below the threshold where we would provide bespoke advice for other aspects.

Detailed advice for the applicant

3. Flood Risk

- 3.1 We refer the applicant to the document entitled: "*Technical Flood Risk Guidance for Stakeholders*". This document provides generic requirements for undertaking Flood Risk Assessments and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>.

Please note that this document should be read in conjunction Policy 41 (Part 2).

- 3.2 Our Flood Risk Assessment checklist should be completed and attached within the front cover of any flood risk assessments issued in support of a development proposal which may be at risk of flooding. The document will take only a few minutes to complete and will assist our review process. It can be downloaded from <https://www.sepa.org.uk/media/159170/flood-risk-assessment-checklist.xlsx>

Regulatory advice for the applicant

4. Regulatory requirements

- 4.1 Details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory services team in your local SEPA office at:

Burnbrae Mossilee Road Galashiels TD1 1NF

Tel: 01896 754797

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If you have any queries relating to this letter, please contact me by telephone on 01738 448193 or e-mail at planning.se@sepa.org.uk.

Yours sincerely

Sheena Jamieson
Senior Planning Officer
Planning Service

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at this time. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning or similar application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application or similar application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. For planning applications, if you did not specifically request advice on flood risk, then advice will not have been provided on this issue. Further information on our consultation arrangements generally can be found on our [website planning pages](#).



Scottish Natural Heritage
Dualchas Nàdair na h-Alba
nature.scot

Ranald Dods
Planning & Development
Email to - dcconsultees@scotborders.gov.uk

Date: 04 November 2019

Our ref: CDM157491
Your ref: 19/01645/FUL

Dear Sirs

Consultation - Town and Country Planning (Scotland) Act 1997 - Erection of dwelling house and garage at Mill Lade Blyth Bridge - SNH response

Thank you for consulting SNH on the above planning application, dated 20 November 2019.

The proposal is close to the TARTH Water, which is part of the River Tweed Special Area of Conservation (SAC) designated for its habitat (Water courses of plain to montane levels with the *Ranunculus fluitantis* and *Callitriche-Batrachion* vegetation) and species (Sea lamprey *Petromyzon marinus*, Brook lamprey *Lampetra planeri*, River lamprey *Lampetra fluviatilis*, Atlantic salmon *Salmo salar* and Otter *Lutra lutra*).

The site's status means that the requirements of the Conservation (Natural Habitats, &c.) Regulations 1994 as amended (the "Habitats Regulations") or, for reserved matters, The Conservation of Habitats and Species Regulations 2017 apply. Consequently, Scottish Borders Council is required to consider the effect of the proposal on the SAC before it can be consented (commonly known as Habitats Regulations Appraisal). The SNH website has a summary of the legislative requirements (<https://www.nature.scot/professional-advice/safeguarding-protected-areas-and-species/protected-species/legal-framework/habitats-directive-and-habitats-regulations>).

SNH position: Advice only

The maintenance of an undeveloped buffer strip of 10m from the bank of the TARTH Water to the edge of the development footprint is appropriate in this case. Such mitigation will help to provide a more natural riparian corridor and minimise impacts on water quality during construction activities. Providing the developer follows Scottish Environment Protection Agency's regulations and best management practice that is usually observed across the construction industry, it is also unlikely in our view that the proposed works will have a significant effect on any qualifying interests either directly or indirectly. An appropriate assessment is therefore not required.

Scottish Natural Heritage, Greystone Park, 55/57 Moffat Road, Dumfries DG1 1NP
Tel: 01738 458678 www.nature.scot

Dualchas Nàdair na h-Alba, Pàirc a' Chùirm Leithe, 55/57 Rathad Mhofad, Dùn Phrìs DG1 1NP
Fòn: 01738 458678 www.nature.scot

Please do not hesitate to contact me should you wish to discuss our comments.

Yours sincerely

Francois Chazel
Operation Officer
Southern Scotland

Response On Development Affecting Trunk Roads and Special Roads

The Town and Country Planning (Scotland) Act 1997

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

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

To Scottish Borders Council Environment and Infrastructure Newtown St Boswells Melrose TD6 0SA	Council Reference:-	19/01645/FUL
	TS TRBO Reference:-	SE/105/2019

Application made by Mr & Mrs William Rose per Kanak Bose Ltd., Ogcastle Roman Road Carnwarth ML11 8NE and received by Transport Scotland on 21 November 2019 for planning permission for erection of dwellinghouse and detached garage located at Land South West Of 3 Mill Lade Blyth Bridge Scottish Borders affecting the A702 Trunk Road.

Director, Roads Advice

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

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

TS Contact:-	Area Manager (A702) 0141 272 7100 Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Operating Company:-	SOUTH EAST
Address:-	6a Dryden Road, Bilston Glen Industrial Estate, Loanhead, Edinburgh, EH20 9LZ
Telephone Number:-	0800 0420188
e-mail address:-	OCCR.SESCOTLAND@amey.co.uk

Transport Scotland Response Date:- 03-Dec-2019

Transport Scotland Contact:- Fred Abercrombie

Transport Scotland Contact Details:-

Roads - Development Management
Buchanan House, 58 Port Dundas Road, Glasgow, G4 0HF
Telephone Number: 0141 272 7382
e-mail: development_management@transport.gov.scot

NB - Planning etc. (Scotland) Act 2006

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

Consultation Reply



ENVIRONMENT AND INFRASTRUCTURE

To: HEAD OF PLANNING AND REGULATORY SERVICE

FAO: Ranald Dods

Your Ref: 19/01645/FUL

From: HEAD OF ENGINEERING & INFRASTRUCTURE

Date: 27th November 2018

Contact: Lauren Addis

Ext: 6157

Our Ref: B48/2815

Nature of Proposal: Erection of dwellinghouse and detached garage
Site: Land south west of 3 Mill Lade, Blyth Bridge, Scottish Borders

SBC Flood & Coastal Management previously commented on this application in February 2019 and requested that a Flood Risk Assessment be undertaken to support the application. SEPA's Flood Hazard Map shows that the site is located within the 1:200 year flood extent of the Tarth Water and may be at medium to high risk of flooding.

Topographic information and finished flood and ground levels have been provided as well as a fluvial flood extent map and surface water map included within a report. However, it is not clear how the maps have been derived and what supporting information has been used. I am therefore required to request that the full FRA including details of the hydrology and modelling methods adopted to derive the flood maps are submitted for us to determine if the flood maps are an accurate representation of the flood risk at the application site.

The FRA should also address whether there is flood free access and egress to the proposed dwellinghouse and include any details of proposed mitigation or property resilience.

Please note that this information must be taken in the context of material that this Council holds in fulfilling its duties under the Flood Risk Management (Scotland) Act 2009.

Lauren Addis
Technician
Flood and Coastal Management

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Roads Planning Service	Contact e-mail/number:		
Officer Name and Post:	Paul Grigor Roads Planning Officer	pgrigor@scotborders.gov.uk 01835 826663		
Date of reply	28 th November 2019	Consultee reference:		
Planning Application Reference	19/01645/FUL	Case Officer: Ranald Dods		
Applicant	Mr & Mrs William Rose			
Agent	Kanak Bose Ltd.			
Proposed Development	Erection of dwellinghouse and detached garage			
Site Location	Land South West Of 3 Mill Lade Blyth Bridge Scottish Borders			
<i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i>				
Background and Site description	Previous application 19/00194/FUL - refused			
Key Issues (Bullet points)	<ul style="list-style-type: none"> • Means of access 			
Assessment	The previous application raised no objections from Roads Planning Service subject to certain conditions being attached to any approval but was refused on planning grounds. As with the previous application, I have no objections in principle to the resubmitted proposal, subject to the conditions listed below.			
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required
Recommended Conditions	<p>Details of the precise means of access, including construction specification and levels, to be submitted in writing to the Council for approval prior to work commencing on-site. Thereafter the approved details to be fully implemented prior to occupation of the proposed dwelling. Reason: To ensure the development hereby approved is served by an appropriate form of access.</p> <p>Parking and turning for two vehicles, excluding any garages, to be provided within the curtilage of the plot prior to occupation of the dwelling and thereafter retained in perpetuity, unless otherwise agreed in writing with the Council. Reason: To ensure the development hereby approved is served by an appropriate level of parking.</p>			
Recommended Informatives	It should be noted that all work within the public road boundary must be undertaken by a contractor first approved by the Council.			

AJS

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Local Review Reference: 20/00005/RREF

Planning Application Reference: 19/01645/FUL

Development Proposal: Erection of dwellinghouse and detached garage

Location: Land South West of 3 Mill Lade, Blyth Bridge

Applicant: Mr & Mrs William Rose

Scottish Borders Local Development Plan 2016

POLICY PMD2: QUALITY STANDARDS

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

Sustainability

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

Placemaking & Design

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

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Accessibility

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

Greenspace, Open Space & Biodiversity

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

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

POLICY PMD4: DEVELOPMENT OUTWITH DEVELOPMENT BOUNDARIES

Where Development Boundaries are defined on Proposals Maps, they indicate the extent to which towns and villages should be allowed to expand during the Local Plan period. Development should be contained within the Development Boundary and proposals for new development outwith this boundary, and not on allocated sites identified on the proposals maps, will normally be refused.

Exceptional approvals may be granted provided strong reasons can be given that:

- a) it is a job-generating development in the countryside that has an economic justification under Policy ED7 or HD2, OR
- b) it is an affordable housing development that can be justified under in terms of Policy HD1, OR
- c) there is a shortfall identified by Scottish Borders Council through the housing land audit with regard to the provision of an effective 5 year housing land supply, OR
- d) it is a development that it is considered would offer significant community benefits that outweigh the need to protect the Development Boundary.

AND the development of the site:

- a) represents a logical extension of the built-up area, and
- b) is of an appropriate scale in relation to the size of the settlement, and
- c) does not prejudice the character, visual cohesion or natural built up edge of the settlement, and
- d) does not cause a significant adverse effect on the landscape setting of the settlement or the natural heritage of the surrounding area.

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The decision on whether to grant exceptional approvals will take account of:

- a) any indicators regarding restrictions on, or encouragement of, development in the longer term that may be set out in the settlement profile;
- b) the cumulative effect of any other developments outwith the Development Boundary within the current Local Plan period;
- c) the infrastructure and service capacity of the settlement.

POLICY HD2: HOUSING IN THE COUNTRYSIDE

The Council wishes to promote appropriate rural housing development:

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

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

(A) BUILDING GROUPS

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

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

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

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

(B) DISPERSED BUILDINGS GROUPS

In the Southern Housing Market area there are few building groups comprising 3 houses or more, and a more dispersed pattern is the norm. In this area a lower threshold may be appropriate, particularly where this would result in tangible community, economic or

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environmental benefits. In these cases the existence of a sense of place will be the primary consideration.

Housing of up to 2 additional dwellings associated with dispersed building groups that meet the above criteria may be approved provided that:

- a) the Council is satisfied that the site lies within a recognised dispersed community in the Southern Borders housing market area,
- b) any consents for new build granted under this part of this policy should not exceed two housing dwellings in addition to the group during the Plan period. No further development above this threshold will be permitted,
- c) the design of housing will be subject to the same considerations as other types of housing in the countryside proposals.

(C) CONVERSIONS OF BUILDINGS TO A HOUSE

Development that is a change of use of a building to a house may be acceptable provided that:

- a) the Council is satisfied that the building has architectural or historic merit, is capable of conversion and is physically suited for residential use,
- b) the building stands substantially intact (normally at least to wallhead height) and the existing structure requires no significant demolition. A structural survey will be required where in the opinion of the Council it appears that the building may not be capable of conversion, and
- c) the conversion and any proposed extension or alteration is in keeping with the scale and architectural character of the existing building.

(D) RESTORATION OF HOUSES

The restoration of a house may also be acceptable provided that the walls of the former residential property stand substantially intact (normally at least to wallhead height). In addition:

- a) the siting and design reflects and respects the historical building pattern and the character of the landscape setting,
- b) any proposed extension or alteration should be in keeping with the scale, form and architectural character of the existing or original building, and
- c) significant alterations to the original character will only be considered where it can be demonstrated that these provide environmental benefits such as a positive contribution to the landscape and/or a more sustainable and energy efficient design.

(E) REPLACEMENT DWELLINGS

The proposed replacement of an existing house may be acceptable provided that:

- a) the siting and design of the new building reflects and respects the historical building pattern and the character of the landscape setting,
- b) the proposal is in keeping with the existing/original building in terms of its scale, extent, form and architectural character,
- c) significant alterations to the original character of the house will only be considered where it can be demonstrated that these provide environmental benefits such as a positive contribution to the landscape and /or a more sustainable and energy efficient design.

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(F) ECONOMIC REQUIREMENT

Housing with a location essential for business needs may be acceptable if the Council is satisfied that:

- a) the housing development is a direct operational requirement of an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and it is for a worker predominantly employed in the enterprise and the presence of that worker on-site is essential to the efficient operation of the enterprise. Such development could include businesses that would cause disturbance or loss of amenity if located within an existing settlement, or
- b) it is for use of a person last employed in an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and also employed on the unit that is the subject of the application, and the development will release another house for continued use by an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and
- c) the housing development would help support a business that results in a clear social or environmental benefit to the area, including the retention or provision of employment or the provision of affordable or local needs housing, and
- d) no appropriate site exists within a building group, and
- e) there is no suitable existing house or other building capable of conversion for the required residential use.

In ALL instances in considering proposals relative to each of the policy sections above, there shall be compliance with the Council's Supplementary Planning Guidance where it meets the terms of this policy and development must not negatively impact on landscape and existing communities. The cumulative effect of applications under this policy will be taken into account when determining impact.

POLICY HD3 : PROTECTION OF RESIDENTIAL AMENITY

Development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against:

- a) the principle of the development, including where relevant, any open space that would be lost; and
- b) the details of the development itself particularly in terms of:
 - (i) the scale, form and type of development in terms of its fit within a residential area,
 - (ii) the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking, loss of privacy and sunlighting provisions. These considerations apply especially in relation to garden ground or 'backland' development,
 - (iii) the generation of traffic or noise,
 - (iv) the level of visual impact.

POLICY EP1: INTERNATIONAL NATURE CONSERVATION SITES AND PROTECTED SPECIES

Development proposals which will have a likely significant effect on a designated or proposed Natura site, which includes all Ramsar sites, are only permissible where:

- a) an appropriate assessment has demonstrated that it will not adversely affect the integrity of the site, or
- b) there are no alternative solutions, and

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- c) there are imperative reasons of overriding public interest including those of a social or economic nature

Where a development proposal is sited where there is the likely presence of an EPS, the planning authority must be satisfied that:

- a) there is no satisfactory alternative, and
- b) the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance to the environment, and
- c) the development is not detrimental to the maintenance of the population of a EPS at a favourable conservation status in its natural range.

POLICY EP2: NATIONAL NATURE CONSERVATION AND PROTECTED SPECIES

Development proposals which are likely to have a significant adverse effect, either directly or indirectly, on a Site of Special Scientific Interest or habitat directly supporting a nationally important species will not be permitted unless:

- a) the development will not adversely affect the integrity of the site, and
- b) the development offers substantial benefits of national importance, including those of a social or economic nature, that clearly outweigh the national nature conservation value of the site.

The developer will be required to detail mitigation, either on or off site, of any damage that may be caused by development permissible under the exception criteria.

POLICY EP3: LOCAL BIODIVERSITY

Development that would have an unacceptable adverse effect on Borders Notable Species and Habitats of Conservation Concern will be refused unless it can be demonstrated that the public benefits of the development clearly outweigh the value of the habitat for biodiversity conservation.

Any development that could impact on local biodiversity through impacts on habitats and species should:

- a) aim to avoid fragmentation or isolation of habitats; and
- b) be sited and designed to minimise adverse impacts on the biodiversity of the site, including its environmental quality, ecological status and viability; and
- c) compensate to ensure no net loss of biodiversity through use of biodiversity offsets as appropriate; and
- d) aim to enhance the biodiversity value of the site, through use of an ecosystems approach, with the aim of creation or restoration of habitats and wildlife corridors and provision for their long-term management and maintenance.

POLICY EP15: DEVELOPMENT AFFECTING THE WATER ENVIRONMENT

Development proposals that seek to bring improvement to the quality of the water environment will be supported. Where a proposal would result in a significant adverse effect on the water environment through impact on its natural or physical characteristics, or its use for recreation or existing river engineering works, it will be refused. Decision making will be guided by an assessment of:

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- a) pollution of surface or underground water, including water supply catchment areas, as a result of the nature of any surface or waste water discharge or leachate, including from the disturbance of contaminated land;
- b) flood risk within the site or the wider river catchment;
- c) proposals for river engineering works that may be required for fisheries management, flood defence or erosion control;
- d) compliance with current best practice on Sustainable Urban Drainage (SUDS) including avoidance of flooding, pollution, extensive canalisation and culverting of watercourses.

POLICY EP16: AIR QUALITY

Development proposals that, individually or cumulatively, could adversely affect the quality of air in a locality to a level that could potentially harm human health and wellbeing or the integrity of the natural environment, must be accompanied by provisions that the Council is satisfied will minimise such impacts to an acceptable degree. Where it is considered appropriate the Council may request that an Air Quality Assessment is undertaken to assist determination of an application.

POLICY IS2: DEVELOPER CONTRIBUTIONS

Where a site is otherwise acceptable in terms of planning policy, but cannot proceed due to deficiencies in infrastructure and services or to environmental impacts, any or all of which will be created or exacerbated as a result of the development, the Council will require developers to make a full or partial contribution towards the cost of addressing such deficiencies.

Contributions may be required for one or more of the following:

- a) treatment of surface or foul waste water in accordance with the Plan's policies on preferred methods (including SUDS maintenance);
- b) provision of schools, school extensions or associated facilities, all in accordance with current educational capacity estimates and schedule of contributions;
- c) off-site transport infrastructure including new roads or road improvements, Safer Routes to School, road safety measures, public car parking, cycle-ways, bridges and associated studies and other access routes, subsidy to public transport operators; all in accordance with the relevant standards and the provisions of any Travel Plan;
- d) leisure, sport, recreation, play areas and community facilities, either on-site or off-site;
- e) landscape, open space, allotment provision, trees and woodlands, including costs of future management and maintenance;
- f) protection, enhancement and promotion of environmental assets either on-site or off-site, having regard to the Local Biodiversity Action Plan and the Council's Supplementary Planning Guidance on Biodiversity, including compensation for any losses and/or alternative provision;
- g) provision of other facilities and equipment for the satisfactory completion of the development that may include: measures to minimise the risk of crime; provision for the storage, collection and recycling of waste, including communal facilities; provision of street furniture and digital connectivity with associated infrastructure.

Wherever possible, any requirement to provide developer contributions will be secured by planning condition. Where a legal agreement is necessary, the preference for using an agreement under other legislation, for example the 1973 Local Government (Scotland) Act and the 1984 Roads (Scotland) Act will be considered. A planning obligation will only be necessary where successors in title need to be bound by its terms. Where appropriate, the

List of Policies

council will consider the economic viability of a proposed development, including possible payment options, such as staged or phased payments.

POLICY IS7: PARKING PROVISION AND STANDARDS

Development proposals should provide for car and cycle parking in accordance with approved standards.

Relaxation of technical standards will be considered where appropriate due to the nature of the development and/or if positive amenity gains can be demonstrated that do not compromise road safety.

In town centres where there appear to be parking difficulties, the Council will consider the desirability of seeking additional public parking provision, in the context of policies to promote the use of sustainable travel modes.

POLICY IS8: FLOODING

At all times, avoidance will be the first principle of managing flood risk. In general terms, new development should therefore be located in areas free from significant flood risk.

Development will not be permitted if it would be at significant risk of flooding from any source or would materially increase the probability of flooding elsewhere. The ability of functional flood plains to convey and store floodwater should be protected, and development should be located away from them.

Within certain defined risk categories, particularly where the risk is greater than 0.5% annual flooding probability or 1 in 200 year flood risk, some forms of development will generally not be acceptable. These include:

- a) development comprising essential civil infrastructure such as hospitals, fire stations, emergency depots etc., schools, care homes, ground-based electrical and telecommunications equipment unless subject to an appropriate long term flood risk management strategy;
- b) additional built development in undeveloped and sparsely developed areas.

Other forms of development will be subject to an assessment of the risk and mitigation measures.

Developers will be required to provide, including if necessary at planning permission in principle stage:

- a) a competent flood risk assessment, including all sources of flooding, and taking account of climate change; and
- b) a report of the measures that are proposed to mitigate the flood risk.

The information used to assess the acceptability of development will include:

- a) information and advice from consultation with the council's flood team and the Scottish Environment Protection Agency;
- b) flood risk maps provided by the Scottish Environment Protection Agency which indicate the extent of the flood plain;

List of Policies

- c) historical records and flood studies held by the council and other agencies, including past flood risk assessment reports carried out by consultants and associated comments from the Scottish Environment Protection Agency, also held by the council;
- (d) the Scottish Environment Protection Agency's Land Use Vulnerability Guidance.

POLICY IS9: WASTE WATER TREATMENT STANDARDS AND SUSTAINABLE URBAN DRAINAGE

WASTE WATER TREATMENT STANDARDS

The Council's preferred method of dealing with waste water associated with new development will be, in order of priority:

- a) direct connection to the public sewerage system, including pumping if necessary, or failing that:
- b) negotiating developer contributions with Scottish Water to upgrade the existing sewerage network and/or increasing capacity at the waste water treatment works, or failing that:
- c) agreement with Scottish Water and SEPA where required to provide permanent or temporary alternatives to sewer connection including the possibility of stand alone treatment plants until sewer capacity becomes available, or, failing that:
- d) for development in the countryside i.e. not within or immediately adjacent to publicly seweraged areas, the use of private sewerage treatment may be acceptable, providing it can be demonstrated that this can be delivered without any negative impacts to public health, the environment or the quality of watercourses or groundwater.

In settlements served by the public foul sewer, permission for an individual private sewage treatment system will normally be refused unless exceptional circumstances prevail and the conditions in criteria (d) above can be satisfied.

Development will be refused if:

- a) it will result in a proliferation of individual septic tanks or other private water treatment infrastructure within settlements,
- b) it will overload existing mains infrastructure or it is impractical for the developer to provide for new infrastructure.

SUSTAINABLE URBAN DRAINAGE

Surface water management for new development, for both greenfield and brownfield sites, must comply with current best practice on sustainable urban drainage systems to the satisfaction of the council, Scottish Environment Protection Agency (where required), Scottish Natural Heritage and other interested parties where required. Development will be refused unless surface water treatment is dealt with in a sustainable manner that avoids flooding, pollution, extensive canalisation and culverting of watercourses. A drainage strategy should be submitted with planning applications to include treatment and flood attenuation measures and details for the long term maintenance of any necessary features.

OTHER MATERIAL CONSIDERATIONS

- SBC Supplementary Planning Guidance on Placemaking & Design 2010
- SBC Supplementary Planning Guidance on Privacy and Sunlight 2006
- SBC Supplementary Planning Guidance on Development Contributions 2011
- SBC Supplementary Planning Guidance on New Housing in the Borders Countryside 2008
- SBC Supplementary Planning Guidance on Waste Management 2015
- SBC Supplementary Planning Guidance on Biodiversity 2005

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- SBC Supplementary Planning Guidance on Local Biodiversity Action Plan 2001

Notice of Review ref.20/00007/RREF - Additional Information

Disused Sawmill, Cowdenknowes, Earlston, Scottish Borders

Erection of dwellinghouse with attached garage

Application Ref.19/01611/FUL

June 2020

Aitken Turnbull Architects



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3 Introduction

3 Cowdenknowes Estate

4 Proposed House Site

Page 88 Existing Building Group Images

12 Contemporary Houses within Rural Borders

Introduction

This document provides additional visual information in relation to a Notice of Review for an application for a new dwellinghouse at Cowdenknowes Estate, south of Earlston.

The Review was debated by Scottish Borders Council's Local Review Body on 1st June 2020 which, following extensive debate, resulted in a decision to request additional information prior to a decision. As per the Council's letter of 2nd June 2020, visual information was sought in the form of photographs of existing buildings within the building group at Cowdenknowes to provide evidence of how the design of the proposed dwellinghouse relates to the character and sense of place of its surroundings.

The following provides images of existing Cowdenknowes estate buildings including contemporary extensions to the Garden Cottage. Lastly, examples of contemporary new dwellings in the rural Borders countryside are provided to illustrate that more modern design can add to variety as supported by the Council's Placemaking & Design Guidance. Materials can of course be conditioned as necessary.

Cowdenknowes Estate

Section 2.2.2 to 2.2.10 of the submitted Notice of Review Supporting Statement set out the case for the principle of development in terms of the proposal adding to the existing building group at Cowdenknowes. Figure 1 on Page 6 of the Statement included an historic plan extract indicating the position of the proposed plot in relation to the original Cowdenknowes estate setting. Figure 2 on Page 7 of the Statement provided an aerial image indicating the position of the plot in relation to existing buildings (replicated on this page for ease of reference).

Section 2.2.6 listed the existing buildings at Cowdenknowes and photographs of these buildings are provided on the following pages.



Google aerial image

Proposed House Site (Former Saw Mill)



Cowdenknowes House



Cowdenknowes Lodge



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Former Stable Block (Equestrian Centre)



Page 93



Clockhouse (Holiday accommodation over store)

Page 94



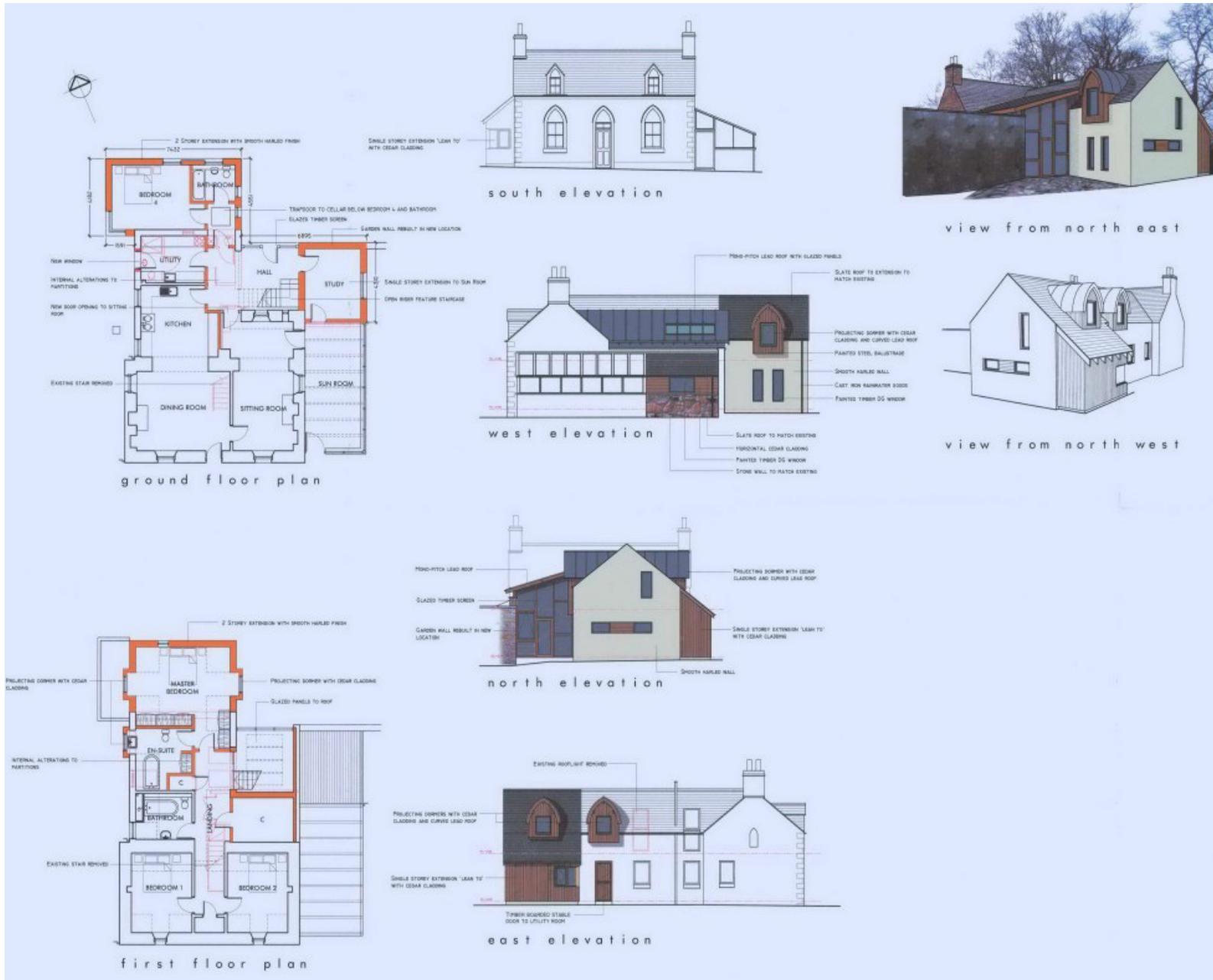
Potting Shed (1 - 2 bed Holiday Cottage)



Garden Cottage (4 bed Cottage)



Garden Cottage (4 bed Cottage - Planning Drawings, approved 2007 (ref.06/02059/FUL))



Contemporary Houses within Rural Borders

High Sunderland, Selkirk (Peter Wormersley)

Page 99



Little Lindisfarne, Hawick

Page 100



The Wave, Manor Valley, Peebles (Aitken Turnbull Architects)

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Pyatshaw, Lauder (T.A.P.)



Cowdenknowes Farm, Earlston (Cottages Extension & Alterations by Aitken Turnbull Architects)



North East Elevation



South East Elevation

Page 103



South West Elevation



North West Elevation

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From: Hayward, Julie

Sent: 23 June 2020 17:54

To: localreview <localreview@scotborders.gov.uk>

Subject: RE: Local Review Body - 20/00007/RREF Disused Sawmill, Cowdenknowes

Hi

Thank you for giving me the chance to comment on the agent's submission.

Putting the issue of whether the site forms part of the building group, the agent's submission reinforces the view that the design of the proposed house is not appropriate for this sensitive rural area. It is considered that the design of the dwellinghouse does not relate to the character of the existing houses or sense of place in the surrounding area. The proposed house has a very suburban form, lacking in architectural merit and with artificial slate for the roof and UPVC windows. In contrast, the houses within the Cowdenknowes estate include Cowdenknowes House, a category A Listed Building, its traditional lodge house, former stables, Gardener's Cottage (and potting shed) and the Clock House (a former garage/store), which are also listed and are all attractive, traditional buildings with historic and architectural merit and integral to the estate and within the SBC designated Designed Landscape. Any alterations or extensions to these buildings have been sensitive and in keeping with their character.

The photos of contemporary houses within the Borders are examples of good modern architecture and bear no resemblance to the dwellinghouse proposed. The same can be said of the modern extension to Cowdenknowes Farm Cottages.

I reiterate the view that the site is outwith the building group and the design is not appropriate for this sensitive countryside location.

Many thanks

Julie

Julie Hayward
Team Leader
Development Management
Regulatory Services
Scottish Borders Council

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Newtown St Boswells Melrose TD6 0SA Tel: Payments 01835 825251/System Help 01835 826705 Email: corporatebusinesssystems@scotborders.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100241193-001

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:	Aitken Turnbull Architects		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	David	Building Name:	<input type="text"/>
Last Name: *	Howel	Building Number:	9
Telephone Number: *	07817295619	Address 1 (Street): *	Bridge Place
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Galashiels
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	TD1 1SN
Email Address: *	admin@aitken-turnbull.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="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Cowdenknowes Farm"/>
First Name: *	<input type="text" value="Francis"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Peto"/>	Address 1 (Street): *	<input type="text" value="Cowdenknowes Farm"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Earlston"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="TD4 6AA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="admin@aitken-turnbull.co.uk"/>		

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" value="DISUSED SAWMILL"/>
Address 2:	<input type="text" value="COWDENKNOWES"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EARLSTON"/>
Post Code:	<input type="text" value="TD4 6AA"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="637260"/>	Easting	<input type="text" value="357895"/>
----------	-------------------------------------	---------	-------------------------------------

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 dwellinghouse with attached garage

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 refer to Notice of Review Supporting Statement and associated appendices 1-13

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)

Notice of Review Supporting Statement and Appendices 1-13 (as listed in Contents page of Statement)

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

19/01611/FUL

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

12/11/2019

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

08/01/2020

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)

Site inspection to appreciate setting of plot within Cowdenknowes building group

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: Mr David Howel

Declaration Date: 10/03/2020

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Notice of Review Supporting Statement

Disused Sawmill, Cowdenknowes, Earlston, Scottish Borders

Erection of dwellinghouse with attached garage

Application Ref. 19/01611/FUL

On behalf of

Mr Francis Peto

March 2020

Aitken Turnbull Architects

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Appendix 13:	Placemaking and Design Supplementary Planning Guidance

EXECUTIVE SUMMMARY

This Notice of Review is submitted on behalf of Mr Francis Peto, following the decision of Scottish Borders Council, under delegated powers to the Planning & Development Standards Manager and based upon the Case Officer's recommendation, to refuse planning permission for erection of a dwellinghouse with attached garage (application ref.19/01611/FUL, registered 12th November 2019) at site of a disused sawmill, Cowdenknowes, Earlston, on 8th January 2020.

The site, currently including a dilapidated building, previously had planning permission (for the same house design) in 2007 which subsequently lapsed. The proposal reflects this previous consent and the applicant considers the proposal to wholly comply with local planning policy and supplementary planning guidance for new housing in the Borders countryside.

The site forms part of a well-defined Building Group at Cowdenknowes estate and the plot accords with policy in terms of being well-defined and related to the character and sense of place of the wider group. The proposed site layout and building design accord with supplementary guidance and can provide a high-quality design appropriate to its rural context.

There were no objections to the proposal from statutory consultees or third-party representations and indeed, the proposal was supported by Earlston Community Council. All conditions/contributions proposed by statutory consultees are accepted by the applicant.

It is asked that the Local Review Body, whilst considering matters, take account of the supporting documentation which accompanied the application. A site inspection is also requested to appreciate the specific nature of the site.

It is respectively requested that the Local Review Body reconsider the delegated decision and find favour in the applicant's proposal, subject to conditions, as deemed appropriate.

1.0 BACKGROUND TO THE APPLICATION

1.1 Description & Location

- 1.1.1 The site contains the dilapidated buildings associated with a former sawmill, within a site extending to approximately 0.13 hectares, and is located to the south of Earlston and accessed via the B6356 (which the site fronts). The site is bound by mature trees and field boundaries and sits on the edge of the Cowdenknowes estate. The location and physical boundaries of the existing site are shown within the location plan and photos submitted with the application at **Appendices 2 and 5**.

1.2 The Development Proposal

- 1.2.1 The applicant seeks planning permission for erection of a dwellinghouse with attached garage which will replace the existing sawmill building. The site plan and proposed elevations and floorplans are illustrated within **Appendices 3 and 4** and include retention of existing trees, a gravel drive and new secondary access.

1.3 Site History

- 1.3.1 Planning permission (outline) was approved on 12th January 2004 (application ref.03/01778/OUT) for demolition of existing buildings and erection of a dwellinghouse. A subsequent detailed design was approved on 8th February 2007 (application ref.06/01745/REM). The outline planning approval approved by Members (contrary to Officer recommendation) at the Council's Development and Building Standards Committee (December 2003) on the basis that the site was an acceptable addition to an existing building group and the reserved matters application was approved on the basis that proposed design and materials for a 3 bedroom one and a half storey house with integral garage was considered acceptable for its location. Copies of the 2007 detailed approval plans and Case Officer report are contained within **Appendices 9 and 10** for information.
- 1.3.2 The planning consent was not implemented at the time and a subsequent application for planning permission in principle (ref.18/00599/FUL) was submitted on 31st May 2018 but refused on 7th March 2019 under delegated powers. The Case Officer's refusal reason reflected the Officer's original stance in 2003 in that the site was outwith the identifiable limits of the building group. The design proposed within the 2018 application differed from the original 2003 proposal, with a larger cross-shaped plan house proposed and a central access point, as **Appendix 11** illustrates.
- 1.3.3 The application that is the subject of this Notice of Review was submitted on 12th November 2019 (ref.19/01611/FUL) with the material difference from the 2018 application being that the design of the house mirrored the original 2007 detailed approval. The application currently under consideration is therefore exactly the same as the application approved by the Council in 2004 (in principle) and 2007 (in detail) and the original approval is a material consideration in determination of the current Notice of Review.

2.0 GROUNDS FOR REVIEW OF THE PLANNING DECISION

2.0.1 The applicant considers the proposal mirrors the previous proposal approved by the Council and there are no material reasons for refusing the application as it accords with planning policy as set out below.

2.1 Statutory Consultees & Local Comments

2.1.1 Firstly, it is noted that there were no objections to the principle of development from statutory consultees (as included within **Appendix 6**).

2.1.2 Planning conditions proposed by the Council's Environmental Health officers in relation to site investigation and water and waste water connections are noted and accepted by the applicant.

2.1.3 Proposed financial contributions set out by the Council towards education infrastructure and Waverley Line reinstatement, totalling £8,302, are noted and accepted by the applicant.

2.1.4 The Council's Roads Planning Service noted a requirement to allow access from the existing westerly access only. This is noted and supported by the application who would accept an associated condition to not implement the proposed easterly access.

2.1.5 It is noted that Earlston Community Council support the application, having discussed the proposal at their December 2019 meeting. In particular, the Community Council noted that, *"the site is ideally suited for the development of a dwelling house"*.

2.1.6 It is also noted there were no representations from members of the public.

2.2 Addressing the Reason for Refusal

2.2.1 The Case Officer's Report of Handling (**Appendix 7**) and associated Decision Notice (**Appendix 8**), recommended refusal for the following single reason:-

1. *"The proposed development would be contrary to Policy HD2 – Housing in the Countryside of the adopted Scottish Borders Local Development Plan 2016 in that the proposed dwelling would be located on land outwith the identifiable limits of the building group separated from existing buildings by mature woodland, and the need for the dwelling has not been substantiated. The erection of a dwelling on this site would not be well related to the existing group and would therefore represent sporadic, prominent and unjustified development in the open countryside";*

Principle of Development

- 2.2.2 Policy HD2 of the adopted Scottish Borders Local Development Plan sets out the types of development permitted within designated Countryside areas with a view to promoting appropriate rural housing development. In particular there is support for housing, *“associated with existing building groups where this does not adversely affect their character or that of the surrounding area”*. As detailed below, it is considered the proposal meets this initial policy principle.
- 2.2.3 The principle of housing development in association with existing building groups is detailed within part (A) of Policy HD2 and supporting ‘New Housing in the Borders Countryside’ Supplementary Planning Guidance (**Appendix 12**). Firstly, in terms of scale of development, it is noted that up to two additional dwellings or a 30% increase of the building group is permitted in the Plan period. There have not been any other approvals for houses within Cowdenknowes in the plan period so the proposed addition is acceptable in policy terms.
- 2.2.4 Policy HD2 defines a building group as being *“of at least three houses or buildings currently in residential use or capable of conversion to residential use.”* The Supplementary Guidance further defines the existence of a group by a *“sense of place”* contributed to by, *“natural boundaries such as water courses, trees or enclosing landform, or, man-made boundaries such as existing buildings, roads, plantations or means of enclosure”*.
- 2.2.5 As illustrated in **Figure 1** below, the proposed site is located within the historic boundary of the Cowdenknowes estate. The original estate included Cowdenknowes House (former castle), and now A-Listed) and a range of buildings including a lodge, summer house, ice house and stable buildings plus Cowdenknowes Mains farm to the north-east.

Figure 1 – Cowdenknowes Estate (historic)



OS extract 1862, Reproduced with the permission of the National Library of Scotland

2.2.6 The current arrangement of buildings at Cowdenknowes is illustrated on **Figure 2** below. This includes the following buildings:

- Cowdenknowes House, A Listed original main house
- Cowdenknowes Lodge, traditional single storey lodge gatehouse
- Former Stable Block, equestrian centre
- Clockhouse, guest accommodation over store (ref.03/01114/FUL)
- Potting Shed, single storey 1 / 2 bedroom holiday cottage (ref.06/02059/FUL)
- Garden Cottage, two storey 4 bedroom cottage (extension reef.06/02059/FUL)

Figure 2 – Cowdenknowes Estate (current)



Google aerial image

2.2.7 The current Cowdenknowes estate is a defined building group with a minimum of three houses or buildings currently in residential use or capable of conversion to residential use as per Policy HD2. Indeed, there are up to six properties either with existing residential use or capable of conversion.

2.2.8 The application site formed the former sawmill and sits within this defined building group, as illustrated on **Figure 2**. The site is bound by mature woodland, the B6356 and field

boundaries and forms part of the setting of the Cowdenknowes estate building group which has a readily identifiable 'sense of place' as set out in Supplementary Planning Guidance.

