

*Denholm Mill
Denholm
Hawick
Roxburghshire
TD9 8NX*

Head of Planning & Regulatory Services,
Scottish Borders Council, Council HQ,
Newtown St. Boswells,
Melrose, TD6 0SA.

14th January 2016

Dear Sir,

EN	15/01552/FUL
INF	
15 JAN 2016	
To	AE
Ackn	
File	
Comment/Comp	
Ref No	

Erection of Two Dwelling Houses, Land South of Primary School, Denholm.
Application No. 15/01552/FUL.

I refer to the above planning application which has been validated. You may recall that I wrote to you on 28th October 2015 in anticipation of the applicants entering into pre-application discussions with your authority. I see from the application form that this did not happen. The contents of that letter were to alert the Council to the fact that the land between the field boundary and the highway service strip is within the ownership of nine householders at Denholm Mill. The red line application site shown on drawing MM3017/1A is not wholly within the ownership of the applicants, and the Regulation 15 Land Ownership Certificate is incorrect. The application in its present form is therefore invalid.

I would request that the validation exercise be revisited in the light of the contents of my letter dated 28th October 2015 (copy enclosed). The addresses of the owners of the land in question are set out and I can confirm that these remain correct for the service of Notices. Further representations will be submitted when a corrected application has been validated by your department.

Yours faithfully,



Nicholas Cook

*Denholm Mill
Denholm
Hawick
Roxburghshire
TD9 8NX
Tel: 01450 870022*

Brian Frater,
Head of Planning & Regulatory Services,
Scottish Borders Council,
Council HQ,
Newtown St. Boswells,
Melrose
TD6 0SA.

28th October 2015.

Dear Sir,

The Manse Field, Denholm Mill

I have been advised that the owners of the above field and their agent intend to undertake "Pre-Application Discussions" regarding this land.

Although your files will be clear regarding the planning history of the field over many years, I enclose relevant extracts for your information.

In particular, I wish to remind you of the contents of my letter dated 10th September 2007, (copy enclosed). Should an application be received which includes a proposal to create or alter an access to the Denholm Mill road, then the following owners should be served with the appropriate S.35 notice prior to validation:

Mr & Mrs N. Cook, Mr & Mrs D. Taylor	Denholm Mill 42 Windmill Lane, Ashbourne, Derbyshire, DE6 1EY.
Mr G. Couper and Ms S. Dodd	5 Denholm Mill
Mr & Mrs T. Kelly	8 Denholm Mill
Mr I. Shiel	10 Denholm Mill
Mr D. McNair	12 Denholm Mill

Mr & Mrs P. Templeman
Mr & Mrs A. Douglas
Mr & Mrs I. Thompson

14 Denholm Mill
16 Denholm Mill
18 Denholm Mill.

I would appreciate acknowledgement of this letter.

Yours faithfully,

Nicholas Cook



The Manse Field, Denholm Mill

1) Local Plan Inquiry: November 2006.

Statement by Jim Knight, Principle Officer (Landscape) for Scottish Borders Council.

- 4.5 The professional view of the Principal Officer (Landscape) is that:
"The rivers and associated steep banks, partially wooded, are the main landscape features. — The view of the village on its main road approaches is also important, especially the A698 approach from the W looking towards the settlement perched on its elevated position with Denholm Mill located below at the confluence of the Dean Burn and Teviot. — Further development of the village would be more easily accommodated to the E, effectively extending along the terrace of ground upon which the village is built. Development 'spilling over' the bankings that form the natural NW and SW limits of the settlement, should be resisted as this would tend to weaken the existing character and settlement pattern."

2) Local Plan Inquiry Report: October 2007.

Conclusions by Reporter R. Bowden.

Conclusions

I note that the objector has not sought to dispute the Council's assertion that there is no requirement for additional housing sites to be allocated in Denholm to make up any shortfall in the HMA within the local plan period - and no criticism of the allocated housing sites in Denholm has been made. I am not persuaded that there is a special case to be argued to provide for the objection site to provide solely affordable housing units, when the Council has demonstrated that there is no projected shortfall of provision in this sector, particularly when affordable provision comes within the overall housing assessments that SBC has already undertaken.

Whilst noting that the objection site is within the development boundary of the village, I endorse the Council's concern that its development, in whole or part, for housing would be detrimental to the amenity of Denholm, particularly as the site is highly visible when approaching from the west along the main A698 road. In my view, the offer of restricting the proposals to single or 1½ storey and avoiding the highest parts of the steeply sloping site would not be sufficient to ameliorate the impact of the development satisfactorily, given its prominent setting. Furthermore, I am not persuaded that the suggested benefit of linking the developments at Denholm Mill Farm with the rest of the village would be sufficient to justify the development - particularly when the provision of pedestrian routes to the village centre, avoiding the steep hill at the north of the site, would entail footways being provided alongside the main A698 road, which would not be desirable.

In conclusion, I endorse the Council's arguments that the objection site at Manse Field should not be allocated in the adopted plan. For the reasons outlined above, I also conclude that the site concerned should not be identified as an area for potential longer term development of Denholm, when the finalised plan already has an area identified for this purpose, albeit on an indicative basis.