2.2.9 In terms of part (a) of the Building Groups section of Policy HD2, the site is well related to the existing Cowdenknowes group by virtue of the physical characteristics noted above. In terms of part (b), the proposal would not create any adverse cumulative impact on the building group. The existing buildings are traditional in nature (with modern extensions in part) and the replacement of the dilapidated sawmill building with a traditional style one and half storey house would improve the character of this group.

2.2.10 With regard to specific suitability of a group to accommodate new houses, part 2.b.1 of the Supplementary Planning Guidance can be addressed as follows:

- Scale and character of the new house is appropriate to its context as it is within a plot containing an existing building and there are defined plot boundaries. The new house will sit within the woodland setting which defines this group.
- As illustrated above, the site is within the defined historic Cowdenknowes estate building group.
- Spacing between the proposed house and existing buildings within the group is similar in scale.
- The proposal does not require a new public road, with access to be taken directly from the existing B6356.
- The proposed site does not break into open field or require the removal of mature trees.
- The site is not within 400m of an intensive livestock unit.
- Existing farm activities at Cowdenknowes Mains are sufficiently distanced from the site to avoid nuisance.
- The existing building group is not 'complete' as the proposal allows for replacement of an existing building within the group with a new residential property.
- The proposal is not ribbon development nor would it lead to coalescence with a settlement.

2.2.11 Overall, it is considered that the principle of development is supported as the application site is located within a well-defined plot, forming an identifiable part of the Cowdenknowes estate building group. Contrary to the Case Officer's report of handling, the proposal would not form 'sporadic' development given its plot definition and would not be 'prominent' given the mature site boundaries along the public road frontage.

Design

2.2.12 Whilst not a stated reason for refusal, it is noted that the Case Officer's report considers the design not to meet the requirements of the Council's Placemaking and Design Supplementary Planning Guidance (**Appendix 13**). The same design was approved in 2007 but the Placemaking guidance was approved in 2010.

2.2.13 The purpose of the guidance is to ensure high levels of design quality are achieved and this is supported by the applicant. With regard to specific requirements for single houses in a rural context (Section 5.2), the guidance can be addressed as follows:

- Site planning – the proposed site layout plan (**Appendix 3**), illustrates how existing mature trees are retained and plot boundaries utilise existing stock fence boundary treatment (with extension of this fence style on its eastern boundary). The position of the house is set back from the public road and the canopy of the mature trees, allowing for a suitable layout. The house footprint to plot size ratio is appropriate for the area. The proposal also removes a dilapidated building and therefore improves visual appearance.
- Building design – Appropriate energy efficient measures can be utilised in the detailed design of the proposed house. As illustrated within **Appendix 4**, the proposed design is for a one and half storey house with pitched roof with massing broken down with varying roof level design to avoid an overly 'bulky' form.
- Materials – It is noted that PVC window frames and artificial roof slates are to be avoided. Appropriate materials can be a matter for condition.

2.2.14 Overall, it is considered that the traditional design of the proposed house can be integrated into the landscape at Cowdenknowes and appropriate materials can be agreed via planning condition.

3.0 CONCLUSION

3.1 This Statement, in conjunction with the appended supporting documentation, demonstrates that the proposal accords with Scottish Borders Local Development Plan policy and associated Supplementary Planning Guidance. The grounds of review of the delegated decision specifically relate to the following fundamental factors:

- Contrary to the Case Officer's opinion, the proposed site forms part of a defined Building Group. The traditional form of the Cowdenknowes estate includes a range of buildings spaced throughout the woodland setting with an overall defined sense of place and character. The Building Group has a minimum of three residential properties and the proposed plot replaces a dilapidated building within the identifiable limits of this group. The plot has well defined boundaries and meets all of the criteria set out within the Council's New Housing in the Countryside Supplementary Planning Guidance.
- The proposed house, in terms of siting and design, was previously approved by the Council in 2004 (in principle) and 2007 (in detail). This is a material consideration in determination of this Notice of Review.
- Whilst the Council has published Placemaking and Design Supplementary Planning Guidance since 2007, the proposed design of the house is considered wholly appropriate for its rural context. The site layout allows for retention of mature trees and sets the house outwith the tree canopy whilst incorporating traditional rural boundary treatment. The house design is traditional in nature, being one and half storey with pitched roof. The massing is broken up to avoid an overly dominant form and the footprint is appropriate relative to the size of the plot. Detailed materials can be agreed via planning condition.
- There were no objections to the proposal from statutory consultees or third-party representations and the principle of development was supported by Earliston Community Council. The advice of the Council's Roads Officer with regard to utilising just the westerly access can be adhered to and the applicant would accept a suitable condition. Similarly, the applicant notes and accepts the proposed conditions and financial contributions proposed by other statutory consultees.

3.3 On the basis of the foregoing, it is respectfully requested that the submitted planning application be viewed positively and approved by the Local Review Body.



Newtown St Boswells Melrose TD6 0SA Tel: Payments 01835 825251/System Help 01835 826705 Email: corporatebusinesssystems@scolborders.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100201161-001

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

Type of Application

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

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

Description of Proposal

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

New dwelling and associated access

Is this a temporary permission? * Yes No

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

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

No Yes - Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Aitken Turnbull Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Aitken	Building Name:	
Last Name: *	Turnbull	Building Number:	9
Telephone Number: *	01896 752760	Address 1 (Street): *	Bridge Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Galashiels
Fax Number:		Country: *	Scotland
		Postcode: *	TD1 1SN
Email Address: *	admin@aitken-turnbull.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Caddenknowes Farm
First Name: *	Francis	Building Number:	
Last Name: *	Peto	Address 1 (Street): *	Caddenknowes Farm
Company/Organisation	Caddenknowes Farm	Address 2:	
Telephone Number: *		Town/City: *	Earlston
Extension Number:		Country: *	SCotish Borders
Mobile Number:		Postcode: *	TD4 6AA
Fax Number:			
Email Address: *	[REDACTED]		

Site Address Details

Planning Authority:

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? * Yes No

Site Area

Please state the site area:

Please state the measurement type used: Hectares (ha) Square Metres (sq.m)

Existing Use

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

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? * Yes No

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

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.</p>	
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?</p>	<input type="text" value="0"/>
<p>How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *</p>	<input type="text" value="2"/>
<p>Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).</p>	
<h3>Water Supply and Drainage Arrangements</h3>	
<p>Will your proposal require new or altered water supply or drainage arrangements? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Note:- Please include details of SUDS arrangements on your plans Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>	
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, using a private water supply <input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>	
<h3>Assessment of Flood Risk</h3>	
<p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Don't Know</p> <p>If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Don't Know</p>	
<h3>Trees</h3>	
<p>Are there any trees on or adjacent to the application site? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.</p>	
<h3>Waste Storage and Collection</h3>	
<p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

If Yes or No, please provide further details: * (Max 500 characters)

within curtilage of plot

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Aitken Turnbull

On behalf of: Caddenknowes Farm

Date: 11/11/2019

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

- | | |
|--|--|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

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

Declaration Name: Aitken Turnbull Architects Aitken Turnbull

Declaration Date: 08/11/2019

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Scottish Borders Council
Town And Country
Planning (Scotland) Act
1997

REFUSED

subject to the
requirements of the
associated Decision
Notice

19/01611/FUL
08.01.2020



0m 10m 25m 50m 100m
Scale

Revision	Description	By	Chk
project			

Cowdenknowes Estate Ltd
New dwelling
Cowdenknowes Farm
Earlston

site
Location plan

scale	size	date	drawn	checked
1:1250	A4	08.11.19	Bg	BG
drawing status				

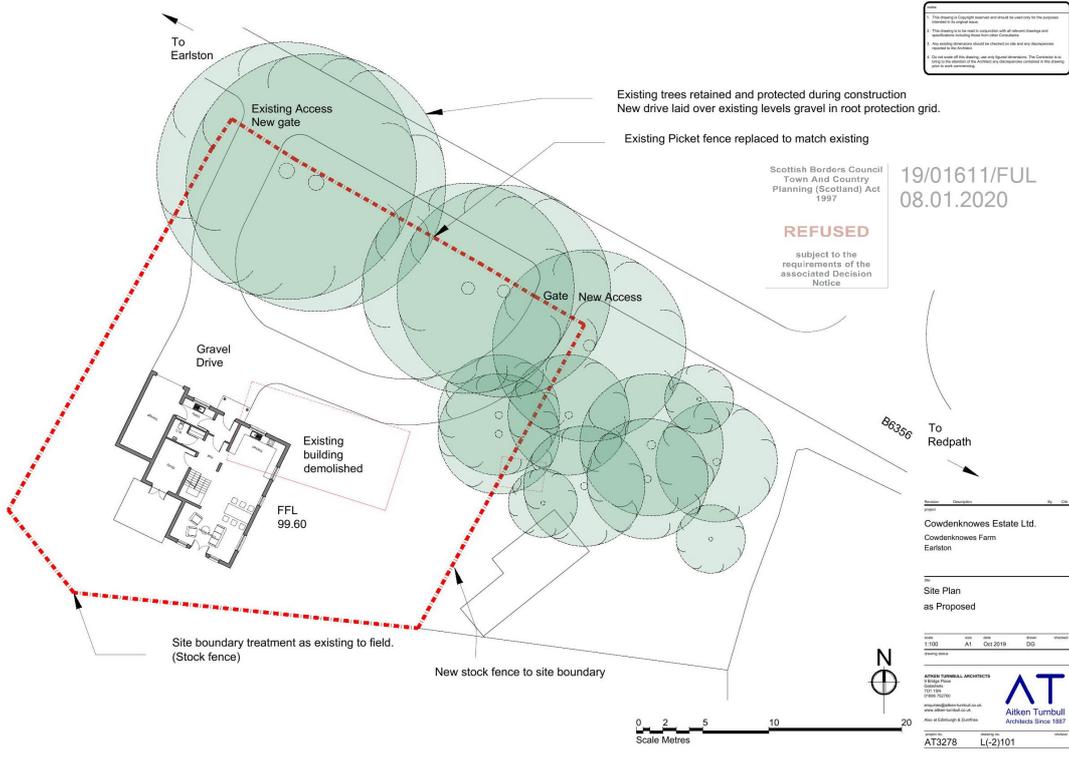
AITKEN TURNBULL ARCHITECTS
9 Bridge Place
Glasgow
TD1 1SN
01896 752760

enquiries@aitken-turnbull.co.uk
www.aitken-turnbull.co.uk
Also at Edinburgh & Dumfries



project no.	drawing no.	revision
At3278	L(-1)100	

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- 1. The Planning Commission must not be held responsible for the accuracy of the information provided.
- 2. The Planning Commission must not be held responsible for the accuracy of the information provided.
- 3. The Planning Commission must not be held responsible for the accuracy of the information provided.
- 4. The Planning Commission must not be held responsible for the accuracy of the information provided.

Scottish Borders Council
Town And Country
Planning (Scotland) Act
1997

REFUSED

subject to the
requirements of the
associated Decision
Notice

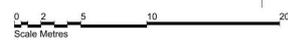
19/01611/FUL
08.01.2020

Site Plan
as Proposed

Scale: 1:500
Date: 01 Oct 2019
Author: DG

AT
Aiken Turnbull
Architects Since 1887

AT3278 LC-21101



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- 1. The property is a Category A listed building and should be treated as such for the purposes of any proposed alterations.
- 2. The property is a Category A listed building and should be treated as such for the purposes of any proposed alterations.
- 3. The property is a Category A listed building and should be treated as such for the purposes of any proposed alterations.
- 4. The property is a Category A listed building and should be treated as such for the purposes of any proposed alterations.

Materials Notes
 Walls - Sto render sandstone yellow
 Roof - artificial slate
 Frames and Sills - timber
 Doors - timber
 Windows - upvc - White
 Gutters and downpipes Upvc - White

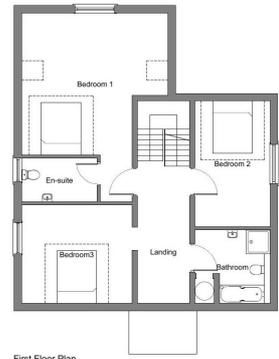
Scottish Borders Council
 Town And Country
 Planning (Scotland) Act
 1997

19/01611/FUL
 08.01.2020

REFUSED
 subject to the
 requirements of the
 associated Decision
 Notice



Ground Floor Plan
 Floor Area (112.03 sq.m)



First Floor Plan
 Floor Area (90.79 sq.m)

Cowdenknowes Estate Ltd.
 Cowdenknowes Farm
 Earlieston

Floor Plans and Elevations
 as Proposed

Drawn	Checked	Date	Scale	Project	
156	L100	A1	1:100	Oct 2019	CG

AT3278 L41101



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PLANNING CONSULTATION

To: EVH - Contaminated Land Officer

From: Development Management

Date: 27th November 2019

Contact: Julie Hayward ☎ 01835 825585

Ref: 19/01611/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 18th December 2019, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 18th December 2019, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr Francis Peto

Agent: Aitken Turnbull Architects Ltd

Nature of Proposal: Erection of dwellinghouse with attached garage

Site: Disused Sawmill Cowdenknowes Earlston Scottish Borders TD4 6AA

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Officer Name and Post:		Contact e-mail/number:	
	EVH - Contaminated Land Officer Gareth Stewart			
Date of reply	5 th December 2019		Consultee reference: 19/03558/PLANCO	
Planning Application Reference	19/01611/FUL		Case Officer: Julie Hayward	
Applicant	Mr Francis Peto			
Agent	Aitken Turnbull Architects Ltd			
Proposed Development	Erection of dwellinghouse with attached garage			
Site Location	Disused Sawmill Cowdenknowes Earlston Scottish Borders TD4 6AA			
<p><i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></p>				
Background and Site description	The above application appears to be proposing the redevelopment of land which was previously operated as a sawmill. This land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose.			
Key Issues (Bullet points)				
Assessment	<p>It is recommended that planning permission should be granted on condition that development is not be permitted to start until a site investigation and risk assessment has been carried out, submitted and agreed upon by the Planning Authority.</p> <p>Any requirement arising from this assessment for a remediation strategy and verification plan would become a condition of the planning consent, again to be submitted and agreed upon by the Planning Authority prior to development commencing.</p>			
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required
Recommended Conditions	<p>Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site.</p> <p>No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.</p> <p>The scheme shall be undertaken by a competent person or persons in accordance</p>			

	<p>with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-</p> <ul style="list-style-type: none"> a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition. <p>and thereafter</p> <ul style="list-style-type: none"> b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents. c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan). d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council. e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council. <p>Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.</p> <p>Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.</p>
<p>Recommended Informatives</p>	

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PLANNING CONSULTATION

To: Environmental Health

From: Development Management

Date: 12th November 2019

Contact: Julie Hayward ☎ 01835 825585

Ref: 19/01611/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 3rd December 2019, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 3rd December 2019, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr Francis Peto

Agent: Aitken Turnbull Architects Ltd

Nature of Proposal: Erection of dwellinghouse with attached garage

Site: Disused Sawmill Cowdenknowes Earlston Scottish Borders TD4 6AA

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Officer Name and Post: Craig Wilson		Contact e-mail/number:	
	Environmental Health (Officer to fill in own name)			
Date of reply			Consultee reference: 19/03438/PLANCO	
Planning Application Reference	19/01611/FUL		Case Officer: Julie Hayward	
Applicant	Mr Francis Peto			
Agent	Aitken Turnbull Architects Ltd			
Proposed Development	Erection of dwellinghouse with attached garage			
Site Location	Disused Sawmill Cowdenknowes Earlston Scottish Borders TD4 6AA			
<p><i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></p>				
Background and Site description	Rural area with no conflicting uses nearby			
Key Issues (Bullet points)	<ul style="list-style-type: none"> • Waste water services 			
Assessment	<p>Environmental Health will be able to support this application (subject to condition regarding the proposed mains water supply) once the agent has submit further information. Clarity is required regarding the proposed waste water arrangements (e.g. connection to the public sewer, septic tank, etc)</p>			
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input type="checkbox"/> Do not object, subject to conditions	<input checked="" type="checkbox"/> Further information required
Recommended Conditions				

Recommended Informatives	
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CONSULTATION RESPONSE TO PLANNING OR RELATED APPLICATION

Comments provided by	Roads Planning Service			Contact e-mail/number
Officer Name and Post	Alan Scott Senior Roads Planning Officer			ascott@scotborders.gov.uk 01835 826640
Date of reply	10 th December 2019			
Planning Application Reference	19/01611/FUL		Case Officer: Julie Hayward	
Proposed Development	Erection of dwelling			
Site Location	Disused sawmill, Cowdenknowes, Earlston			
<i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i>				
Background and Site description				
Key Issues (Bullet points)				
Assessment	<p>Whilst I have no objections to the principle of a dwelling on this site, as evidenced via application 18/00599/FUL, I do have some concerns regarding the layout indicated. As a matter of principle we do not normally encourage multiple accesses to serve single dwellings off 'B' class roads. In this particular instance I have concerns that the south easterly access will not be able to provide adequate junction visibility and two accesses in such close proximity means that it would not be clear to a following driver which access an indicating driver was about to turn in to. As such, I shall require an amended layout showing only a single access (north westerly one) into the property. Any amended layout should also take into consideration the proposed conditions listed below which I would require to be attached to any subsequent approval.</p>			
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input type="checkbox"/> Do not object, subject to conditions	<input checked="" type="checkbox"/> Further information required
Recommended Conditions/Reason for Refusal	<p>Visibility splays of 2m x 90m are to be provided in either direction at the junction with the public road prior to the commencement of development and retained thereafter in perpetuity. Reason: To ensure the development is served by a satisfactory access.</p> <p>A service lay-by is to be provided in conjunction with the access, as per standard detail DC 3 or similar approved in writing by the Council, prior to the property being occupied. Upon satisfactory completion, the service lay-by shall become part of the public road network. Reason: To ensure that service vehicles associated with the development are adequately accommodated.</p> <p>Parking and turning for a minimum of two vehicles, excluding any garages, must be provided prior to occupation of the dwelling and retained thereafter in perpetuity. Reason: To ensure the development is served by appropriate off-road parking.</p>			

	<p>Any gates erected at the access must be hung so as to open into the site and not outwards over the adjacent public road.</p> <p>Reason: To ensure the development does not interfere with the safe passage of vehicles on the adjacent public road.</p>
<p>Recommended Informatives</p>	<p>It should be noted that all works within the public road and verge must be carried out by a contractor first approved by the Council.</p> <p>As the site sits lower than the public road, the applicant should satisfy themselves that they have taken adequate steps to deal with any surface water which may flow from the public road into the site during construction and upon completion.</p>

Signed: DJI

PLANNING CONSULTATION

To: Education & Lifelong Learning (Neil Hastie)

From: Development Management

Date: 12th November 2019

Contact: Julie Hayward ☎ 01835 825585

Ref: 19/01611/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 3rd December 2019, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 3rd December 2019, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr Francis Peto

Agent: Aitken Turnbull Architects Ltd

Nature of Proposal: Erection of dwellinghouse with attached garage

Site: Disused Sawmill Cowdenknowes Earlston Scottish Borders TD4 6AA

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Officer Name and Post:		Contact e-mail/number:	
	Education & Lifelong Learning (Neil Hastie) (Officer to fill in own name)			
Date of reply	23 December 2019		Consultee reference:	
Planning Application Reference	19/01611/FUL		Case Officer: Julie Hayward	
Applicant	Mr Francis Peto			
Agent	Aitken Turnbull Architects Ltd			
Proposed Development	Erection of dwellinghouse with attached garage			
Site Location	Disused Sawmill Cowdenknowes Earlston Scottish Borders TD4 6AA			
<p><i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i></p>				
Background and Site description				
Key Issues (Bullet points)				
Assessment	<p>I refer to your request for Educations view on the impact of this proposed development which is within the catchment area for Earlston Primary School and Earlston High School.</p> <p>A contribution of £2,612 x 1 is sought for the Primary School and £3,672 x 1 for the High School, making a total contribution of £6,284.</p> <p>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.</p> <p>This contribution should be paid upon receipt of detailed planning consent but may be phased subject to an agreed schedule.</p> <p>Please note that the level of contributions for all developments will be reviewed at the end of each financial year and may be changed to reflect changes in the BCIS index, therefore, we reserve the right to vary the level of contributions.</p> <p>If you require any further information please do not hesitate to contact me by emailing estatemangement@scotborders.gov.uk</p>			
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required

Recommended Conditions	
Recommended Informatives	

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John Hayward
Planning & Development Standards Manager

Mr Francis Peto
per Aitken Turnbull Architects Ltd
9 Bridge Place
Galashiels
Scottish Borders
TD1 1SN

Please ask for: Julie Hayward
☎ 01835 825585
Our Ref: 19/01611/FUL
Your Ref:
E-Mail: JHayward2@scotborders.gov.uk
Date: 12th November 2019

Dear Sir/Madam

DEVELOPMENT CONTRIBUTIONS

PLANNING APPLICATION AT: Disused Sawmill Cowdenknowes Earliston Scottish Borders TD4 6AA

PROPOSED DEVELOPMENT: Erection of dwellinghouse with attached garage

I refer to the Planning Application for the above site registered on 12th November 2019.

Please be advised that, in terms of current Planning Policy, it would provisionally appear that the following Development Contributions are required in respect of your Planning Application:

- Education and Lifelong Learning
- Waverley Line Re-instatement

This requirement currently totals **£8,302**, though the amount to be settled may change over time as some contributions are indexed annually with effect from 1 April.

Applicants for developments exceeding 16 residential units will be required to provide a proportion of them as Affordable Housing in compliance with Scottish Borders Council's Affordable Housing Policy Guidance.

Please note that this comprises a provisional indication of contribution requirements. Additional service provision, such as for play facilities or road improvements for example, may also be sought, these being identified in the course of processing the application. The necessity for and level of contributions required may change. I will write to you again should that be the case.

A Legal Agreement to govern the terms of contribution settlement will therefore need to be concluded, in the event that the application is approved. Please find below Summary Guidance notes to assist you with this matter.

Please contact me within the next 21 days to confirm:

- **The type of Legal Agreement (i.e. Section 69 or Section 75) the applicants will enter into**
- **The applicant'(s)' full name, including all middle names, and current address if different to the address stated on the planning application form**
- **Contact details of the applicant'(s)' solicitor (if a Section 75 agreement)**
- **If on-site affordable housing is a requirement noted above, then please confirm the mechanism the applicant(s) propose for delivering affordable housing and its location within the site.**

A Planning Processing Agreement will also be required to cover the additional time required to process the Legal Agreement, unless a PPA has been entered into for this application to cover other matters.

I will contact you again in due course, depending on the progress of the Planning Application, to advise you further on the need for a PPA. The Planning Authority will only instruct a Legal Agreement where a Planning Processing Agreement is in place which specifies agreed timescales that cover the processing and conclusion of the Legal Agreement.

In the meantime, I would be grateful if you could provide the information required above within 21 days of the date of this letter.

To view Planning Application information on-line visit: <http://eplanning.scotborders.gov.uk/online-applications/>

To view other Planning information visit: www.scotborders.gov.uk

Yours faithfully

John Hayward

Planning & Development Standards Manager

Development Contributions

Introduction

This note provides brief guidance on Development Contributions which Scottish Borders Council (SBC) may require Planning Applicants to agree to settle in respect of their development proposals. More detailed information can be found in [Guidance Notes](#) on the Council website, hard copy supplied upon request, and applicants are encouraged to access and familiarise themselves with them accordingly.

Before submitting any Application for Planning Permission you should check whether it complies with all relevant planning policies and guidance. A development proposal that does not satisfy Planning Policy and guidance will not be supported just because a Development Contribution is agreed to be settled.

The need for Development Contributions

Development Contributions help the Council to provide proper, and necessary, infrastructure, services and facilities. They can allow developments to proceed that might otherwise have to be refused Planning Permission were there insufficient existing infrastructure, service and facility capacity to support the development proposal.

Where there is no identified infrastructure, service or facility expansion requirement, Development Contributions will not be sought.

Examples of infrastructures, services and facilities for which contributions may be required include, but are not restricted to, Affordable Housing, Waverley Line Project, school extension or new provision, transport projects, access provision, play facility enhancement and open space.

SBC Development Contribution policy reflects Scottish Government (SG) policy. The main document setting out SG policy on this matter is [Planning Circular 3-2012](#) - Planning Obligations and Good Neighbour Agreements.

More details on SBC Development Contribution policy, including current Waverley Line and School contribution rates, are published in [Supplementary Planning Guidance](#)

Complying with Development Contribution Policy

Where a Planning Application is identified to generate a requirement for Development Contributions a Legal Agreement shall need to be concluded between the Applicant, Landowner if different, the Council and any other party with an interest. The Legal Agreement will set out what contributions shall be paid and when. It will also specify for what purpose the Council can spend the contributions and within what timeframes. The consequences of not conforming with the associated obligations for parties to the Legal Agreement will also be detailed.

Planning Permission will not be released by the Authority until the Legal Agreement process is completed. Where a necessary Legal Agreement is not concluded within 3 months of the commencement of negotiations, the Planning Authority will review its decision.

The Council offers applicants two Legal Agreement options to settle Development Contributions - Section 69 (s69) and Section 75 (s75) Legal Agreements. Links to more information on the differences between, and implications of, these Legal Agreement types are detailed below. **All potential Planning Applicants are strongly encouraged to read and consider these Guidance Notes accordingly.**

Essentially, s69s are quicker and cheaper to conclude than s75s and do not attract SBC Legal Fees or Recording Dues. However, the Applicant is required to make **full** settlement of identified contributions **prior** to the release of Planning Permission and the commencement of the proposed development.

S75s allow contribution settlement to be **deferred** to a mutually agreeable point in the future e.g. upon completion, occupation, habitation or sale of houses. The contributions can therefore be settled once cash-flow is realised from the proposed project or borrowing capacity achieved. However, these are more complex legal documents than s69s, need to be registered as a burden against title, and consequently attract SBC Legal Fees (£315 - £525) and Recording Dues (£60). They also take longer to complete than s69s therefore potentially impacting on the time taken to release Planning Permission, this authorising the development to start.

As a result, SBC encourages the drafting of Legal Agreements prior to the Application's determination and Applicants are asked to enter into an associated Processing Agreement. Although not legally binding, these will set out the dates by which key actions necessary to conclude the Legal Agreement process will be undertaken by the respective parties to it. Where appropriate, these target dates can, by mutual agreement, be amended.

SBC only seeks settlement of Legal Fees where the associated Planning Application is approved.

Information Resources

Scottish Borders Council's Website provides a wide range of information to assist your decision making should you consider applying for Planning Permission for a development proposal.

Internet

Information on the Website is available free of charge.

http://www.scotborders.gov.uk/info/161/planning-and_building_standards

More detailed information on SBC Development Contribution policy, Legal Agreements and Affordable Housing policy can be obtained from the SBC Website.

http://www.scotborders.gov.uk/directory/14/supplementary_planning_guidance/category/28

Planning Briefs provide information on SBC's guidelines and requirements, including Developer Contributions, of a particular key site or collection of sites.

http://www.scotborders.gov.uk/directory/15/planning_briefs/category/30

If you do not have access to a computer at home, internet accessible computers are available to use free of charge in all SBC libraries. Booking of this service is advisable. Contact Library Headquarters for more information. Tel: 01750 726400.

Hard copies of the Structure Plan, Local Plan and Supplementary Planning Guidance notes may be obtained from:

Planning and Regulatory Services
Council Headquarters
Newtown St Boswells
Melrose
TD6 0SA

Tel: 0300 100 1800

Email: localplan@scotborders.gov.uk

There will normally be a charge for these documents.

Hard copies of these documents are available for inspection at SBC libraries as well as Council HQ – contact Library Headquarters for more information.

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EARLSTON COMMUNITY COUNCIL



Julie Hayward
Scottish Borders Council
Planning & Economic Development
Council Headquarters
Newtown St Boswells
Melrose
TD6 0SA

7 December 2019

Dear Mrs Hayward

Re: Planning Application: 19/01611/FUL

Disused Sawmill, Cowdenknowes, Earlston, TD4 6AA

The above planning application was discussed at the December meeting of the Community Council.

It is the opinion of the Community Council that the site is ideally suited for the development of a dwelling house. Therefore, we are in support of this application.

It would be preferential if the external finishes were to be to the same high standard, of those proposed in previous application 18/00599/FUL.

Yours sincerely

Stuart C Holland

Earlston Community Council

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 19/01611/FUL

APPLICANT : Mr Francis Peto

AGENT : Aitken Turnbull Architects Ltd

DEVELOPMENT : Erection of dwellinghouse with attached garage

LOCATION: Disused Sawmill
Cowdenknowes
Earlston
Scottish Borders
TD4 6AA

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
L(-1)100	Location Plan	Refused
L(-2)101	Proposed Site Plan	Refused
L(-4)101	Proposed Elevations	Refused

NUMBER OF REPRESENTATIONS: 0
SUMMARY OF REPRESENTATIONS:

There are no representations;

CONSULTATIONS:

Roads Planning Service: Whilst I have no objections to the principle of a dwelling on this site, as evidenced via application 18/00599/FUL, I do have some concerns regarding the layout indicated. As a matter of principle we do not normally encourage multiple accesses to serve single dwellings off 'B' class roads. In this particular instance I have concerns that the south easterly access will not be able to provide adequate junction visibility and two accesses in such close proximity means that it would not be clear to a following driver which access an indicating driver was about to turn into. As such, I shall require an amended layout showing only a single access (north westerly one) into the property. Any amended layout should also take into consideration the proposed conditions listed below which I would require to be attached to any subsequent approval.

Community Council: The site is ideally suited for the development of a dwellinghouse and so we support the application. It would be preferable if the external materials were to the same high standard as those proposed in the previous application 18/00599/FUL.

Director of Education and Lifelong Learning: This proposed development is within the catchment area for Earlston Primary School and Earlston High School. A contribution of £2,612 is sought for the Primary School and £3,672 for the High School, making a total contribution of £6,284.

Scottish Water: No response.

Environmental Health: Will be able to support this application (subject to a condition regarding the proposed mains water supply) once the agent has submit further information. Clarity is required regarding the proposed waste water arrangements (e.g. connection to the public sewer, septic tank, etc.).

Landscape Architect: No response.

Contaminated Land Officer: The application appears to be proposing the redevelopment of land which was previously operated as a sawmill. This land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose.

It is recommended that planning permission should be granted on condition that development is not be permitted to start until a site investigation and risk assessment has been carried out, submitted and agreed upon by the Planning Authority. Any requirement arising from this assessment for a remediation strategy and verification plan would become a condition of the planning consent, again to be submitted and agreed upon by the Planning Authority prior to development commencing.

PLANNING CONSIDERATIONS AND POLICIES:

Local Development Plan 2016

PMD2: Quality Standards
HD2: Housing in the Countryside
HD3: Protection of Residential Amenity
EP4: National Scenic Area
EP10: Gardens and Designed Landscapes
EP13: Trees, Woodland and Hedgerows
IS2: Developer Contributions
IS7: Parking Provisions and Standards
IS9: Waste Water Treatment Standards and Sustainable Urban Drainage
IS13: Contaminated Land

Supplementary Planning Guidance:

Placemaking and Design 2010
Householder Development (Privacy and Sunlight) 2006
Trees and Development 2008
Landscape and Development 2008
Development Contributions updated January 2018
New Housing in the Borders Countryside 2008

Recommendation by - Julie Hayward (Lead Planning Officer) on 8th January 2020

Site and Proposal

The site is situated to the south of Earlston and accessed from the B6356. The site was a former sawmill, though the buildings are now dis-used and dilapidated. Cowdenknowes House, a category A Listed Building, is to the south west and the site is within the Cowdenknowes Designed Landscape (designated by SBC). The site is also within the National Scenic Area. There are a number of mature trees within and overhanging the site.

The proposal is to demolish the existing building and to erect a detached dwellinghouse on the site. This would be sited towards the south west corner outwith the canopy spread of the trees. The dwellinghouse would be one-and-a-half storey with an integral garage. The walls would be rendered, the roof would have artificial slates and the windows would be UPVC.

The existing access onto the public road to the north would be retained and a new access would be formed to the south east providing a looped driveway and area for parking. The trees would be retained and a new fence erected along the road boundary.

Planning History

03/01778/OUT: Demolition of existing buildings and erection of dwellinghouse. Approved 12th January 2004.

06/01745/REM: Erection of dwellinghouse with integral garage. Approved 8th February 2007.

18/00599/FUL: Erection of dwellinghouse. Refused 7th March 2019.

Planning Policy

The site is outwith the Development Boundary for Earlston and so the proposal has to be assessed against the Council's housing in the countryside policies.

Policy HD2 (A) allows new housing in the countryside provided that the site is well related to an existing building group of at least three houses or buildings capable of conversion to residential use. Any consents for new build granted under the building group part of the policy should not exceed two houses or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted. Calculations on building group size are based on the existing number of housing units within the group at the start of the Local Development Plan period. This will include those units under construction or nearing completion at that point. The cumulative impact of the new development on the character of the building group, landscape and amenity of the surrounding area will be taken into account in determining applications.

The Council's Supplementary Planning Guidance: New Housing in the Borders Countryside December 2008 states that the existence of a group will be identifiable by a sense of place which will be contributed to by natural and man-made boundaries. Sites should not normally break into undeveloped fields particularly where there exists a definable natural boundary between the building group and the field and the new development should be limited to the area contained by that sense of place. Any new development should be within a reasonable distance of the existing properties within the building group and this distance should be guided by the spacing between the existing properties in the building group. The scale and siting of new development should reflect and respect the character and amenity of the existing building group. Sites close to rural industries will be given careful consideration to ensure no conflict occurs. Existing groups may be complete and may not be suitable for further additions.

The principle of a dwellinghouse on this site was previously established in 2004 with the granting of outline Planning Permission (03/01778/OUT) and reserved matters approval was granted in 2006 (06/01745/REM). This permission was never implemented and the consent has lapsed.

Notwithstanding the earlier grant of planning permission, it is important to understand the background to the earlier decision. A group of buildings consisting of 3 dwellings does exist at Cowdenknowes, although they are considered to be particularly dispersed, with the closest property (Cowdenknowes Lodge) being approximately 56m south east of the application site and separated by a burn and belt of mature trees. Cowdenknowes House is located 200m south west of the application site and the third identified house (at the time of the original submission), at Cowdenknowes Mains, is located almost 200m north east and separated from the site and Lodge by the B6356.

The original application was presented to the Eildon Area Committee with an officer recommendation to refuse on the grounds that the proposals were contrary to approved Structure Plan and Local Plan policies covering new housing in the countryside. Members were minded to approve this application contrary to officer's recommendation and the application was subsequently passed to the Development and Building Standards Committee in December 2003. Following the submission of additional supporting information relating to the presence of a building group on the south west side of the B class road, the application was continued to the January meeting where Members, following a site visit, resolved to approve the application contrary to officer recommendation.

The supporting information submitted at that time established that a third residential unit exists on the south west side of the B6356 and therefore, even discounting Cowdenknowes Mains, it was argued that a dispersed group exists around the network of private roads between Cowdenknowes Lodge and Cowdenknowes House.

In 2018 a full application (18/00599/FUL) for the erection of a dwellinghouse on this site was submitted. This application was considered on the following grounds:

"It could be argued that a "sense of place" does exist at Cowdenknowes, and that the spread of residential units on the south west side of the B6356 could be considered to constitute a building group meeting the terms of the Housing in the Countryside policy. However as with the earlier submission it remains necessary to define the most appropriate boundary to the group within which any development should be contained. In this instance it is considered that the substantial area of mature woodland between the application site and Cowdenknowes Lodge as well as the private drive (lined with mature trees) leading to Cowdenknowes House act as the most appropriate natural and man-made edge to the group. It is considered that the application site lies beyond that natural boundary of the group and would therefore be an inappropriate addition to the group.

Whilst consent was granted in 2004, and this is a material consideration in the determination of this current application, the original permission has lapsed and no consent exists on this site. Taking into consideration the site history, the application must be assessed against prevailing development plan policy, in this case Policy HD2 - Housing in the Countryside, supported by SPG on New Housing in the Borders Countryside (2008). This policy is generally supportive of appropriate rural housing development and in the case of additions to building groups, the Council must be satisfied that that the site is well related to an existing group. Whilst there are 3 residential units on the south west side of the B6356 they are historically associated with Cowdenknowes House and dispersed throughout a designed landscape. They do not form part of a tight, cohesive group of buildings and are separated by mature woodland and access drives within the estate. The application site is located outwith the identifiable limits of the group, on the north west side of a substantial area of mature woodland. The existing trees provide a definable natural boundary to the group, consistent with the advice contained within the SPG on housing in the countryside and it is considered that the proposed house would be located on land outwith the identifiable sense of place."

The application was therefore refused for the following reason:

"The proposed development would be contrary to Policy HD2 - Housing in the Countryside of the adopted Scottish Borders Local Development Plan 2016 in that the proposed dwelling would be located on land outwith the identifiable limits of the building group separated from existing buildings by mature woodland, and the need for the dwelling has not been substantiated. The erection of a dwelling on this site would not be well related to the existing group and would therefore represent sporadic, prominent and unjustified development in the open countryside."

This current application seeks Planning Permission for the erection of a dwellinghouse on the same site for the same applicant as the 2018 application. No supporting statement has been submitted to justify the proposal in the light of the previous refusal. The circumstances and planning policies have not changed since that refusal in March 2019.

Part F of policy HD2 supports housing with a location essential for business needs if the housing development is a direct operational requirement of an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside and it is for a worker predominantly employed in the enterprise and the presence of that worker on-site is essential to the efficient operation of the enterprise.

There appears to be no business operating from this site and no economic or agricultural justification for the proposed dwellinghouse has been submitted.

The proposal therefore fails to comply with policy HD2 of the Local Development Plan 2016 and Supplementary Planning Guidance on New Housing in the Borders Countryside. The application therefore cannot be supported on policy grounds.

Siting, Design and Impact on Visual Amenities

Policy PMD2 requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders townscapes and to integrate with its landscape surroundings.

Policy EP4 seeks to safeguard the overall landscape value of the National Scenic Area and policy EP10 supports development that will safeguard or enhance the landscape features, character and setting of the Designed Landscape.

The Council's Supplementary Planning Guidance: New Housing in the Borders Countryside December 2008 states that the scale and siting of new development should reflect and respect the character and amenity of the existing building group.

As the site is situated within the Eildon and Leaderfoot National Scenic Area and Cowdenknowes Designed Landscape and would be visible from the public road, a high quality of design is considered to be vital. In this case, the proposal is for a one-and-a-half storey dwelling with an integral garage. This is the same design as that approved under 06/01745/REM.

Since that decision in 2006, the Council has issued Supplementary Planning Guidance on Placemaking and Design, which includes design guidance for rural sites. The design of the dwelling is not considered to be acceptable for this sensitive rural location or in keeping with the design guidance contained within the Supplementary Planning Guidance. In addition, artificial slates for the roof and UPVC windows would not now be appropriate. No negotiations have taken place with the agent as the proposal is considered to be contrary to the Council's housing in the countryside policies and so the application cannot be supported on policy grounds.

Impact on Residential Amenities

Policy HD3 states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted.

The Council's Supplementary Planning Guidance: Guidance on Householder Developments July 2006 contains guidance on privacy, overlooking and access to light that can be applied when considering planning applications for new household developments to ensure that proposals do not adversely affect the residential amenities of occupants of neighbouring properties.

There are no residential properties close to the site that would be affected by the proposal.

Access, Parking and Road Safety

Policy PMD2 requires that a development incorporates adequate access and turning space and for vehicles and ensures that there is no adverse impact on road safety. Policy IS7 requires that car parking should be provided in accordance with the Council's adopted standards.

The site would utilise the existing access onto the public road and a new access would be formed to the south east. There is sufficient space within the site for on-site parking and turning.

The Roads Planning Service has no objections to the principle of a dwelling on this site but has expressed concerns regarding this layout. As a matter of principle they do not normally encourage multiple accesses to serve single dwellings off 'B' class roads. The south easterly access may not be able to provide adequate junction visibility and two accesses in such close proximity means that it would not be clear to a following driver which access an indicating driver was about to turn in to. The Roads Planning Service has requested an amended layout. This has not been sought from the agent as the proposal is considered to be contrary to the Council's housing in the countryside policies and so the application cannot be supported on policy grounds.

The visibility splays, service lay-by gates and parking could be controlled by conditions.

Trees

Policy EP13 seeks to protect trees, woodlands and hedgerows from development. There are a number of mature trees within and overhanging the site, though the root protection areas are not accurately shown on

the site plan and the southern access would be formed within the canopy spread of some of the trees. Conditions can ensure that these trees are protected during construction and retained following completion and also cover landscaping and boundary treatments.

Water and Drainage

Policy IS9 states that the preferred method of dealing with waste water associated with new developments would be the direct connection to the public sewerage system and for development in the countryside the use of private sewerage may be acceptable provided that it can be provided without negative impacts to public health, the environment, watercourses or ground water. A SUDS is required for surface water drainage.