3) Officer's Report and Decision Notice relating to Application 07/01788/OUT.

ASSESSMENT OF APPLICATION:

It is clear from the previous history associated with this field that there has been residential development pressure which has been consistently opposed, even at appeal stage. Although the site was formerly outwith the settlement boundary of Denholm, the emerging Local Plan at the time of the appeal decision in mid 1993 recognised that, whilst the site could be included within the settlement boundary, it could still not be interpreted as an acceptable site for development. Policy 61 was applied across the entire field which afforded it a protection against such development by seeking the retention of the open space that it offered.

In his decision letter of 1993, the Scottish Office Reporter recognised the following :

"...there presently remains a clear presumption against development on the appeal site. If it were necessary, this finding would be reinforced by the inclusion of the site within the Denholm Conservation Area".

He went on to explain why he agreed with this prohibition, stating :

"The site makes a pleasing contribution to the character of the Conservation Area by sharpening the visual distinction between the village proper and its rural approach from the west". He felt that with the single house development proposed, no matter where it was located or how it was designed, *"...The entrance to Denholm would no longer offer the same experience of sudden change from countryside to village square".*

Subsequently, this position of opposition to any form of development has been reinforced by the unsuccessful attempt by the applicants to seek the allocation of the field as a housing site during the consultation process of the current Finalised Local Plan. Although it is accepted that the field remains within the settlement boundary and the applicants were actually seeking a specific housing allocation, the recorded comments of the Department and, subsequently, the Inquiry Reporter, make it clear that the site has no potential as a development or housing site.

Ian Lindley
Director of Planning and Economic Development

Brian Frater
Head Of Planning & Building Standards

Nicholas Cook Secretary
Denholm Mill Proprietors Association
1 Denholm Mill
Denholm
Hawick
Roxburghshire
TD9 8NX

Please ask for : Mr Craig Miller
Ref : 01450 364705 EXT 4761
07/01788/OUT
Your Ref : HADDON
Date : 21st November 2007

Dear Sir/Madam

PLANNING APPLICATION NO: 07/01788/OUT

PROPOSAL: Erection of two affordable dwellinghouses

**LOCATION: Land South Of Denholm Primary School West End
Denholm Scottish Borders**

With reference to the above planning application I can now advise you that this was considered by the of the Council at their meeting on 20th November 2007. Following consideration of all observations received and all representations submitted, including your own, the Committee agreed that the application be refused for the following reason(s):

- 1 The proposed development is contrary to Policies N18 and H9 of the Scottish Borders Structure Plan 2001-2011, Policies 2, 4, 10, 48 and 61 of the Roxburgh Local Plan 1995 and Policies G7, BE4, BE6 and H1 of the Scottish Borders Local Plan: Finalised December 2005 in that it would result in the loss of open space to the detriment of the amenity and character of the village, its western approach and the Conservation Area.
- 2 The proposed development is contrary to Policies N18 and H9 of the Scottish Borders Structure Plan 2001-2011, Policies 2, 4, 10, 48 and 61 of the Roxburgh Local Plan 1995 and Policies G7, BE4, BE6 and H1 of the Scottish Borders Local Plan: Finalised December 2005 in that the need for the development has not been adequately substantiated to justify an exception to the Policies.

Planning and Economic Development

Area Office, High Street, Hawick, TD9 9EF

Tel: 01450 364705 Fax: 01450 364715

E-mail: ped@scotborders.gov.uk Website: www.scotborders.gov.uk

Visit <http://eplanning.scotborders.gov.uk/publicaccess/> to view Planning information online



INVESTOR IN PEOPLE

DENHOLM MILL PROPRIETORS ASSOCIATION

Chairman: David Fisher
Secretary: Nick Cook
Treasurer: Ian Shiel

1 Denholm Mill
Denholm
Hawick
Roxburghshire
TD9 8NX

Scottish Borders Council
Planning & Economic Development
Council Headquarters
Newtown St Boswells
TD6 OSA

Your ref:
Our ref: **NJC/BH**
Date: **10 September 2007**

Dear Sir/Madam

Manse Field Denholm

It has been brought to the attention of the Denholm Mill Proprietors that an application may be submitted to propose the erection of two properties on the Manse Field. Can I make two representations at this early stage?

1. The Proprietors own a strip of land adjacent to the Manse Field and should therefore be advised of the application.

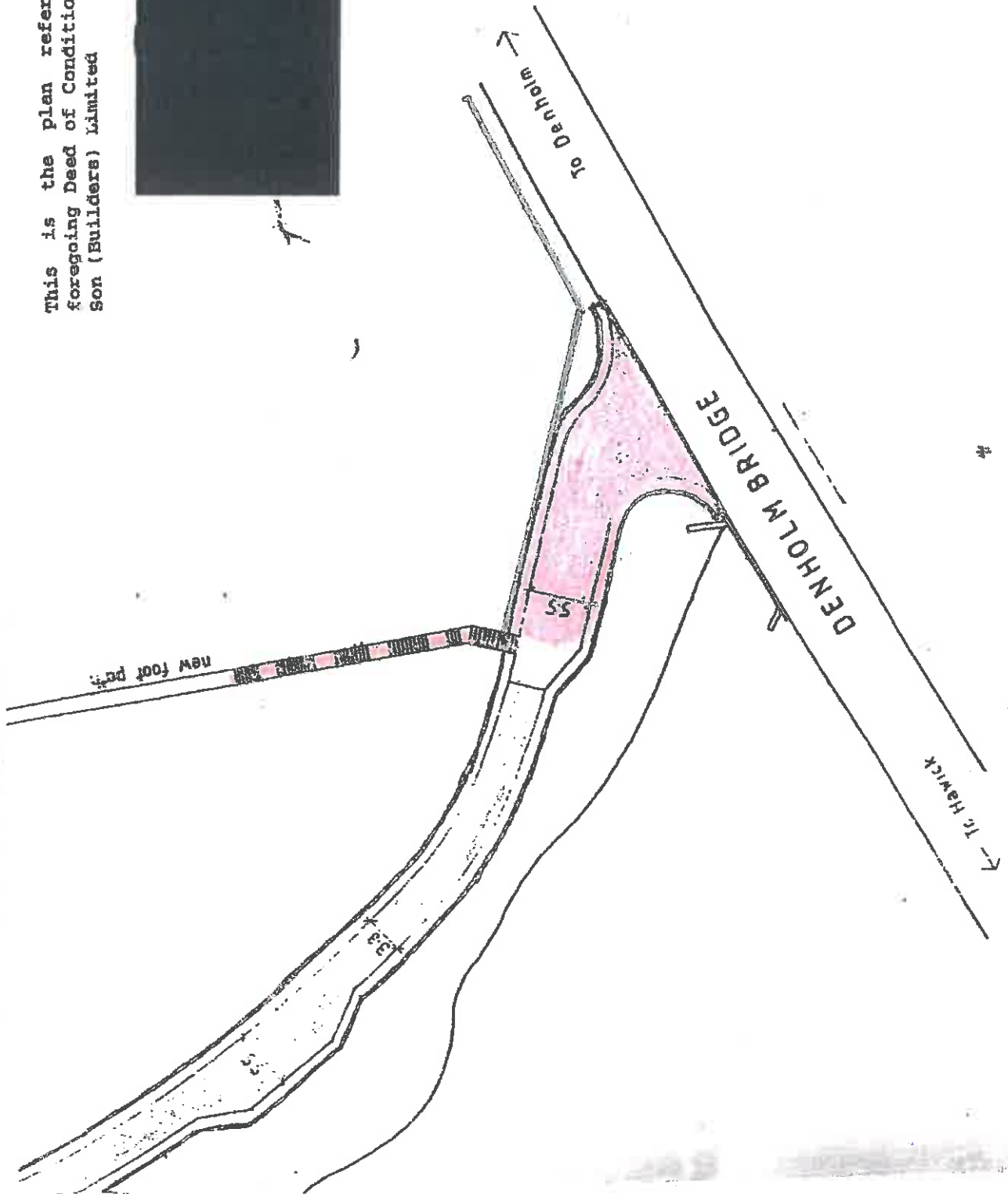
Plan A attached shows the field boundary in green and the area shaded red that was transferred by T Graham and Son (Builders) Limited to the Proprietors. It abuts the application site.

Plan B shows the area adopted by Scottish Borders Council in 2003. It does not abut the application site. There is therefore a small area of ground between the rear of the service strip and the fence boundary that remains in the ownership of the Proprietors.

No approach has been made to us to cross this area of ground to provide access for residential development on the Manse Field.