The proposed dwellinghouse would connect to the mains water supply but no details of foul drainage have been supplied. Environmental Health has requested details of the drainage and the exact details could be agreed by condition and through the Building Warrant process.

Contaminated Land

Policy IS13 advises that where development is proposed on land that is contaminated or suspected of contamination, appropriate site investigation and mitigation will be required.

The land was previously used as a sawmill and so there is potential for contamination. A condition could ensure that proportionate investigation is carried out and mitigation, if required.

Development Contributions

Where a site is otherwise acceptable in terms of planning policy, but cannot proceed due to deficiencies in infrastructure and services or to environmental impacts, any or all of which will be created or exacerbated as a result of the development, the Council will require developers to make a full or partial contribution towards the cost of addressing such deficiencies. This is set out in policies IS2 and IS3.

Contributions are required towards Earlston Primary School, Earlston High School and the Borders Railway. These would be secured by a legal agreement.

REASON FOR DECISION :

The proposed development would be contrary to Policy HD2 - Housing in the Countryside of the adopted Scottish Borders Local Development Plan 2016 in that the proposed dwelling would be located on land outwith the identifiable limits of the building group separated from existing buildings by mature woodland, and the need for the dwelling has not been substantiated. The erection of a dwelling on this site would not be well related to the existing group and would therefore represent sporadic, prominent and unjustified development in the open countryside.

Recommendation: Refused

- 0 The proposed development would be contrary to Policy HD2 - Housing in the Countryside of the adopted Scottish Borders Local Development Plan 2016 in that the proposed dwelling would be located on land outwith the identifiable limits of the building group separated from existing buildings by mature woodland, and the need for the dwelling has not been substantiated. The erection of a dwelling on this site would not be well related to the existing group and would therefore represent sporadic, prominent and unjustified development in the open countryside.

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

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Mr Francis Peto
per Aitken Turnbull Architects Ltd
9 Bridge Place
Galashiels
Scottish Borders
TD1 1SN

Please ask for: Julie Hayward
01835 825585
Our Ref: 19/01611/FUL
Your Ref:
E-Mail: JHayward2@scotborders.gov.uk
Date: 9th January 2020

Dear Sir/Madam

**PLANNING APPLICATION AT Disused Sawmill Cowdenknowes Earlston Scottish Borders
TD4 6AA**

PROPOSED DEVELOPMENT: Erection of dwellinghouse with attached garage

APPLICANT: Mr Francis Peto

Please find attached the formal notice of refusal for the above application.

Drawings can be found on the Planning pages of the Council website at
<https://eplanning.scotborders.gov.uk/online-applications/>.

Your right of appeal is set out within the decision notice.

Yours faithfully

John Hayward

Planning & Development Standards Manager

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

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

Application for Planning Permission

Reference : 19/01611/FUL

To : Mr Francis Peto per Aitken Turnbull Architects Ltd 9 Bridge Place Galashiels Scottish Borders TD1 1SN

With reference to your application validated on **12th November 2019** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of dwellinghouse with attached garage

At : Disused Sawmill Cowdenknowes Earlston Scottish Borders TD4 6AA

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

**Dated 8th January 2020
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 19/01611/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
L(-1)100	Location Plan	Refused
L(-2)101	Proposed Site Plan	Refused
L(-4)101	Proposed Elevations	Refused

REASON FOR REFUSAL

- 0 The proposed development would be contrary to Policy HD2 - Housing in the Countryside of the adopted Scottish Borders Local Development Plan 2016 in that the proposed dwelling would be located on land outwith the identifiable limits of the building group separated from existing buildings by mature woodland, and the need for the dwelling has not been substantiated. The erection of a dwelling on this site would not be well related to the existing group and would therefore represent sporadic, prominent and unjustified development in the open countryside.

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 (as amended) within three months from the date of this notice.

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

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

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OFFICER'S REPORT

PART III

Reference Number: 06/01745/REM
Site: Disused Sawmill Cowdenknowes Earlston
Proposal: Erection of dwellinghouse with integral garage
Applicant: Fiona McQueen
Agent: Dan-Wood Concept Plus Ltd
Officer: Julie Hayward

Observations by Development Control Officer

This is an application seeking the approval of reserved matters for the erection of a dwellinghouse on the site of a former sawmill at Cowdenknowes, near Earlston. The application site is bounded by the B6356 to the east and by woodland/agricultural land to the north, south and west. The site is currently overgrown and occupied by a number of former sawmill buildings; there are a number of mature trees within the site.

The proposal is to erect a two storey dwellinghouse on the site. This would be located in the south west corner of the site where the sawmill buildings are situated. The dwellinghouse would have three bedrooms and an integral garage. It would be constructed of blockwork with a rendered finish and a slate roof. The mature trees would be retained.

Outline planning permission was granted for a dwellinghouse on this site in January 2004.

The site is situated within the Etrick and Lauderdale Local Plan area. Policy 7 allows the erection of dwellinghouses within or adjacent to a building group. The site is within a National Scenic Area and an Area of Great Landscape Value.

The Director of Technical Services requires that the most easterly junction be stopped up, the westerly junction upgraded, a service lay-by provided and that his visibility splay requirements are met. There are a number of trees along the road boundary that would be affected if the westerly junction is upgraded and so the agent has proposed the formation of a new access with a service lay-by and the blocking up of the existing accesses. A revised site plan drawing showing these amendments has been submitted and the Director of Technical Services no longer objects to the proposal.

No response has been received from Earlston Community Council and no representations have been received in respect of the proposal.

The design of the dwellinghouse and external materials are considered acceptable in this location. The proposed dwellinghouse, access and parking can be accommodated within the site without affecting the mature trees within the site, which are worthy of retention.

These trees will also screen the development and so the proposed house would not be unduly prominent in the landscape.

The nearest residential property is situated to the south east and is some distance away separated by an area of woodland and so the proposal would not affect the residential amenities of occupants of this property.

Recommendation

Approve subject to:

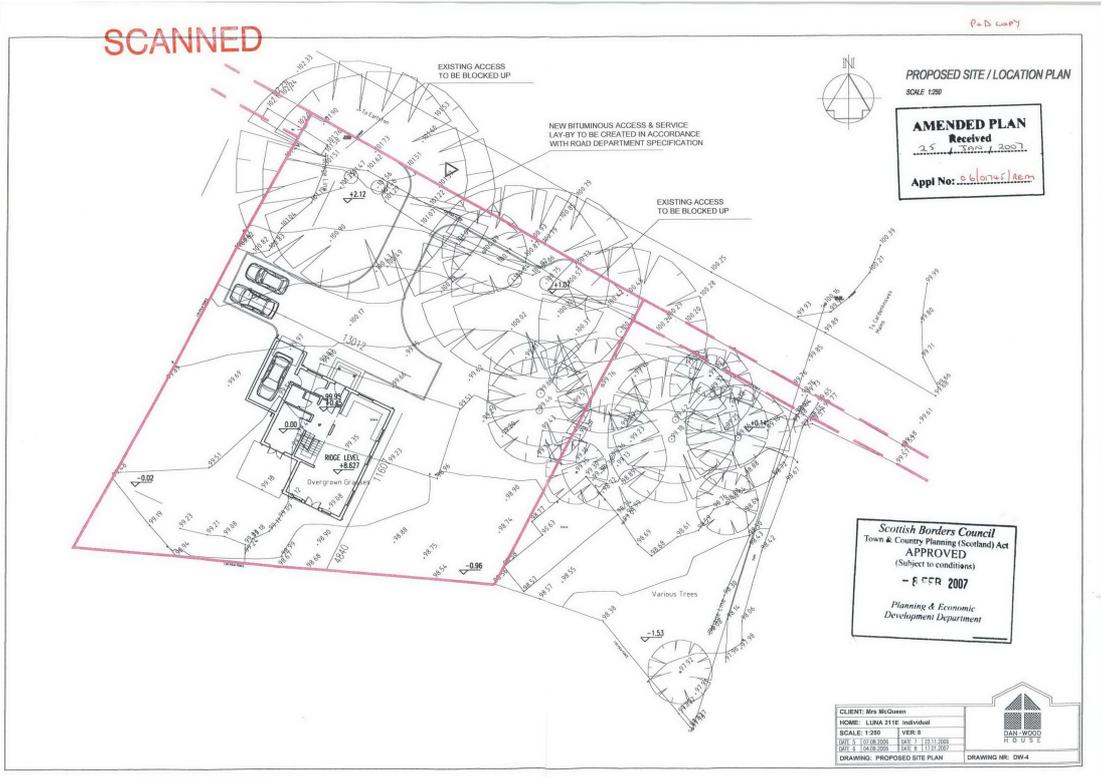
1. The external materials to be agreed by the Planning Authority before the development is commenced.
Reason: To safeguard the visual amenity of the area.
2. The roofing material to be natural slate, or artificial slate of a type to be approved by the Planning Authority.
Reason: To safeguard the visual amenity of the area.
3. The details of all boundary walls and/or fences to be submitted to and approved by the Planning Authority before the development is commenced.
Reason: To safeguard the visual amenity of the area.
4. The existing easterly and westerly accesses with the B6356 to be blocked up and the proposed vehicular access to the site and service lay-by to be completed to the specification of the Planning Authority before the dwellinghouse is occupied.
Reason: In the interests of road safety.
5. The vehicle turning area and two parking spaces to be provided within the site before the dwellinghouse is occupied.
Reason: In the interests of road safety.
6. The existing trees on the site to be protected during the construction period and retained thereafter to the satisfaction of the Planning Authority.
Reason: To safeguard the visual amenity of the area.
7. The vehicular access to the site to be excavated by hand in the vicinity of any tree roots; no roots above 50mm diameter to be cut and any roots exposed during construction not to be left exposed.
Reason: In order to prevent damage to trees within the site.
8. Prior to the surfacing of the access a geotextile membrane shall be placed over the tree root area that is encountered during the construction of the access and a permeable surface shall be laid; details of the geotextile membrane and surface treatment shall be submitted to and approved in writing by the Planning Authority before work on the construction of the access commences.
Reason: In order to prevent damage to trees within the site.

Julie Hayward

7th February 2007

SCANNED

(P.D. 6047)



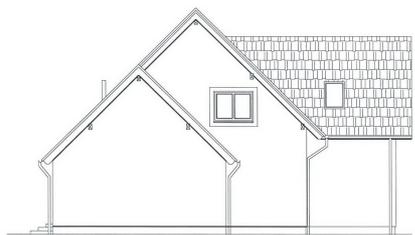
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SCANNED

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06/07/25/RFM
Paddy

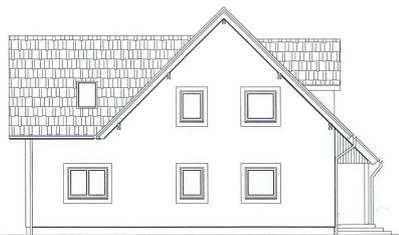


North elevation 1:100



West elevation 1:100

SCHEDULE OF FINISHES
1. HOUSE
WALLS - STD RENDER SANDSTONE YELLOW
ROOF - SLATE OR SLATE LOOKALIKE
EAVES & SOFFIT - TIMBER
DOORS - FRONT TIMBER WHITE
WINDOWS - UPVC PAINTED WHITE
GUTTERING & DOWNPIPES - UPVC WHITE



East elevation 1:100



South elevation 1:100

Scottish Borders Council
Town & Country Planning (Scotland) Act
APPROVED
(Subject to conditions)
- 8 FEB 2007
Planning & Economic
Development Department

CLIENT: McQueen
HOME: LUNA 2116 Individual
SCALE: 1:100 VER: 4
DATE: 10/04/2006
JOB: 10418/2006



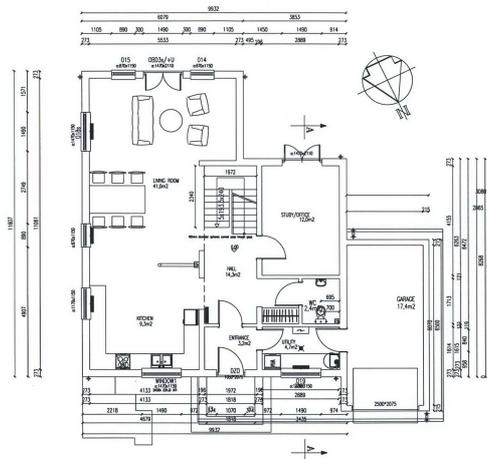
DRAWING: ELEVATIONS
DRAWING NO: DW-1

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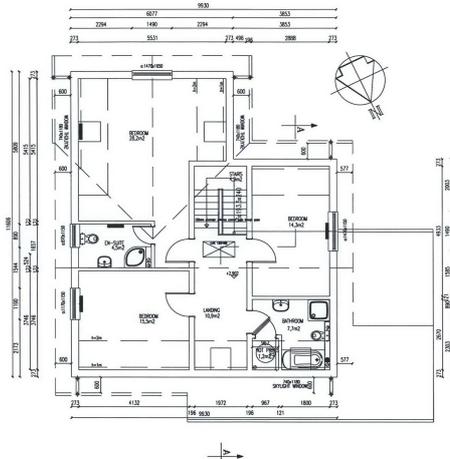
SCANNED

RECEIVED 05 SEP 2006

06/01745/REM
Podcopy



Ground floor
1:50



First floor
1:50

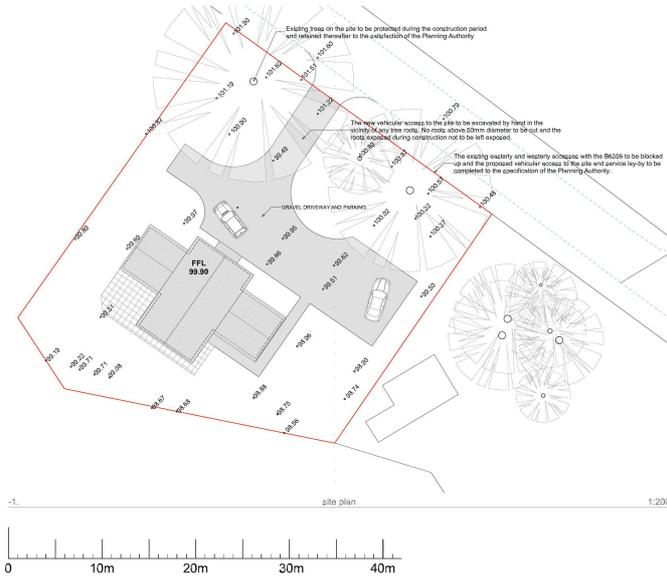
Scottish Borders Council
Town & Country Planning (Scotland) Act
APPROVED
(Subject to conditions)
- 8 FEB 2007
Planning & Economic
Development Department

CLIENT:	McQueen	
HOME:	15/16 2116 Individual	
SCALE:	1:100	
DRAWING:	PLANS	DRAWING NO: DW-2

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18/00599/FUL

07.03.19



Scottish Borders Council
Town And Country
Planning (Scotland Act
1997)

REFUSED

subject to the
requirements of the
associated Erection
Notice

 SCANDINAVIAN HOMES www.fjordus.com	
HUNTER ARCHITECTURE	
211 Gairloch Road Dun Fife DD10 2DQ T: 01330 222119 E: info@hunter.co.uk www.hunter.co.uk	
Project Name	
New Houses Cowdenknowes Mill	
Client Name	
Mr & Mrs Pato	
Drawing Name	
Block Plan	
Drawing Title	
Planning	
Drawn by	Date
PAH	
Checked by	Date
MAH	
Drawing Scale	1:200
Layout ID	Drawn Revision
A2	1134.PL.3

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2.b. Building Groups

PAN 36 indicates that in addition to new housing development in settlements there is scope for adding to, or creating, small groups of housing in the countryside provided that they are sympathetic in terms of scale, proportion and materials to other buildings in the locality.

The Scottish Borders Council's policy is that in the countryside new housing will be encouraged to locate within or adjacent to building groups. Such development must meet the standard criteria as listed on page 7.

All applications for new houses at existing building groups will be tested against an analysis of:

- a) the presence or, otherwise of a group; and
- b) the suitability of that group to absorb new development.

The Scottish Borders Council considers that there are adequate opportunities for new development in the countryside at existing building groups and will resist the formation of new building groups.

2.b.1 Definition of a Building Group

The existence of a group will be identifiable by a sense of place which will be contributed to by:

- natural boundaries such as water courses, trees or enclosing landform, or
- man-made boundaries such as existing buildings, roads, plantations or means of enclosure.

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



Figure 1: Edge of Building Group

Normally a group will consist of residential buildings comprising at least three dwelling units. Conversions may themselves constitute a complete building group. Building groups should not be allowed to expand by more than 100% from the baseline (see section 2.b.2), unless it can be demonstrated that additional development would provide overriding economic benefits.

Additionally, there may be locations where a more dispersed building pattern is the norm. These areas are referred to as “anchor points” and are found within the Southern Housing Market Area. A lower threshold may also be

New Housing in the Borders Countryside

accepted in instances where the development would bring tangible environmental benefits. In all cases, the existence of a sense of place will be the primary consideration.

New housing within walled gardens will only be considered favourably if the walled garden is itself part of an existing building group.

In assessing the suitability of any particular group to accommodate new houses, other factors will also be taken into account:

- *The scale and siting of new development should reflect and respect the character and amenity of the existing group, and the individual houses within the group;*
- *New development should be limited to the area contained by that sense of place;*
- *Any new build should be located within a reasonable distance of the existing properties within the building group, the distance between existing properties and proposed new build should be guided by the spacing between the existing properties within the group;*
- *Proposals which involve the formation of new public roads for access (and public street lighting) will normally be of too large a scale;*
- *Sites should not normally break into a previously undeveloped field or require the removal of mature trees in good condition;*
- *Sites within 400m of existing intensive livestock units, will not normally be permitted unless required in connection with the farm or business itself;*
- *Sites close to working farm buildings or other rural industries will be given careful consideration to ensure no potential conflict;*
- *Existing groups may in themselves be complete, such as terraces of farm cottages and may not be suitable for further additions;*
- *Extensions of ribbon development along public roads will not normally be permitted;*
- *There will be a presumption against development which would result in the coalescence of a group with a nearby settlement;*
- *The use of Section 75 Agreements will be considered, for example, to restrict further housing at a building group.*

2.b.2 100% Rule

Subject to amenity, environmental and built form considerations, housing in the countryside policy prohibits building groups from being developed by more than 100%.

In assessing planning applications that propose an extension to a building group, the Council will not approve development that would be visually intrusive in the landscape, or detrimental to landscape characteristics, scenic quality or attributes of the existing building group. Therefore only sites that have little or no amenity, environmental, landscape or sustainability constraints, and provide a building design suitable to the building group will be considered acceptable. In addition to the criteria set out in this section, in

New Housing in the Borders Countryside

assessing any application the above criteria in section 2.b.1 will also be taken into consideration.

The Council will also consider whether building groups should support further development or whether they are considered to be complete.

A group will be considered to be complete where further development could result in a detrimental impact on the building group.

In particular, the Council will carefully consider the potential adverse impact of additional development on those groups that have already been subject to recent development under the housing in the countryside policy. The amenity of the existing properties and householders is a primary consideration. The aim is to ensure that building groups are not subject to development that impacts on the amenity or character of the group to the detriment of residents. Even where an appropriate site exists, no further development will be permitted where residential amenity is compromised.

The 100% rule is calculated in terms of the existing number of housing units within the group as at the start of the Local Plan period, this includes those units which are being built, or have planning permission but building has not commenced. Therefore if a building group is made up of three housing units, the maximum it can grow is by three units and only where an appropriate development opportunity exists.

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PLACEMAKING & DESIGN

Page 203

SUPPLEMENTARY PLANNING GUIDANCE
JANUARY 2010

WWW.SCOTBORDERS.GOV.UK



The quality of what we build in our towns and villages impacts on everyone and everything. Successful, well-designed places are better for residents to live in and are more appealing to visitors. It is also an undoubted fact that pleasing and well designed places attract economic development which makes our communities more sustainable.

In the Scottish Borders we have distinctive communities and a tremendous surrounding landscape. Where we have new buildings we want to see that those buildings add to, rather than detract from, the attractiveness of our towns and villages. We want new buildings to enhance our unrivalled landscapes.

The primary aim of this Supplementary Planning Guidance (SPG) is to ensure that the Scottish Borders will be a quality place in which to live, providing attractive, sustainable towns and villages that are distinct and diverse.

COUNCILLOR CAROLYN RIDDELL-CARRE,

Scottish Borders Council Executive Member for Planning and Environment.



**COUNCILLOR
CAROLYN RIDDELL-CARRE**

In 2006 the Council commenced a range of new initiatives to further improve the design quality of new developments in the Scottish Borders.

New Local Plan policies, Landscape and Urban Capacity assessments all direct development to more appropriate sites; site-specific Planning Briefs have been published for all key development sites; pioneering Supplementary Policy has been approved on 'Timber in Sustainable Construction;' together with new policy for 'Designing out Crime;' 'Landscape and Development;' 'Trees and Development;' 'Renewable Energy' and 'Replacement Windows.' Additional design training has been run for both Council Officers and Councillors. Design Awards raise awareness of, encourage and celebrate good design practice in the Borders, whilst a multi-skilled Design Forum helps to drive up the quality of developments.

This Urban Design Guidance is a further and critical element of this work and marks a new era that will help all parties to prepare for and to deliver quality developments which are fit for our wonderful Scottish Borders towns and countryside, both today and in the future.

IAN LINDLEY

Director of Planning & Economic Development
Scottish Borders Council



IAN LINDLEY

Contents & How to use this guide

This guidance is structured round the process of placemaking and design. It is intended for use by all who are involved in new development in the Borders as a point of reference and as a basis for the planning, design and communication of new development proposals, no matter how large or small, and will be used as a material consideration in assessing planning applications.

This is an interactive document designed to be used online or on CD. The document does not require to be read from front to back—each section provides guidance on specific topics that can be accessed as needed, and tailored to fit a specific development type.

How to achieve good design

The design process

This document seeks to provide helpful guidance and promote the creation of high quality buildings and places.



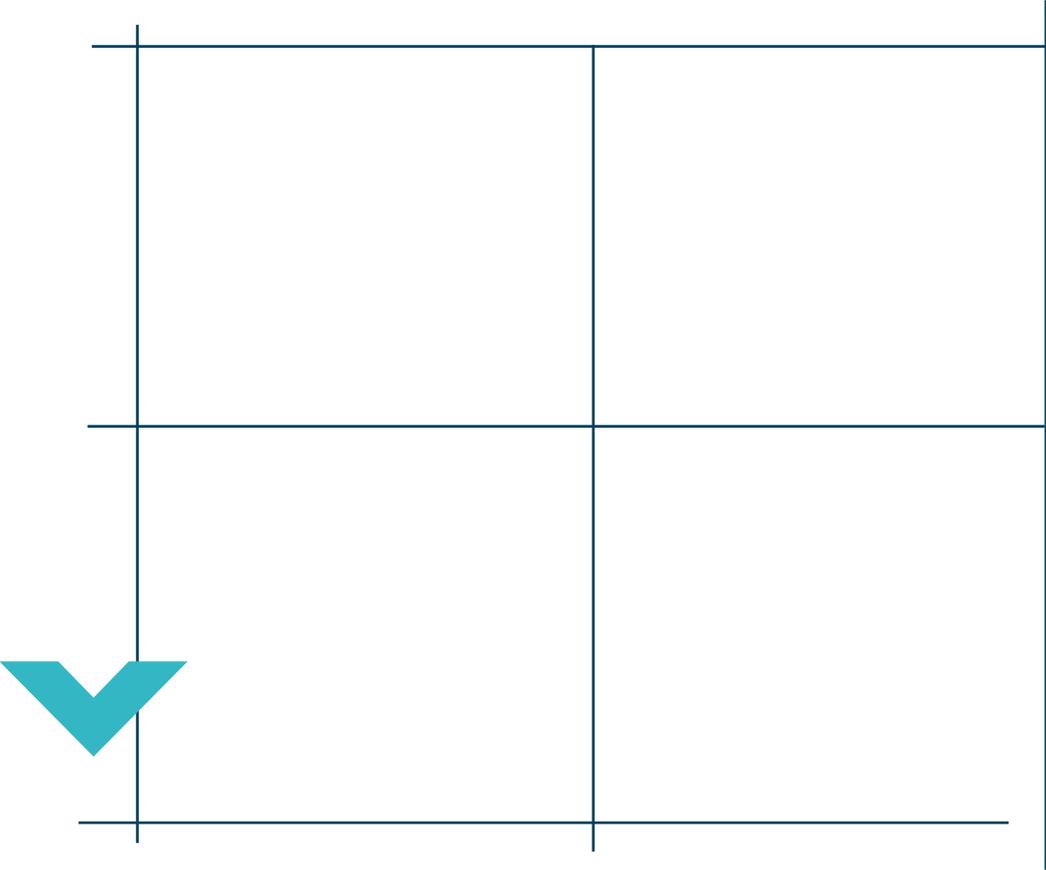
In summary, the key considerations in the process can be outlined in 9 steps:

Page 206

Wider Area

Local Area

Buildings



Introduction

1.1 Introduction

Sustainable Places

‘We cannot afford not to invest in good design. Good design is not just about the aesthetic improvement of our environment, it is as much about improved quality of life, equality of opportunity and economic growth. If we want to be a successful and sustainable society we have to overcome our ignorance about the importance of design and depart from our culturally-ingrained notion that a poor quality environment is the norm and all we can expect from British builders, developers, planners and politicians.’

The Value of Good Design, CENTRE FOR ARCHITECTURE AND THE BUILT ENVIRONMENT

Good design is at the heart of sustainable communities. They are places that acknowledge:

- the social function of the built environment
- the cultural context of our communities
- the need to be long-lasting and adaptable in our ever changing environment
- the importance of local distinctiveness to creating places that will be valued and cared for
- the most efficient way to use our resources

THE VALUE OF PLACEMAKING AND DESIGN TO SUSTAINABLE COMMUNITIES

“Nearly 9 out of 10 people say that better quality buildings and public spaces improve their quality of life” (CABE, 2009) - therefore we cannot afford to ignore the importance of well-designed places to live to the social, economic and environmental wellbeing of our communities.

THE VALUE OF PLACEMAKING AND DESIGN TO THE HOUSEBUILDER/DEVELOPER

In addition, good design adds value. As stated by CABE, ‘it is possible for developers to add value to their operations by adopting new and distinctive design practices. If design.... can create, or help to create, a desirable environment and one in which people will want to live, then developers have the power to increase the value not only in their own interests but possibly those of surrounding landowners too.’

The added value of considering design from the outset is therefore many-fold. The positive impacts of this are increasingly being recognised by national policy and guidance.

In considering new development in the Scottish Borders it is essential to face the challenge of creating sustainable, well designed places that are produced from a deep understanding of the social, physical and historic context of the Borders. This guide forms a starting point in that process.

1.2 Introduction

The purpose of this guide

DESIGN IN THE DEVELOPMENT PROCESS

Design in new development is a [material consideration](#) within the planning process. At the national level, there is increasing awareness of the importance of successful [placemaking](#) and design to the social and economic wellbeing of our communities and the environment at large.

DESIGN AT THE NATIONAL LEVEL

In 2001, the Scottish Government published Designing Places, an overarching policy document to raise the standards of design in our built environment. This recognised the over-riding importance that good placemaking has in providing the “conservation areas of tomorrow”.

THE ROLE OF THIS GUIDE

This Supplementary Planning Guidance highlights the strategic importance of well-designed places in the Scottish Borders, reflecting national policy and the policies within the Development Plan. It should be used as a tool to aid the design and development management process, to produce the highest quality of new development. It sets out the key sustainable [placemaking](#) objectives that any new development in the Scottish Borders should strive to achieve, as an aid to all stages in the complex process of new housing development.

This guide seeks to assist the delivery of places that fit within the Borders of the future, while respecting the Borders of the past.

WHO THIS GUIDE IS FOR

From identifying appropriate sites for development to writing a brief or design statement and delivering new housing, design decisions are integral to all stages of the development process; therefore this guidance is relevant to all involved. This includes:

Developers/Householders and their agents wishing to build in the Borders

Officers/Planners working within the Scottish Borders

Designers/Consultants working on new development in the Borders

Community members interested in the quality of places where they live

Elected members representing their communities within the planning process



Design Policy

2.1 Design Policy

Policy Statement

The Council requires that development proposals demonstrate how the following criteria have been addressed:

Impact of the development on the wider area context in terms of:

- [Landscape Character](#)
- [Views](#)
- [Settlement pattern](#)
- [Infrastructure](#)

Impact of the development on the local area context in terms of:

- [Built character](#)
- [Siting of development](#)
- [Sustainable development](#)
- [Density & use](#)
- [Open space](#)
- [Layout & legibility](#)

Building design:

- [Energy efficient design](#)
- [Relating to the site](#)
- [Relating to the townscape](#)
- [Scale, massing & form](#)
- [Proportion](#)
- [Materials & colour](#)
- [Details](#)

Proposals will only be approved if the above criteria have been successfully addressed.

Justification

The SPG is a material consideration in assessing planning applications. Policy G1 in the Local Plan lays out the quality standards for new development. This SPG therefore reinforces and further develops the criteria put forward by Policy G1 which are key policy requirements against which development proposals will be assessed and can be used by the Planning Authority to refuse applications where the requirements set out in this SPG are not met –the Policy G1 requirements are set out in detail at the end of this guide.

Further detailed explanation on how the design principles can be met is set out within the Placemaking toolkit and supporting guidance.



New development in Skirling



Yetholm set within the Cheviot Hills

Achieving Good Design

3.1 | ACHIEVING GOOD DESIGN: THE PROCESS

3.2 | SCOTTISH BORDERS COUNCIL'S COMMITMENT TO BETTER PLACES

3.1 Achieving good design

The process

INTRODUCTION

The successful creation of good quality and well designed places is dependent on commitment to quality at every stage in the planning, design and development process. The delivery of quality places is dependent on three key requirements:

Aspiration: shared vision of clients, developers and planners alike

Skills: appropriately skilled professionals involved in the design process (architects/engineers/landscape architects/urban designers)

Working together: clear communication and collaboration between developers/agents and the Local Planning Authority

The delivery of quality places is not dependent on additional cost or expensive design solutions – by ensuring these three elements are in place, the process of delivery can be both effective and efficient. At every stage in the process, it is vital that those involved seek to understand the challenge and engage in early dialogue with the relevant parties.

THE PROCESS

There are many stages in considering new development, whether as a commercial housebuilder or an individual wishing to build in the Scottish Borders. The following sets out some of the key steps in this process:

01 Identifying/appraising a site for development

Is the site appropriate for the scale and nature of development envisaged? Consult the development plan and familiarise yourself with local/national planning policy and best practice (the Sourcebook provides a starting point)

02 Appoint the appropriate skills

Ensuring that a development proposal meets the requirements set out in this SPG will often require professional advice.

Significant developments should seek to involve a range of skills and expertise within a design team. Early advice on key issues should be sought on issues such as architecture, landscaping and road layout.

Development of a small building group or single house may require an architect preferably with a proven track record in delivering similar projects in the Borders.

Appointing design professionals: this can be done through referrals, looking at portfolios etc. By appointing appropriately skilled and able professional(s), the likelihood of getting proposals that meet policy requirements and can be given consent is increased, thus representing long term efficiency savings by reducing the risk of lengthy negotiations and/or refusal.

03 Discuss early with planners/ local community

Applicants/developers should seek to engage with the Council at an early stage in the process. This will provide them with guidance on all the key planning opportunities and constraints and prevent any abortive work being undertaken.

Arrange an early meeting to get advice how to engage with the key stakeholders and produce a proposal that will be supported through the application process. This is even more important if development proposals are in an area of particular sensitivity such as biodiversity value or historic character. The Council will be able to provide advice on other requirements like a Transport or Environmental Impact Assessment (EIA).

Check the status of the site in the Development Plan and whether there is a planning brief.

Establish whether the site is classed as 'national', 'major' or 'local' development.

3.1 Achieving good design

The Process

04 The design process

Ensure your design team have a clear brief based on appropriate scale and nature of development for the site.

Seek to record the process of design as it evolves in a Design Statement.

a	Site and area appraisal Carry out initial appraisal of site and context
b	Identify the design principles Establish/refine the development vision based on the appraisal of site and surrounding context. Make clear aspirations about how the proposed development can contribute to the local character and form a sustainable place to live
c	Site analysis Carry out detailed analysis of site conditions covering aspects such as: <u>microclimate</u> , views, drainage, <u>topography</u> , <u>landcover</u> , access, historic land use, archaeology and contamination. Commission surveys as appropriate. Check for any statutory designations relating to built or natural heritage
d	Design concept(s) Establish design concept for the site: create a <u>concept plan</u> that sets out clear vision, based on site and context appraisal. Consider pre-application dialogue with planning officer at this stage to enhance awareness of early design decisions
e	Design development Refine design and detailed resolution of issues: translating the <u>concept plan</u> to a design layout, including options where appropriate
f	Design Solution Production of sufficient information to communicate design process, key decisions made and final product including: <ul style="list-style-type: none">• Plans/visualisations• Site photos: showing visual impact• Design Statement

05 Drawings & illustrations

Clear and accurate drawings and illustrations must be submitted as part of any proposal. These should be unambiguous, easy to read and demonstrate all aspects relating to the development including the immediate surroundings. Appropriate judgements can then be made as to how the development fits into its locale.

06 Design Statements

Design statements (incorporating energy statements) are a key tool in ensuring clarity in communicating the design process and promoting design awareness. The Scottish Government Policy Statement, Designing Places, and the subsequent PAN 68: Design Statements encourage the use of Design Statements as an integral part of the development process. The recent change in planning legislation now requires major development proposals to produce a design statement as part of the planning application process. A Design Statement provides a mechanism for demonstrating the quality of a design response and how it relates to its context and the principles of sustainable placemaking. Applicants can demonstrate a thorough approach to design by providing a comprehensive and well-structured design statement.

3.2 Achieving good design

SBC's commitment to better places

The following sets out the tools that Scottish Borders Council will seek to use to achieve well-designed places.

DEVELOPMENT BRIEFS

Development briefs will often be Council-led. Applicants/developers will therefore be required to respond to the brief. A development brief will provide information regarding:

- The vision and aspiration for the development area.
- Initial urban design analysis, including descriptions of the site, its surroundings and any constraints or sensitivities within the area
- Key objectives of the design – these should be aimed at achieving the highest possible design quality and provide clarity on what the aspiration is for the site
- Concept proposals – indicative demonstration of how the objectives could successfully be achieved

This can be through diagrams, photographs of sketch illustrations. Development briefs can form an invaluable tool in establishing best-practice principles at the outset and can help inform a better quality, more efficient design and planning application process.

MONITORING

To ensure the effectiveness of this SPG, it will be monitored in terms of its success. This will be undertaken by the Council every year and the SPG will be reviewed and updated accordingly.

ACTION PLAN

In order to promote the value of good design for the wellbeing of the social, economic and environmental future of the Borders, the Design Action Plan represents a proactive approach to engaging everyone in the placemaking process. It represents Scottish Borders Council's commitment to achieving well-designed places that enhance the Borders region. As a vehicle for promoting higher quality design standards throughout the Borders, it unites a number of initiatives under one collective aim: **to make the Borders Region of tomorrow a better place to live.**

Continued and up-to-date guidance: the production a regular update of Supplementary Planning Guidance on Placemaking & Design incorporating a Design Quality Checklist. This would be an incremental process, and would be adaptable to include additional guidance or reflect design quality monitoring as appropriate.

Design Quality Workshops: a series of working sessions with councillors/area officers promoting the value of good design.

Set up a Design Forum: an internal working group incorporating key professionals (Urban Design/Planning/Architecture/Landscape Architecture/Roads) as a forum for key projects to be discussed to enhance the profile of the sustainable placemaking agenda in the planning system and to engender a collective vision.

Design Quality Monitoring: introduce an ongoing audit of development throughout the Borders, assessing best/worst practice and the successful application of the SPG.

Effective enforcement: where design has been an issue early on in the process, ensure that design quality is followed through and where necessary utilise all enforcement powers.

Design Events/Promotion: host design quality forums for key stakeholders, and incorporate design awareness into current programmes of town walks, etc.

Use Design Competitions as a means to achieving innovative designs for key developments thus opening up the design debate.

Continued promotion of the existing **Design Awards**

4.0 Placemaking & Design Principles

4.1 Placemaking & design principles

Introduction

PLACEMAKING OBJECTIVES

The process of placemaking is complex, combining a range of social, economic and environmental factors that are present in well-functioning communities. In order for new development to make places that work, the built, environmental, microclimatic, historic and socio-economic context of a place must all be analysed and understood as part of the planning and design process. This requires thinking outside the 'red line' boundary of a proposed development and a proper assessment of how development will relate and respond to its surroundings.

The following sections provide guidance on 1) understanding the context of development in the Borders and 2) responding to it appropriately, based on a series of placemaking and design principles structured round the role of new housing development at the wider, local and detailed level. The character and quality of the Borders environment at these three scales are inter-related, therefore it is essential to consider:



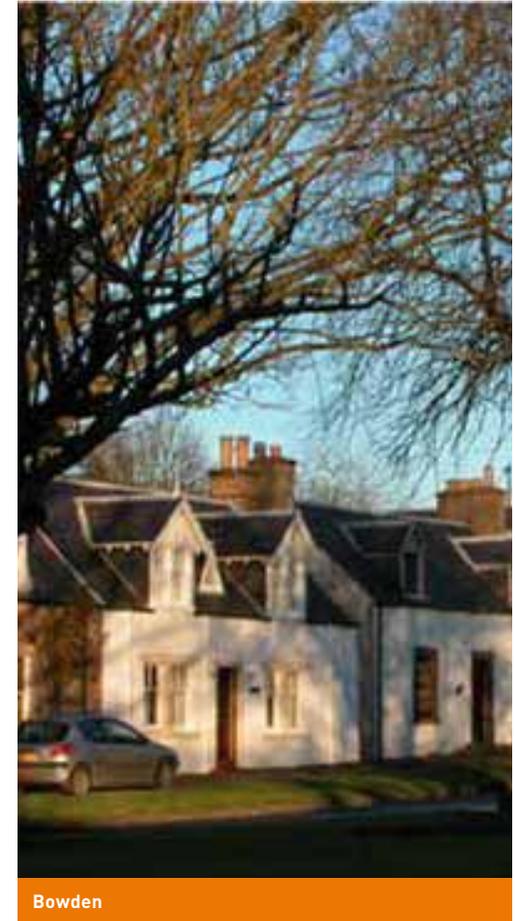
WIDER AREA

how a place fits into the wider area in terms of the functional, environmental and visual context



LOCAL AREA

how a place relates to the local community and forms an integral component of the local area, socially and physically



PROPOSED BUILDING

how an individual building creates a positive and lasting addition to the Scottish Borders

4.2 Placemaking & design principles

The wider area

How development fits into the wider area in terms of functional, environmental, and visual context

LANDSCAPE CHARACTER

Objective: creating development that acknowledges the local variation throughout the Scottish Borders Region

Landscape type

The Scottish Borders has a rich and varied landscape that has shaped where settlements have established, and the types of buildings and materials used, over centuries. This relationship is integral to how we see our towns, villages and countryside today and is vital in understanding how new development can respond appropriately to the wider landscape character; it has played an important role in the development of its towns and villages and has determined the type of industry that has taken place, the access that can be gained and the kind of buildings it can sustain.

Landscape character is informed by various factors including Geology, Topography, Hydrology, Vegetation and Land Use. When considering any new development, it is therefore vital to understand how the development can respond to:

- The existing vegetation patterns (e.g. field boundaries, woodlands, etc)
- The wider landscape character and established settlement pattern

There are four broad areas within the Borders: the uplands, the river valleys, the merse land and the coast region.



The **upland** landscape varies from large-scale rolling hills to upland plateaus, with heather, grassland and forest cover and limited/dispersed human settlement.



The **river valleys** along the waters of the River Tweed and its tributaries have seen human settlement since pre-Roman times, exploiting the pasture lands and power of the rivers to support agricultural and industrial activity.



The **merse land** is a gentle landscape through which the Tweed meanders towards the coast, an area with fertile soil which has been heavily cultivated to grow arable crops. Market towns and large steadings are a key feature of the area.