...../

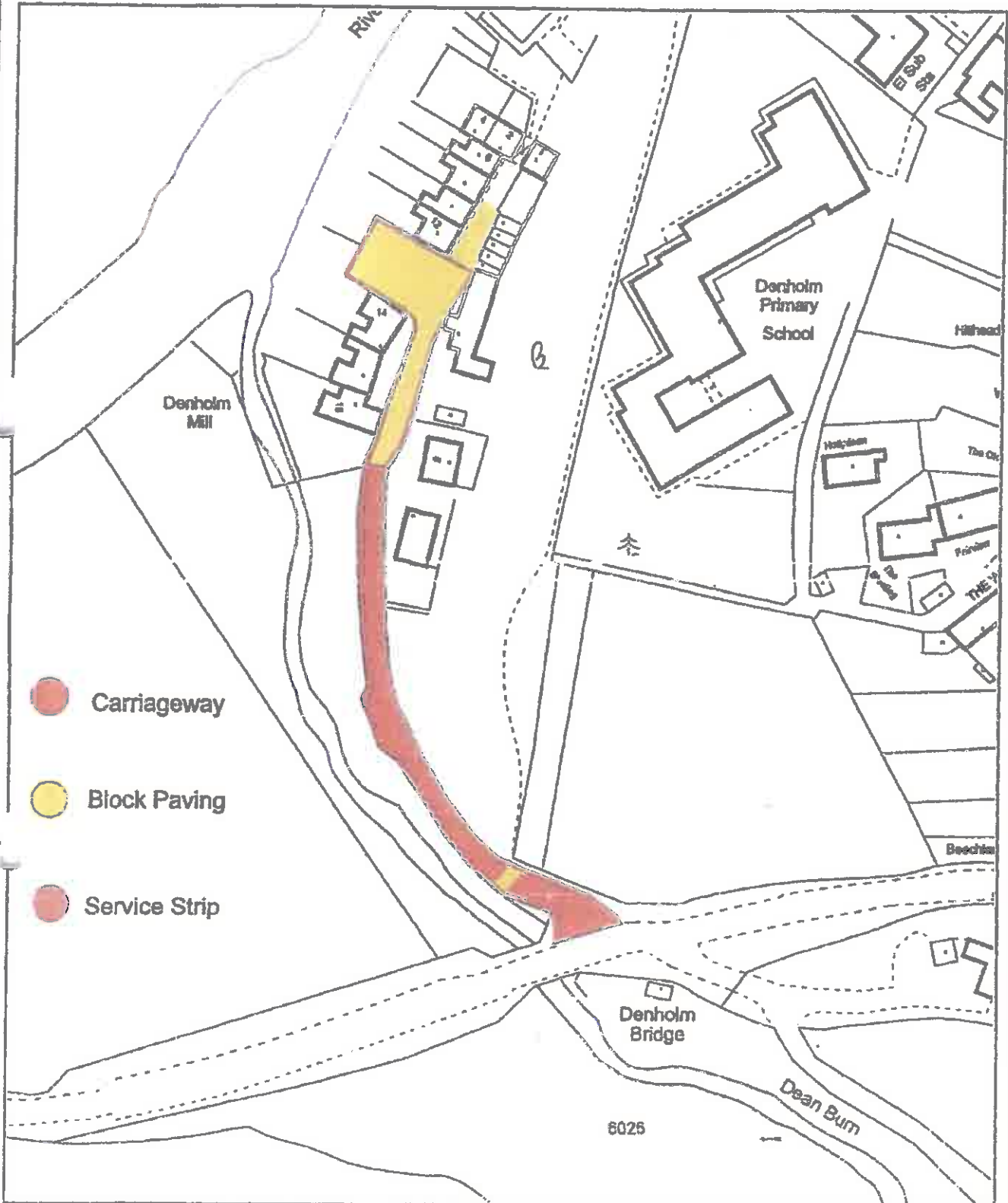
This is the plan referred to in the foregoing Deed of Conditions by T Graham & Son (Builders) Limited






PLAN A

PLAN B

Denholm Mill, Denholm (D166/3)



-  Carriageway
-  Block Paving
-  Service Strip

1:1250



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KE

*Denholm Mill
Denholm
Hawick
Roxburghshire
TD9 8NX*

Paul Grigor,
Roads Planning Service, Regulatory Services,
Scottish Borders Council, Council HQ,
Newtown St. Boswells,
Melrose, TD6 0SA.

12th February 2016.

Dear Mr Grigor,

Manse Field, Denholm.

I have seen a copy of your observations on planning application 15/01552/FUL dated 4th February 2016. I note your comment that:
" ... it is the opinion of this department that the public road boundary is the fence line along the boundary of this field".

I enclose two drawings for your information:

Plan A: This shows shaded red the area of ground transferred to eleven properties at Denholm Mill that comprise "Common Parts" on Title Number ROX 3805.

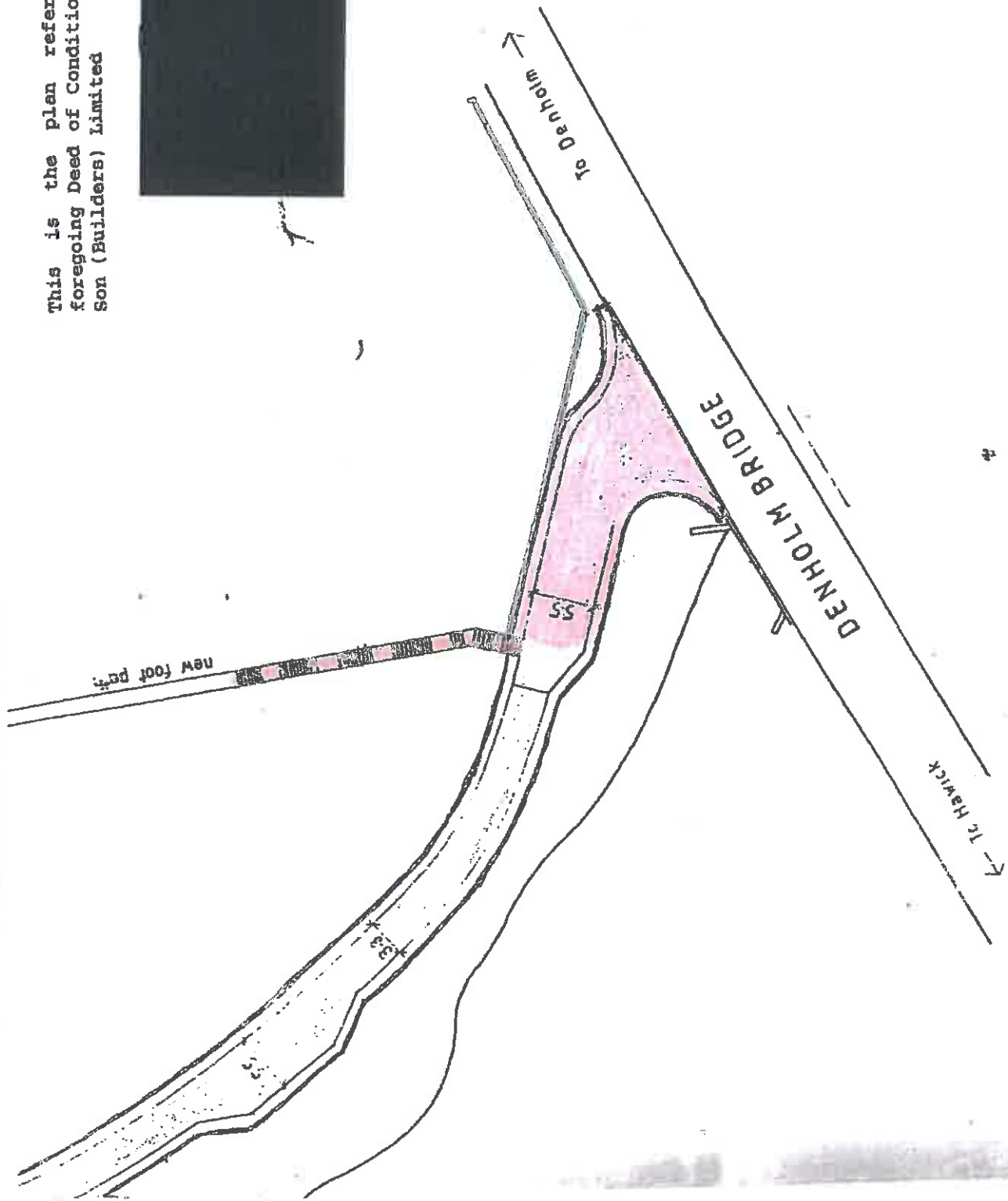
Plan B: This shows the area of ground adopted as "carriageway and service strip" at Denholm Mill (D 166/3) by your Council in 2003. Ronald Elliot the Development Control Coordinator's letter dated 5th June 2003 confirmed the extent of the adopted area: (Reference KRE.L043/R302/92).

As is clear, there is a strip of land, one meter wide (as scaled at 1:1250 from plan D166 /3) that remains within the definition of "Common Parts" between the Service Strip and the fence along the boundary of the field. This land has always been maintained by the owners of property at Denholm Mill.

Yours sincerely,


Nicholas Cook.