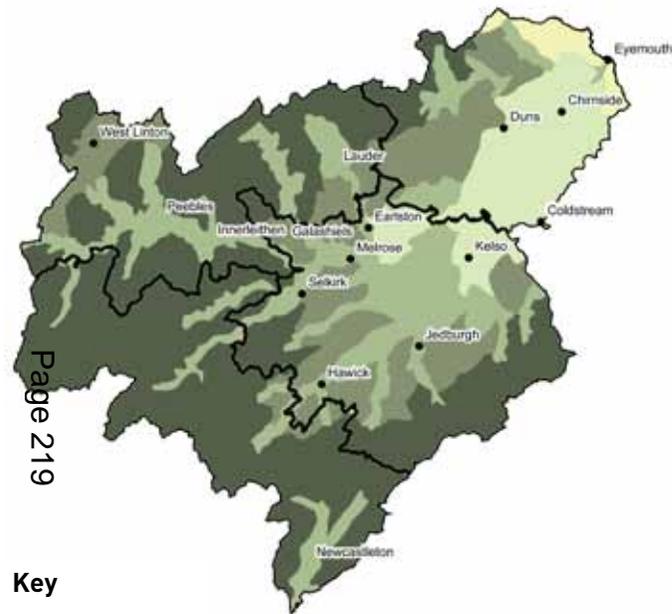


The rugged **coastline** is diverse with rocky sea cliffs and undulating farmland. Settlements are generally located in sheltered locations to protect buildings from the coastal weather.

4.2 Placemaking & design principles

The wider area

Landscape character map



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- Key
- Key settlements
 - HMA
 - Valleys
 - Lowlands
 - Grasslands
 - Uplands
 - Coastal

Landform

Integral to landscape character is the landform of an area. Landform has shaped patterns of landcover, microclimate, land use and the nature of human settlement and is inter-related with hydrology; both regional (river catchments) and local (tributaries and drainage flows). From the rolling uplands and steep sided river valleys in the south and west, to the flat plains of the east, the wider landform shapes the visual character of an area and how development can be absorbed into the landscape.

An understanding of the topography and landform of an area is essential to understand how development can fit into the wider context. Initial site appraisal must therefore consider:

- the landform in which the site is situated
- the relationship of the site to the wider landform such as impacts on skyline
- Landform as a backdrop to development and wider hydrology patterns



Flat open lowland landscape, Berwickshire



Rolling uplands, Tweeddale (West Linton)

4.2 Placemaking & design principles

The wider area

Natural Heritage

The Scottish Borders has a wealth of natural heritage. There are two National Scenic Areas in the region: the Eildon and Leaderfoot NSA and the Upper Tweeddale NSA. There are also six Areas of Great Landscape Value: Berwickshire Coast, Cheviot Foothills, Eildon Hills/Bowhill, Lammermuir Hills, Pentland Hills and Tweedmuir Hills/Upper Tweeddale. The Scottish Borders have a considerable number of historic gardens and designed landscapes that appear in the Historic Scotland inventory, as well as many more sites that are of local significance. They represent a vital asset in the Scottish Borders and a forthcoming SPG will provide further guidance on maintaining and protecting these historic landscapes. Historic Scotland can provide additional guidance. There are 10 Special Areas of Conservation and 5 Special Protection Areas, of which the River Tweed is the best known. This demonstrates the importance of the area in terms of biodiversity habitats and species.



Eildons And Leaderfoot National Scenic Area from Scotts View



The River Tweed at Dryburgh – a Special Area of Conservation

Landscape Character: Summary

- ✓ Ensure the form and nature of proposed development – whether a large site or individual building - harmonises with the wider landscape in which it sits, i.e. open merseland or rolling upland may be able to absorb very different forms and scales of development.
- ✓ Establish design principles regarding the scale and form of development from the outset that relate to the wider landform, natural heritage and visibility of the site
- ✓ Check the local designations of any landscape features of ecological, recreational or heritage value

4.2 Placemaking & design principles

The wider area

VIEWS

Objective: Relates positively to long, medium and short distance views from key locations (e.g. public footpaths, views from major roads)

New housing development must be considered as providing much more than simply new dwellings; as a part of the overall visual experience of the Scottish Borders for visitors, investors and residents alike, the towns, villages and buildings in the landscape are viewed by all who pass through

Long, medium and short distance views

The wider views within the landscape are largely defined by the combined factors of landcover and landform. The enclosure and exposure created by valleys, plains, woodlands and open merge land all influence how settlement sits in the landscape and the nature of impact that new development may have in the long, medium and short distance.

Any design response must acknowledge:

- where key visual receptors are (places where new development will be visible from)
- the extent to which the views from these points will be affected by the development on the site in question
- how new development can visually 'fit' within the wider landscape in the context of these views.

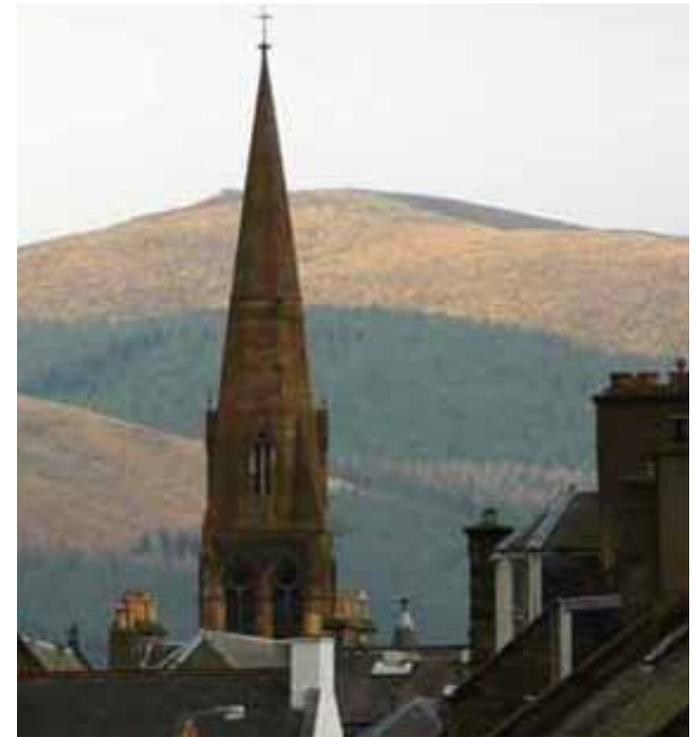
Buildings and places that will be visually affected by development, known as visual receptors, should be identified and impacts assessed through plans and photo illustrations.

While moving through the landscape, the sequence of views from roads, footpaths and cycle ways is integral to the overall quality of experiencing the Borders as a distinctive place. The visual experience of living in and visiting the Scottish Borders is shaped by these sequences and many towns, villages and buildings within the Borders provide both surprise and delight as they are approached within the landscape along roads and rights of way, framed by landform and vegetation or defined by landmark buildings and river crossings. The role of new development in the visual sequence along key routes must be identified from the outset.

Views: Summary

Any design response must acknowledge:

- ✓ where key visual receptors are (places where new development will be visible from)
- ✓ the extent to which the views from these points will be affected by the development on the site in question
- ✓ how new development can visually 'fit' within the wider landscape in the context of these views.



View of Peebles

You will be expected to illustrate these points in your design statement:

- ✓ How the design has responded to key views towards the site in the wider landscape
- ✓ How the design will be viewed moving through the landscape

4.2 Placemaking & design principles

The wider area

SETTLEMENT PATTERN

Objective: integrates well into pattern of settlement, whether urban or rural

Existing pattern of built development

The historic network of towns, villages and hamlets is integral to the character of the Scottish Borders and any proposed addition to the built environment should be founded upon and understanding of this context. Too often, recent layers of development lack any acknowledgement of the urban form or historical context, adopting instead a standardised range of building forms and road geometries. As a result they appear 'unconnected' to the surrounding built form and street patterns, and can erode the sense of place and identity of the area.

Urban

Within the context of Borders settlements new development must seek to form a logical addition to the existing settlement patterns, relating to the landscape and land use patterns of the area. Despite modern expansion, the overall character of settlements in the Scottish Borders is still largely defined by the historical origins of settlement throughout the region, reflected in the pattern and dispersal of towns and villages. Whether formal or informal, coastal or inland, each settlement has a distinct form and density of layout. A thorough analysis of this should guide the scale and nature of any new addition to a settlement, and will help to identify appropriate street patterns, public spaces and densities to a specific area.

Rural

In the context of rural development in the Scottish Borders you will be expected to demonstrate an understanding of the existing and historic distribution of settlement, so that a clear rationale for appropriate forms of new development can be established. Assessing historic maps can give a fascinating insight into the origins of rural habitation in and around the site. The scale and distribution of existing building groups should also be assessed to determine the appropriate scale and siting of new development within the rural landscape.

Key considerations

Understanding patterns of settlement in either the urban or rural context is integral to the initial site appraisal and it is helpful to:

- Study historic maps: identify the growth and pattern of settlement over time
- Analyse the present day form of human settlement and visual relationship to the wider landscape
- Establish principles of siting and layout that are appropriate to the pattern of settlement

Settlement pattern: a summary

- ✓ You will be expected to have an understanding of the pattern and origins of settlement in the wider context
- ✓ Whether in town or country, avoid creating development that pays no regard to the local form, extents and patterns of built settlement

Remember to illustrate these points in your design statement:

- ✓ Understanding of settlement pattern: historic growth and origins
- ✓ Local character traits: scale and distribution of settlement



Traditional centre, Jedburgh

4.2 Placemaking & design principles

The wider area

Historic settlement origins

Many towns have developed around one or two significant landmarks or features that related to the settlement's location and the relationship it had with the surrounding landscape:

Strategic landmark positions

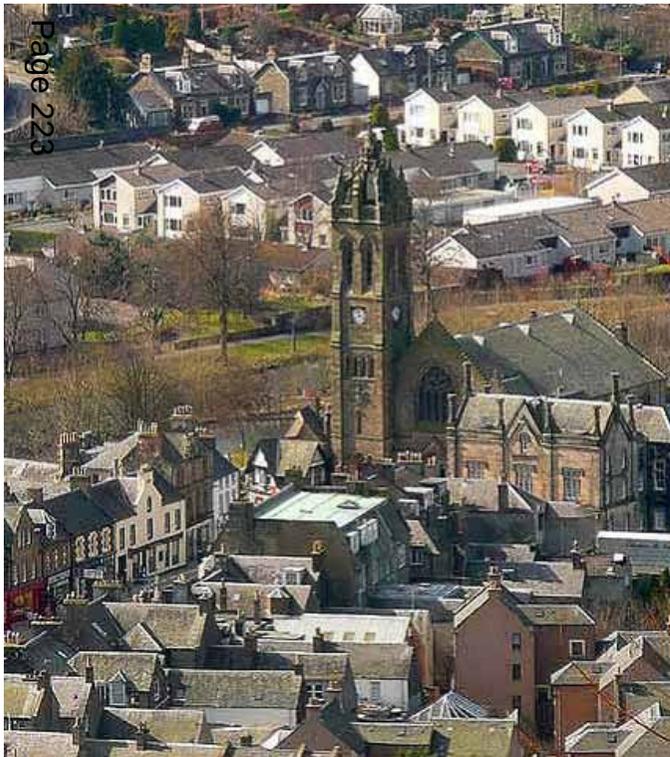
Castles/tower houses, abbeys/kirks and river crossings all highlight the strategic historic importance of these settlements.

Focal points for meeting/trade

Many settlements formed round a central focal point such as a market place, square, green or meeting venue. These were areas within the settlement where trade, community events or communal grazing took place.

Specific functions

Settlements formed around a particular function, such as fermtowns, harbour towns and industrial towns. Landowners also planned new settlements to serve their estate/industry such as agriculture or weaving.



Peebles landmark church



Duns market square



Eyemouth harbour

4.2 Placemaking & design principles

The wider area

INFRASTRUCTURE

Objective: Is appropriately scaled and sited to maximise use of existing roads/rail/services opportunities

The earliest human settlements in the Borders were shaped by the availability and accessibility of vital resources – from food production to commercial or defensive infrastructure, settlements have grown and evolved around the efficient use of these resources. This is no less applicable to establishing sustainable development today – by considering the proximity of existing transport networks, utilities and community infrastructure, a well designed scheme will make the most efficient use of the available resources.

When considering a site for development, the opportunities presented within the existing resources should be maximised, such as rail halts (with the forthcoming Waverley Line), bus routes, road networks and other links to vital resources such as local shops. The scale and location of a potential development site should always seek to achieve the most efficient use of existing and proposed roads.

Infrastructure: a summary

- ✓ In and around towns and villages, plan development that is well connected to the existing road or street network
- ✓ Make sure development is of an appropriate size to accommodate a permeable through route or network of routes
- ✓ Consider the provision, or prevention, of longer term growth as appropriate: where there is capacity for future growth, ensure the design allows for this or where growth is constrained, ensure a clear and defensible edge is created
- ✓ In rural areas, consider the most efficient means of local access and services: off-grid utilities may be appropriate



Looking at the wider context of access and infrastructure with an appropriately long term vision is key to creating sustainable, well connected places (Kelso)

4.2 Placemaking & design principles

The wider area

To summarise, a design statement should demonstrate clear understanding of:

- ❑ **Landscape character**
- ❑ **Views**
- ❑ **Settlement pattern**
- ❑ **Infrastructure**

New development must seek to achieve the following objectives:

Development must fit within the wider landscape and vegetation patterns

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New design should always respond to the wider landform in terms of views, settlement pattern, drainage and long term growth



Identify key landscape heritage features within the wider and local area from the outset



Key views towards proposed development from the wider area must be considered from the outset so that the design can respond by framing/containing these views as appropriate



New development must form a logical addition to the area-wide pattern of the settlement, in terms of distribution and form, whether in the urban or rural context



Wherever possible development should seek to make the most efficient use of existing roads and services infrastructure and consider appropriate future capacity for expansion within the proposed infrastructure network



4.3 Placemaking & design principles

Local area: existing/proposed

How a place relates to the local community and forms an integral component of the local area, both socially and physically

BUILT CHARACTER

Objective: sits well within surrounding built form (architectural style, urban grain, etc)

In establishing the design principles for any new development, the surrounding townscape or building character and built form must be understood from the outset. The layout, grouping and architectural style of buildings adopted within an area all contribute to a locally distinctive built character.

To successfully integrate new development into a settlement, first establish a detailed understanding a) the present day character; b) how it formed in that way and c) how new development can uphold and enhance the built character.

Urban structure

The physical structure of a neighbourhood is defined by the network of streets and spaces, the urban structure. The pattern of solid (=built) to void (=street or space) when viewed in plan gives the best indication of urban structure in an existing or proposed neighbourhood. This is called a figure ground. The proportion of solid to void, and the way in which the structure is arranged is defined as the 'urban grain' of an area, e.g. finely grained informal streets and spaces or large, regular streetblocks. This kind of analysis can help identify:

- the townscape character
- the proportion of open space to buildings
- the scale of open spaces
- the street pattern

Remember to illustrate these points in your design statement:

- ✓ Any analysis showing figure ground of local built form with proposed development shown
- ✓ Townscape studies that have influenced the development process



Example of infill site by Bain Swan Architects

4.3 Placemaking & design principles

Local area: existing/proposed

Townscape of the Scottish Borders

The townscape of the Scottish Borders is a rich visual experience. The variety of heights, shapes and styles of housing helps to track the evolution of the settlement. The relationship of buildings to streets, and streets to other streets defines the character and highlights the historic evolution of the settlement. The following are all typical to the Borders townscape, a historic legacy of the last three centuries of human settlement.

Pends, wynds and vennels are synonymous with the medieval street pattern of Scottish towns and villages. Pends are covered passageways that pass through a building, often from street to courtyard, developed as routes through the dense street frontage. Wynds, narrow paths between buildings that link up wider streets, can also refer to paths that link streets at different levels. Vennels are passageways between gables, as footpaths or minor streets.

Townhouses became a popular form of urban living during the Georgian period. Townhouses could be detached, semi-detached or terraced but are distinct from the smaller cottages in their more uniform frontages, adhering to the classical rules of symmetry. Georgian town planning features are characterised by a formal approach, using classic features of proportion and balance, with a regular rhythm of windows, doors and storey heights within the streetscape.

Row housing is a common feature in Scottish Borders towns and villages. Essentially, these are terraced buildings of various sizes, tenures and usage that formed the heart of many Borders communities. In smaller villages rows comprise 1-1.5 storey cottages, interspersed with occasional larger detached properties. In larger towns, these buildings can be larger (two storeys and up) lining the central areas. This built form is organic and can integrate a diverse roofline.



Eyemouth



Kelso



Foulden

4.3 Placemaking & design principles

Local area: existing/proposed

Corner buildings form part of the rich townscape heritage of Borders villages and towns. Corner buildings are a significant part of the townscape, forming strategic nodes that become neighbourhood landmarks and commercially desirable sites. They are visually prominent, culminating axial views along two streets, defined by dual frontage to both aspects.

Villas often refer to 19th and 20th century detached suburban houses that were often individual in design, standing back from the street edge with gardens to the front. Construction of villa type properties was widespread in the Victorian era, as a result of the prosperity and population growth of the time. During the 20th century, this style of detached house was overtaken by the emergence of bungalows often dominant on the suburban edge of towns and villages. In the later half of the 20th century the villa typology has been superseded by detached 'executive' homes.

20th Century Expansion

Many of the larger settlements within the Scottish Borders have seen considerable expansion in the 20th century. Due to political and planning legislation evolution, modern development is much more commercially-led and housing is predominantly a product of private sector development. Some of this development has been less responsive to the local area and has paid insufficient attention to the landscape and settlement context of the Borders. With the limited brownfield resource in many of the Borders settlements, much new development is likely to be sited on greenfield land and therefore adjacent to this type of expansion. It is important that any new development reflects the local identity working within the historic and modern context of the settlement.

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Melrose



Melrose



Peebles

4.3 Placemaking & design principles

Local area: existing/proposed

Sense of place

Sense of place is concerned with the qualities that give a place a distinctive character. These qualities are shaped by social, cultural economic and environmental factors, the combination of which will be unique to any given place and how a place is experienced by the visitor/resident. This combination means that alongside the physical attributes of a place, sense of place can be influenced by:

- the community spirit: the vibrancy of a place and its cultural heritage.
- the socio-economic vitality of a place: the wellbeing of the local economy, land
- use patterns and accessibility of local services.



The whole street scene with the built form closing the view, Coldingham



Close knit urban structure with narrow plot frontages, Lauder



Vibrant steetscape in Eyemouth

Built character: a summary

- ✓ It is essential to establish an understanding of:
 - The local built character of the area
 - How it formed in that way: the built heritage and landscape characteristics that have shaped a settlement or place
 - The local sense of place
- ✓ New development must seek to uphold and enhance the local character and sense of place

4.3 Placemaking & design principles

Local area: existing/proposed

BUILT FORM

Objective: Creates a contextual addition to the urban fabric.

Integral to the physical structure and character of the Borders townscape is the built form of the urban fabric. The overall composition of streets is shaped by how individual buildings work together, creating the unique visual character through repetition, variety and focal points in the streetscene. Features within the built form that create unity or variety include:

- building lines
- storey heights
- plot widths
- window proportions
- materials
- eaves height
- rooflines.

The Borders has a wealth of vernacular buildings and inspirational architecture that is a product of its diverse historic and landscape context. From the pantile cottages on the coast to the mill buildings of central Borders and the Burgh towns throughout, there are contextual cues that should form the basis for any design response in order to ensure the unique character is enhanced. **Good architectural design should avoid slavish reproduction of historic styles unless in specific circumstances – quality design will only create the heritage of tomorrow by being true to its cultural context.**

As a key factor in creating sense of place, the urban fabric of a place is central to all three factors, as an expression of the local context, cultural makeup and land use patterns.

Built form: a summary

- ✓ New development must pay due regard to:
 - appropriate scale of streets, building plots and buildings in context
 - the pattern and form of building lines, setbacks, rooflines, and building elevations
- ✓ Avoid arbitrary layouts that do not relate to a clear design concept and understanding of context



Coldingham, recent housing development



Coldingham, existing settlement



Newstead, recent housing development



Newstead, the existing settlement



Hawick, recent housing development



Tower Mill, Hawick, existing settlement

4.3 Placemaking & design principles

Local area: existing/proposed

BUILT HERITAGE

Objective: Demonstrates a responsive understanding of the historic context of a site or area.

New development must be respectful of the built legacy of the past in order to uphold the character and quality of the Borders for the future. Alongside site-specific historic analysis, new development must respect the local context of protected or designated sites:

Conservation areas

There are currently 40 designated conservation areas that have been identified throughout the Scottish Borders as areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Any proposed development within or near to a conservation area should therefore pay particular attention to the character and appearance of that area.

Listed buildings

There are nearly 3000 listed buildings throughout the Scottish Borders. These have been identified by Historic Scotland as buildings of architectural or historic interest, based on a combination of: Age and Rarity, Architectural/Historic Interest and Close Historical Associations. There are three categories of listed buildings - Category A, Category B and Category (C S). The listing covers both building exteriors and interiors and can include structures within the building's curtilage, e.g. boundary walls and outbuildings, therefore it is essential to check for any protected status as part of the site analysis process.

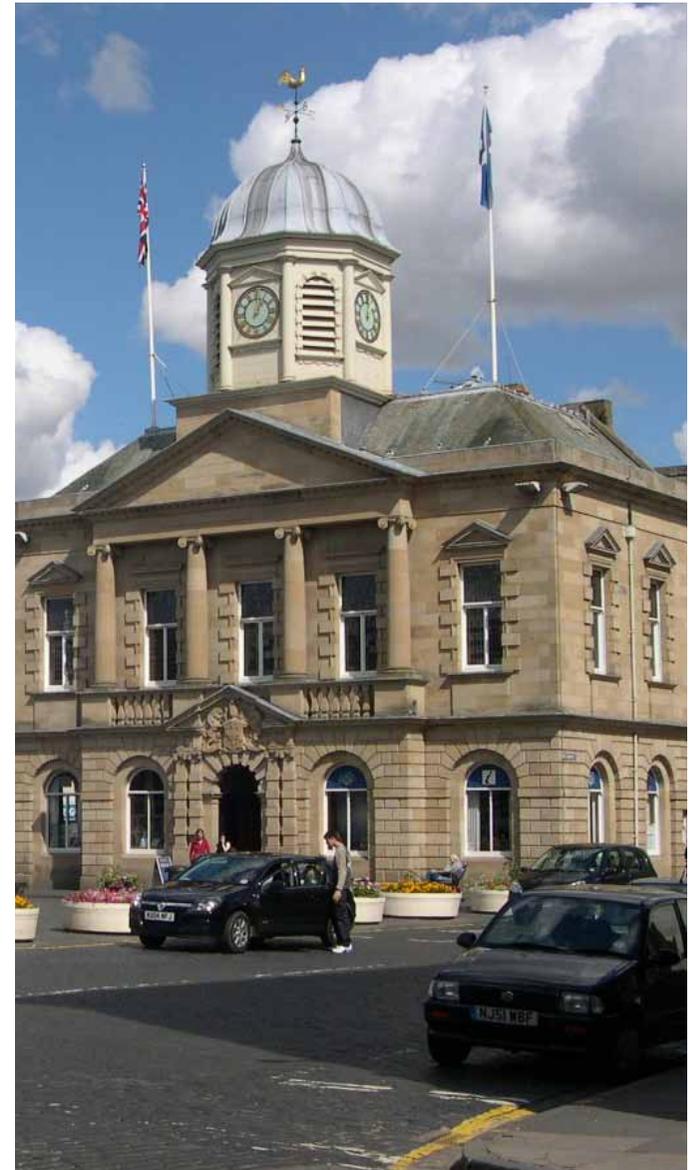
Scheduled ancient monuments and archaeological features

There are numerous sites throughout the Scottish Borders that have been scheduled by Historic Scotland as monuments of national importance. These can vary from small remnants of prehistoric settlement to medieval churchyards and 20th century wartime structures. There are also many unscheduled sites of historic or archaeological interest that are of local or regional importance. The Royal Commission of Ancient and Historical Monuments keep a record of all scheduled and non-scheduled monuments.

Scottish Borders Council holds a GIS-based Historic Environment Record (HER), containing information on heritage assets including archaeological sites, artefact find spots, scheduled ancient monuments and listed buildings. This seeks to ensure heritage assets are detected and preserved (either in-situ or recorded) prior to new development. The HER is the most up-to-date source of information about the nature of archaeology or listed buildings.

Built heritage: a summary

- ✓ Do character studies of the local settlement origins and heritage: this will help an understanding of built form and local sense of place (you will be expected to illustrate an understanding of context in any design statement)
- ✓ Check for built heritage designations on or near to the site and ensure the design is responsive to any sensitivities



Town Hall, Kelso

4.3 Placemaking & design principles

Local area: existing/proposed

SITING OF DEVELOPMENT

Objective: creates a place that fits within the landscape and built context

In considering a site for development, it is vital to assess the site conditions and its surroundings through analysis that can help to shape the potential extents and layout of development.

Landform

Any new development should harmonise with the existing localised landform. The landform will directly influence:

- Views to and from the development
- Show development sits in the landscape
- how and where access can be taken into a site
- how natural aspect and drainage can best be exploited.

All these factors should be taken into account in determining the appropriateness and physical extents, if any, for new development.

All new development must be designed in response to topographic features (ridgelines, slope orientation and surrounding high and low points) to 'fit' within the landscape and utilise the site conditions.

As a general rule the approach should be to "go with the grain" of the site i.e. if a proposal requires more than limited cut and fill or the misalignment of properties in relation to contours, established boundary or property lines, it is likely that the development will fail to integrate naturally with its wider setting. A well designed development will never presume a site is flat, however subtle the level changes.

Remember to illustrate these points in your design statement:

- ✓ Landform analysis: detailed understanding of landform and development
- ✓ Microclimatic study: identifying sun path, wind direction, etc and how this has shaped the design process
- ✓ Views: key views towards the site and how the design responds to these



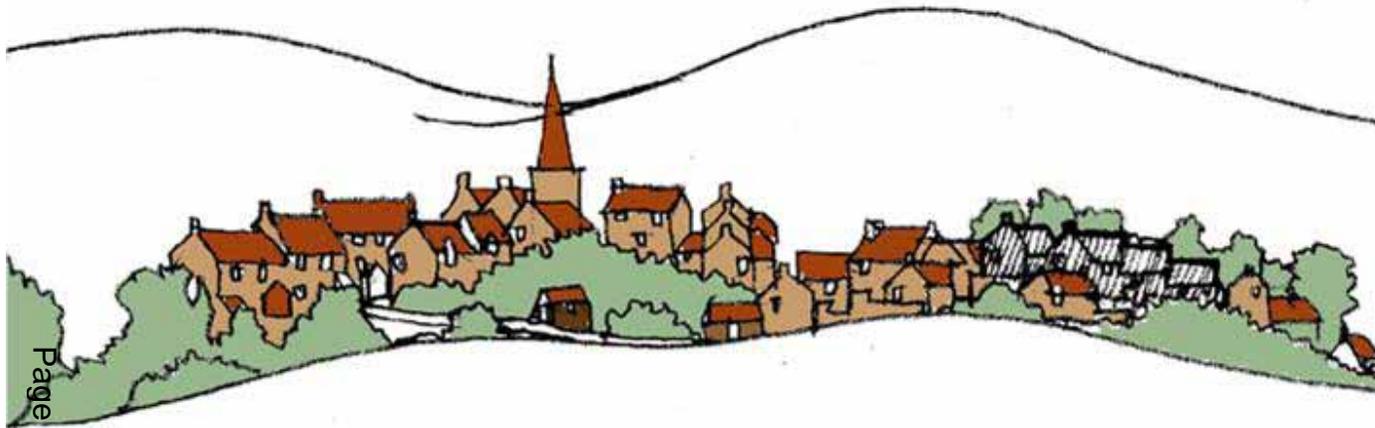
The built character of Walkerburn is shaped by the landform



Buildings within landform, Newton St Boswells

4.3 Placemaking & design principles

Local area: existing/proposed



The relationship of buildings to the landform is essential, both in the visual context and microclimate of the localised area

Ridgelines

Development should generally avoid encroachment on ridgelines that is obtrusive to the horizon. Where a site is on or near a ridgeline, the proposed development should accommodate an appropriate setback from the ridgeline and/or appropriate vegetation to form a backdrop in views towards the site, ensuring that the roofline does not break the skyline arbitrarily. Development near ridgelines should always incorporate appropriate tree planting as a backdrop to the built form reducing the impact and 'framing' the building(s) in the landscape.

Slopes

Development on sloping sites must utilise the landform as part of the overall character of the place wherever possible, rather than imposing a 'development platform' on the site through excessive cut and fill. The most challenging of sites can generate the most creative and distinctive of responses by working with the contours rather than against them, creating a natural relationship between site and development. The layout of buildings and roads in larger developments should generally seek to follow the contours. Commissioning a topographic survey as early as possible helps to establish a full understanding of the site levels and implications on the layout.

Microclimate

The microclimatic conditions of a site – the prevailing wind direction, direction of the sun's movement, and the shelter and shading within the site – can determine the quality and usability of external spaces and the energy demands of heating and lighting internal spaces. An understanding of the microclimate is therefore essential to creating sustainable places that function well. Achieving optimum orientation of buildings, in relation to aspect and landform, should directly influence the overall layout of new development:

- Buildings and plots should be orientated to give a southerly aspect (within 30 degrees either side of south) for private spaces and living room
- Streets should be aligned wherever possible against the prevailing wind direction, to avoid 'wind tunnels'.

Where site conditions cause these dual issues to be in conflict, appropriate shelter should be provided from prevailing winds through breaking up the street pattern and/or other use of planting to provide shelter. The issue of shading from adjacent trees or wooded areas must always be considered in the siting of buildings and open space and areas in excessive shade should be avoided.

4.3 Placemaking & design principles

Local area: existing/proposed

Views

As well as the views within the wider landscape, the visual integration of development into its surroundings at the localised level must be considered. All buildings have a civic role to play as part of the built environment and overall visual quality of an area. Within localised views, new development must consider the following:

Approaching the settlement / site

Impact on views in approaching a settlement/site must be understood. New development – particularly in edge-of-settlement sites – should positively define the point of arrival into a settlement as the ‘first impression’ of a place. The sense of approach and arrival is heightened by development that fronts onto approach routes, incorporating attractive boundaries that frame and contain views



Views towards the roofline/skyline

The relationship between the roof profile, landform and existing skyline should be considered in the siting and design of new buildings. Buildings should be considered in the context of ridgelines and/or rooflines in determining storey heights, roof profile and building line. In all cases, the appropriate use of colour within the roofscape is critical to achieving integration within its wider context, and the careful selection of roofing materials must be considered



Approaching the site from within the settlement / neighbourhood

In moving along nearby streets or routes – where existing building lines, boundary treatments, landscape structures and landmarks together define views – new development should relate to the overall composition of these elements and read as an integral part of the street.



4.3 Placemaking & design principles

Local area: existing/proposed

Integration and access

In order to create an integrated addition to an existing building group/settlement, new development should always seek to tie in with existing road and footpath links. By identifying the key desire lines (most direct routes that people are likely to use) through or near to a site, these key routes can help shape the layout and anchor it into the surrounding area. The key pedestrian desire lines should be identified and integrated into the layout.

An early appraisal of the footpath network and the hierarchy of streets adjacent to or near the site can provide a baseline for determining the access and route network within a development. The arrangement of streets and spaces within a development must always be aimed at creating permeable places for both pedestrians and vehicles that are closely knitted into the surrounding network of routes (as outlined in PAN 76: New Residential Streets, and forthcoming Designing Streets). Cul-de-sac developments can inhibit the permeability of development and the relationship of development to its surroundings. Where possible, development should incorporate through routes linking a site into the wider access network.

Generally, it is preferable to provide more than one route into a site to enhance overall permeability of the streets network and disperse traffic within a neighbourhood. Interconnecting streets should form the basis for all movement through the site, avoiding excessive segregation of pedestrian and vehicular access.

Access network

Scottish Borders has an extensive network of paths, both an invaluable recreational facility for residents and a key tourism asset.

In planning new development it is essential that existing access networks within the local and wider context are protected wherever possible and, where impacts are unavoidable, appropriate mitigation provided. Recreational access to the countryside should be an integral consideration in planning any edge-of-settlement development. Rights of access are a material consideration in the planning system, as set out in SPP11: Open Space and Physical activity. For further information on the access network in the Scottish Borders, please see the Core Path Plan, which details existing rights of way, promoted or managed routes, new routes or any other route that can provide the public with reasonable access.



Footpath next to River Tweed in Peebles



Development at Peel using existing woodland as attractive boundary

Landscape structures

The importance of well-designed, properly specified landscape elements within the built environment must not be overlooked. When considered integrally to new development in both the urban and rural context, tree and woodland planting can greatly enhance the local character and visual, ecological and recreational quality of a place. Trees form an important visual backdrop, especially in rural or edge-of-settlement development, and tree groups can frame development and anchor it within the landscape. As well as the visual amenity of tree planting, trees can enhance local microclimate and biodiversity as well as provide health benefits.

Existing

As an integral element of towns and villages, trees and vegetation contribute to the unique sense of place of many settlements in the Scottish Borders. In the siting and design of new development, existing landscape structures (such as woodlands, shelterbelts, hedgerows and avenue planting) in or around the site should be assessed.

4.3 Placemaking & design principles

Local area: existing/proposed

Any landscape features of value need to be identified so that:

On-site features of value can be retained and enhanced where appropriate
Any landscape features that are central to the area's character (such as nearby avenue planting or woodlands) can be reinforced or enhanced through the development.

A vegetation survey should be carried out as early as possible in the process to identify the extent and condition of existing trees and shrubs.

Proposed Landscape Planting

The role of landscape planting in new development has a similar role to play to that in the existing townscape and landscape. Elements such as avenue planting, single specimen or tree groups all serve to break up the built form and frame views towards building groups.

Proposals for new development should give due consideration to landscape design from the outset as integral to the design process, and any new landscape planting should have meaning: to visually contain spaces, define gardens, or break up the streetscene – landscape design should not be an afterthought, simply as a means of filling left over spaces.

The specification for any new planting must ensure it is of an appropriate size and species to provide sufficient short-medium term impact, and the phased implementation is planned to provide the appropriate level of impact in relation to the development. The use of native species is promoted, particularly in the context of the wider biodiversity networks.

Settlement Boundaries

As settlements expand, the edge is often the setting for new housing development and is often the most visible part of the settlement in surrounding views as the transition between urban and rural. The treatment of this edge is essential to how a settlement sits in the landscape. Consideration should also be given to opportunities for further settlement growth and provision made for future integration and access where desirable.

It should be demonstrated fully that the design for new development on or near the settlement edge considers the overall visual composition of the settlement boundary (buildings, rooflines, boundary treatments and 'framing' elements such as landscape structure planting) as of equal importance to other elevational views.

Edge-of settlement development must actively seek to create a positive edge to the surrounding countryside. This should generally incorporate some kind of landscape framework either as a substantial wooded area of appropriate quality and species mix or - where combined with outward-looking housing and an attractive open edge - tree and hedge planting. This framework will be required to be of a sufficient scale and maturity to have early impact, and an appropriate specification, early implementation and subsequent management programme must be provided.



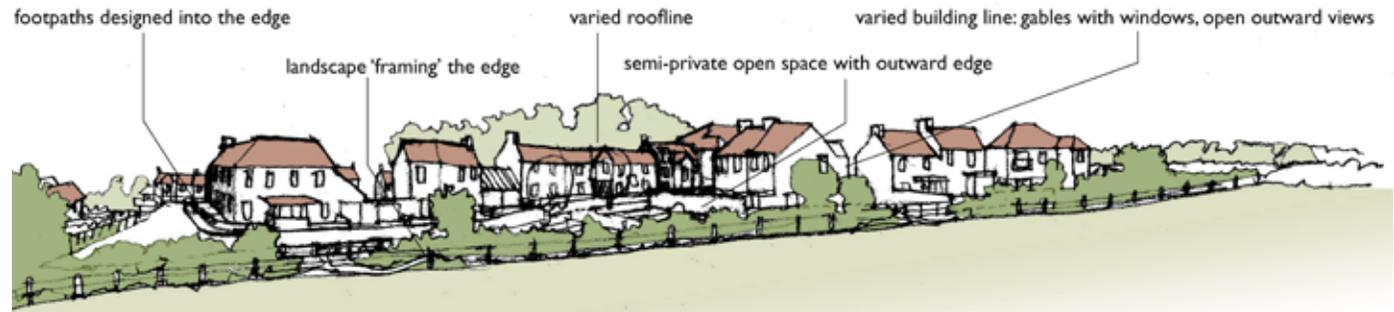
Example of new proposal (by Bain Swan Architects)

4.3 Placemaking & design principles

Local area: existing/proposed

Settlement boundaries are often closely associated with landscape planting such as historic policy woodlands, shelterbelts or hedgerows. These existing structures are valuable in defining the urban to rural transition and providing local habitat/recreation corridors. The presumption shall be that these are retained wherever appropriate, reinforced by new planting and appropriate provision for future management.

Pedestrian access to the countryside beyond should always be accommodated, with appropriate new provision linking into any existing footpath networks.



Creating a positive edge to the surrounding countryside: landscape planting, outward views and a variety in the built form create an attractive composition



A poor edge in the countryside: poorly spaced, monotonous built form, visually intrusive timber fencing and insufficient landscape planting

Page 237 Timing of development: Summary

- ✓ The layout and design of new housing must relate to underlying landform, 'going with the grain' where possible
- ✓ New housing must work with the natural site characteristics and its microclimate: maximise south-facing aspects and shelter
- ✓ Always check from where a proposed site can be seen in the local area: new development must 'fit' visually within the local context
- ✓ Strive to create well-connected, accessible additions to the existing access network
- ✓ Identify at the outset any valuable local landscape structures and work with these
- ✓ Consider landscape design within new development from the outset
- ✓ Create attractive edges to settlements and/or building groups, utilising landscape frameworks and quality boundary treatments

4.3 Placemaking & design principles

Local area: existing/proposed

LAYOUT AND LEGIBILITY

Objective; creates streets and places that are distinctive and legible with a clear sense of identity.

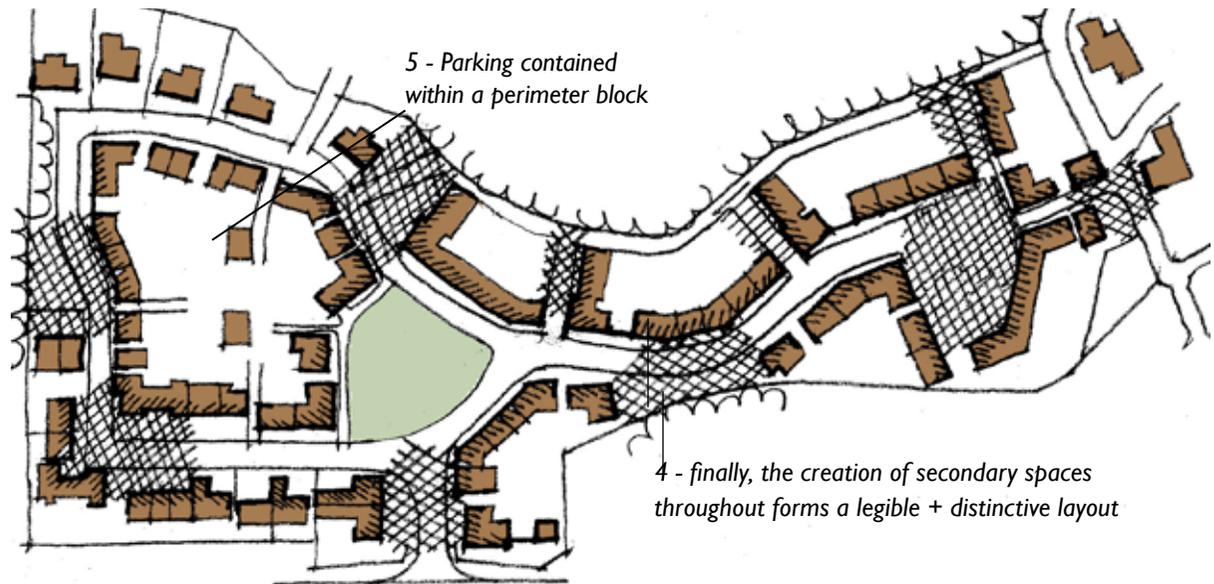
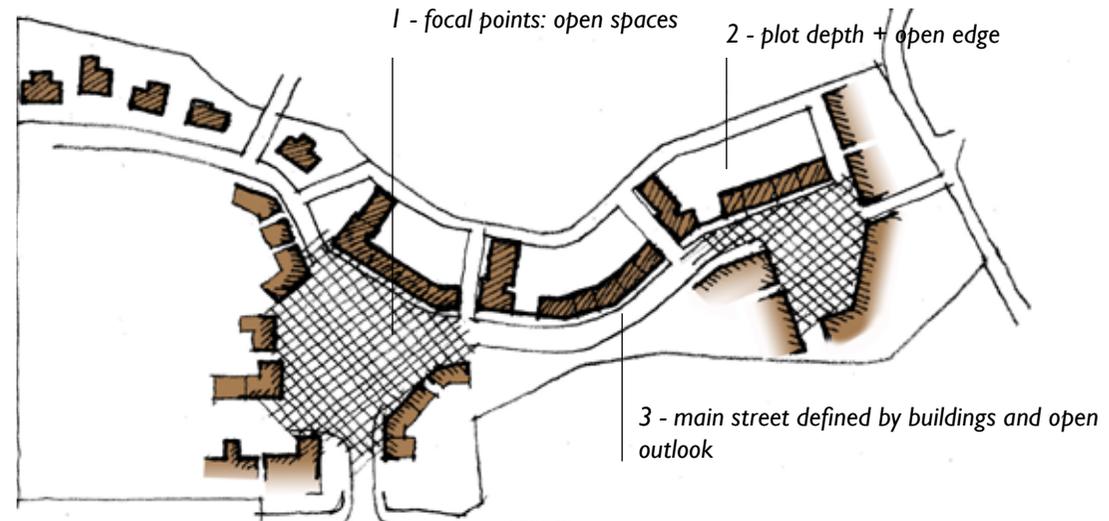
The creation of distinctive, attractive places that are easy to move around should be the common aim of all new development. The layout of new housing should be designed in response to the built context and local townscape. New development must actively seek to provide a permeable, legible movement network that maximises the attractiveness of walking and minimises car dependency.