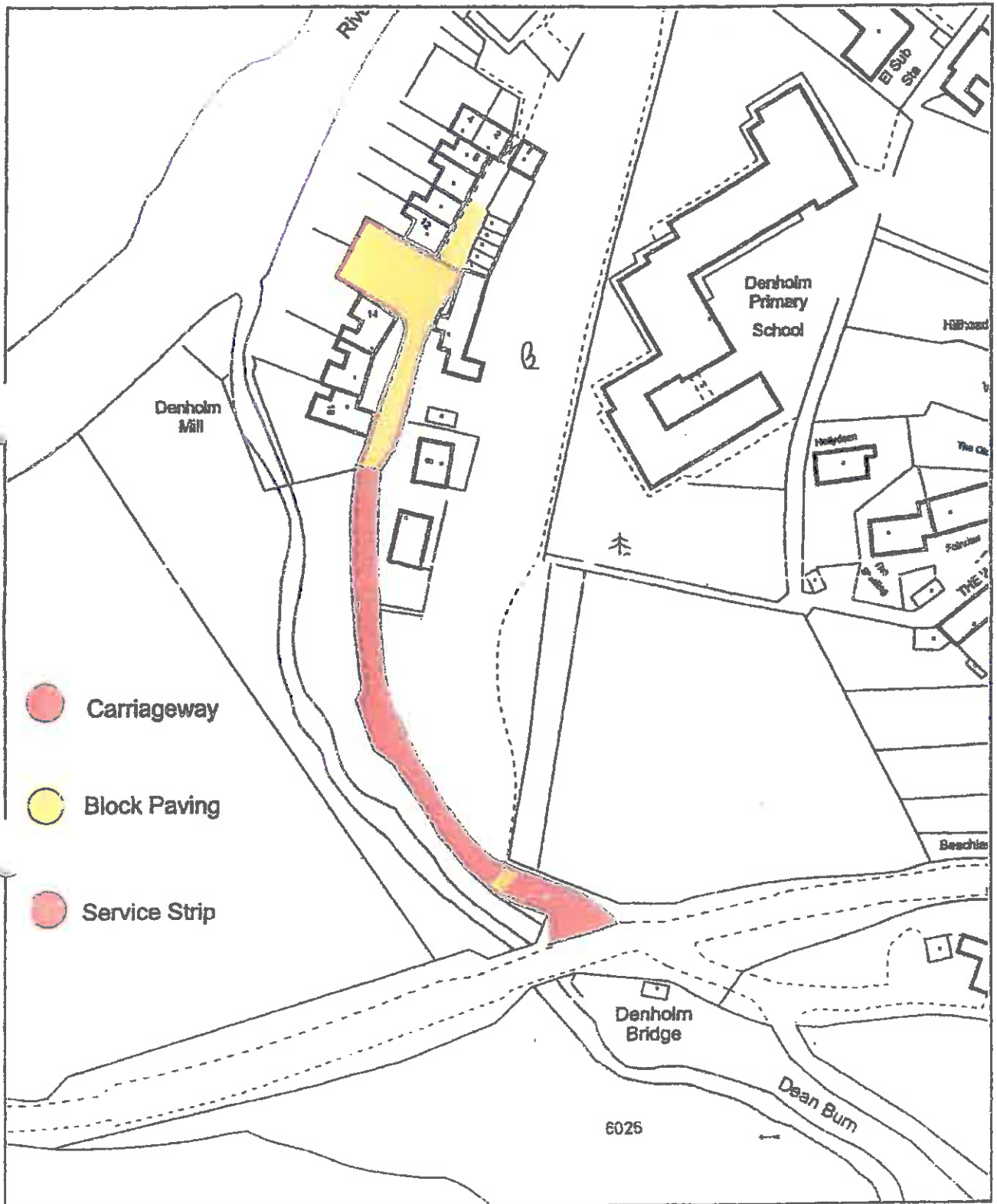
This is the plan referred to in the foregoing Deed of Conditions by T Graham & Son (Builders) Limited



PLAN A

PLAN B

Denholm Mill, Denholm (D166/3)



1:1250



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Scottish
Borders



C O U N C I L

**ENVIRONMENT &
INFRASTRUCTURE**

Ian Aikman,
Chief Planning Officer.

7 1 JAN 2016
To _____
Action _____
File _____
Comment/Complaint
Ref No _____

The Shieling
The Wynd
Denholm.
TD98LY
19-01-2016

Dear sir,
re planning application ref 15/01552/FUL.

On receiving your letter advising us about the building of two dwelling houses on land south of primary school. West End, Denholm, we would like to submit our views.

- 1/ We think there is enough building taking place in the village at the East side without more on the Western approaches.
- 2/ The field at the moment is used as an equine grazing area and very much in keeping with the village.
- 3/ Access/exit to and from these proposed buildings looks like taking place onto the small road to Denholm Mill then onto the A698.
We thought this access/entry was limited to Denholm Mill properties only.
- 4/ As there is a public right-of-way from the Denholm Mill road to the village running along the side and top of the field in question and is very well used, the dwellers won't have the privacy they were possibly expecting.

To conclude,
we would strongly suggest that this development should not be allowed to go ahead.



Ian Aikman
Chief Planning Officer
Scottish Borders Council
Council HQ
Newtown St. Boswells
Melrose TD6 0SA

Mr & Mrs G Farquharson
The Riggs
Westside
Denholm TD9 8LX

Dear Mr Aikman

29/01/2016

Planning Application - 15/01552/Ful
Proposed Development- Erection of Two Dwelling houses
Location- Lan South of Primary School, Denholm

We refer to the above planning application and wish to lodge a formal objection against it.

The site in question is regarded as making a pleasing contribution to the character of the conservation area and sharpening the visual distinction between the village and its rural approach from the west.

The entrance to the village from the west would no longer offer the same experience of sudden change from countryside to village square.

The proposal intrudes into open countryside and would have an adverse impact on the landscape

The proposal would have an adverse effect on the approach to the village from the west which, being at the village entrance, has an amenity value.

Your attention is brought to the number of times 'The Riggs' is used in the supporting statement, (5 times including a photograph), the applicant and their agent obviously relying heavily on 'The Riggs' in aiding their effort to gaining planning permission.

I would like to bring to your attention that 'The Riggs' **only became visible** to the western approach when the co-owner of the field instructed a local gardener to remove 3 mature coniferous trees, which were partly, if not totally, on land belonging to The Riggs' thus exposing the gable of 'The Riggs' to the western approach. Had the trees not been removed, they would have shielded 'The Riggs' from view. This was reported to the council tree preservation officer at the time, who subsequently made a site visit for inspection, and I am sure he will have notes regarding this on file.

I have included a photograph of how the view of 'The Riggs' could look if the trees were not removed, and how it could look if trees were reinstated, fig 3A. I have also included the photo from the supporting statement, fig3, for comparison.

How ' The Riggs' could look if trees were reinstated.

Fig 3(A)



Fig 3: The prominent Gable of "The Riggs" facing west over Manse Field



To be sited in such a prominent position at the western approach its size seems somewhat excessive at 33.1m long by 15.5m wide and 10.19m high from road level.

It will result in significant loss of privacy to 'The Riggs', especially with the windows in bedroom3, bedroom4, bathroom, office/guest room and kitchen area on the east elevation and also the proposed outside terrace to both properties. This is especially true because of the removed trees which have exposed the glass gable.

The supporting statement.

Point 1.3 of the supporting statement suggests that the building would not dominate the field. **A building of 33.1m by 15.5m by 10.19m from road level can be nothing but dominant.**

Point 2.2 of the supporting statement refers to the readily visible gable of 'The Riggs' **This would not be the case had the trees not been removed.**

Point 3.2 and 3.3 of the supporting statement sum up the reasons why the application should be refused.

Point 3.5 of the supporting statement refers again to the gable of 'The Riggs'. **Again, as in point 2.2, this would not be the case had the trees not been removed.**

Page 6 fig 3 of the supporting statement shows a photograph of the gable to 'The Riggs'. **This photograph would look somewhat different had the trees, which shielded this gable, not been removed.**

Point4.4 of the supporting statement suggests :-

- 1 Development must **not** conflict with the established use of the area.
The established use is a field for equestrian grazing.
- 2 Development must **not** detract from the character and amenity of the area.
The character of the area is of open countryside and as such any development would be detrimental to the area.
- 3 The development must respect the scale, form, design, materials and density of its surroundings.
The development would be sitting in open countryside and with the large scale of the building, this would not respect the openness of the area.
- 4 The development must not result in significant loss of daylight, sunlight or privacy to adjoining properties.
The development would result in significant loss of privacy to 'The Riggs' especially the proposed east elevation.

Point 4.5 of the supporting statement suggests the proposed is of an appropriate design for the village edge location.

The size of the design at 33.1m by 15.5m by 10.19m high from road level seems an excessive scale for a building that sits in open countryside before entering the village.

Point 4.5 of the supporting statement also suggests that there will be no loss of privacy to existing properties.

The development would result in significant loss of privacy to 'The Riggs' especially the proposed east elevation.

Point 4.7 of the supporting statement says the development must not have an unacceptable adverse impact on the character or appearance of the area.

The character and appearance of the western approach is that of open countryside and any development on the proposed site would have an adverse impact on the character and appearance of this area.

Point 4.8 of the supporting statement says properties around the green are mainly two storey.

This statement is true, but it would be visually impossible to connect the properties around the green to the proposed development. The nearest properties to the proposed development are either single storey or one and a half storey.

Point 4.11 of the supporting statement again brings up the gable of 'The Riggs'.

As in points 2.2, 3.5 and page 6 fig 3, the gable would not dominate the western approach had the trees not been removed.

Point 4.12 of the supporting statement recognises the importance of open space in enhancing the western approach.

Although the proposal leaves approximately half the field (as long as this doesn't end up two separate pieces of garden ground) once the magnitude of the building is in place, it will be the building itself that will be visually dominant and not the green space in behind.

Point 4.13 of the supporting statement suggests that the proposal will not have an adverse impact on the character or appearance of the area.

As in point 4.7 the character and appearance of the western approach is that of open countryside and any development on the proposed site would have an adverse impact on the character and appearance of this area.

Point 4.16 of the supporting statement suggests that open space at the western entrance will be preserved.

As in point 4.12 once the magnitude of the building is in place, it will be the building itself that will be dominant and not the open space.

Point 4.18 of the supporting statement suggests the applicant is keen to preserve open space and preserve some agricultural / grazing land.

Does this mean the remainder of the field will continue to be used in one lot for agriculture/grazing land, and if so there are no indications on the site layout drawing where this would be accessed from.

Point 5.3 of the supporting statement suggests the proposal will enhance the western entrance and character of this area.

The character of the western entrance is the feeling of space and open countryside.

Point 5.6 for the 5th time brings up the prominent gable of 'The Riggs'
As in points 2.2, 3.5, page 6, 4.11 and now for the 5th time 5.6, had it not been for the removal of the trees the gable of 'The Riggs' would have been shielded by these evergreen coniferous trees.

Point 5.7 of the supporting statement says the proposal ensures that the prominent upper portion of the field will be retained.

Again, once the magnitude of the building is in place it will be the building its self that will be prominent and not the open space behind.

There are already quite a number of building opportunities with existing planning permission to the east side of the village within the Cruden site, the site adjacent to Cruden's, land down the Cannongate, houses under construction on Jedward terrace and a number of plots up Ruberslaw road & Ruberslaw drive. I believe there is ample building land within the village with existing planning permission without opening up the pleasing western approach to housing, and any further development of this area should be resisted.

To conclude,

We strongly believe that this proposal is refused planning permission for all of the above reasons.

Yours sincerely

Grant and Lesley Farquharson.