Layout

Typically throughout the Scottish Borders, streets are often characterised by buildings arranged in a very organic way, close knit with a staggered building line and a range of double fronted, single fronted and gable fronted buildings. This variety and density of buildings adds richness and character. New development should strive to use the appropriate balance of variety and repetition in the built frontage to create continuity and rhythm and a clear sense of identity.

The layout of new development should consider:

- ✓ the nature of the site: the microclimate, the built context and existing street pattern
- ✓ distinctive character areas within the proposed neighbourhood(s)
- ✓ key frontages: to arrival points/open spaces
- ✓ how the development will be experienced as one moves through the spaces.



By approaching a site with some clear design objectives, the site almost designs itself. Here, 5 key elements combine through the design process

4.3 Placemaking & design principles

Local area: existing/proposed



Perimeter blocks

A perimeter block refers to a streetblock that is lined on all sides with buildings creating 'active' frontage and a clear delineation between public and private space. Here, the parking is well-contained within the block with central housing providing overlooking.

A variety of housing accommodated within a perimeter block

Permeability

The creation of a permeable street layout that is well-integrated to the character and structure of the existing area is central to sustainable development. Proposed layouts for new housing development should seek to provide a range of attractive routes through the site. Permeable development increases the ease of pedestrian movement through a site, thus discouraging car dependency. Enhanced permeability can also help to stitch new housing into existing neighbourhoods, by extending existing movement networks and desire lines (the most direct routes that people are likely to want or need to use).

Legibility

Places that have identifiable features and a logical structure are easy to 'read' and to move around in. This ease of orientation - legibility - is helped by considering the sequences of distinctive spaces and buildings that are experienced moving through a neighbourhood. The network of key nodes (areas which people are likely to identify with as places of note) and links (connecting routes between key nodes) within the existing/proposed street layout should be identified at the outset of design development. Within the Borders, there is a diverse range of elements within the townscape that represent nodes and links outlined below:

Routes	Edges	Spaces	Landmark	Neighbourhood
Streets	River	Market squares	Historic buildings (abbey/castle/	Town centre
Lanes/wynds	Coastline	Public park/garden	kirk)	Village centre
Paths	Historic boundaries (castle/estate grounds)	Village greens	Mercat crosses	Local area
	Steep slopes	Courtyards	Monuments/memorials	Anchor point
		Town/village Hall	River crossings	
			<u>Landform</u> : hilltop/ridgeline	

4.3 Placemaking & design principles

Local area: existing/proposed

Boundary treatments

Plot boundaries (between public and private space) help shape the overall quality and character of spaces within the street, almost as much as the buildings. Boundaries onto the street should be designed as an attractive high quality element in the public realm. Boundary treatments can help tie a new or contrasting element into the surrounding urban fabric by reflecting what is already there. The detailing of boundary walling or railing should be appropriately high quality: looking at the detailing of good local examples can help inform an appropriate design.

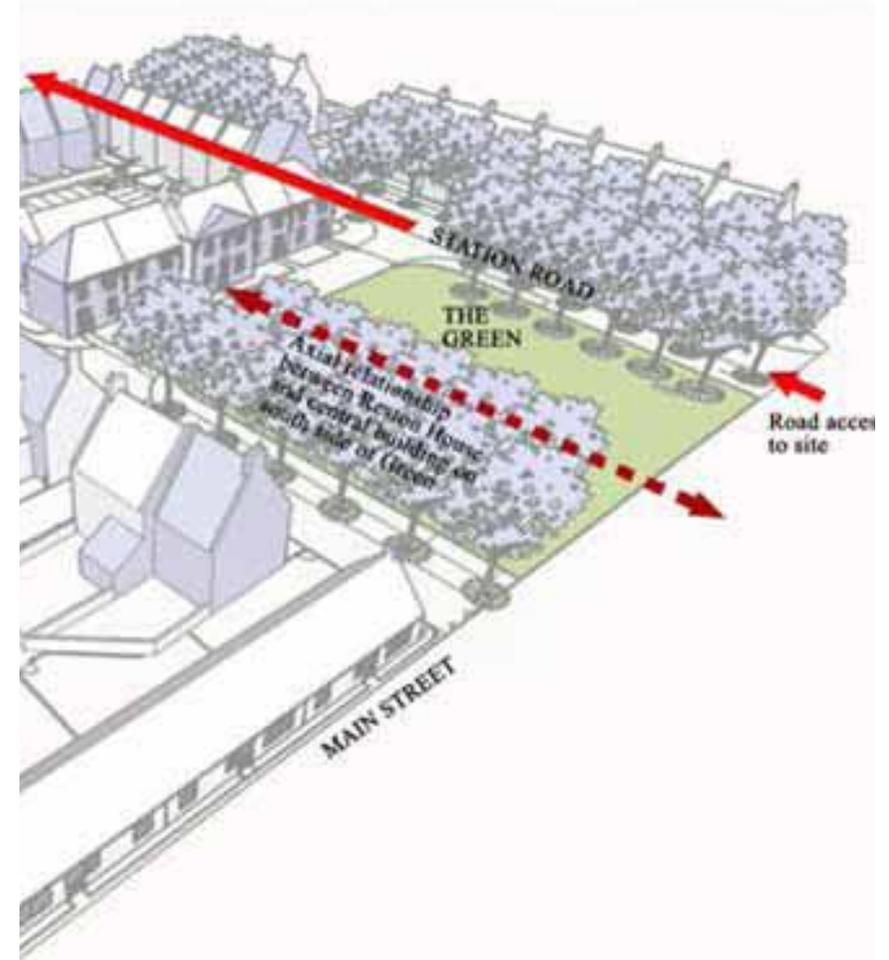
Random or coursed rubble walls and non-coniferous hedges are traditional boundary treatments within the Borders and such elements can help 'anchor' a development into its local setting. Appropriate provision for maintenance should be made from the outset. This may require to be incorporated into 'common land', requiring appropriate factoring mechanisms to ensure that the civic role of this edge is not compromised by future modification by private residents.

Designing safe places

Scottish Borders Council Supplementary Planning Guidance on Designing out Crime sets out requirements for community safety in new development. Development should ensure that vehicular and pedestrian routes are visually open, direct and well overlooked by habitable rooms within adjacent houses to enhance opportunities for passive surveillance; public open spaces should be well overlooked by adjacent houses; excessive blank gables facing directly onto key streets or spaces should be avoided as this limits opportunities for passive surveillance.



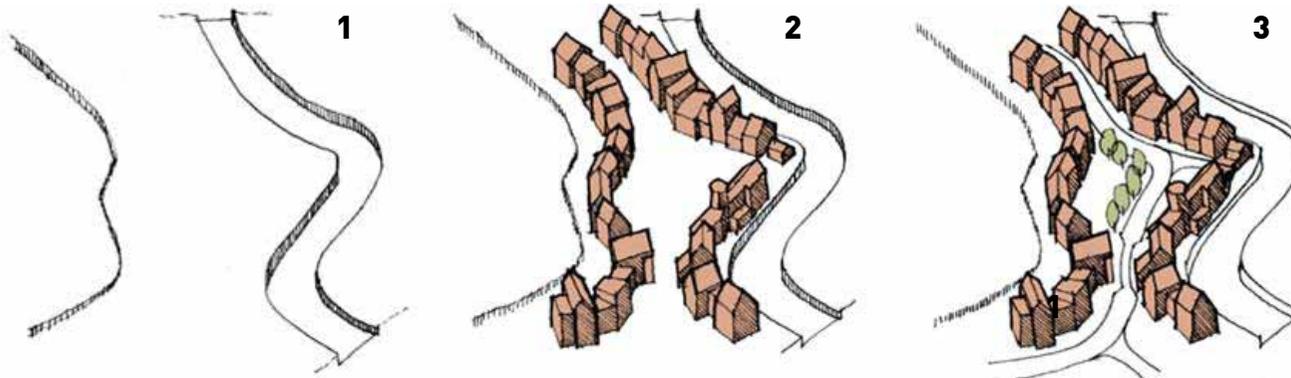
Some good examples of boundary treatments



Proposal at Reston by Simpson & Brown Architects

4.3 Placemaking & design principles

Local area: existing/proposed



Design the buildings first to create spaces into which the roads can be placed

Streets

The creation of successful streets is the subject of national advice and good practice currently represented in PAN 76: 'New Residential Streets' by the Scottish Government. This is to be replaced by the forthcoming 'Designing Streets' publication which will set the Department for Transport's 'Manual for Streets' in the Scottish context.

The function of a street is for 'traffic, the exchange of goods, social exchange and communication' (Spiro Kostof, 1992). Since the advent of the motorcar and a subsequent move towards separating vehicles from pedestrians, road design in modern development often focussed excessively on the former of these functions: streets shaped by road engineering with no consideration to the social function that they serve.

There is now a return to a more holistic view of streets and their role in civic life, shaped by the activities around them, the people moving through them and an overall reduction in vehicular dominance.

The diagram above outlines the approach that should be taken to creating streets and spaces. In response to site features (1) the arrangement of buildings should be designed first (2), with the roads fitting into the streetscene after (3), so that the enclosure of spaces by buildings is the primary element in defining the character of the street. The 'anywhere' development of curvilinear, heavily engineered, routes through dispersed buildings set in open, undefined front gardens must be avoided.



The building line, boundary treatments and curtilage parking working together (Allan Swan, Bain Swan Architects)

Development should be designed to create an 'active' edge to proposed and existing streets:

- Buildings should relate positively to the street on which they are situated. The 'front' of the building or buildings should generally seek to address the street as much as possible, working in balance with boundary walls and gables and creating active frontage.
- The internal layout of buildings should be designed to relate living rooms to the front and create opportunities for 'eyes on the street'.
- Excessive blank fences to main streets should be avoided: within the streetscene, walling, hedging or high quality railing should be used as a secondary architectural element to reflect their civic role within the townscape.
- The use of blank gables or walls should be designed carefully: where gables do face the street, these should be designed to incorporate windows or other openings – this creates a more 'active' frontage and presents opportunities for passive surveillance.
- Key routes such as main streets or major approaches to a settlement or site should always be positively addressed by the built frontage as a reflection of their civic role.

4.3 Placemaking & design principles

Local area: existing/proposed

Road design

Roads need not necessarily be constant in width (so long as the running carriageway is at least 3.7m for single file traffic and 4.8m for two way traffic flow) and junction layouts can be informal.

Street geometry

Reducing driver visibility distances, through tight building lines and avoiding overly engineered straights or curves, helps to reduce traffic speeds thus reducing vehicular dominance. The geometry of the street can be fairly constrained as long as there is sufficient access. A swept path analysis should be carried out confirm that the largest vehicle (i.e. service/refuse vehicles) can be reasonably accommodated.

Pedestrian v's vehicle

Shared surfaces, and removal or reduction of grade separation (the conventional method of separating pedestrians and vehicles through an upstand kerb) can help encourage responsible driving by a heightened sense of risk. This helps calm traffic speeds naturally, facilitating the use of streets by pedestrians and cyclists.

The incorporation of home zone measures such as narrowing of carriageways, use of speed tables and using on-street parking as a naturally occurring traffic calming element, should also be explored. Shared surface streets and spaces can be used where appropriate and should be sensitively designed: without careful consideration vulnerable road users, including those with visual impairments who tend to rely on a kerb line can feel insecure or unsafe. There is also a

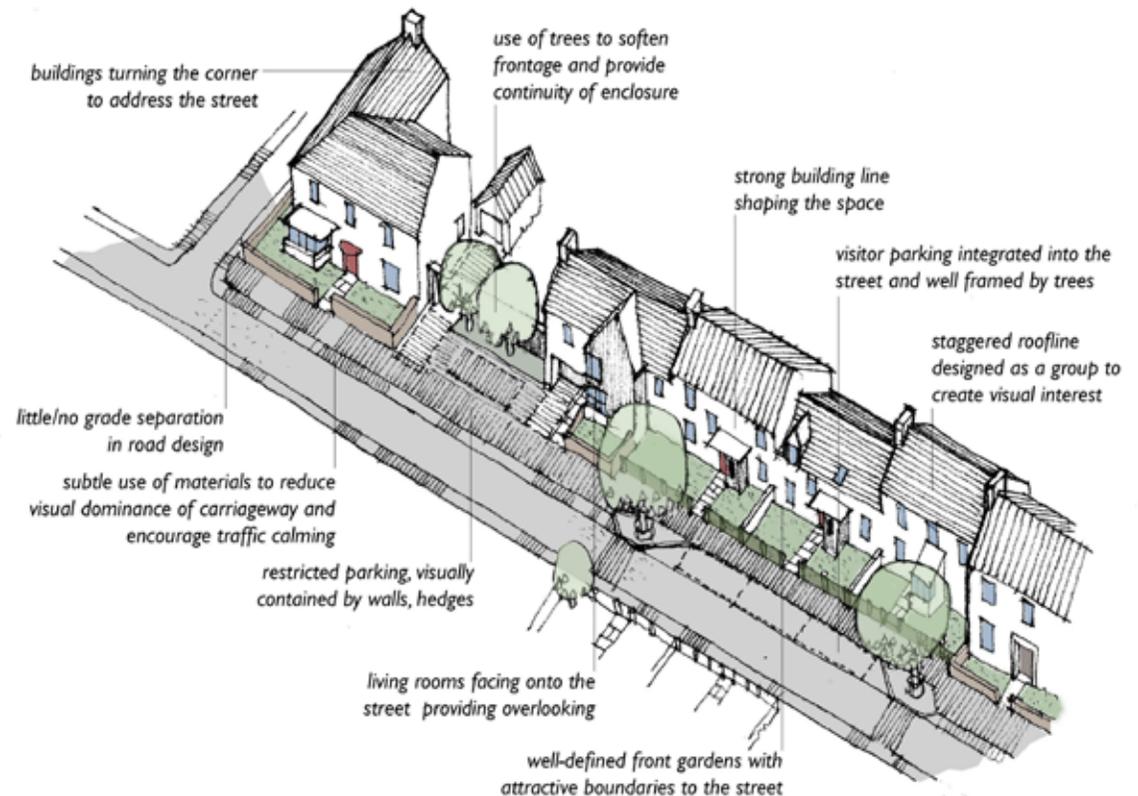
self-limiting factor on pedestrians sharing space with motorists of around 100 vehicles per hour.

Avoidance of clutter

The street scene should be carefully designed to avoid a dependency on excessive street signage. Directional, warning and information signage can clutter the public realm and detract from the overall quality of the public realm when present in, often unnecessary abundance.

Accessibility

A sustainable community or neighbourhood depends on a mix of uses and locally available public transport opportunities. To encourage walking, PAN 75: Planning for Transport recommends a walking distance of 400m (or a five minute walk) to local facilities such as the bus stop or corner shop. Where this is not possible, housing (in the urban context) should be no more than 800m (or a ten minute walk) from local services to encourage the creation of 'walkable neighbourhoods'.



Example of a well-designed street that considers people and spaces first, cars second (Allan Swan, Bain Swan Architects)

4.3 Placemaking & design principles

Local area: existing/proposed

Parking

Parking provision can impact significantly on the overall quality of place in new development, and the design and method of provision should be incorporated into the planning and design from the outset. The means of parking provision should reflect the character of development proposed. Parking should not dominate the streetscene in rows of front-garden driveways or parking courts, but instead be designed sensitively as integral to other elements of the street such as garden boundaries, tree planting and building line(s).

Parking requirements

As a general guide, the requirements for communal/unallocated parking and for allocated/curtilage parking are as follows:

Communal or unallocated parking

Where residents parking is provided within courtyards/car parks

No of parking spaces = no. of units x 1.75
for residents and visitors
= 175% provision

Curtilage or allocated parking

Where residents parking is provided within driveways or within allocated spaces

No of parking spaces = no. of units x 2 for residents
no. of units x 0.25 for visitors
= 225% provision

Courtyards

In high density development of terraced housing or flats, parking can be provided through a combination of front and rear courtyards. Rear courtyards can alleviate the potential dominance of cars in the street scene - the use of pends can help maintain the building line while providing vehicular access to the rear. Courtyard parking should always be designed with a degree of overlooking from adjacent housing (to maximise security), and high quality boundary materials/landscape planting to reflect the semi-private quality of the space and avoid an overly sterile, 'municipal car park' character.

In-curtilage

The design of in-curtilage parking, where parking is required to be within individual plots, should ensure front gardens are not dominated by driveway parking by enclosing driveways within the building line. The use of high quality boundary walls and hedges can help to visually contain parking and break up potentially monotonous series of driveways.

Visitor

This should be integrated into the street scene at appropriate points. In traffic-calmed or narrow/shared surface areas, on-street parking can be instrumental in slowing traffic speeds - where applicable this needs to be demonstrated as integral to a clear concept for traffic management and the public realm. In all situations, parking should be sited and designed to be well overlooked by adjacent residents and people moving through the public realm. This minimises crime risk by generating opportunities for passive surveillance.



Coutyard parking with pend access at Darnick



In-curtilage parking at Peebles well contained by boundary treatment



On street parking at Denholm

4.3 Placemaking & design principles

Local area: existing/proposed

Layout and Legibility: a summary

- ✓ Avoid the creation of arbitrary street patterns and housing layouts without a clear concept or local understanding
- ✓ Create a clear sequence of spaces: key frontages and arrival points that lead to streets, lanes and meaningful public spaces
- ✓ New development sites are expected to be permeable to pedestrian and vehicular movement where appropriate.
- ✓ Movement patterns should seek to tie in with existing street and path networks
- ✓ Consider the varying characters of primary/secondary streets, crossroads, public and semi-private spaces: each will be viewed differently and can enhance legibility and distinctiveness
- ✓ Always remember the importance of boundary treatments: walls, fences and hedges are almost as important as the buildings in defining the streetscene
- ✓ Ensure streets and spaces are well-overlooked to create a sense of community safety and 'eyes on the street'
- ✓ Consider the buildings and spaces they enclose first, before fitting in the road network second: create spaces rather than 'distributor roads'

The design statement should provide a clear understanding of:

- ✓ The local context: surrounding streets and landmarks that make the area distinctive and legible
- ✓ The design concept: the shapes and links that have helped to form the layout and will make the place easy to navigate
- ✓ The role of buildings in the public realm: to shape spaces and to provide 'eyes on the street'
- ✓ Appropriate ease of through access to ensure safe, crime-free neighbourhoods



New development with permeable layout and strong frontage (Farningham McCreadie)

4.3 Placemaking & design principles

Local area: existing/proposed

SUSTAINABLE DEVELOPMENT

Objective: is efficient as is practicably possible in the use of natural and man-made resources

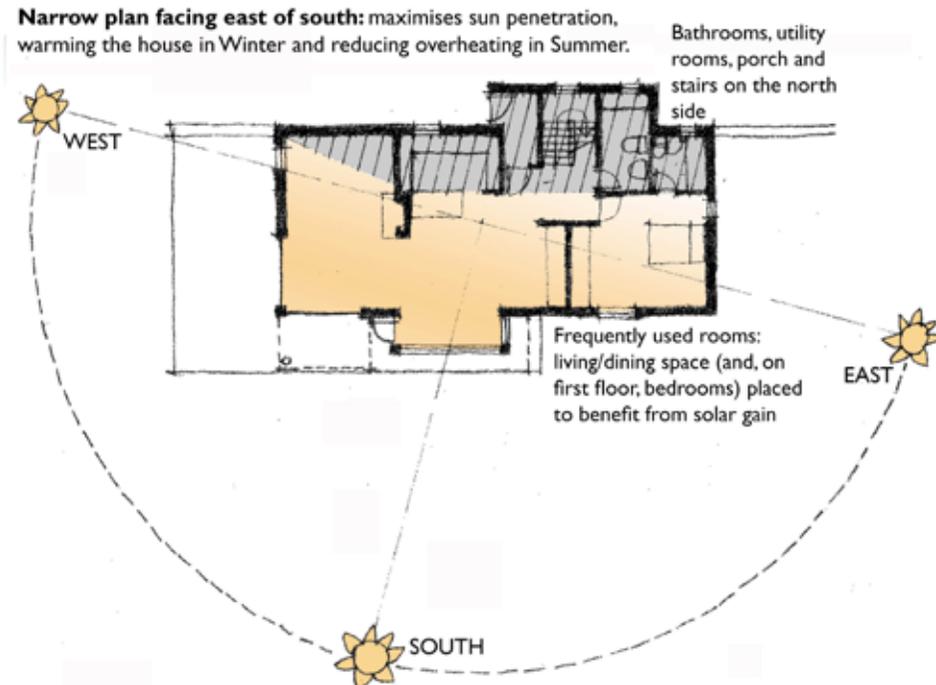
Only by creating places that make optimum use of layout, design and natural resources for minimising energy demands can development be truly sustainable. This should be demonstrated in all development within the Scottish Borders. At the site planning and design stage, the design and layout should be informed by the need to minimise demand for energy required for heating, cooling and lighting. Minimising the need for energy cuts costs for future residents. Energy that is required can increasingly be met from a variety of renewable energy technologies.

Sustainable approaches to energy

Any future development must consider a sustainable approach to energy. In accordance with Supplementary Planning Guidance 18: Renewable Energy (June 2007), the 'energy hierarchy' establishes the importance of 'designing out' energy needs at the building design stage as the first step in achieving energy efficient buildings. Consideration of renewable energy technologies should only be given once energy efficiency has been maximised/energy needs minimised.

Building orientation and form

The orientation of streets, courtyards or buildings must be carefully considered. Southerly orientation - ideally as close as possible to 30° either side of south - ensures maximum passive solar gain as well as optimised



Building orientation and internal layout (Allan Swan, Bain Swan Architects)

use of natural daylight. Sunpath analysis is invaluable in assessing the effects of building orientation and massing on capturing daylight and any overshadowing. the detailed layout and internal floorplan of a building can be designed to optimise on solar gain and maximise use of natural daylight, while avoiding overly monotonous layouts that may conflict with the grain of the adjacent built form. Equally, the form and density adopted in building design can enhance energy efficiency - row housing generally experiences less heat loss than individual detached houses, as well as making more efficient use of building materials.

Energy statement

Scottish Borders Council seeks an energy statement to be provided for development whose total floorspace is equal to or greater than 500sqm. This should set out clearly how the building has been designed and will be constructed to minimise energy needs and maximise energy efficiency, as well as detailing any provision made for renewable energy. See Supplementary Planning Guidance 18: Renewable Energy (June 2007), for more details.

4.3 Placemaking & design principles

Local area: existing/proposed

Aspect and shelter

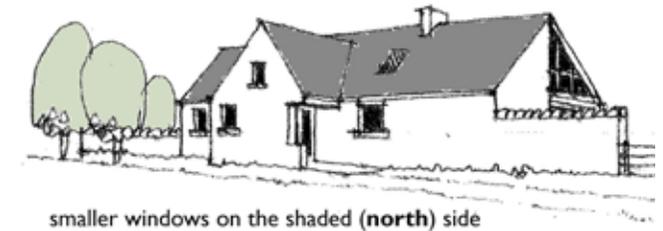
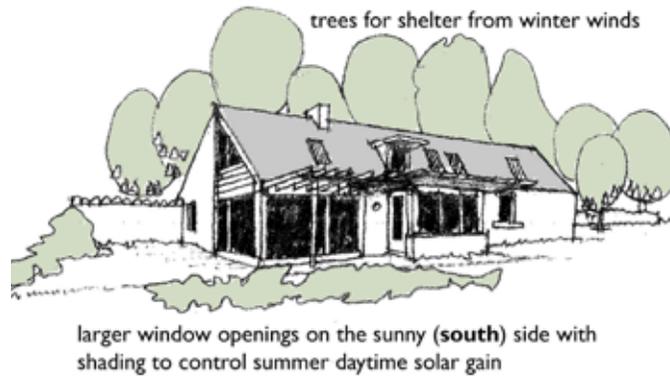
The creation and retention of trees and hedgerows to provide shelter from prevailing winds helps to reduce demand for heating within buildings and enhances the microclimate within outdoor spaces. Careful consideration of the orientation of a site's aspect and proposed vertical elements, using sun path analysis, ensures that shading from trees and buildings is minimised while shelter is maximised.

Handling water

In order to minimise run off, especially following periods of intensive rain, surfaces of the spaces between buildings within the development should be as porous as possible. Thus the use of greens, trees, semi porous paved surfaces and the use of balancing ponds and Sustainable Urban Drainage Systems (SUDS) should be integrated into the design at an early stage. Water harvesting from roofs should be integrated into buildings for grey water use or irrigation. The use of green roofs, where the roof is planted with an appropriate light-weight grass mix (such as sedum), can help to reduce heating and cooling loads on a building as well as minimising rainwater runoff.

Recycling materials

The minimisation of waste, from both the construction and use of a building, should be a major consideration of any new development. Storage of material for recycling requires space of sufficient volume which is accessible for collection and the provision of this should be considered early in the design process. Onsite composting and recycling should also be provided where feasible and any layout or design should take this into account.



Working with aspect and shelter [Allan Swan, Bain Swan Architects]



House at Heriot using well established tree shelter



Surface water storage and soakaway

Sustainable development: a summary

- ✓ New development must strive to 'design out' energy demands wherever possible, through optimum use of materials in design and insulation of buildings
- ✓ Use microclimatic analysis to orientate buildings and external spaces to utilise natural daylight for heating/lighting and the provision of shelter from prevailing winds
- ✓ Integrate drainage considerations into the design from the outset: surface water runoff and attenuation must not be an afterthought and must be handled sustainably
- ✓ Consider the use of porous surfaces, attenuation ponds and 'green roofs' where appropriate to your scheme
- ✓ All new development is required to provide an energy statement appraising renewable energy options and identifying the most efficient means of providing/reducing energy requirements

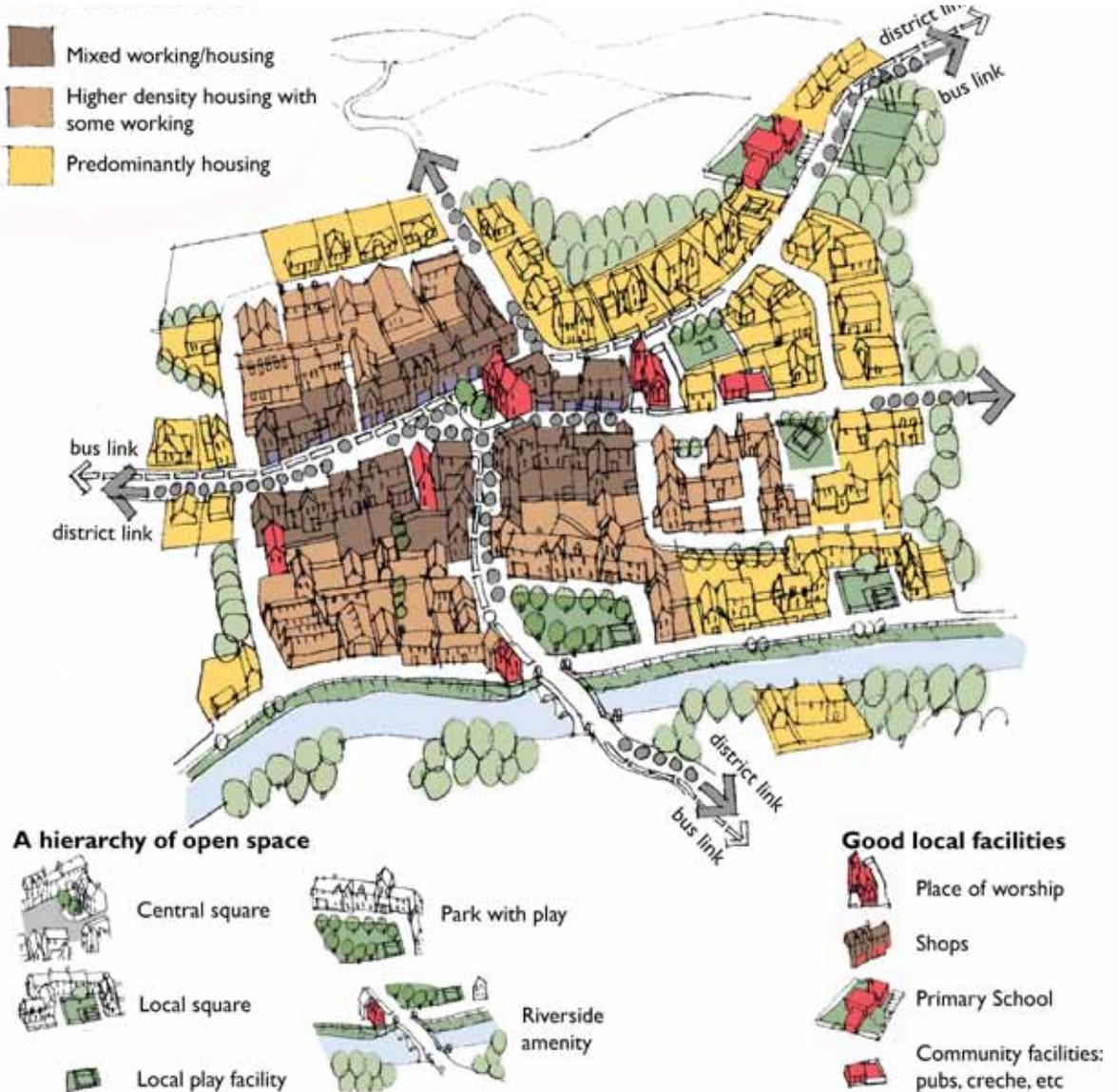
4.3 Placemaking & design principles

Local area: existing/proposed

DENSITY AND USE

Objective: creates a usable place with strong sense of local identity that is adaptable to future needs

In order to be sustainable, development should seek to provide a range and density of housing appropriate to the needs of communities as a whole. In doing so, new development can form walkable, vibrant neighbourhoods able to support local facilities while reducing car use. Already integral to the character of historic Borders settlements, high density, mixed-use development is not a new concept, While historically a response to the functional needs of early communities, the role of density and mixing of uses is central to sustainable placemaking today



4.3 Placemaking & design principles

Local area: existing/proposed

Density

Typically, housing densities in new development in the Scottish Borders is between 15 and 30 dwellings per hectare (dph). By considering densities around and upwards of 30dph where appropriate, new development can achieve numerous benefits:

Benefits of higher density living

Page 248	<ul style="list-style-type: none"> Enhanced social interaction within neighbourhood Passive surveillance opportunities: improved sense of security Reduced walking distances to local facilities Community diversity: opportunities for integrating a mix of housing tenures Enhanced sense of place: richer variety in spaces Protecting the Borders character: reflecting existing urban forms
Economic	<ul style="list-style-type: none"> Increased viability of local businesses: critical mass of population within catchment Attractive, vibrant places that attract new investment and visitors More efficient use of infrastructure Enhanced economic viability of development (higher no. units)
Environment	<ul style="list-style-type: none"> Reduced dependency on car travel More efficient use of land and infrastructure Increased energy efficiency Enhanced opportunities for public open space

Higher density housing can provide a strong sense of place, particularly when used in relation to the local context or as an expression of a key node or focal

point. Higher density housing can help to sustain local services: by grouping people closely together round local facilities, the catchment population for those services is maximised, thus enhancing the long term viability and walkable distances. Density of housing should be reflective of its location, and the traditional urban forms within towns and villages have a gradation of densities from urban centre to edge of centre to urban periphery and the wider rural landscape. The diagram below illustrates this general principle in the context of the Scottish Borders.

Higher density is not always appropriate: where local context suggests a lower density response, such as edge of settlement development, the principles of placemaking still apply (see diagram below). When higher density building forms are used, the buildings should be planned accordingly to ensure that the internal layout provides appropriate soundproofing.



Example of higher density housing: strong building line with pend access maintaining a frontage to the street at Ayton



Indicative plan and section showing the gradual decrease in density from urban core to rural landscape

4.3 Placemaking & design principles

Local area: existing/proposed

Large new development must avoid creating monotonous, homogenous layouts, ensuring a clear concept is delivered that distinguishes neighbourhoods through a range of densities, built form and layout. Higher density does not mean simply placing detached homes closer together – it requires careful consideration of housetypes, building groups, and the provision of appropriately proportioned space between buildings.

Mixed use

In the context of small towns throughout the Borders, one of the biggest challenges for new housing-led development is to create sustainable opportunities for other uses that can serve the wider community. As well as being integral to the character of a place, a mix of uses that includes housing, local shops, community facilities, community open spaces and employment is beneficial to the social, economic and environmental wellbeing of the community. The proximity of existing facilities and opportunities for provision of a new range of appropriate uses must be identified: this can inform the location of higher densities around key focal points. Opportunities for future integration of other uses in development should always be explored and accommodated wherever possible.

Mixed tenure

Mixed tenure housing further enhances the social cohesion of urban and rural communities, by providing accommodation for all, whether owner-occupied, rented or under shared ownership. In order to fully enhance social cohesion, the variety of tenure incorporated should always be evenly distributed across a community, and designed so as to be visually integrated into the urban realm.



Mixed use in Selkirk with flats above shops



Well integrated affordable housing, Newstead



Converted steading at Morebattle

Adaptable development

In order to be truly sustainable, places have to be able to adapt to future changes in aspects such as household size and composition, lifestyle changes and movement patterns (Urban Design Compendium, 2000). Designing a place that will be enduring requires a degree of flexibility within the building design and the overall physical framework. Flexibility to future changes of use should be considered, incorporated in appropriate locations creating opportunities for clusters of complementary uses, such as local shops/workspace/businesses to form a part of the neighbourhood.

Density & Use: a summary

- ✓ Consider the most appropriate density to the location: use dense building forms to shape spaces and highlight key frontages to the street
- ✓ Avoid the creation of 'gap teeth' housing where detached homes are simply placed closer together: density needs to be considered from the outset to get the best housetype and appropriate layout
- ✓ Consider opportunities for creating a mix of uses: whether a key frontage or small courtyard there may be appropriate scope for a corner shop/studio workspace in new housing development – if not now, then plan for future flexibility
- ✓ Strive to ensure a cohesive mix of tenure in providing affordable housing: avoid the creation of social segregation
- ✓ Consider the lifetime use of a building or neighbourhood: buildings should be able to adapt to changes in lifestyle, mobility or use

4.3 Placemaking & design principles

Local area: existing/proposed

OPEN SPACE

Objective: makes effective use of open space and creates meaningful spaces within the public and private domain

Traditional settlements in the Borders are characterised by intricate arrangements of routes and spaces. Our experience of these spatial sequences

is often what most defines our perception of a place, over and above our appreciation of individual buildings. It is therefore essential to consider the spaces between buildings as of equal importance to the buildings themselves – the character and identity of a neighbourhood or area is far greater than the sum of its parts. Planning for the spaces between buildings requires the same level of consideration

as that of building design - each space should have a specific function. Layouts should be designed with open space as integral to the overall arrangement, avoiding the creation of “left over” space between roads and buildings that is unlikely to be maintained. Open spaces must be sited and orientated to form attractive, sunny usable areas that are well-contained from prevailing winds. Supplementary Planning Guidance on Green Space provides the strategic context for new development.



Central open space forms a focal point in Swinton



New housing with central open space at Cardrona



Example of new development creating public open space that can serve the whole community [Simpson & Brown]

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4.3 Placemaking & design principles

Local area: existing/proposed



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Good example of well-proportioned private space with attractive boundaries that enhances the street scene (Lilliesleaf, Ayton)



Good examples of semi-private front gardens that enhance the street scene and provide definition of private from public. (St Boswells, Lilliesleaf)



Central public space well overlooked and framed by the buildings. (Peebles)

Private

Private spaces such as rear gardens should be appropriately sized, proportionate to the size and layout of the building. They should also be considered in relation to the wider area; if traditionally houses nearby have small linear gardens then an abrupt change in the rhythm of open space to built form will look out of context.

Semi-private

A clear distinction should be made between semi-private spaces, such as shared courtyard spaces and small front gardens, and adjacent public space. Traditionally these spaces were often transitional and served to provide a distinction between private internal space and public external spaces, often as a small (1.5-2m) planted or paved area to the front of the house. The boundary should be articulated as an attractive, long-lasting and clear edge that enhances the sense of enclosure within the street.

Public

The provision of centrally accessible and well overlooked public open space within a development can provide an important focal point and a recreational facility. The Borders has a distinct and largely intact heritage of village greens and squares, and new development can continue this distinctive legacy. Public open space should be centrally located, where people are likely to want to congregate, with facilities such as play equipment integrated into the overall design rather than as stand-alone elements. Pedestrian links should be integral in determining the location and layout of public open spaces.

4.3 Placemaking & design principles

Local area: existing/proposed

Trees and vegetation

The use of trees within the public realm can greatly enhance the quality of the microclimate as well as the recreational and visual amenity of a neighbourhood. Trees can enhance or define the character of an area, as a formal avenue or informal groupings within the street scene, or create landmarks or visual screening elements. It is essential to use trees of an appropriate specification in relation to their desired effect, from an early stage, and to ensure careful aftercare while they are established.

Maintenance

In planning for any public open space, the maintenance requirements must be an early consideration – successful space is dependent on successful management. Factoring arrangements for any non-adopted public space should be provided for, and appropriate arrangements for long-term management of these spaces should be made. Consideration of access for maintenance and species selection is also vital

Open space: a summary

- ✓ In large housing developments, incorporate appropriately scaled, meaningful public spaces that are overlooked by buildings
- ✓ Ensure the provision of appropriately scaled private garden spaces proportionate to the built context and household size
- ✓ Ensure both private gardens and semi-private spaces such as front threshold spaces are clearly and attractively defined by quality boundary treatments that relate to the building line.

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Hedging can provide integration into the wider landscape, near Peel



Avenue planting enhances quality of the road/street, Melrose



Established trees create an attractive setting for housing while new planting further enhances the setting, Peel

4.3 Placemaking & design principles

Local area: existing/proposed

Development and the local area: what to look for

To summarise, a design statement should demonstrate clear understanding of:

- Siting of development
- Layout and legibility
- Sustainable development
- Density and use
- Open space

New development should respond to the character of existing building(s)/neighbourhood within the local area



It is vital to demonstrate that new development is as resource-efficient as is practicable with a layout that 'designs out' energy needs. Opportunities for renewable energy sources should be explored at the outset, and an energy statement provided



Development should be sited sensitively and with careful consideration of orientation and microclimate, overall composition of massing and roofline, key landscape features and existing access networks that can anchor new buildings in their context



New development should utilise all opportunities for increasing density and potential for current/future mixing of uses, in order to create sustainable places to live that relate to the existing built character of Borders towns, villages and rural buildings



Due consideration must be given to treatment of site boundaries, designed to ensure visual integration with the surrounding landscape/urban context. This requires the use of high quality materials and landscape planting of sufficient maturity and scale



A strong hierarchy of usable public, semi-public and private spaces that are well-defined should be incorporated as appropriate to all new development. Public open space should be located where it is readily overlooked to encourage passive surveillance



The townscape/landscape context of any new development must be considered from the outset to ensure the final design responds to key views, e.g. approach views/oblique views from adjacent streets and rights of way



New development must be designed to provide a clear sense of character and identity, founded upon streets and places that are defined by buildings before or alongside the road layout



4.4 Placemaking & design principles

Proposed buildings

'..urban planning, contemporary architecture and preservation of the historic urban landscape should avoid all forms of pseudo-historical design, as they constitute a denial of both the historic and the contemporary alike. One historical view should not supplant another, as history must remain readable, while continuity of culture through quality interventions is the ultimate goal'
UNESCO Vienna Memorandum, 2005

DESIGN APPROACH

The Borders has a wealth of vernacular buildings and inspirational architecture that is a product of its diverse historic and landscape context. From the pantile cottages on the coast to the large mill buildings of central Borders and the Burgh towns throughout, there are contextual cues that should form the basis for any design response in order to ensure the unique character is retained and enhanced. In understanding the context, new buildings can respond to this in an appropriate manner.



Contemporary new build in Eyemouth

'Traditional' vs. 'contemporary'

New housing design is often influenced by the latest architectural fashion or fad to varying degrees. This veers between the contemporary and traditional, and both are not without their challenges. 'Contemporary' forms without a firm design intent or contextual understanding can often be ill-fitted to their surroundings. Equally, attempts to reproduce historic styles with modern materials can result in a weak interpretation of the original character. All new housing should therefore seek to be clear and honest in its aspiration – the concept for any new design should be made clear from the outset. Regardless of the approach adopted, new housing development should always respect the most positive defining characteristics of the local area.



Traditional Steading at Morebattle

4.4 Placemaking & design principles

Proposed buildings

ENERGY EFFICIENT DESIGN

Objective: maximises energy efficiency whilst minimising use of unsustainable resources within buildings

Designing out energy needs

As a baseline objective, in order to be most efficient the energy requirements of a building for heating, cooling, and lighting should be minimised. Scottish Borders Council Supplementary Planning Guidance 18: Renewable Energy (June 2007) sets out in detail the methods of achieving this. The most direct and cost-effective route to achieving this is through maximising insulation and draught proofing and reducing energy demand through solar gain and careful consideration of microclimate.

Building form

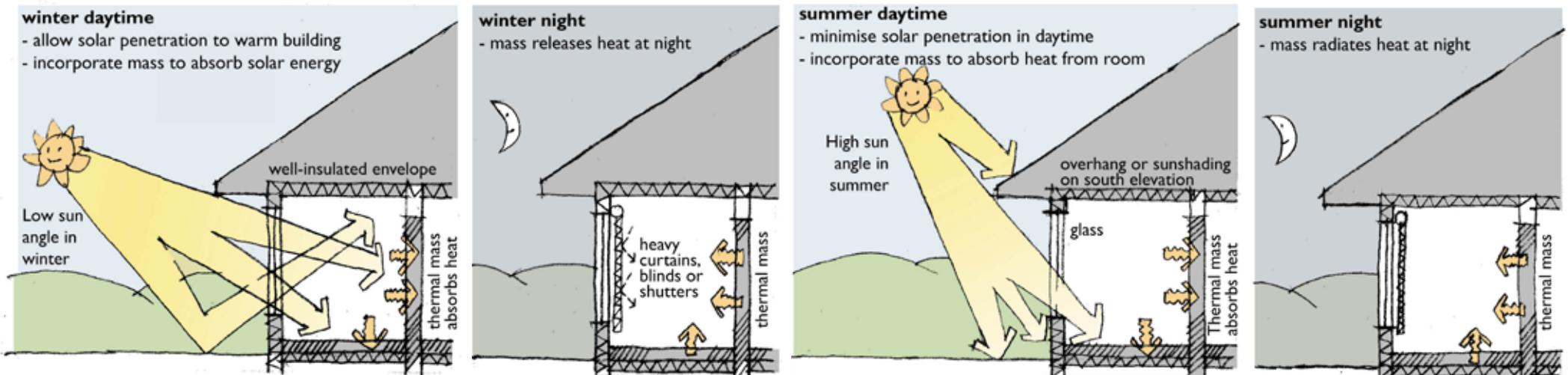
- Relatively shallow floorplans facilitate good levels of daylight-penetration within the building, thus minimising the need for daytime artificial lighting, and enhancing natural ventilation.
- The orientation of rooms should relate to aspect and the building orientation, with bedrooms on the north side and living accommodation on the south side to receive maximum sunlight.
- Window openings should make the most of opportunities to maximise natural daylight and solar gain in the winter whilst allowing for appropriate shading in the summer (using features such as *brise-soleil*).
- The building profile should be designed to ensure that natural convection currents can ensure optimal internal conditions.

- An adaptable floorplan, which allows for future flexibility and rationalisation of the internal space, will also enhance the lifetime sustainability of a development.

Building materials

The building envelope makes a significant contribution to energy efficiency:

- Structural elements - such as walls or floors - that use heavyweight materials (such as earth, stone or clay) which contain a high thermal mass are very effective, as these regulate internal temperatures by absorbing heat during the day, storing and releasing it during the night.



4.4 Placemaking & design principles

Proposed buildings

- Lighter weight materials such as timber allow for more rapid heating and cooling of buildings, which is more responsive to external temperature variation.
- Building design that incorporates elements of both heavyweight and lightweight construction - in response to the microclimate and needs of the end-user - can achieve the best possible balance of passive solar design when combined within a well-designed, energy efficient building form.
- Where there are large areas of glass, appropriate detailing is essential to reduce the need for supplementary heating and shading. The building materials and structure should always be selected for minimum embodied energy and maximum lifespan.

Designing with sustainable resources

Wherever possible, locally produced materials should be utilised, e.g. timber components, locally quarried material or straw bale walling, which have less distance to travel and therefore demonstrate low embodied energy, the energy that is used in the 'whole lifecycle' of a material and its production, manufacture and transportation. Where existing buildings and structures on site are not able to be reused, the raw materials should wherever possible be retained and reused. The materials used for the external paved surfaces should be considered within the context of their embodied energy, durability and maintenance regime.

Designing for renewable energy sources

The use of renewable energy is covered in detail in Supplementary Planning Guidance 18: Renewable Energy (June 2007), which sets out the basis upon which Scottish Borders Council approach opportunities for renewable energy. As part of the Scottish Borders Woodland Strategy, opportunities for renewable energy from Biomass/CHP are also being promoted as a way of expanding the market for local resources.



House at Ayton utilising solar energy



Timber house, Greenlaw: winner of Scottish Borders Sustainable Design Award 2009 (Icosis Architects)



Recently built Denholm Primary School, following sustainable design principles.

4.4 Placemaking & design principles

Proposed buildings

RELATING TO THE SITE

Objective: creates a building or buildings that reflects a detailed understanding of the nature and characteristics of a site.

The careful siting of buildings within their individual plots is integral to both contextual and site-sensitive design. The siting and scale of proposed buildings should be proportionate to the plot size and relate to the nature of the site as identified in the site analysis.

Landform

Where topography presents a constraint, this represents both a challenge and an opportunity for innovative building design. The creation of a development platform should be in harmony with the site as much as is practicable relative to the landform, avoiding excessive under-building and the creation of excessive cutting and filling - instead consider split-level housing, building with the slope or utilising terraced garden space.

Site features

How the site is enclosed, the nature of adjacent land uses and existing on-site features all form a 'baseline' for designing a new site layout. Features within the site, such as existing built elements, tree planting and attractive boundaries should be considered within the design process. The retention and setting of valuable features, and the reuse of any demolished structural materials should inform the final siting and building design.

Site arrangement

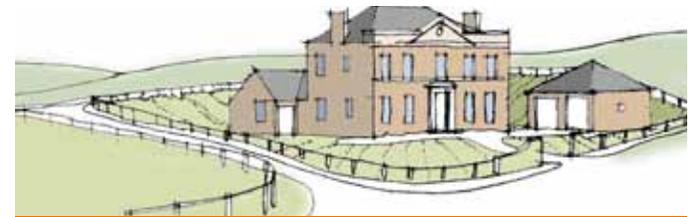
The buildings and open spaces within an individual plot should be arranged to create functional spaces with a clear transition from public to private space. Buildings should be oriented to strongly address the site frontage, relating to adjacent properties and the street onto which they front in the urban context. The site layout should provide sufficient garden space relevant to the size of the house and should relate the function of external spaces to internal spaces, with a clear visual relationship between living rooms and both the street frontage and garden space.

Views from building(s)

The views from within proposed buildings should be identified and are key to determining setbacks from adjacent buildings, orientation, positioning of public open spaces, privacy, and maximising site conditions. On sloping or elevated sites the key views from the site can help determine the site layout and internal layout of public rooms.



Building form working with the site features and landscape backdrop, Oban



Poor response to the site layout and landform (Allan Swan, Bain Swan Architects)



Positive, responsive approach to the site layout, working with the landform and creating a positive frontage (Allan Swan, Bain Swan Architects)

4.4 Placemaking & design principles

Proposed buildings

RELATING TO THE TOWNSCAPE

Objective: development fits well within wider townscape

New building(s) set within an existing street or building group should demonstrate a positive relationship to the overall built fabric, and appear as part of a 'family' of buildings.

Built context/roofscape

In considering an individual building, the wider streetscene and grouping of buildings in which it is situated should be considered holistically, particularly features such as;

- frontage - existing building line, setbacks, and storey heights
- boundary treatments within the wider area
- plot width/plan depth - existing building/plot proportions



Infill development must respond to the existing rhythm of built frontage, roofline and storey heights (Allan Swan, Bain Swan Architects)

The relationship of the building to the street is vital to the overall quality of the public realm - every building that is publicly visible has a part to play. Even during the detailed design process, it must be demonstrated that the proposed relationship of the building to its wider setting has been considered, particularly in the visual amenity of the townscape or landscape setting. The resolution of detailed design issues can be helped greatly by revisiting an area-wide context appraisal of the built character to identify local patterns of building line, setbacks and plot proportions.

Roofscape

The roofscape of the street or group into which development is proposed should be considered as one overall composition, and the rhythm and variation created by roof pitch, storey heights, chimneys, materials and colour, within the settlement or street should be studied to inform the final building design.

Views

The visual axis of the street, and how the building elements relate to this must be understood at the building design stage. Depending on the location (mid-terrace, corner sites, on main streets or small lanes) the building will be visible in a different way and will have a different role to play. Equally, the view towards the neighbourhood or settlement, including the roofline, building colour and overall massing, should be considered integrally to the design process.

Frontage

The frontage design within the streetscene should be considered holistically. Boundary treatments must be considered (and illustrated) integrally to elevational views, and features such as hedges and walling should be incorporated wherever clear delineation between public and private is desired.



Development in Kelso that relates to existing roofscape

4.4 Placemaking & design principles

Proposed building

SCALE , MASSING AND FORM

Objective: creates a balanced whole with a clear design concept

The principles of scale, massing, form and proportion are very important aspects of development. Some new houses can look out of place and inappropriate, even though they use materials and architectural features based on traditional buildings within the area. Often the reason for this is because their basic form and size is out of keeping with their location. Although it would not be appropriate to copy the design of traditional buildings, it is important to have an understanding of their scale, massing and form, in order for new development to complement them.

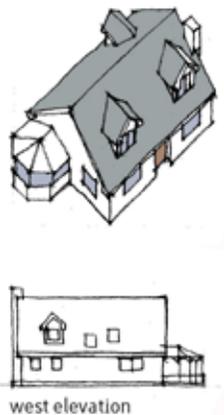
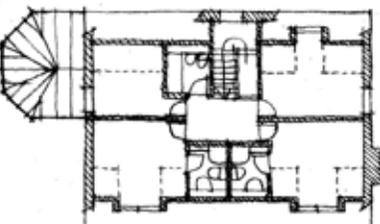
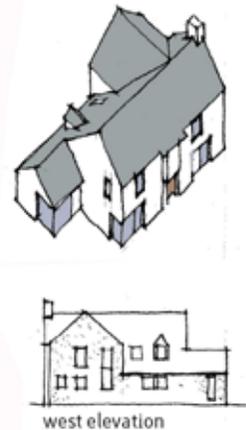
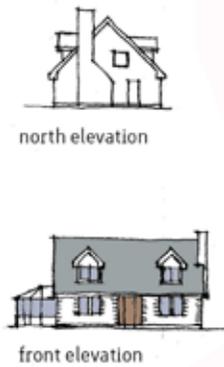
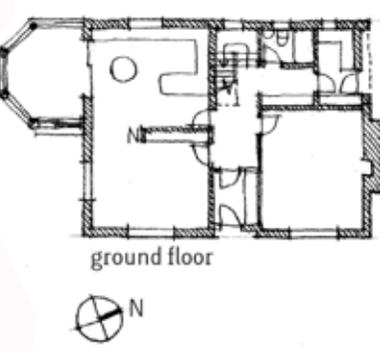
Form/ Massing

New buildings should be simple in form, relating to traditional building forms in the area. Simple vernacular rural dwellings were generally single storey structures with a rectilinear plan, usually no more than one room deep, with a gable end or hipped roof. Over the years, this form evolved as ancillary buildings and extensions were added to the side or rear, creating forms such as 'L' shaped, 'T' shaped or 'U' shaped, and additional storeys were added.

Plan proportions: frontage width versus plan depth

Buildings traditionally were designed with a proportionate balance between plan depth and frontage width. By considering the proportion of frontage width to plan depth in terms of overall balance and what is found in the local context (alongside other factors of detailing and finishes), new housing design can contribute to an overall sense of place and the wider character of the Scottish Borders rather than the standardised mass-produced suburban housing that lacks this relationship.

Traditionally, gable widths did not exceed about 6 metres. This in turn created a typical roof pitch and balanced proportion of walling to roofing in elevational views. Modern housing can appear bulky and 'out of scale', lacking this balance of plan depth to roof mass, resulting in visually dominant roofs. New housing design should seek to achieve a balanced proportion between plan depth, roof pitch and frontage width, both in urban and rural contexts: a narrow plan form with a plan depth of 6 metres can often give a harmonious form. This should relate to context and also present opportunities to work with the landform. If more accommodation is required, larger buildings can be designed to read

Standard response	The same plan is projected up in 2 different ways:	More appropriate form
 <p>west elevation</p>	 <p>first floor</p>	 <p>west elevation</p>
 <p>north elevation</p> <p>front elevation</p>	 <p>ground floor</p>	 <p>north elevation</p> <p>front elevation</p>
 <p>south elevation</p>		 <p>south elevation</p>

A study showing how even a modern 'deep plan' form can be adapted to provide more appropriate results

4.4 Placemaking & design principles

Proposed building

as smaller elements in terms of massing to give a more human scale rather than one bulky building mass.

Roof pitch

The proportionate balance of roof massing to the building envelope is critical to the overall sense of proportion. Traditionally buildings in the Scottish Borders were designed with a gabled or hipped roof pitch of 40-45 degrees, due to the constraints of building materials and techniques. Together with the traditional building proportions this has produced the characteristic form of many Borders buildings. Modern buildings can work with such proportions in the local context, either as a direct reflection or a contemporary interpretation of the traditional form. In a development of more than one dwelling, the collective group of roof forms should be considered, and the overall visual composition and rhythm of the roofline designed as a whole.

Scale

The building size should be relative to its site and surrounding buildings. Larger houses need more space around them; and would sit uncomfortably located directly next to a traditional single or storey and a half storey cottage.



Appropriate roof pitch applied to recent housing in Kelso, also using well-proportioned gable windows to provide overlooking [Smith Scott Mullan Architexts]



Recent modern development that has re-interpreted traditional massing and plan depth (top: the Drum, Bo'ness [Malcolm Fraser])



Lauder [Farningham McCreddie]

4.4 Placemaking & design principles

Proposed building

PROPORTION

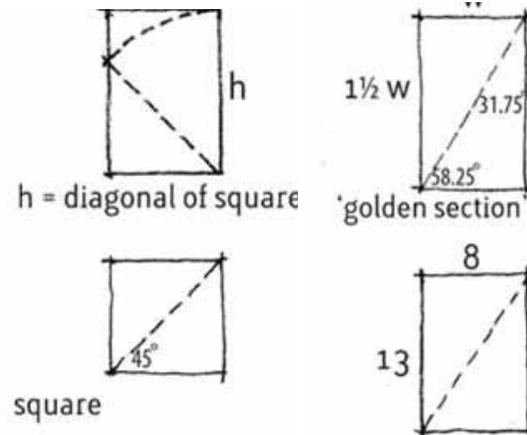
Objective: Create a sense of unity within the building where the individual elements work in harmony with each other

Proportion is a fundamental element in architecture. It refers to the relationship of one part of a building to the other parts, and to the building as a whole. In order to create good design, the proportion of individual elements in relation to each other must work in harmony. This means that the building envelope, window/door openings, eaves height and roof ridgeline should all work in balance with each other. For example if the window openings appear too small or with insufficient space between that and the eaves height, the building will look out of balance. Equally if the roof ridgeline is set too high or low in relation to the building height/eaves height, the building may look 'top-heavy'.

Rules of proportion

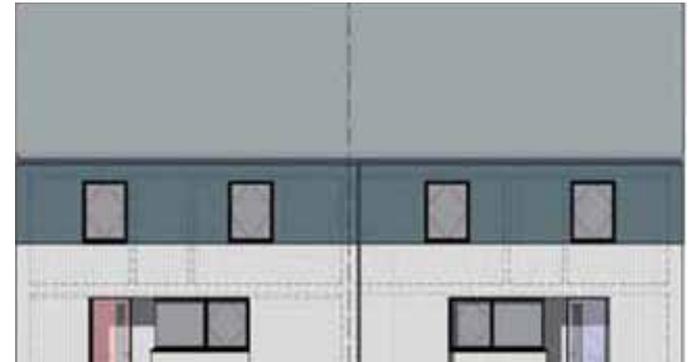
Getting the proportions 'right' can greatly enhance the success of a building design, creating a sense of unity and order. Whether symmetrical or assymetrical, the overall composition of building design should seek to create balance and proportion:

The 'golden ratio' creates harmony and proportion, based on one third to two thirds of a whole giving balance. The 'golden spiral' provides a harmonious geometry founded on the golden ratio formula. This ratio has produced the classic proportions of architecture from Roman and Greek times, through to modernist design of the 20th century.



The golden ratio

Elevational design centred on a vertical axis around which the other elements are balanced creates a natural balance and sense of connectedness to the whole. The proportions used should relate to the building structure, and the materials used - for example, the structural proportions and maximum span or depth of a stone lintel is very different than a steel lintel because of different structural properties. Integral to getting the proportion 'right', good design should be simple and honest about the materials used.



Well-proportioned elevation: new housing at Swinton (Oliver Chapman)



Building elements working together in proportion (Perthshire) (Malcolm Fraser Architects)

4.4 Placemaking & design principles

Proposed building

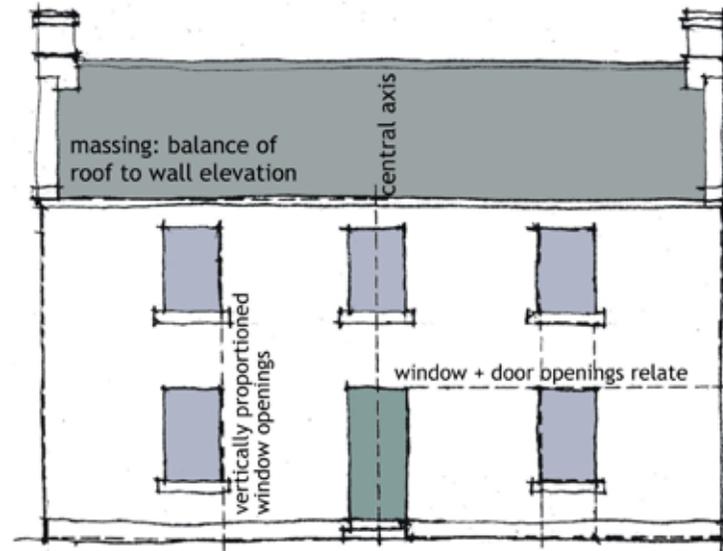
Proportion in the Scottish Borders

Traditional houses maintained a balance of proportions between the walls and openings (door and windows) across a range of factors:

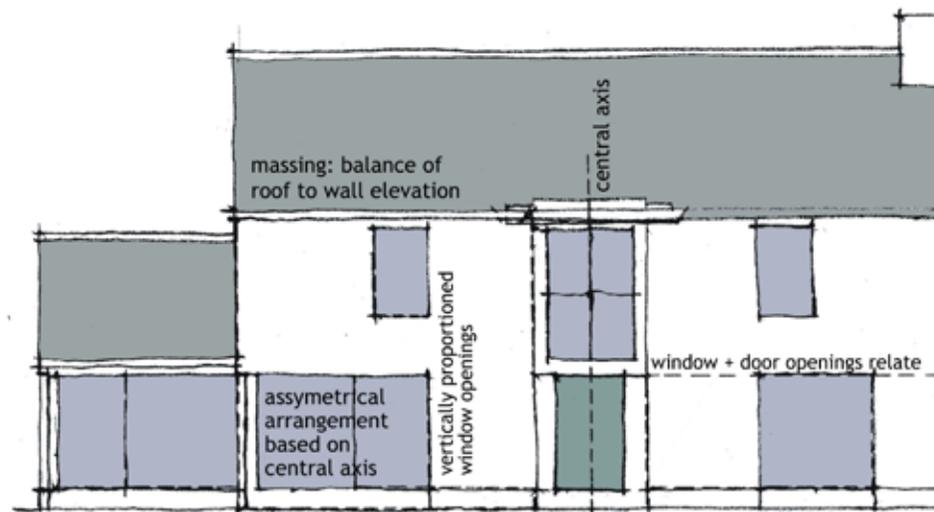
- Height of the building relative to its openings, with vertical emphasis to the windows (horizontal windows can be too dominating on the elevation)
- High solid to void relationship (i.e. greater wall surface area to windows and door opening area)
- A simple arrangement of features on the elevation

It is essential to get the proportion right in new development, providing the right balance between wall and windows. Eaves should be as low as possible, and with two-storey buildings, the distance between the ground and first floor windows should be minimised.

Traditionally the buildings throughout the Scottish Borders have been characterised by simple forms and proportion. These simple relationships underpin the character and sense of place of the Borders built character, and where development is within an existing built area, new buildings should respond to existing building lines, eaves heights and lintol heights. By relating to existing features new buildings can relate positively to their surroundings.



Typical 18th/19th century frontage



Use of similar proportions to produce a well-balanced contemporary elevation

4.4 Placemaking & design principles

Proposed building

MATERIALS & COLOUR

Objective: utilises an appropriate palette and quality of materials and colour tones when viewed within the wider context

Alongside the standardised house-types of recent years, the inappropriate use of colour and materials in new building in the Scottish Borders has eroded the subtle interplay of buildings in their landscape. In order to reflect the local character, the use of colour and materials should (unless in specific circumstances) be sensitive to the indigenous materials and hues of the surrounding landscape. While traditional materials may not be directly viable, the use of stone detailing, individual walls, or as a boundary treatment can greatly assist in anchoring a new design into the urban or rural context. Any materials that are available on site, like former stone structures, should be reused wherever possible. New design should avoid excessive and arbitrary changes in material – a change in material should have a clear rationale and/or reflect a change in structural function.

Materials

Throughout the Scottish Borders, local building materials give each area a unique character. In order to reinforce this character, it is essential to first identify the local materials palette that exists then establish how proposed development can reflect this in the design. Materials used in new developments should be of a high quality, sustainable and ideally from local sources. Consider either incorporating adjacent traditional materials, or carefully considered material choices as suggested below:

Use of Timber

The use of timber in buildings within the Scottish Borders can provide numerous benefits, particularly if it is sourced locally. Timber as an external finish can provide a high quality, natural finish provided it is sensitively designed and detailed. Timber used in such a way can work well when used either on its own or alongside other materials such as stone or render. Scottish Borders Council have produced Supplementary Planning Guidance on The Use of Timber in Sustainable Construction, currently in draft format, that provides more detailed guidance.

Colour

The choice of colour makes all the difference to the impact of a house on the rural landscape. The most important principal is to use colours which blend in with local traditions and surrounding buildings. Contrasting use of a strong colour, e.g. for the door or a particular element on the façade provides visual interest and can greatly enhance a simple design. Contrasting colour can also be used, for example, on render surrounds to windows and doors. The use of a strong colour for external joinery on a small development can be used to unify the development. Coloured finishes should be considered in the context of the building's wider setting - the impact of inappropriate colours can be far-reaching as part of the wider Borders visual character.

Preferred material choices:

Roof

- ✓ Reclaimed slate, colour: blue/grey
- ✓ Artificial slate (fibre cement), colour: grey
- ✓ Plain concrete tiles with a flat profile, colour: grey
- ✓ High quality metal sheeting (eg zinc, lead)
- ✓ Corrugated metal roofing (to match traditional corrugated iron roofing)
- ✓ Timber shingles/ boarding
- ✓ Turf/Thatch

Walls

- ✓ Traditional wet dash render
- ✓ Lime based render
- ✓ Polymer render
- ✓ Natural local stone
- ✓ Drystone walling
- ✓ Timber cladding (horizontal or vertical timber boarding)
- ✓ Corrugated metal cladding

Doors/ Windows

- ✓ Timber framed windows

Inappropriate Material Choices:

- ✗ Roof Red pantiles (except in specific areas, for example to compliment the traditional pantiles of Berwickshire)
- ✗ Interlocking concrete tiles
- ✗ Walls Dry dash render
- ✗ Facing brick
- ✗ Artificial stone as a cladding material

4.4 Placemaking & design principles

Proposed building

Traditional materials

Materials for dwellings were traditionally sourced from the local area, unless the resources were not freely available locally or the dwelling owner was wealthy enough to pay for imported goods. The following provides an introduction to the types of materials that have been traditionally used in the Borders, that have helped characterise the local identity of the towns and villages.

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Slate is probably the most common roofing material in the Scottish Borders evident today. The majority of it originally came from North Wales, however slate now comes from much further afield, including China and Spain which have their own embodied energy. The quality and colour of the slate is influential to the roofscape within towns and blue/purple Welsh slate is generally the dominant material in town centres.



Traditional slate roof

Pantiles are generally seen only in and around Berwickshire, more closely associated with the east coast settlements. These are traditionally clay tiles shaped as an S where the downturn hooks into the upturn of the neighbouring tile. These are sometimes known as “Flemish tiles” as they are believed to have originated from the ballasts of Dutch merchant boats.



Pantiles , Eyemouth

Thatch was historically the main roofing material, yet there are now very few examples of thatched roofs. The term is now used to describe those made from reeds, straw and rushes. Thatch gradually went out of use in many parts of Scotland due to the associated fire hazards. There are examples of thatched roofs at Yetholm and Denholm but most Borders settlements no longer retain this feature.



Thatch, Denholm

4.4 Placemaking & design principles

Proposed building

Sandstone is used prolifically throughout the Borders with local quarries supplying a wealth of colours and textures: vivid reds and yellows and cream coloured buildings are evident in settlements such as Melrose, St Boswells and Jedburgh, in the Central Borders, and in Greenlaw and Coldstream, in Berwickshire.

Whinstone or greywacke is a hard, dark grey rock quarried locally in the Scottish Borders. As a hard rock, it demands a skilled stone mason to build with it. Buildings were therefore often harled until mechanical cutting arrived in the 19th century. In more eastern areas, greywacke was often overlain with red or yellow sandstone as it was more easily worked. Windows, doorways and quoins were frequently sandstone. There are a variety of different colours produced by greywacke including dark grey, green and blue.

Harling is a rough form of render made up of aggregate and binding material such as sand and lime. Traditionally it was dashed or hurled on to the masonry wall leaving a rough finish, arguably to protect stone work from severe weather conditions, particularly when the wall cores were clay or mortar bound whinstone rubble. The coating also produces a decorative textured finish that is distinctive and can be colourful.

Ashlar is a term used to describe any type of dressed stonework. The stone blocks have squared sides and corners and are laid regularly with fine joints. The stone face is generally smooth and can sometimes have decorative treatment.

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Sandstone, St Boswells



Whinstone



Harling, Ancrum



Ashlar, Galashiels

4.4 Placemaking & design principles

Proposed building

DETAILS

Objective: Incorporates finishes and details that are of quality and integrity within the Scottish Borders context

Getting issues such as scale, massing, form and proportion right at the outset, means the detail can fall more easily into place. New buildings should avoid overly complex or fussy detailing that detracts from the overall appearance. As well as reflecting the local vernacular, simple forms are economically efficient, thus allowing for incorporation of appropriately high quality materials or detailing that will enhance the overall quality of finish and durability.

The careful consideration of contextual detailing and finishes can help anchor new development into the Borders context. Even where standard housetypes are proposed, the external finish and detailing can be simply and effectively adapted to better reflect the local area. Features such as soffits, barge boards, guttering and chimneys can all make a significant difference and care should be taken to ensure that these do not simply follow 'standard' housetype detailing that does not contribute to the distinctiveness of the local area.

What to Avoid:

- ✗ Unnecessary details
- ✗ Artificial decorative features which are not related to the context and locally appropriate tradition e.g. artificial stone features such as quoins and door surrounds
- ✗ Heavy verge/ eaves details
- ✗ Over large dormers
- ✗ Heavy detailing at porches
- ✗ Dummy columns at entrance porches

Windows/Dormer windows

The location and proportioning of openings in the facades is as important as the relationship between walls and roof. The proportion of window openings to wall should be dictated by a number of factors. Window design in new development should always be aimed at balancing solar gain/natural light against energy efficiency. In areas where the built character is defined by nearby/adjacent historic buildings or conservation areas, new development should harmonise with the existing heritage. Traditionally window openings were in proportion to the wall area and other building elements, with a vertical emphasis. When using contemporary sized windows, the traditional relationship between walls and windows should be maintained, so that large areas of glazing are counterbalanced by large areas of wall. The range of opening sizes should be kept to a minimum and the shape of openings simple. Window division should be simple, either exactly symmetrically or in proportion. Simpler patterned windows can more easily accommodate double glazing. The colour of windows is important and, although white is commonly used today, other colours can be. An "estate" colour can be created for an external joinery to help characterise a new development. Modern materials such as aluminium can also be used, depending on circumstances.

There are a variety of different dormer windows traditionally used in the Scottish Borders. These range from simple wall head dormers with slate roofs to "catslide" dormers and more complex or ornate dormers. Dormer windows should always align with the ground floor elevation, relating to ground floor windows and doors. Normally, double width dormers should be

avoided. The bulk of dormers can be visually reduced by the colour: for instance, painting the external joinery a dull grey to match the slate roof.

What to Avoid:

- ✗ Horizontal emphasis on windows
- ✗ Low solid to void relationship between openings and wall
- ✗ Inappropriate window division of unequal proportions
- ✗ Mock traditional window design
- ✗ Stick-on astragals
- ✗ Box dormers
- ✗ Double width dormers
- ✗ Wider dormers than windows/openings in the floor below
- ✗ Dormers width rise above the main ridge



New Development at Skirling

4.4 Placemaking & design principles

Proposed building

Doors and Porches

Doors should be of simple design, in timber, either vertically boarded or panelled, with or without small areas of glazing. The provision of letter boxes, door bells and appropriate level access should be considered as part of the door design. Larger door openings, such as patio doors or “French” windows are usually best kept as simple as possible and certainly multi-paned doors should generally be avoided.

Traditionally open or closed porches have been used and provide shelter to a doorway. The use of porches or canopies on new developments can provide shelter to a doorway, also variety to the streetscape and provide storage. The scale and form of porches should reflect local style and the size should be kept as small as possible.

What to Avoid:

- ✗ White PVC as a material
- ✗ Cluttered or over decorated doors
- ✗ Large porches with heavy detailing

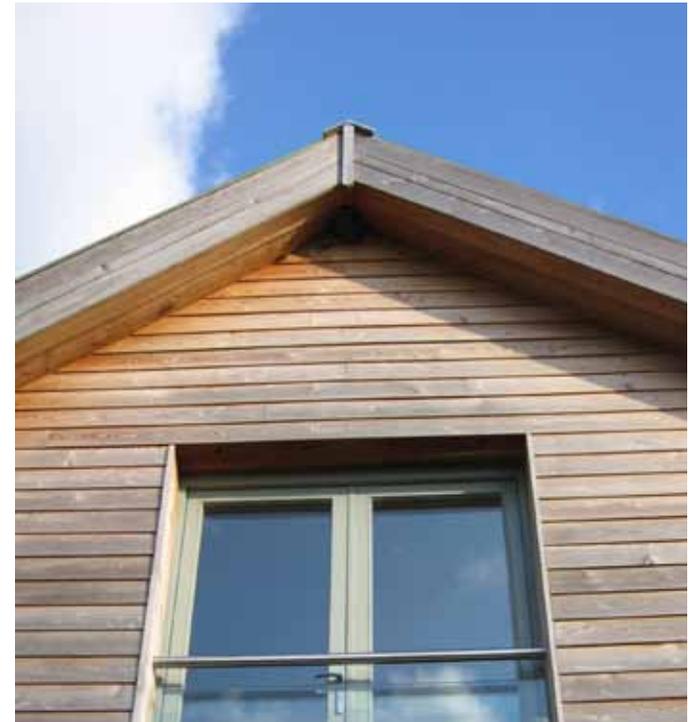
Roofs

The thickness of modern roofs are becoming increasingly deeper due to increasing levels of insulation. In order to avoid thick clumpy details at the edges of roofs, considerable care must be taken when detailing verges and eaves. Many new buildings are constructed with a roof that oversails the walls, resulting in heavy eaves and verge details. The junction between the wall and the roof in traditional buildings was historically kept very simple with a very slight overhang of slate covering the wall head. Box verges and eaves should be avoided and traditional methods should be respected. Fascia boards are best avoided if possible but if used should be painted to match the general wall colouring.

The use of rooflights provided additional internal light in traditional buildings. Care is needed to ensure the appropriate size and location on new development. Vertical proportion is better and there should be a clear relationship with the windows. A variety of “conservation” pattern rooflights are now available which replicate the proportions of traditional rooflights and can be particularly successful for developments in conservation areas.

What to Avoid:

- ✗ Box soffits, verges & eaves
- ✗ Fascia boards on closed eaves



Roof detail, Greenlaw (Icosis Architects)



Example of door design at Wynhead, Lauder (Farningham McCreadie)

4.4 Placemaking & design principles

Proposed building

Chimneys

Chimneys can be a very important design element of a house. They have the potential to add substance and presence to the appearance of a house. They should be located on the ridge of the house, with and flush with the face of the wall when located at the gables. Chimneys however, may not be suitable on some forms of new development, where a simple flue may be more appropriate. These should normally be positioned clear of the ridge.

What to Avoid:

- ✗ Chimney stacks which do not emerge on the ridge

Other issues

There is a demand for modern developments to incorporate satellite dishes and TV aerials but these elements, especially if installed post completion of the scheme, can adversely impact on the overall appearance of the development. Early advice from specialist installers can assist in clarifying reception conditions and whether the external aerials are required. Satellite orientation is a fixed requirement but dishes should avoid being located on principal elevations.

Traditionally rainwater goods were made from cast iron or occasionally zinc. Modern materials are often used including UPVC and aluminium as well as cast iron. Rhones or gutters are best if understated and painted a dull colour and merge with the roof or can be painted to match an overhanging eaves detail. Moulded gutters can be used as an architectural device to add interest to a wall head. Care is needed in locating rainwater conductors or down pipes to avoid unnecessary clutter or destroying a symmetrical elevation. Conductors can be located on set backs or off main elevations.

What to Avoid:

- ✗ Satellite dishes and aerials on principal elevations
- ✗ Cluttered arrangement of conductors, especially on principal elevations
- ✗ Poorly positioned expansion/contraction joints



New house near Stow

4.4 Placemaking & design principles

Proposed building

BUILDINGS : WHAT TO LOOK FOR

To summarise, a design statement should demonstrate clear understanding of:

- Relating to the site**
- Scale, massing and form**
- Proportion**
- Materials and colour**
- Details**
- Relating to the townscape**

New development must seek to achieve the following objectives:

New buildings are expected to 'design out' energy needs and utilise sustainable resources wherever possible



The scale, massing and form should seek to create a sense of balance and proportion, based on a clear concept and design rationale



New buildings should be designed to with a full understanding of the site characteristics



New design should utilise materials and colour tones that relate to the wider context.



The building design must relate to the wider built and visual context



Development must ensure finishes and details are of a quality and integrity that reflects the Borders character.



4.5 Placemaking & design principles

Summary

Design objectives

As a reference tool, the guidance set out in the previous pages is summarised below as a checklist table against which all new development can be assessed. This should form a point of reference through the design process and in producing a Design Statement. This is tied back to Policy G1 in the Local Plan in section 5.

Factors of design	Considerations	Checklist criteria	
Wider area			
Landscape Character	<ul style="list-style-type: none"> - Landscape type - <u>Landform</u> - Natural Heritage 	Creates development that acknowledges the local variation throughout the Scottish Borders Region	✓
Views	<ul style="list-style-type: none"> - Long distance views - Moving through the landscape 	Relates positively to long, medium and short distance views from key locations (e.g. public footpaths, views from major roads)	✓
Settlement pattern	<ul style="list-style-type: none"> - Existing pattern of built development: Urban Rural 	integrates well into pattern of settlements rural buildings	✓
Infrastructure + access	<ul style="list-style-type: none"> - Infrastructure - Access 	Is appropriately scaled and sited to maximise use of existing roads/rail/ services opportunities	✓
Local Area			
Built character	<ul style="list-style-type: none"> - Urban structure - Built form - Built Heritage 	Sits well within surrounding built form (architectural style, <u>urban grain</u> , etc)	✓
Siting of Development	<ul style="list-style-type: none"> - <u>Landform</u> - Microclimate - Views - Integration + access - Landscape structure - Settlement boundaries 	Creates a place that fits within the landscape and built context	✓

4.5 Placemaking & design principles

Summary

Factors of design	Considerations	Checklist criteria	
Sustainable development	<ul style="list-style-type: none"> - Building orientation - Shelter - Sustainable resources - Water handling - Recycling 	Is efficient as is practicably possible in the use of natural and man-made resources	✓
Density and Use	<ul style="list-style-type: none"> - Density - Mixed use - Mixed tenure - Adaptable development 	Creates a usable place with strong sense of local identity that is adaptable to future needs	✓
Open space	<ul style="list-style-type: none"> - Private space - Semi-private space - Public - Trees + vegetation - Maintenance 	Makes effective use of open space and creates meaningful spaces within the public and private domain	✓
Layout and Legibility	<ul style="list-style-type: none"> - Legibility - Streets - Parking - Frontage - Boundary treatment - Accessibility 	Creates streets and places that are distinctive and legible with a clear sense of identity.	✓
Building Design			
Energy Efficient design	<ul style="list-style-type: none"> - Designing out energy needs - Designing with sustainable resources - Designing for renewable energy sources 	Maximises energy efficiency whilst minimising use of unsustainable resources within buildings	✓

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4.5 Placemaking & design principles

Summary

Factors of design	Considerations	Checklist criteria	
Relating to the site	<ul style="list-style-type: none"> - Site arrangement - Site features - <u>Landform</u> - Views from the building 	Creates development that relates well to plot boundary/site frontage/site features/ <u>topography</u>	✓
Relating to the townscape	<ul style="list-style-type: none"> - Built context/roofscape - Views - Frontage 	Contributes positively to the overall <u>townscape</u>	✓
Scale, Massing + Form	<ul style="list-style-type: none"> -Form/ <u>Massing</u> -Roof pitch -Scale -Proportion 	Creates a balanced whole with a clear design concept	✓
Materials	<ul style="list-style-type: none"> - Materials - Colour 	Utilises an appropriate palette and quality of materials and colour tones when viewed within the wider context	✓
Details	<ul style="list-style-type: none"> -Windows/ Doors -Doors -Roofs -Chimneys 	Incorporates finishes and details that are of quality and integrity within the Scottish Borders context	✓

5.0 Design Action Points

5.1 Design action points

Introduction

Based on the objectives set out in section 3, the following sheets provide a checklist of considerations in relation to specific development types as defined by size and location:

The following table provides a quick point of reference outlining the key guidance sections that relate to the advice contained within each worksheet:

Local Development:

- Single house: in the urban or rural context
- Building Group: up to 10 houses in the countryside
- Urban infill: up to 10 houses in a town or village
- 10-49 houses on or near the settlement edge

Major Development:

- 50 or more houses on or near the settlement edge

These are intended as a guide, setting out a suggested process and a series of checkpoints which should be considered as part of the planning and design process. The information should also form a guide as to what to include in your design statement.

The sheets are designed so that they can be printed off as double-sided 'worksheets' as a basis from which to start.

KEY



Major consideration



Key consideration

Development type		Single house: in the urban or rural context	Building Group: up to 10 houses in the countryside	Urban infill: up to 10 houses in a town or village	10-49 houses on or near the settlement edge	50 or more houses on or near the settlement edge
Placemaking and design factors						
Wider area						
Landscape character	-Landscape type -Landform -Natural Heritage				✓	✓
Views	-Long distance views -Moving through the landscape	✓	✓	✓	✓	✓
Settlement pattern	-Existing pattern of built development: Urban Rural			✓	✓	✓
Infrastructure and access	-Infrastructure -Access	✓	✓	✓	✓	✓
Local area						
Built character	-Urban structure -Built form -Built Heritage		✓	✓	✓	✓

5.1 Design action points

Introduction

Development type		Single house: in the urban or rural context	Building Group: up to 10 houses in the countryside	Urban infill: up to 10 houses in a town or village	10-49 houses on or near the settlement edge	50 or more houses on or near the settlement edge
Design considerations						
Page 225	Siting of Development <ul style="list-style-type: none"> - Landform - Microclimate - Views - Integration + access - Landscape structure - Settlement boundaries 	✓	✓	✓	✓	✓
	Sustainable development <ul style="list-style-type: none"> -Building orientation -Shelter -Sustainable resources -Water handling -Recycling 	✓	✓	✓	✓	✓
	Density and Use <ul style="list-style-type: none"> -Density -Mixed use -Mixed tenure -Adaptable development 			✓	✓	✓
	Open space <ul style="list-style-type: none"> -Private space -Semi-private space -Public -Trees + vegetation -Maintenance 			✓	✓	✓
	Layout and Legibility <ul style="list-style-type: none"> -Legibility -Streets -Parking -Frontage -Boundary treatment -Accessibility 			✓	✓	✓

KEY



Major consideration



Key consideration

5.1 Design action points

Development type		Single house: in the urban or rural context	Building Group: up to 10 houses in the countryside	Urban infill: up to 10 houses in a town or village	10-49 houses on or near the settlement edge	50 or more houses on or near the settlement edge
Design considerations						
Building Design						
Energy Efficient design	-Designing out energy needs -Designing with sustainable resources -Designing for renewable energy sources	✓	✓	✓	✓	✓
Buildings relating to the townscape	Built context/roofscape -Views -Frontage			✓	✓	✓
Buildings relating to the site	-Site arrangement -Site features -Landform -Views from the building	✓	✓	✓	✓	✓
Scale, Massing + Form	-Proportion -Building envelope: frontage width/plan depth -Roof pitch	✓	✓	✓	✓	✓
Materials	-Materials -Colour	✓	✓	✓	✓	✓
Detailing	-Windows -Doors -Chimneys	✓	✓	✓	✓	✓

KEY



Major consideration



Key consideration

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5.2 Design action points

Single house in urban or rural context

Development of a single house in the countryside has obvious sensitivities relating to the rural landscape and potential visual prominence. Development of a single house within a settlement carries similar challenges in relating to the urban context and the need to be responsive to the surrounding built form. In both cases, an understanding of the context is essential.

Action Points

1. Refer to local policy

- Policy G1: Quality Standards for New Development (Scottish Borders Local Plan 2008)
- SP6: New Housing in the Borders Countryside
- SP6: Renewable Energy
- SP6: the use of Timber in sustainable construction

2. At the outset – get to know the local area

- Study the local character:** the local building style & landscape character or the townscape character
- Identify from where the building will be visible:** to help shape the design
- Consider the neighbouring buildings:** the new building will be expected to relate to existing urban form
- Analyse the localised microclimate:** orientation, shelter and natural drainage are key considerations



In an established landscape setting, an opportunity to explore innovative forms materials presents itself

3. Demonstrate understanding of ...

the Wider area

- Views within the wider context:** how the colour/massing of building relates to the wider landscape
- Appropriate access and infrastructure provision:** how the building and access will positively relate to existing road/street and infrastructure networks



Traditional forms and materials using contemporary detailing sit naturally within the rural landscape: note the use of roofspace



Working with the landform and landscape setting can create striking results in the right setting



Working in harmony: windows, roofline and wall elements combine to create an innovative response with strong traditional references

the Local area

- Best local features of built character:** local and historical building style, urban form, local colours and materials and how new buildings can relate to this
- Working with the landform:** in defining key directional views towards the site, and optimising the site layout to work with the levels
- Microclimatic design:** the building and site layout will be expected to create optimum microclimate working with orientation and shelter for both indoor and outdoor space
- Localised views:** site development to create positive relationship to views from main roads/focal points, considering rooflines and key frontages
- The importance of good site planning:** ensure the plot is laid out using appropriate landscape planting and boundary materials to create attractive edges in surrounding landscape/townscape

Single house in urban or rural context

Building Design

- ❑ **Energy efficient living:** utilising optimum insulation/thermal mass and daylight penetration (=solar gain), the building will be expected to 'design out' energy needs wherever possible
- ❑ **Using sustainable resources:** grey-water recycling, sustainable building materials and renewable energy sources are all key considerations in the building specification
- ❑ **Working with the site and surroundings:** consider reuse of any existing structures and consider carefully the site arrangement so that a positive civic frontage is created
- ❑ **Scale, massing and form:** relating to the context analysis, and with a clear, harmonious design rationale and sense of proportion (remember the golden ratio).
- ❑ **Roof and wall proportions:** use appropriate roof design: avoid overly bulky form or shallow roof pitch. The proportion of roof-to-wall in elevation must be in balance (refer to traditional proportions as a starting point)
- ❑ **Materials:** Use sustainable building materials and consider the materials and colour palette in context: avoid excessive use of white where it will be out of context or visually prominent
- ❑ **Windows:** consider window openings in relation to the wall elevation; create fenestration pattern that is based on proportion and a balanced whole; always consider traditional elements such as vertically proportioned openings; avoid PVC and inappropriately coloured window frames
- ❑ **Details:** avoid poor faux-traditional detailing; honest, simple forms are generally preferable
- ❑ **Roof design:** avoid box soffits, verges, eaves and fascia boards on closed eaves



Infill development: relate to the adjacent built elevations (Allan Swan, Bain Swan Architects)

4. Illustrating the process

Planning applications for single dwellings in the urban or rural context are expected to demonstrate a clear design rationale based on an understanding of context. A design statement is an invaluable tool in communicating this and aids any dialogue with planning officers for explaining the approach taken to a proposed development. Clear, concise information that sets the proposal in context will help convey a better understanding of the design to planning officers and others. It is strongly advised to submit the following design information:

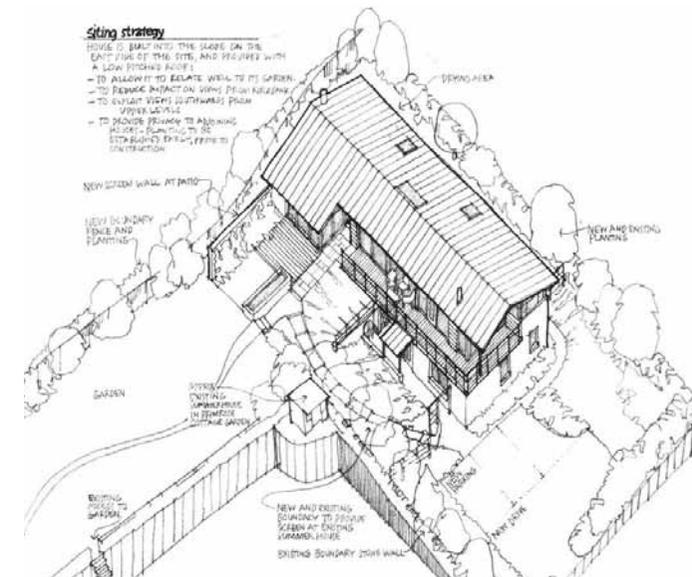
- ❑ **Design statement**
- ❑ **Energy statement**
- ❑ **Context studies:** demonstrate an understanding of context
- ❑ **Site photos:** highlight key views and how the design will respond to these
- ❑ **3D visualisation material:** sketches or computer generated visualisations showing the development in context

Further reading/reference

PAN 68: Design Statements

PAN 44: Fitting New Housing Development into the Landscape

See 'Sourcebook' section of SPG Placemaking & Design



Sketch illustrations are invaluable in conveying the design concept (Allan Swan, Bain Swan Architects)



A large floor area broken down into primary and secondary forms can create a more balanced form overall (Allan Swan, Bain Swan Architects)

5.3 Design action points

Building group: up to 10 houses in the countryside

Development of a building group in the countryside has obvious sensitivities due to the potential visual prominence and the need to integrate into the rural landscape. Careful consideration is required of the wider visual impact of development and the incorporation of an appropriate building style that relates to context and responds to the inward views.

Action Points

1. Refer to local policy

- Policy G1:** Quality Standards for New Development (Scottish Borders Local Plan 2008)
- SPG:** New Housing in the Borders Countryside
- SPG:** Renewable Energy
- SPG:** the use of Timber in sustainable construction
- SPG:** Placemaking & Design
- SPG:** Designing out Crime in the Scottish Borders
- SPG:** Affordable Housing
- SPG:** Trees & Development

2. At the outset – get to know the local area

- Study the local character:** the local building style & [landscape character](#)
- Identify from where the development will be visible:** to help shape the design
- Consider the neighbouring buildings:** the new building will be expected to relate to existing urban form
- Analyse the localised [microclimate](#):** orientation, shelter and natural drainage are key considerations from the outset

3. Demonstrate understanding of ...

the Wider area

- Views within the wider context:** how the colour/[massing](#) of the buildings can relate to the wider landscape
- Appropriate access and infrastructure provision:** how the buildings and access will positively relate to existing road/street and infrastructure networks

the Local area

- Best local features of built character:** local/historical style, urban form, local colours and materials and how the new building group can relate to this
- Working with the [landform](#):** in defining key directional views towards the site, and optimising the site layout to work with the levels
- Microclimatic design:** as a group the buildings will be expected to create optimum [microclimate](#) working with orientation and shelter for both indoor + outdoor space
- Localised views:** development must create positive relationship to views from main roads/focal points, considering rooflines and key frontages



Boundary treatments and appropriate landscape planting are invaluable in anchoring housing within the countryside



Using high quality materials and primary and secondary forms

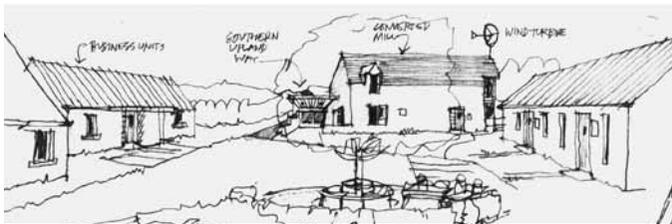
Local area (continued)

- The importance of good site planning:** including appropriate landscape planting and site boundaries to create attractive edges in surrounding landscape; ensure gardens are appropriately scaled and usable (i.e not steep slopes/in total shade)
- Sustainable resource use:** as a group, the buildings should work together to minimise energy demands (e.g. row housing minimises heat loss); consider opportunities for renewable energy
- Use of density in defining a [sense of place](#):** rural building groups are often close-knit; consider use of higher density development where appropriate and how buildings and boundary walls can shape spaces such as courtyards
- Layout and open space:** create hierarchy of public, semi-private and private space with sensitively handled parking provision; avoid creation of overly engineered road access; consider shared surfacing in development of this scale
- Frontage:** building groups will be expected to relate positively to the 'public' face of the site, e.g where visible from adjacent roads; ensure building frontage relates positively to entrance and arrival into the site
- Boundary treatments:** use appropriate styles of high quality boundary treatment to rural context such as hedging, post and rail fencing and estate railing

Building group up to 10 houses in the countryside

Building Design

- **Energy efficient living:** utilising optimum insulation/thermal mass and daylight penetration (=solar gain), the buildings will be expected to 'design out' energy needs wherever possible
- **Using sustainable resources:** grey-water recycling, sustainable building materials and renewable energy sources are all key considerations
- **Working with the site and surroundings:** consider reuse of any existing structures and consider carefully the site arrangement so that a positive civic frontage is created
- **Scale, massing and form:** based on a clear, harmonious design rationale and sense of proportion (remember the golden ratio). Consider the group as a whole in the design
- **Roof and wall proportions:** avoid overly bulky forms or shallow roof pitch. The proportion of roof-to-wall in elevation must be in balance (refer to traditional proportions as a starting point)
- **Materials:** Consider local stone and slate for rural building groups, used in conjunction with sustainable materials such as timber. Consider the materials and colour palette in context: avoid excessive use of white where out of context or visually prominent.
- **Windows:** sufficient window openings in relation to wall elevations; consider traditional proportions such as vertically proportioned openings; avoid PVC and inappropriately coloured window frames
- **Details:** avoid arbitrary faux-traditional detailing; honest, simple forms are generally preferable



row housing combined with detached can provide a contextual cluster of buildings that frame a central courtyard space (Allan Swan, Bain Swan Architects)



Sketch illustrations should show the context and how the landscape design frames outdoor spaces (Allan Swan, Bain Swan Architects)

4. Illustrating the process

Planning applications for building groups in the countryside are expected to demonstrate a sensitive approach to the rural landscape. A design statement is an invaluable tool in communicating this and aids any dialogue with planning officers for explaining the approach taken to a proposed development. Clear, concise information setting the proposal in context is vital in a planning application. It is strongly advised to submit the following design information:

- **Design statement**
- **Energy statement**
- **Context studies:** demonstrate an understanding of context
- **Site photos:** highlight key views and how the design will respond to these
- **3D visualisation material:** sketches or computer generated visualisations showing the development in context

Further reading/reference

PAN 68: Design Statements

PAN 44: Fitting New Housing Development into the Landscape

See 'Source Book' section of SPG [Placemaking & Design](#)



Distinctive rural row housing of the Scottish Borders forms an interesting precedent, Foulden



Using traditional forms set within an open landscape can create a harmonious fit and serve to frame garden spaces

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5.4 Design action points

Up to 10 houses within a town or village

Infill development (of more than one house) within towns and villages has the challenge of integrating into an established built context with its own history, character and form. Any new additions to the urban context should be responsive to this context, and careful consideration is required of the relationship between the new development and its immediate context.

Action Points

1. Refer to local policy

Policy G1: Quality Standards for New Development (Scottish Borders Local Plan 2008)

- PG:** Renewable Energy
- PG:** the use of Timber in sustainable construction
- PG:** Placemaking & Design
- SG:** Designing out Crime in the Scottish Borders
- SPG:** Affordable Housing
- SPG:** Trees & Development

2. At the outset – get to know the local area

- Study the local character:** the local townscape and settlement pattern: check for heritage designations
- Identify key frontages and views towards the site:** to help shape the design
- Consider the neighbouring buildings:** the new building will be expected to relate to existing urban form
- Analyse the localised microclimate:** orientation, shelter and natural drainage are key considerations from the

3. Demonstrate understanding of ...

the Wider area

- Views within the wider context:** how the colour/massing of the buildings and roofscape will appear when viewed from afar
- Appropriate access and infrastructure provision:** how the buildings and access will positively relate to existing road/street and infrastructure networks
- Settlement pattern:** the street patterns and urban forms that positively define local character

the Local area

- Best local features of built character:** local/historical building style, urban form, local colours and materials and how the new building group can relate to this
- Working with the landform:** in defining key directional views towards the site, and optimising the site layout to work with the levels
- Microclimatic design:** as a group the buildings will be expected to create optimum microclimate working with orientation and shelter for both indoor + outdoor space
- Localised views:** development must create positive relationship to views along nearby streets, considering rooflines and key frontages



High density infill using a local materials palette creates an interesting response in Coldingham, Berwickshire (Brian Swan Architects)



New infill can successfully contrast and complement adjacent buildings, using a similar rhythm of windows and roofline

Local area (continued)

- The importance of good site planning:** including appropriate landscape planting and attractive site boundaries; ensure gardens are appropriately scaled and usable (i.e not steep slopes/in total shade)
- Sustainable resource use:** as a group, the buildings should work together to minimise energy demands (e.g. row housing minimises heat loss); consider opportunities for renewable energy
- Use of density in defining a sense of place:** consider the context: urban core or on the fringes? On key approaches or secondary routes? The density of development is expected to relate to the urban context and create a sense of place.
- Layout and open space:** create hierarchy of public, semi-private and private space; avoid creation of overly engineered road access; consider shared surfacing in development of this scale
- Frontage:** building groups will be expected to create a positive, attractive frontage with overlooking where possible; building frontage should define key entrance and arrival points to the site
- Boundary treatments:** use appropriate styles of high quality boundary treatment to help frame spaces, define public and private spaces, and contain car parking
- Integrated parking:** design the parking layout integral to the sequence of streets and spaces e.g. grouped in attractive courtyards (consider use of pends), or carefully designed into the streetscene

Up to 10 houses within a town or village

Building Design

- ❑ **Energy efficient living:** utilising optimum insulation/thermal mass and daylight penetration (=solar gain), the buildings will be expected to 'design out' energy needs wherever possible
- ❑ **Using sustainable resources:** grey-water recycling, sustainable building materials and renewable energy sources are all key considerations
- ❑ **Relate to the townscape:** revisit the townscape analysis in the building design; identify local roofscape, colours and building lines and how new development will relate to this
- ❑ **Scale, massing and form:** based on a clear, harmonious design rationale and sense of proportion (remember the golden ratio). Consider the group as a whole in the design
- ❑ **Roof and wall proportions:** avoid overly bulky forms or shallow roof pitch. The proportion of roof-to-wall in elevation must be in balance (refer to traditional proportions as a starting point)
- ❑ **Materials:** consider historic materials palette, used in conjunction with sustainable materials such as timber. Consider the materials and colour in context: avoid excessive use of white where out of context or visually prominent
- ❑ **Windows:** consider window openings in relation to wall elevations; consider traditional vertically proportioned openings; avoid PVC and inappropriately coloured window frames
- ❑ **Details:** seek to use honest, simple details



Traditional forms shaping a permeable courtyard, Lauder



The simplest of forms can create a successful design

4. Illustrating the process

Planning applications for infill development of up to 10 houses are expected to demonstrate a responsive approach to the townscape context. A design statement is an invaluable tool in communicating this and aids any dialogue with planning officers for explaining the approach taken to a proposed development. Clear, concise information setting the proposal in context is vital in a planning application. It is strongly advised to submit the following design information:

- ❑ **Design statement**
- ❑ **Energy statement**
- ❑ **Context studies:** demonstrate an understanding of context
- ❑ **Site photos:** highlight key views and how the design will respond to these
- ❑ **3D visualisation material:** sketches or computer generated visualisations showing the development in context

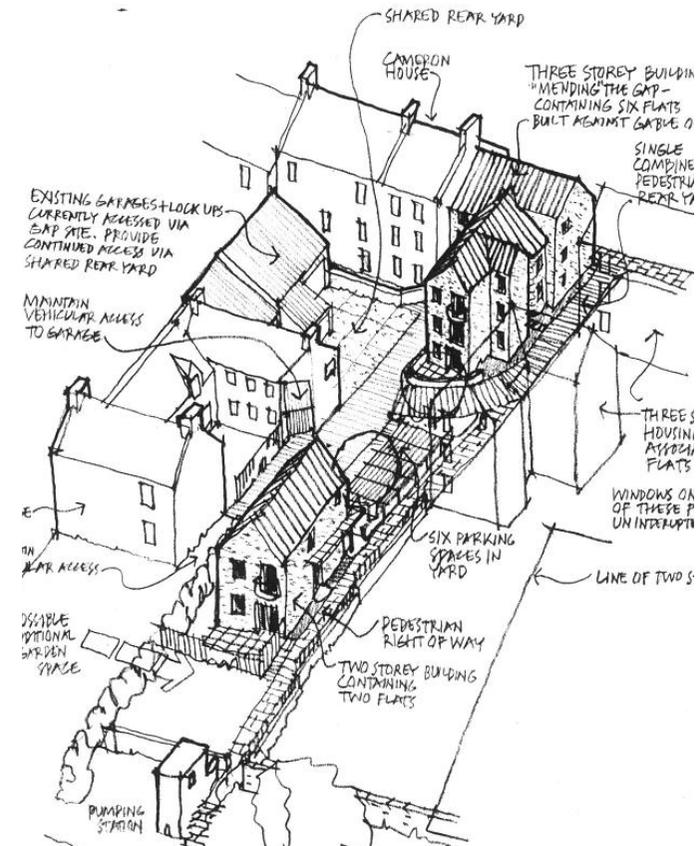
Further reading/reference

PAN 68: Design Statements

PAN 67: Housing Quality

Introduction to Residential Layout, Mike Biddulph

See Sourcebook Section of SPG Placemaking & Design



Sketch illustrations showing both contextual analysis + design response are invaluable in understanding the design approach (Allan Swan, Bain Swan Architects)

5.5 Design action points

10-49 houses on or near settlement edge

Development of 10 to 49 houses represents a significant addition to the built environment: often this type of development is associated with the edges of a town or village: as such it is integral to the transition between urban and rural and is expected to make this transition sensitively. Such development can have significant impact on people's perception of a place by altering the local character and generating new movement networks and open spaces.

Action Points

1. Refer to local policy

- Policy G1:** Quality Standards for New Development (Scottish Borders Local Plan 2008)
- SPG:** Renewable Energy
- SPG:** the use of Timber in sustainable construction
- SPG:** Placemaking & Design
- SPG:** Designing out Crime in the Scottish Borders
- SPG:** Affordable Housing
- SPG:** Trees & Development

2. At the outset – get to know the local area

- Study the local character:** the local townscape, settlement pattern and surrounding landscape character. Identify key views towards the site: to help shape the design
- Analyse the localised microclimate:** orientation, shelter and natural drainage are key considerations from the outset
- Analyse the site:** carry out a SWOT analysis identifying key defining factors that will shape the development, access and infrastructure provision

3. Demonstrate understanding of ...

the Wider area

- Landform and views within the wider context:** how the site sits within the wider landscape context and visually sensitive settlement edges/viewpoints
- Settlement pattern:** the street patterns and urban forms that positively define local character
- Appropriate access and infrastructure provision:** how the buildings and streets will positively relate to existing road/street and infrastructure networks



Buildings and secondary elements such as garages and boundary treatments should work together (Malcolm Fraser)

the Local area

- Best local features of built character:** local/historical building style, urban form, local colours and materials and how the new development can relate to this
- Working with the Landform:** in defining key directional views towards and from the site, and optimising the site layout to work with the levels
- Microclimatic design:** the buildings + streets are expected to create optimum microclimate working with orientation and shelter for both indoor + outdoor space
- Localised views:** development must create positive relationship to approaching views, from outwith the settlement and along nearby streets, considering rooflines and key frontages
- The importance of good site planning:** including appropriate landscape design integral to the design, attractive site boundaries as public 'face' of the development and a logical sequence of streets and spaces.

Local area continued

- Sustainable resource use:** the buildings should work together to minimise energy demands (e.g. row housing minimises heat loss); renewable energy for development of this scale should be fully considered
- Use of density in defining a sense of place:** create spaces shaped by buildings: consider main arrival points into the site/settlement, followed by secondary spaces - organise building density accordingly. Consider higher density around key points/frontages + ensure secondary elements such as walling and planting help to define spaces.
- Layout and legibility:** a logical sequence of streets and spaces, design building groupings first, fitting in streets after: avoid overly engineered road access; consider reduction in the dominance of carriageways by utilising shared surfaces
- Streets:** should be framed by buildings with integrated traffic calming, avoiding excessive use of road humps/traffic signage – use of building lines, walling/hedging, narrowed streets, parked cars and shared surfacing can all encourage reduced traffic speeds and help create places



Using buildings to shape spaces and contain the streetscene: create permeable development with through routes (Farningham McCreddie)

10-49 houses on or near settlement edge



Local area continued.

- **Frontage:** buildings will be expected to relate positively to the public realm, e.g frontage to internal and adjacent streets with overlooking where possible; ensure building frontage relates positively to entrance and arrival into the site
- **Boundary treatments:** use appropriate styles of high quality boundary treatment to help frame spaces, define public and private spaces, and contain car parking
- **Integrated parking:** design the parking layout integral to the sequence of streets and spaces e.g. grouped in attractive courtyards (consider use of ponds), or carefully designed into the streetscene
- **Open space:** create hierarchy of public, semi-private and private space, ensuring gardens are appropriately scaled and usable (i.e not steep slopes/in total shade); avoid amenity 'left over' space: create meaningful, functional open spaces that are well overlooked and central to the neighbourhood character

Building Design

- **Energy efficient living:** utilising optimum insulation/ thermal mass and daylight penetration (=solar gain), the buildings will be expected to 'design out' energy needs wherever possible
- **Using sustainable resources:** grey-water recycling, sustainable building materials and renewable energy sources are all key considerations
- **Relate to the townscape:** revisit the townscape analysis in the building design; identify local roofscape, colours and building lines and how new development will relate to this
- **Scale, massing and form:** based on a clear, harmonious design rationale and sense of proportion (remember the golden ratio). Consider building groups as a whole in the individual design
- **Roof and wall proportions:** avoid overly bulky forms or shallow roof pitch. The proportion of roof-to-wall in elevation must be in balance (refer to traditional proportions as a starting point)
- **Materials:** Consider historic materials palette, used in conjunction with sustainable materials such as timber. Consider the materials and colour in context: avoid excessive use of white where out of context or visually prominent
- **Windows:** sufficient window openings in relation to wall elevations; consider traditional proportions such as vertically proportioned openings; avoid PVC and inappropriately coloured window frames
- **Details:** avoid arbitrary faux-traditional detailing; honest, simple forms are generally preferable

4. Illustrating the process

Planning applications for local development of 10-49 houses are expected to demonstrate a responsive approach to the townscape and landscape context. A design statement is an invaluable tool in communicating this and aids any dialogue with planning officers for explaining the approach taken to a proposed development. Clear, concise information setting the proposal in context is vital in a planning application. It is strongly advised to submit the following design information:

- **Design statement**
- **Energy statement**
- **Context studies:** demonstrate an understanding of context
- **Site photos:** highlight key views and how the design will respond to these
- **3D visualisation material:** sketches or computer generated visualisations showing the development in

Further reading/reference

PAN 68: Design Statements

PAN 67: Housing Quality

Introduction to Residential Layout, Mike Biddulph

Sustainable construction: ref

PAN 76: Designing Streets

PAN 83: Masterplanning

Manual for Streets

See 'Sourcebook' section of SPG Placemaking & Design

5.6 Design action points

50 or more houses on or near settlement edge

Development of more than 50 houses represents a significant addition to the built environment. Often this scale of development is associated with the edges of a town or village and is integral to the transition between urban and rural: as such it is expected to make this transition sensitively. Such development has significant impact on people's perception of a place by altering the local character and generating new movement networks and open spaces.

Action Points

1. Refer to local policy

- Policy G1:** Quality Standards for New Development (Scottish Borders Local Plan 2008)
- SPG:** Renewable Energy
- SPG:** the use of Timber in sustainable construction
- SPG:** Placemaking & Design
- SPG:** Designing out Crime in the Scottish Borders
- SPG:** Affordable Housing
- SPG:** Trees & Development

2. At the outset – get to know the local area

- Study the local character:** the local townscape, settlement pattern and surrounding landscape character (check for any local built or natural heritage designations)
- Identify key views towards the site:** to help shape the design
- Analyse the localised microclimate:** orientation, shelter and natural drainage are key considerations from the outset
- Analyse the site:** carry out a SWOT analysis identifying key defining factors that will shape the natural capacity of the site for development, its access and infrastructure provision

3. Demonstrate understanding of ...

the Wider area

- Landform and views within the wider context:** how the site sits within the wider landscape context and visually sensitive edges, skylines and viewpoints
- Settlement pattern:** the street patterns and urban forms that positively define local character
- Appropriate access and infrastructure provision:** how new buildings and streets can positively relate to existing road/street and infrastructure networks



A central green combined with community facilities + well overlooked, creates a defining feature in new housing

the Local area

- Best local features of built character:** local/historical building style, urban form, local colours and materials and how the new development can relate to this
- Working with the landform:** in defining key directional views towards and from the site, and optimising the site layout to work with the levels
- Microclimatic design:** the buildings + streets are expected to create optimum microclimate working with orientation and shelter for both indoor + outdoor space
- Localised views:** development must create positive relationship to approaching views, from outwith the settlement and along nearby streets, considering rooflines and key frontages

Local area (continued)

- The importance of good site planning:** including appropriate landscape design integral to the design, attractive site boundaries as public 'face' of the development and a logical sequence of streets and spaces. Development will be expected to create permeable through routes for cars and people wherever possible and appropriate
- Sustainable resource use:** as a whole, the buildings should work together to minimise energy demands (e.g. row housing minimises heat loss); opportunities for renewable energy in development of this scale should be fully explored
- Use of density in defining a sense of place:** create spaces shaped by buildings: consider main arrival points into the site/settlement, followed by secondary spaces - organise building density accordingly. Consider use of higher density around key points/frontages and ensure secondary elements such as walling and planting help to further define spaces.



Residential layout based on a clear concept creating a series of connecting streets and spaces (Malcolm Fraser)

50 or more houses on or near settlement edge



Buildings and secondary elements such as garages and boundary treatments should work together (Malcolm Fraser Architects)

- **Layout and legibility:** incorporate a logical sequence of streets and spaces - design building arrangement first, fitting in streets after; avoiding creation of overly engineered road access; seek to reduce the dominance of road corridors
- **Streets:** should be framed by buildings with integrated traffic calming, avoiding excessive use of road humps/traffic signage. Use of building lines, walling/hedging, narrowed streets, parked cars and shared surfacing can all encourage reduced traffic speeds and help create a *sense of place*
- **Frontage:** buildings will be expected to relate positively to the *public realm*, e.g. fronting onto streets with overlooking where possible and ensuring building frontage frame key entrance and arrival points throughout the layout
- **Boundary treatments:** use appropriate styles of high quality boundary treatment to help frame spaces, define public and private spaces, and contain car parking
- **Integrated parking:** design the parking layout integral to the sequence of streets and spaces e.g. grouped in attractive courtyards (consider use of ponds), or carefully designed into the *streetscene*
- **Open space:** create hierarchy of public, semi-private and private space, ensuring gardens are appropriately scaled and usable (e.g. not steep slopes/in total shade); avoid amenity 'left over' space: create meaningful, functional open spaces that are well overlooked and central to the neighbourhood character

Building Design

- **Energy efficient living:** utilising optimum insulation/thermal mass and daylight penetration (=solar gain), the buildings will be expected to 'design out' energy needs wherever possible
- **Using sustainable resources:** grey-water recycling, sustainable building materials and renewable energy sources are all key considerations
- **Relate to the townscape:** revisit the *townscape* analysis in the building design; identify local roofscape, colours and building lines and how new development will relate to this
- **Scale, massing and form:** based on a clear, harmonious design rationale and sense of proportion (remember the golden ratio).
- **Consider building groups as a whole in the individual design**
- **Roof and wall proportions:** avoid overly bulky forms or shallow roof pitch. The proportion of roof-to-wall in elevation must be in balance (refer to traditional proportions as a starting point)
- **Materials:** Consider historic materials palette, used in conjunction with sustainable materials such as timber. Consider the materials and colour in context: avoid excessive use of white where out of context or visually prominent
- **Windows:** sufficient window openings in relation to wall elevations; consider traditional proportions such as vertically proportioned openings; avoid PVC and inappropriately coloured window frames
- **Details:** avoid arbitrary faux-traditional detailing; honest, simple forms are generally preferable



Coherent building forms, working with the microclimate and each other to optimise solar gain and shape space (Bain Swan Architects)

4. Illustrating the process

Planning applications for major development of 50 or more houses are required to submit a design statement, demonstrating a responsive approach to the *townscape* and landscape context. Clear, concise information setting the proposal in context and demonstrating design quality is vital in a planning application of this scale, and regardless of whether it is an outline or detailed planning application, it is strongly advised to submit the following design information:

- **Design statement**
- **Energy statement**
- **Context studies:** demonstrate an understanding of context
- **Site photos:** highlight key views and how the design will respond to these
- **3D visualisation material:** sketches or computer generated visualisations showing the development in context

Further reading/reference

- PAN 68: Design Statements**
- PAN 67: Housing Quality**
- Introduction to Residential Layout, Mike Biddulph**
- Sustainable construction: ref**
- PAN 76: Designing Streets**
- PAN 83: Masterplanning**
- Manual for Streets**

See 'Sourcebook' section of SPG *Placemaking & Design*

5.7 Design action points

Table of policy G1 Criteria & SPG requirements

Table of Policy G1 Criteria and SPG requirements	
Policy G1 criteria	SPG requirements
1. It is compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form.	Landscape Character: Demonstrate understanding of context.
	Settlement pattern: Demonstrate understanding of context.
	Built character: Demonstrate a wider appreciation of built context and heritage value of area has influenced the design.
	Relating to the townscape: Demonstrate fully how the building will fit into views within the wider townscape and how this has been handled in the design.
2. It can be satisfactorily accommodated within the site.	Views: Demonstrate design has responded to wider views.
	Siting of Development: Establish a clear rationale for the siting and design of new development relating to its site and surroundings as founding principle of design approach.
	Relating to the site: Demonstrate that the building design and plot layout(s) has been designed to fully relate to the site and surroundings.
4. It creates developments with a <u>sense of place</u> , designed in sympathy with Scottish Borders architectural styles; this need not exclude appropriate contemporary and/or innovative design.	Detail: Demonstrate the design rationale behind the finish and detailing of buildings.
5. In terms of layout, orientation, construction and energy supply, the developer has demonstrated that appropriate measures have been taken to maximise the efficient use of energy and resources, including the use of renewable energy and resources and the incorporation of sustainable construction techniques in accordance with supplementary planning guidance referred to in Appendix D.	Sustainable development: Demonstrate in the layout that energy needs have been 'designed-out' wherever practicable, utilising microclimatic and site features and resource-efficient materials/energy sources.
	Energy Efficient design: Demonstrate that long-term energy efficiency has guided the design of the building(s).
7. It provides open space that wherever possible, links to existing open spaces and that it is in accordance with current Council standards pending preparation of an up-to-date open space strategy and local standards. In some cases a developer contribution to wider neighbourhood or settlement provision may be appropriate, supported by appropriate arrangements for maintenance.	Open space: Demonstrate how open spaces within new development are sited and designed as integral to the scheme as quality places not left over space. Demonstrate how open space and landscape structures contribute to overall <u>sense of place</u> .
8. It provides appropriate boundary treatments to ensure attractive edges to the development that will help integration with its surroundings.	Layout and legibility: Demonstrate that proposed layout incorporates streets that are places in their own right with a unique <u>sense of place</u> , defined by the buildings and enclosure of trees/boundary treatments. Demonstrate that the layout provides a well-connected, permeable sequence of spaces that avoid segregation of traffic and utilise passive traffic calming measures.
12. It is of a scale, <u>massing</u> , height and density appropriate to its surroundings and, where an extension or alteration, appropriate to the existing building.	Density and Use: Provide clarity on appropriate densities in relation to the local built character, site location, sustaining local communities. Provide exploration of alternative uses that may be incorporated for the future.
	Scale, <u>Massing</u> and Form: Demonstrate how the <u>massing</u> , form and proportion create a balanced whole that sits well within its context.
13. It is finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality and, where an extension or alteration, the existing building.	Materials and colour: Provide a clear rationale for the colour and use of materials within the building; ensure a balance between quality and cost is reached without compromising quality of finish.

6.0 Glossary and sourcebook

6.1 Glossary and sourcebook

Active frontage	Frontage (the building elevation that fronts onto a street) that is animated by some or all of the following creating an inviting and welcoming streetscene: <ul style="list-style-type: none">• lively internal uses visible from the outside, or spilling onto the street.• frequent doors and windows, with few blank walls• narrow frontage buildings, giving vertical rhythm to the street scene• articulation of facades, with projections such as bays and porches• (Urban Design Compendium)
Brise-soleil	Literally translated as 'sun break', refers to a sun-shading device, typically comprised of louvres, that is designed as part of the outside of a building to shield the windows from excessive solar light and heat.
Building envelope	1 The physical outer layer of a building's fabric. 2 An outline of the massing of a proposed building.
Built form	Buildings and structures.
Concept plan	Plan of proposed development showing only the basic principles on which a development will be based
Concept statement	Summary text setting out the design objectives, based on the context appraisal outcomes, upon which a development proposal will be based.
Contextual cues	Positive elements within the setting of a site or area that form a starting point in considering new design in its context: these elements can form the basis in establishing a design vision or concept for a site.
Desire lines	The shortest, most direct route between facilities or places. Even when obstacles are in the way, people will still try to follow the desire lines in a plan as far as is practicable.
Embodied energy	The energy that is used in the production, manufacture and transportation of a product. An important factor when considering the environmental impact of a product within it's whole life-cycle.
Eyes on the street	A term referring to the presence of windows overlooking streets to make them feel supervised and safe, ideally when the windows are from residential or office accommodation.

Figure ground	A plan showing the relationship between built form (the 'figure') and space (the ground), by presenting the former in black and the latter as a white background, or vice versa.
Grade separation	Movement occupying different levels (e.g. a pedestrian pavement at higher level than the road adjacent). The opposite is movement being 'at grade'
Home zone	A small, highly traffic calmed residential area, often with road and pavement integrated into a single surface, where pedestrians and cyclists have priority over cars
In-curtilage parking	Parking within a building's site boundary, rather than on a public street or space
Landcover	Buildings, structures, surfaces and vegetation (including agricultural land uses)
Landform	The shape of the land. Landform can be described in terms such as elevation or shape
Landscape character	Means by which the landscaped is classified according to type area, based on particular combinations of landform and landcover, as outlined in the "Scottish Borders Landscape Assessment (SNH, 1998). Structure Plan Policy N9 seeks to maintain and enhance the integrity of the landscape character throughout the region.
Legibility	The quality of a place as being welcoming, understood easily by its users and easy for visitors to orientate themselves in.
Massing	The three-dimensional impact of buildings and their overall form
Material Consideration	This is a term used in Planning Law that describes an issue that must be considered when deciding the outcome of a planning application.
Microclimate	The local climate of a small area in which the weather is usually different from the areas around it

6.1 Glossary and sourcebook

Node	Focal points in the townscape or landscape such as important junctions of paths and roads, market squares, or clusters of community facilities e.g. shops/health centre/school etc that form key destinations that people may use to orientate themselves
Placemaking	Creating somewhere with a distinct identity
Passive solar gain	The effect of the sun's heat on the temperature of a building's fabric and ambient indoor temperatures, thus minimising heating requirements in winter.
Pend	An archway or passage, which can be suitable for vehicles, leading through to the back of a building or street
Permeability	The degree to which an area has a choice of routes through it; one of the central principles of urban design. This should be balanced against local context and the principles of crime prevention, which seek to limit escape routes for criminals.
Public realm	All outdoor space to which the public have access, including streets, squares and open spaces
Sense of place	A feeling of appreciation for the distinct character of a locality. This will depend on characteristics of the observer (such as their cultural background or system of values and beliefs) as well as those of the place. The Latin term, 'Genius loci', meaning 'the spirit of the place' is a closely related term founded on the belief that a place has an inherent character and influence that transcends any imposed order.
Settlement pattern	The distinctive way in which the roads, fields, paths and buildings are laid out in a particular place
Streetscape	The appearance of a street: 'the hard and soft landscape of a place' (CABE 2001)
Streetscene	The enclosure of the street, combined with roadways, pavements, street furniture signage and other elements that together comprise the street environment
Sunpath analysis	Method of mapping the seasonal-and-hourly positional changes of the sun, used to ascertain the optimum building design to achieve passive solar heat gain, maximise use of natural daylight, provide appropriate summer shading and minimise overshadowing of adjacent properties/outdoor spaces
Swept path	The area of highway (wider than the vehicle itself) over which a vehicle passes as it turns a corner
SWOT analysis	A method of assessing an area or site in terms of its strengths, weaknesses, opportunities and threats.

Topography	1 A description or representation of artificial or natural features on or of the ground. 2 Mapping the shape of the land surface. From the Greek for 'place' and 'to describe'
Townscape	Urban form and its visual appearance; the appearance of streets, including the way the components of a street combine in a way that is distinctive to a particular locality.
Urban fabric	The physical, built form of an urban place
Urban grain	The pattern of the arrangement and size of buildings and their plots in a settlement; and the degree to which an area's pattern of streetblocks and street junctions is respectively small and frequent or large and infrequent
Urban structure	The framework of routes and spaces that connect locally and more widely, and the way developments, routes and open spaces relate to one another
Vernacular	The way in which ordinary buildings were built in a particular place before local styles, techniques and materials were superseded by imports.
Visual receptors	Points from which proposed development site is visible, which will therefore be visually affected by proposed development. Examples include: Trunk roads and motorways, A and B roads, Minor roads, Rights of way, Important viewpoints, Railways, Open space and recreation areas, Public buildings, Residential properties, Workplaces.

6.2 Glossary and sourcebook

The following publications and resources provide more information on the various aspects of [placemaking](#) and design contained within this guide. The following lists points of reference if you want to know more about:

THE BUILT CONTEXT OF THE SCOTTISH BORDERS

Borders and Berwick – an illustrated architectural guide to the Scottish Borders and Tweed Valley, Charles Alexander Strang, The Rutland Press (1994)

The Buildings of Scotland – Borders, Kitty Cruft, John Dunbar & Richard Fawcett, Yale University Press (2006)

The Story of Scotland's Towns, Robert J Naismith, Edinburgh (1989)

Buildings of the Scottish Countryside, Robert J Naismith, Gollancz (1985)

ACHIEVING DESIGN QUALITY

Designing Places (2001)

PAN 67: Housing Quality (2003)

Good Design: the fundamentals, CABE (2008)

Better Neighbourhoods: Making higher densities work, CABE (2005)

Building for Life: a national standard for well-designed homes in England and Wales, but with general guidance and information available

<http://www.buildingforlife.org/>

SITE ANALYSIS AND DESIGN: TOOLS AND TECHNIQUES

Placecheck: a methodology for understanding the place and people within a community, sponsored by the RTPI, RIBA, RICS, Landscape Institute & Civic Trust amongst others

<http://www.placecheck.info/>

Concise Townscape, Gordon Cullen, Architectural Press (1961)

Responsive Environments, Sue McGlynn, Graham Smith, Alan Alcock, Paul Murrain, Ian Bentley, Architectural Press (1985)

Image of the City, Kevin Lynch, The MIT Press (1960)

HOUSING IN THE COUNTRYSIDE

PAN 44: Fitting New Housing Development into the Landscape (1994)

Tomorrow's Architectural Heritage: Landscape and Buildings in the Countryside, J.M Fladmark, G.Y Mulvagh and B.M Evans, Mainstream Publishing (2001)

Cork Rural Design Guide, Cork County Council (2003)

New Development in Loch Lomond & the Trossachs National Park Draft Design Guidance, Loch Lomond & the Trossach National Park Authority

Sustainable Design Guide, Argyll & Bute Council (2006)

MASTERPLANNING NEW NEIGHBOURHOODS

PAN 83: Masterplanning (2008)

Introduction to Residential Layout, Mike Biddulph, Architectural Press (2006)

Urban Design Compendium, English Partnerships (2000) (<http://www.urbandesigncompendium.co.uk/>)

Creating Successful Masterplans – a guide for clients, CABE (2004)

Sustainable Urbanism – Urban Design with Nature, Douglas Farr, John Wiley & Sons (2008)

Designing North Lanarkshire – a strategic approach to design, North Lanarkshire Council

The Essex Design Guide, Essex County Council (2005)

DESIGNING STREETS

PAN 76: New Residential Streets (2005)

PAN 77: Designing Safer Places (2006)

PAN 78: Inclusive Design (2006)

Manual for Streets, Department for Transport (England and Wales) (2007)

Urban Design Compendium, English Partnerships (2000), <http://www.urbandesigncompendium.co.uk/>

6.2 Glossary and sourcebook

DESIGNING WITH SUSTAINABLE RESOURCES

PAN 61: Planning and Sustainable Urban Drainage Systems (2001)
New Timber Architecture in Scotland, Peter Wilson, Arcamedia (2007)
Sustainable Housing Design Guide for Scotland, Fionn Stevenson & Nick Williams, The Stationery Office (2000)
Sustainable construction, Sandy Halliday, Butterworth Heinemann (2008)
Code for Sustainable Homes – a step change in sustainable home building practice, Communities and Local Government (England) (2006)
Scottish Ecological Design Association Design Guides (2005-2008)

WRITING A DESIGN STATEMENT

PAN 68: Design Statements (2003)
Graphics for Urban Design, B. Meeda, N. Parkyn, D.S Walton, Institution of Civil Engineers (2007)
Design & Access Statements – how to read, write and use them, CABE (2006)

APPOINTING DESIGN PROFESSIONALS

Landscape Architects

The Landscape Institute is the chartered body for registered Landscape Architect professionals – refer to the Directory for individual members and registered practices
<http://www.landscapeinstitute.org/directory/index.php>

Architects

The Royal Incorporation of Architects in Scotland is the professional body for all chartered architects in Scotland and provides guidance and a directory on of chartered architects
<http://www.rias.org.uk/directory/>

The Royal Institute of British Architects (RIBA) is the professional body for chartered Architects and provides guidance and a directory of registered practitioners
<http://www.architecture.com/UseAnArchitect/Home.aspx>

Urban Designers

The Urban Design Group (UDG) is a non-chartered membership organisation responsible for the promotion of best practice in urban design at all levels. The Urban Design Directory lists practices who are members of the UDG.
http://www.udg.org.uk/?section_id=6

Building Conservation

The Institute of Historic Building Conservation (IHBC) is the professional body for building conservation practitioners and historic environment experts and provide access to a range of directories of relevant practitioners
http://www.ihbc.org.uk/spec_reg.htm

KEY RESOURCES: WHERE TO GO FOR MORE INFORMATION

National Planning Policy

Planning Advice Notes (PANs) are available to download at:
<http://www.scotland.gov.uk/Topics/Built-Environment/planning/publications/pans>

Scottish Borders Council Structure Plan

<http://www.scotborders.gov.uk/life/planningandbuilding/plansandresearch/2747html>

Scottish Borders Council Local Plan Amendment (Finalised Plan 2009)
<http://www.scotborders.gov.uk/life/planningandbuilding/plansresearch/26759.html>

Scottish Borders Council have produced the following information that should be referred to in considering new development in the region.

Supplementary Planning Guidance

The following supplementary planning guidance is available to download from <http://www.scotborders.gov.uk/life/planningandbuilding/plansandresearch/6003.html> or by clicking on the links. These guides contain policies which complement Structure and Local Planning Policies.

Affordable Housing (approved March 2007)

Biodiversity (approved December 2005)

Contaminated Land Inspection Strategy (approved September 2001)

Developer Contributions (approved April 2007 - updated April 2009)

Designing out Crime in the Scottish Borders (approved August 2007)

New Housing in the Borders Countryside (approved December 2008)

Interim Housing Policy (approved June 2005)

Landscape and Development (approved March 2008)

Local Biodiversity Action Plan (launched June 2001)

Privacy and sunlight guide (approved July 2006)

Renewable Energy (approved March 2007)

Replacement Windows (approved August 2008)

Scottish Borders Woodland Strategy (approved November 2005)

Trees and Development (approved March 2008)

Use of Timber in Sustainable Construction (approved May 2009)

Consultation Draft SPG Documents

Provision for Play Areas

Green Space

Gardens & Designed Landscapes

Countryside Around Towns

Planning briefs for specific sites

The list of planning briefs available for specific sites that have been allocated within the Local Plan is available at <http://www.scotborders.gov.uk/life/planningandbuilding/plansandresearch/7464.html>

Core Path Plan

Following the Land Reform Act (2003), Scottish Borders Council have now produced a Core Path Plan which identifies the network of paths and rights of way throughout the region. This can be accessed at:
<http://www.scotborders.gov.uk/life/environment/outdooraccess/20159.html>

SEPA

The Scottish Environment Protection Agency (SEPA) is responsible for the protection of the environment in Scotland, dealing with issues relating to pollution, sewerage and waste disposal. The SEPA website is a good source of information on topics including SUDS (Sustainable Urban Drainage Systems) and flooding
<http://www.sepa.org.uk/>

SNH

Scottish Natural Heritage (SNH) is responsible for the protection and sustainable management of the natural environment and are a statutory consultee on certain planning applications such as those in or affecting specially designated sites.
<http://www.snh.org.uk/>

Historic Scotland

Historic Scotland are responsible for the safeguarding of the historic environment, including built heritage policy and designations (e.g. conservation areas, listed buildings and protected gardens and designed landscapes).
<http://www.historic-scotland.gov.uk/>

6.2 Glossary and sourcebook

CABE – Commission for Architecture and the Built Environment

publish research and guidance on all aspects of creating places

<http://www.cabe.org.uk/#2>

Sustainable Housing Design Guide for Scotland – online version

available

<http://www.archive2.official-documents.co.uk/document/deps/cs/shdg/index.html>

Manual for Streets available to download at <http://www.dft.gov.uk/pgr/sustainable/manforstreets/>

Building for Life: a national standard for well-designed homes in England and Wales, but with general guidance and information available

<http://www.buildingforlife.org/>

Energy Saving Trust

The Energy Saving Trust is a public body which encourages more energy efficiency and the use of renewable energy. It provides comprehensive information and can provide funding.

<http://www.energysavingtrust.org.uk/>

The Canmore Database

The Royal Commission on the Ancient and Historical Monuments of Scotland maintain the Canmore Database with details of archaeological sites, ancient monuments and buildings in Scotland.

<http://www.rcahms.gov.uk/>

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POLICY H6 - New Housing in the Countryside - Isolated Housing

Proposals for new housing in the countryside, outwith defined settlements¹ and unrelated to building groups, will only be supported where:

- (i) the house can be shown by the developer to be essential at that location for the needs of agriculture or other uses currently occupying or requiring an appropriate rural location, and
- (ii) the requirement for a house cannot be satisfied by Policy H5.

Ettrick and Lauderdale Local Plan 1995

Policies 7 and 8 apply which state:

Policy 7

Outwith the settlements identified in policies 2, 3 and 6, new housing development will be encouraged within or adjacent to the preferred building groups listed below. In addition, limited development may also be permitted within or adjacent to other building groups. All development should meet the following criteria:

1. No adverse effect on the viability of a farming unit or conflict with the operations of a working farm;
2. Satisfactory access and other road requirements;
3. Satisfactory public or private water supply and drainage facilities;
4. No adverse effect on countryside amenity, landscape or nature conservation;
5. No adverse impact on ancient monuments, archaeological sites or on gardens or designed landscapes in the Inventory of Gardens and Designed Landscapes in Scotland;
6. Appropriate siting, design and materials in accordance with Policies 62 and 63.
7. The safeguarding of known mineral resources from sterilisation unless this is acceptable following an assessment of the environmental implications.

Preferred Building Groups

Bemersyde, Clintmains, Dryburgh, Ettrick, Legerwood, Yarrow Feus.

Policy 8

Within the areas specified on the Proposals Map, there will be a presumption in favour of sensitively designed and well sited isolated housing in the countryside. Elsewhere, there will continue to be a presumption against single houses in the countryside which are not within or adjacent to existing building groups. Development will be permitted if an economic need can be clearly substantiated. Any development should meet the following criteria:

1. No adverse effect on the viability of a farming unit or conflict with the operations of a working farm;
2. Satisfactory access and other road requirements;
3. Satisfactory public or private water supply and drainage facilities;

¹ Defined settlements are those identified in Local Plans and Village Plans

4. No adverse effect on countryside amenity, landscape or nature conservation;
5. No adverse impact on ancient monuments, archaeological sites or on gardens or designed landscapes in the Inventory of Gardens and Designed Landscapes in Scotland;
6. Appropriate siting, design and materials in accordance with Policies 62 and 63;
7. The safeguarding of known mineral resources from sterilisation unless this is acceptable following an assessment of the environmental implications.

OTHER PLANNING CONSIDERATIONS:

New Housing in the Borders Countryside Policy and Guidance Note 1993 as Amended April 2000.

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Director of Transport and Environmental Standards: No objections in principle. A service lay-by and visibility splay along the public road must be included in the design.

Other Consultees

Earlston Community Council: No comments or observations.

Scottish Water: Awaiting comments.

Scottish Environment Protection Agency: The first choice option for sewage disposal is a suitably sized septic tank discharging to land via a closed soakaway system, in accordance with Part M of the Building Standards (Scotland) Regulations 1990 (as amended).

If poor soil porosity or risk to groundwater resources (such as private water supplies) preclude the use of a soakaway, alternative arrangements will have to be agreed with SEPA's area officer before plans are finalised. SEPA's Pollution Prevention Guidelines (PPG4), provides further advice on disposal of sewage where no mains drainage is available. This document has also be forwarded to the applicant/agent.

OTHER RESPONSES:

None.

PLANNING ISSUES:

The main issues with this application are whether the proposal complies with the terms of the Councils Housing in the Borders Countryside policy and whether or not there are any economic or other material considerations to be taken into account.

ASSESSMENT OF APPLICATION:

This application must be assessed against Policies H5 and H6 of the Approved Structure Plan 2001 – 2011 and Policies 7 and 8 of the Ettrick and Lauderdale Local Plan 1995. The Council's Housing in the Countryside policy requires the existence of a building group which consists of

residential buildings comprising at least three dwelling units, including existing buildings capable of conversion to residential use.

It is accepted that there are more than three existing dwellinghouses at Cowdenknowes. However, these are particularly dispersed. 'Cowdenknowes Lodge' is the closest existing property to the proposed site, however, it is located some 56 metres away. Furthermore, the B6356 separates the proposed site from existing properties at Cowdenknowes Mains and very prominent features, such as dense woodland, separate the proposed site from the existing dwellinghouses at Cowdenknowes.

It is therefore contended that the site is too remote from other buildings in the area and is physically separated from them. Subsequently the site does not relate to these buildings and therefore does not comply with Policies H5, 7 or the Housing in the Countryside policy and guidance note. No evidence has been submitted to support the application on the basis of policies H6 or 8. It is therefore considered that this application cannot be supported.

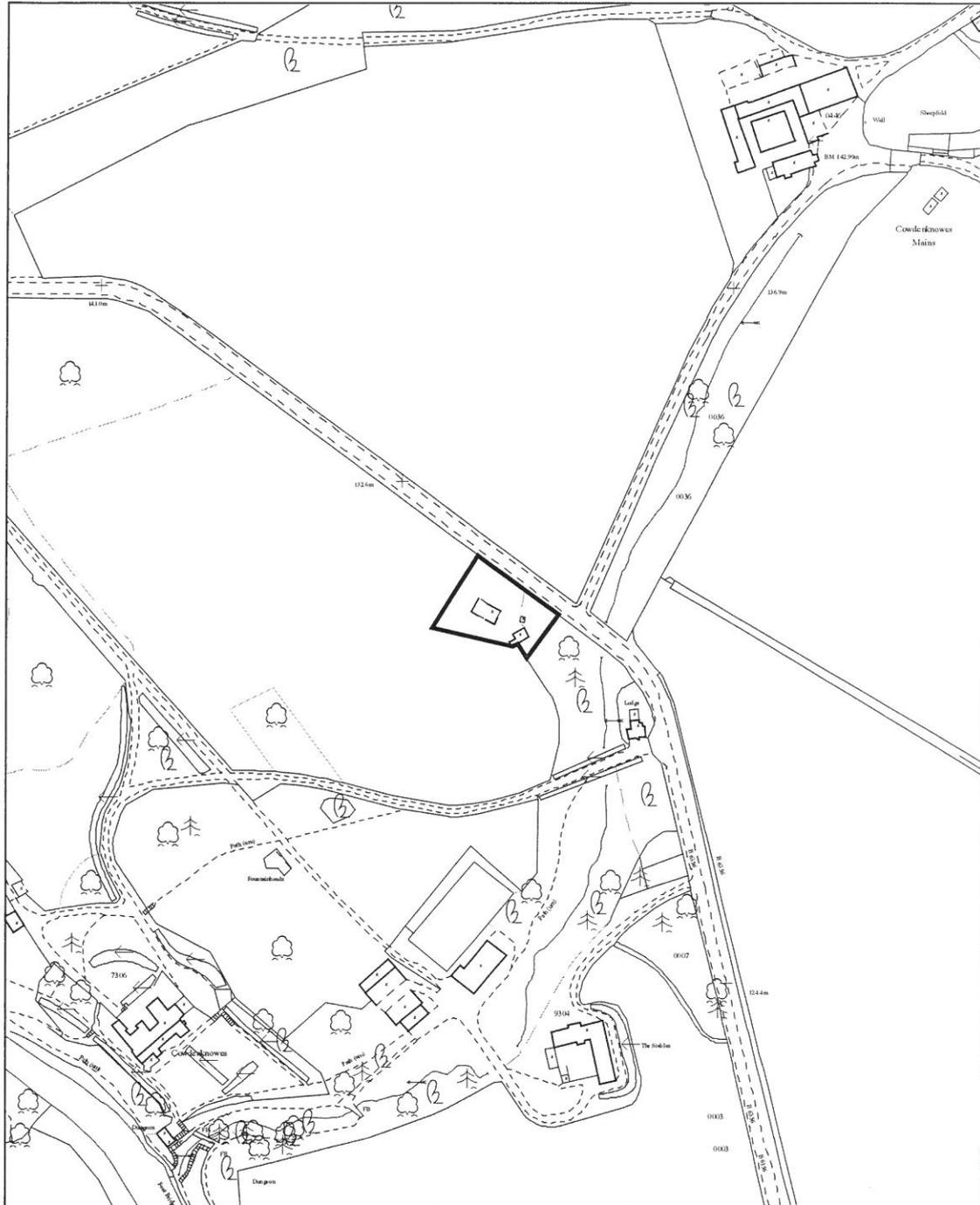
RECOMMENDATION BY HEAD OF DEVELOPMENT CONTROL:

I recommend that this application be refused for the following reason:

The proposal is contrary to policies H5 and H6 of the Approved Structure Plan, Policies 7 and 8 of the Ettrick and Lauderdale Local Plan 1995, and the Housing in the Borders Countryside Policy and Guidance Note in that the site lies outwith any settlement or building group and the need for the house has not been adequately substantiated.

*Original copy of report signed by
BRIAN FRATER (Head of Development Control)*

Disused Sawmill Cowdenknowes Earlston
03/01778/OUT



1:2500

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TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Town and Country Planning (General Development Procedure) (Scotland) Order 1992

Application for Approval of Reserved Matters

Reference: 06/01745/REM

To: Fiona McQueen per Dan-Wood Concept Plus Ltd 1 Wilderhaugh Galashiels Scottish Borders TD1 1QJ

With reference to your application validated on **5th September 2006** for approval under the Town and Country Planning (Scotland) Act 1997 for reserved matters relating to outline planning permission for the following development:-

Proposal : Erection of dwellinghouse with integral garage

at : Disused Sawmill Cowdenknowes Earlston Scottish Borders TD4 6AA

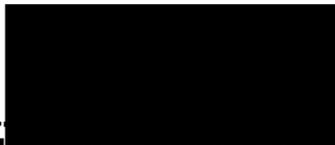
The Scottish Borders Council hereby **approve** the application in accordance with the approved plan(s) and the particulars given in the application, and in accordance with Section 59 of the Town and Country Planning (Scotland) Act 1997 **subject to the following standard condition:-**

that the development to which this approval relates must be begun not later than whichever is the later of the following dates:-

- (i) the expiration of five years from the date of the original outline planning permission
- (ii) the expiration of two years from the date of this approval.

And subject to the conditions on the attached schedule imposed by the Council for the reasons stated:-

**Dated 8th February 2007
Planning and Economic Development
Council Headquarters
Newtown St Boswells
MELROSE
TD6 OSA**

Signed

Head of Planning & Building Standards

Application reference : 06/01745/REM

SCHEDULE OF CONDITIONS

- 1 The external materials to be agreed by the Planning Authority before the development is commenced.
Reason: To safeguard the visual amenity of the area.
- 2 The roofing material to be natural slate, or artificial slate of a type to be approved by the Planning Authority.
Reason: To safeguard the visual amenity of the area.
- 3 The details of all boundary walls and/or fences to be submitted to and approved by the Planning Authority before the development is commenced.
Reason: To safeguard the visual amenity of the area.
- 4 The existing easterly and westerly accesses with the B6356 to be blocked up and the proposed vehicular access to the site and service lay-by to be completed to the specification of the Planning Authority before the dwellinghouse is occupied.
Reason: In the interests of road safety.
- 5 The vehicle turning area and two parking spaces to be provided within the site before the dwellinghouse is occupied.
Reason: In the interests of road safety.
- 6 The existing trees on the site to be protected during the construction period and retained thereafter to the satisfaction of the Planning Authority.
Reason: To safeguard the visual amenity of the area.
- 7 The vehicular access to the site to be excavated by hand in the vicinity of any tree roots; no roots above 50mm diameter to be cut and any roots exposed during construction not to be left exposed.
Reason: In order to prevent damage to trees within the site.
- 8 Prior to the surfacing of the access a geotextile membrane shall be placed over the tree root area that is encountered during the construction of the access and a permeable surface shall be laid; details of the geotextile membrane and surface treatment shall be submitted to and approved in writing by the Planning Authority before work on the construction of the access commences.
Reason: In order to prevent damage to trees within the site.

FOR THE INFORMATION OF THE APPLICANT

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

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

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD
Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA
Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU
British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke
on Trent, ST1 5ND
Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose,
TD6 0SA
Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL
BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH
THUS, Susiephone Department, 4th Floor, 75 Waterloo Street, Glasgow, G2 7BD
Susiephone System – **0800 800 333**

If the applicant is aggrieved by the decision of the Planning Authority, an appeal may be made to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act 1997, within six months from the date of this notice. The appeal should be addressed to the Chief Reporter, Scottish Executive Inquiry Reporter's Unit, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR.

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 V of the Town and Country Planning (Scotland) Act, 1997.

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SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 18/00599/FUL

APPLICANT : Mr France Peto

AGENT : Aitken Turnbull Architects Ltd

DEVELOPMENT : Erection of dwellinghouse

LOCATION: Disused Sawmill
Cowdenknowes
Earlston
Scottish Borders
TD4 6AA

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
1134.PL.1	Location Plan	Refused
1134.PL.3	Proposed Site Plan	Refused
1134.PL.2	Proposed Elevations	Refused

NUMBER OF REPRESENTATIONS: 1
SUMMARY OF REPRESENTATIONS:

RPS: No objections provided conditions relating to junction visibility, the provision of a service lay-by, parking and turning and the requirement for gates to open into the site are added to any grant of consent.

CC: The CC is supportive of the application.

EHO: Water Supplies - Recommend a condition to ensure no water supply other than the public mains is used to supply the development.

Contaminated Land - It is recommended that a site investigation and risk assessment is carried out before development commences.

ELL: A contribution of £2,533 is sought for the Primary School and £3,562 is sought for the High School, making a total contribution of £6,095.

Landscape: Does not object subject to conditions details of trees to be retained, no felling, protection of trees to be retained and details of all boundary treatments . The two existing mature trees on the site are worthy of retention.

Scottish Water: No reply

Third Party Representations

One letter of objection has been received. The principal grounds of objection can be summarised as follows:

- Failure to comply with Policy HD2
- Impacts on the National Scenic Area (EP1)
- Dangerous precedent
- No exceptional justification

PLANNING CONSIDERATIONS AND POLICIES:

SBC LDP 2016

Policies PMD2, HD2, EP4, EP10, EP13, IS2, IS7, IS9, IS13

Supplementary Planning Guidance

Development Contributions
Landscape and Development
Local Landscape Designations
New Housing in the Borders Countryside
Trees and Development

Recommendation by - Julie Hayward (Lead Planning Officer) on 7th March 2019

This application seeks detailed planning consent for the erection of a dwellinghouse on land occupied by a disused sawmill, Cowdenknowes, Earlston. The principle of a dwelling on this site was previously established under an earlier grant of outline planning permission in 2004 and reserved matters application in 2006. This permission was never implemented and the consent has since expired.

Notwithstanding the earlier grant of planning permission, it is important to understand the background to the earlier decision. A group of buildings consisting of 3 dwellings does exist at Cowdenknowes, although they are considered to be particularly dispersed, with the closest property (Cowdenknowes Lodge) being approximately 56 metres south east of the application site and separated by a burn and belt of mature trees. Cowdenknowes House is located 200m south of the application site and to the west and the third identified house (at the time of the original submission), at Cowdenknowes Mains, is located almost 200m north and separated from the site and Lodge by the B6356.

The original application was presented to the Eildon Area Committee with a recommendation to refuse on the grounds that the proposals were contrary to approved Structure Plan and Local Plan policies covering new housing in the countryside. Members were minded to approve this application contrary to officer's recommendation and the application was subsequently passed to the Development and Building Standards Committee in December 2003. Following the submission of additional supporting information relating to the presence of a building group on the south west side of the B class road, the application was continued to the January meeting where Members, following a site visit, resolved to approve the application contrary to officer recommendation.

The supporting information submitted at that time established that a third residential unit exists on the south west side of the B6356 and therefore even discounting Cowdenknowes Mains, it could be argued that a dispersed group exists around the network of private roads between Cowdenknowes Lodge and Cowdenknowes House.

It could be argued that a "sense of place" does exist at Cowdenknowes, and that the spread of residential units on the south west side of the B6356 could be considered to constitute a building group meeting the terms of the Housing in the Countryside policy. However as with the earlier submission it remains necessary to define the most appropriate boundary to the group within which any development should be contained. In this instance it is considered that the substantial area of mature woodland between the

application site and Cowdenknowes Lodge as well as the private drive (lined with mature trees) leading to Cowdenknowes House act as the most appropriate natural and man-made edge to the group. It is considered that the application site lies beyond that natural boundary of the group and would therefore be an inappropriate addition to the group.

Whilst consent was granted in 2004, and this is a material consideration in the determination of this current application, the original permission has lapsed and no consent exists on this site. Taking into consideration the site history, the application must be assessed against prevailing development plan policy, in this case Policy HD2 - Housing in the Countryside, supported by SPG on New Housing in the Borders Countryside (2008). This policy is generally supportive of appropriate rural housing development and in the case of additions to building groups, the Council must be satisfied that that the site is well related to an existing group. Whilst there are 3 residential units on the south west side of the B6356 they are historically associated with Cowdenknowes House and dispersed throughout a designed landscape. They do not form part of a tight, cohesive group of buildings and are separated by mature woodland and access drives within the estate. The application site is located outwith the identifiable limits of the group, on the north west side of a substantial area of mature woodland. The existing trees provide a definable natural boundary to the group, consistent with the advice contained within the SPG on housing in the countryside and it is considered that the proposed house would be located on land outwith the identifiable sense of place.

The application site is located within the locally designated Cowdenknowes Designed Landscape and the Eildon and Leaderfoot NSA however given the small scale nature of the proposed development I do not consider there to be unacceptable adverse impacts on the designated sites.

There are two mature trees on the site worthy of retention. These can be retained and protected by condition as appropriate. Additional landscaping and boundary treatments can also be covered by condition.

The RPS has no objections subject to conditions covering access, service lay-by, parking and gates. These matters can be controlled by condition.

Development contributions in line with Policy IS2 would be required towards E&LL. They can be secured through legal agreement.

Given the previous use of the site, there may be evidence of land contamination. In line with the recommendation from EHO, a condition can be added to any grant of consent that may be issued. Water supply shall be from the public mains and this can also be covered by condition. The precise details of surface and foul water drainage can be considered through the building warrant process.

I have not considered the siting, design or external materials of the proposed dwelling as the key planning issue with this application is acceptability, or otherwise, of this site as a suitable addition to a building group. However, given the location of the site within the NSA and its position adjacent to the public road the design is particularly important. Whilst there has been no negotiation with the applicant/agent I do not consider the proposed design of the dwelling as submitted to be appropriate for this rural location. As described above, I do not consider this site to be well related to an existing group of houses. The site is remote from other dwellings and is physically separated by natural and man-made boundaries. Furthermore, the need for the dwellinghouse has not been substantiated under economic requirement (Part F of Policy HD2).

REASON FOR DECISION :

The proposed development would be contrary to Policy HD2 - Housing in the Countryside of the adopted Scottish Borders Local Development Plan 2016 in that the proposed dwelling would be located on land outwith the identifiable limits of the building group separated from existing buildings by mature woodland, and the need for the dwelling has not been substantiated. The erection of a dwelling on this site would not be well related to the existing group and would lead to an undesirable precedent.

Recommendation: Refused

- 1 The proposed development would be contrary to Policy HD2 - Housing in the Countryside of the adopted Scottish Borders Local Development Plan 2016 in that the proposed dwelling would be located on land outwith the identifiable limits of the building group separated from existing buildings by mature woodland, and the need for the dwelling has not been substantiated. The erection of a dwelling on this site would not be well related to the existing group and would therefore represent sporadic, prominent and unjustified development in the open countryside.

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

Mr France Peto
per Aitken Turnbull Architects Ltd
9 Bridge Place
Galashiels
Scottish Borders
TD1 1SN

Please ask for: Julie Hayward
01835 825585
Our Ref: 18/00599/FUL
Your Ref:
E-Mail: JHayward2@scotborders.gov.uk
Date: 8th March 2019

Dear Sir/Madam

PLANNING APPLICATION AT Disused Sawmill Cowdenknowes Earlston TD4 6AA

PROPOSED DEVELOPMENT: Erection of dwellinghouse

APPLICANT: Mr France Peto

Please find attached the formal notice of refusal for the above application.

Drawings can be found on the Planning pages of the Council website at
<https://eplanning.scotborders.gov.uk/online-applications/>.

Your right of appeal is set out within the decision notice.

Yours faithfully

John Hayward

Planning & Development Standards Manager

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

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

Application for Planning Permission

Reference : 18/00599/FUL

To : Mr France Peto per Aitken Turnbull Architects Ltd 9 Bridge Place Galashiels TD1 1SN

With reference to your application validated on **31st May 2018** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of dwellinghouse

At : Disused Sawmill Cowdenknowes Earlston Scottish Borders TD4 6AA

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

**Dated 7th March 2019
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 18/00599/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
1134.PL.1	Location Plan	Refused
1134.PL.3	Proposed Site Plan	Refused
1134.PL.2	Proposed Elevations	Refused

REASON FOR REFUSAL

- 1 The proposed development would be contrary to Policy HD2 - Housing in the Countryside of the adopted Scottish Borders Local Development Plan 2016 in that the proposed dwelling would be located on land outwith the identifiable limits of the building group separated from existing buildings by mature woodland, and the need for the dwelling has not been substantiated. The erection of a dwelling on this site would not be well related to the existing group and would therefore represent sporadic, prominent and unjustified development in the open countryside.

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 (as amended) 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 OSA.

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

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List of Policies

Local Review Reference: 20/00007/RREF

Planning Application Reference: 19/01611/FUL

Development Proposal: Erection of dwellinghouse with attached garage

Location: Disused Sawmill, Cowdenknowes, Earlston

Applicant: Mr Francis Peto

Scottish Borders Local Development Plan 2016

POLICY PMD2: QUALITY STANDARDS

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

Sustainability

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

Placemaking & Design

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

List of Policies

Accessibility

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

Greenspace, Open Space & Biodiversity

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

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

POLICY HD2: HOUSING IN THE COUNTRYSIDE

The Council wishes to promote appropriate rural housing development:

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

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

(A) BUILDING GROUPS

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

- a) the Council is satisfied that the site is well related to an existing group of at least three houses or building(s) currently in residential use or capable of conversion to residential use. Where conversion is required to establish a cohesive group of at least three houses, no additional housing will be approved until such conversion has been implemented,
- b) the cumulative impact of new development on the character of the building group, and on the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused

List of Policies

if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts,

c) any consents for new build granted under this part of this policy should not exceed two housing dwellings or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.

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

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

(B) DISPERSED BUILDINGS GROUPS

In the Southern Housing Market area there are few building groups comprising 3 houses or more, and a more dispersed pattern is the norm. In this area a lower threshold may be appropriate, particularly where this would result in tangible community, economic or environmental benefits. In these cases the existence of a sense of place will be the primary consideration.

Housing of up to 2 additional dwellings associated with dispersed building groups that meet the above criteria may be approved provided that:

- a) the Council is satisfied that the site lies within a recognised dispersed community in the Southern Borders housing market area,
- b) any consents for new build granted under this part of this policy should not exceed two housing dwellings in addition to the group during the Plan period. No further development above this threshold will be permitted,
- c) the design of housing will be subject to the same considerations as other types of housing in the countryside proposals.

(C) CONVERSIONS OF BUILDINGS TO A HOUSE

Development that is a change of use of a building to a house may be acceptable provided that:

- a) the Council is satisfied that the building has architectural or historic merit, is capable of conversion and is physically suited for residential use,
- b) the building stands substantially intact (normally at least to wallhead height) and the existing structure requires no significant demolition. A structural survey will be required where in the opinion of the Council it appears that the building may not be capable of conversion, and
- c) the conversion and any proposed extension or alteration is in keeping with the scale and architectural character of the existing building.

(D) RESTORATION OF HOUSES

The restoration of a house may also be acceptable provided that the walls of the former residential property stand substantially intact (normally at least to wallhead height). In addition:

- a) the siting and design reflects and respects the historical building pattern and the character of the landscape setting,

List of Policies

- b) any proposed extension or alteration should be in keeping with the scale, form and architectural character of the existing or original building, and
- c) significant alterations to the original character will only be considered where it can be demonstrated that these provide environmental benefits such as a positive contribution to the landscape and/or a more sustainable and energy efficient design.

(E) REPLACEMENT DWELLINGS

The proposed replacement of an existing house may be acceptable provided that:

- a) the siting and design of the new building reflects and respects the historical building pattern and the character of the landscape setting,
- b) the proposal is in keeping with the existing/original building in terms of its scale, extent, form and architectural character,
- c) significant alterations to the original character of the house will only be considered where it can be demonstrated that these provide environmental benefits such as a positive contribution to the landscape and /or a more sustainable and energy efficient design.

(F) ECONOMIC REQUIREMENT

Housing with a location essential for business needs may be acceptable if the Council is satisfied that:

- a) the housing development is a direct operational requirement of an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and it is for a worker predominantly employed in the enterprise and the presence of that worker on-site is essential to the efficient operation of the enterprise. Such development could include businesses that would cause disturbance or loss of amenity if located within an existing settlement, or
- b) it is for use of a person last employed in an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and also employed on the unit that is the subject of the application, and the development will release another house for continued use by an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and
- c) the housing development would help support a business that results in a clear social or environmental benefit to the area, including the retention or provision of employment or the provision of affordable or local needs housing, and
- d) no appropriate site exists within a building group, and
- e) there is no suitable existing house or other building capable of conversion for the required residential use.

In ALL instances in considering proposals relative to each of the policy sections above, there shall be compliance with the Council's Supplementary Planning Guidance where it meets the terms of this policy and development must not negatively impact on landscape and existing communities. The cumulative effect of applications under this policy will be taken into account when determining impact.

POLICY EP1: INTERNATIONAL NATURE CONSERVATION SITES AND PROTECTED SPECIES

Development proposals which will have a likely significant effect on a designated or proposed Natura site, which includes all Ramsar sites, are only permissible where:

- a) an appropriate assessment has demonstrated that it will not adversely affect the integrity of the site, or

List of Policies

- b) there are no alternative solutions, and
- c) there are imperative reasons of overriding public interest including those of a social or economic nature

Where a development proposal is sited where there is the likely presence of an EPS, the planning authority must be satisfied that:

- a) there is no satisfactory alternative, and
- b) the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance to the environment, and
- c) the development is not detrimental to the maintenance of the population of a EPS at a favourable conservation status in its natural range.

POLICY EP7: LISTED BUILDINGS

The Council will support development proposals that conserve, protect, and enhance the character, integrity and setting of Listed Buildings.

Internal or external alterations and extensions to Listed Buildings, or new developments within their curtilage, must meet the following criteria:

- a) be of the highest quality,
- b) respect the original structure in terms of setting, scale, design and materials, whilst not inhibiting contemporary and/or innovative design;
- c) maintain, and should preferably enhance, the special architectural or historic quality of the building;
- d) demonstrate an understanding of the building's significance.

All applications for Listed Building Consent or applications affecting the setting of Listed Buildings will be required to be supported by Design Statements.

New development that adversely affects the setting of a Listed Building will not be permitted.

The demolition of a Listed Building will not be permitted unless there are overriding environmental, economic, social or practical reasons. It must be satisfactorily demonstrated that every effort has been made to continue the present use or to find a suitable new use.

POLICY EP10: GARDENS AND DESIGNED LANDSCAPES

The Council will support development that safeguards or enhances the landscape features, character or setting of:

- a) sites listed in the Inventory of Gardens and Designed Landscapes, or
- b) sites included in historic gardens and designed landscapes records.

All development should be carefully sited, be of the highest standards of design using appropriate finishing materials and planting, and be informed by and respectful of the historic landscape structure. Proposals that will result in an unacceptable adverse impact will be refused.

All applications affecting a Garden or Designed Landscape will be required to be supported by a Design Statement.

POLICY EP13: TREES, WOODLANDS AND HEDGEROWS

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The Council will refuse development that would cause the loss of or serious damage to the woodland resource unless the public benefits of the development clearly outweigh the loss of landscape, ecological, recreational, historical, or shelter value.

Any development that may impact on the woodland resource should:

- a) aim to minimise adverse impacts on the biodiversity value of the woodland resource, including its environmental quality, ecological status and viability; and
- b) where there is an unavoidable loss of the woodland resource, ensure appropriate replacement planting, where possible, within the area of the Scottish Borders; and
- c) adhere to any planning agreement sought to enhance the woodland resource.

POLICY IS2: DEVELOPER CONTRIBUTIONS

Where a site is otherwise acceptable in terms of planning policy, but cannot proceed due to deficiencies in infrastructure and services or to environmental impacts, any or all of which will be created or exacerbated as a result of the development, the Council will require developers to make a full or partial contribution towards the cost of addressing such deficiencies.

Contributions may be required for one or more of the following:

- a) treatment of surface or foul waste water in accordance with the Plan's policies on preferred methods (including SUDS maintenance);
- b) provision of schools, school extensions or associated facilities, all in accordance with current educational capacity estimates and schedule of contributions;
- c) off-site transport infrastructure including new roads or road improvements, Safer Routes to School, road safety measures, public car parking, cycle-ways, bridges and associated studies and other access routes, subsidy to public transport operators; all in accordance with the relevant standards and the provisions of any Travel Plan;
- d) leisure, sport, recreation, play areas and community facilities, either on-site or off-site;
- e) landscape, open space, allotment provision, trees and woodlands, including costs of future management and maintenance;
- f) protection, enhancement and promotion of environmental assets either on-site or off-site, having regard to the Local Biodiversity Action Plan and the Council's Supplementary Planning Guidance on Biodiversity, including compensation for any losses and/or alternative provision;
- g) provision of other facilities and equipment for the satisfactory completion of the development that may include: measures to minimise the risk of crime; provision for the storage, collection and recycling of waste, including communal facilities; provision of street furniture and digital connectivity with associated infrastructure.

Wherever possible, any requirement to provide developer contributions will be secured by planning condition. Where a legal agreement is necessary, the preference for using an agreement under other legislation, for example the 1973 Local Government (Scotland) Act and the 1984 Roads (Scotland) Act will be considered. A planning obligation will only be necessary where successors in title need to be bound by its terms. Where appropriate, the council will consider the economic viability of a proposed development, including possible payment options, such as staged or phased payments.

POLICY IS3: DEVELOPER CONTRIBUTIONS RELATED TO THE BORDERS RAILWAY

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In accordance with the provisions of the Waverley Railway (Scotland) Act 2006, the Council will seek developer contributions towards the cost of providing the Borders railway from any developments that may be considered to benefit from, or be enhanced by, the re-instatement of the rail link.

POLICY IS7: PARKING PROVISION AND STANDARDS

Development proposals should provide for car and cycle parking in accordance with approved standards.

Relaxation of technical standards will be considered where appropriate due to the nature of the development and/or if positive amenity gains can be demonstrated that do not compromise road safety.

In town centres where there appear to be parking difficulties, the Council will consider the desirability of seeking additional public parking provision, in the context of policies to promote the use of sustainable travel modes.

POLICY IS9: WASTE WATER TREATMENT STANDARDS AND SUSTAINABLE URBAN DRAINAGE

WASTE WATER TREATMENT STANDARDS

The Council's preferred method of dealing with waste water associated with new development will be, in order of priority:

- a) direct connection to the public sewerage system, including pumping if necessary, or failing that:
- b) negotiating developer contributions with Scottish Water to upgrade the existing sewerage network and/or increasing capacity at the waste water treatment works, or failing that:
- c) agreement with Scottish Water and SEPA where required to provide permanent or temporary alternatives to sewer connection including the possibility of stand alone treatment plants until sewer capacity becomes available, or, failing that:
- d) for development in the countryside i.e. not within or immediately adjacent to publicly sewered areas, the use of private sewerage treatment may be acceptable, providing it can be demonstrated that this can be delivered without any negative impacts to public health, the environment or the quality of watercourses or groundwater.

In settlements served by the public foul sewer, permission for an individual private sewage treatment system will normally be refused unless exceptional circumstances prevail and the conditions in criteria (d) above can be satisfied.

Development will be refused if:

- a) it will result in a proliferation of individual septic tanks or other private water treatment infrastructure within settlements,
- b) it will overload existing mains infrastructure or it is impractical for the developer to provide for new infrastructure.

SUSTAINABLE URBAN DRAINAGE

Surface water management for new development, for both greenfield and brownfield sites, must comply with current best practice on sustainable urban drainage systems to the satisfaction of the council, Scottish Environment Protection Agency (where required), Scottish Natural Heritage and other interested parties where required. Development will be refused unless surface water treatment is dealt with in a sustainable manner that avoids

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flooding, pollution, extensive canalisation and culverting of watercourses. A drainage strategy should be submitted with planning applications to include treatment and flood attenuation measures and details for the long term maintenance of any necessary features.

POLICY IS13: CONTAMINATED LAND

Where development is proposed on land that is contaminated, suspected of contamination, or unstable the developer will be required to:

- a) carry out, in full consultation with, and to the satisfaction of Scottish Borders Council, appropriate phased site investigations and risk assessments; and
- b) where necessary, and to the satisfaction of Scottish Borders Council design, implement, and validate appropriate remedial or mitigation measures to render the site suitable for its proposed use.

OTHER MATERIAL CONSIDERATIONS

- SBC Supplementary Planning Guidance on Placemaking & Design 2010
- SBC Supplementary Planning Guidance on Development Contributions 2011
- SBC Supplementary Planning Guidance on New Housing in the Borders Countryside 2008
- SBC Supplementary Planning Guidance on Landscape and Development 2008
- SBC Supplementary Planning Guidance on Trees and Development 2008
- SBC Supplementary Planning Guidance on Local Landscape Designations 2012