*Denholm Mill
Denholm
Hawick
Roxburghshire
TD9 8NX*

ENVIRONMENT & INFRASTRUCTURE
29 JAN 2016 <i>AE</i>
File Corr. Ref No.

Ian Aikman,
Chief Planning Officer,
Scottish Borders Council, Council HQ,
Newtown St. Boswells,
Melrose, TD6 0SA.

28th January 2016

Dear Sir,

Planning Application
Erection of Two Dwelling Houses.
Land South of Primary School, Denholm.
Application No. 15/01552/FUL.

I refer to your letter dated 19th January 2016 and note that the application is to be processed in its present form, without Notice being served on the non-applicant owners of land within the application site, point 1.4 below deals with this aspect of the application. I remain of the view that the application is invalid, by virtue of S.35(4) of the Town & Country Planning (Scotland) Act 1997. Nevertheless I wish to make the following additional comments on the submission by Ericht Planning and Property Consultants on behalf of Mr & Mrs Ewart.

1. **Supporting Statement**

- 1.1 Paragraph 1.1 states that the application is for permission "in principle" (i.e. under Regulation 10), whereas the application form states that full planning permission is sought. It is not a Regulation 10 application.
- 1.2 The Statement refers throughout to the proposal being "carefully designed". However no Design Statement has been submitted as required by the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, Part 3, Regulation 13 (2)(b). This requires the submission of a Design Statement for sites within Conservation Areas, to be prepared in accordance with Planning Advice

Note 68. The application should not be determined without such a statement being prepared and submitted as required by the legislation.

- 1.3 Paragraph 2.2 of the Statement correctly confirms that the existing site access comprises a "servitude right". The site description does not identify the location of the existing access points, but historically they have been via three field gates. There are not "servitude rights" at any other point. Two of these gates have served the function of the field for "equestrian grazing" satisfactorily in relation to animal husbandry, grass-cutting, and the erection and extension of the Stock Shelter (ref: 03/01174/AGN).
- 1.4 Drawing no MM 3017/1 A shows a new point of access at a location that is not one of the "servitude right" field gates. Land at the location proposed for the access is not owned by the applicants and no Notice has been served on the owners as required by S.35(4). My letter and enclosures dated 14th January 2016 refers.
- 1.5 The section of the Statement dealing with "Planning History" is severely flawed as it completely ignores the evidence and findings of the Local Plan Inquiry in 2006 and 2007. All matters relating to the sites location within the Settlement Boundary and its contribution to the Conservation Area were debated at that time. The Inquiry Reporter, Mr R. Bowden stated:
"I endorse the Council's concern that its development, in whole or part, for housing would be detrimental to the amenity of Denholm, particularly as the site is highly visible when approaching from the west along the main A698 road. In my view, the offer of restricting the proposals to single or one and a half storey and avoiding the highest parts of the steeply sloping site would not be sufficient to ameliorate the impact of the development satisfactorily, given its prominent setting".
- 1.6 The Statement sets great store by the assertion that the upper portion of the green space will be protected (paragraph 4.12). However Section X-X on Drawing No MM3017/1A clearly shows that a large proportion of the field would be masked by the two storey ridge height at 8.610 m. If a Design Statement had been submitted then an axonometric drawing would have shown this effect on the entrance to the Village. Section X-X shows that when viewed from the point "Main Road Level", at a standing height of 1.6m, none of the field would be visible behind the ridge of the two houses. From a point further away, the very top portion of the field may be visible, but there is no offer

within the application to prevent "suburbanisation" of this area of what would be garden ground by the construction of hard landscape features such as terracing, or the erection of greenhouses, sheds etc.

- 1.7 In the conclusion to the Statement, the author draws attention to the "prominent glazed gable of "The Riggs"" (paragraph 5.6). The original consent for this gable feature was granted by virtue of application 07/01686/FUL in January 2008. This application was under consideration at exactly the same time as application 07/01788/FUL which proposed two affordable dwelling houses on the Manse Field. Application 07/01788/FUL was refused in November 2007, but it demonstrates that the decision maker was aware of the juxtaposition of the two proposals and that the subsequent development of "The Riggs" does not create a precedent, as both proposals were considered contemporaneously, one being approved and the other refused.

2.0 Application Form.

- 2.1 The form states that drainage will be via a new septic tank with discharge to land via a soakaway system.
The agent states that:
"A full drainage scheme will be prepared and submitted to the Planning Authority in fulfilment of an anticipated pre-commencement planning condition".
There is no proposal for the sustainable drainage of surface water which, on the Planning Application form contains a clear caveat that:
" ... means that you could be in breach of Environmental legislation."
- 2.2 I attach an extract from the Council's "Infiltration Systems Technical Standard 3.9", dated January 2011. Step 2, paragraph 1 states that: "infiltration systems should not be positioned on steeply sloping sites". Section X-X shows the slopes involved and Reporter Bowden has already referred to the site as "steeply sloping" (see paragraph 1.5 above).
For this reason, the submission of a Drainage Impact Assessment and SUDS layout is essential at this stage in order that full consideration can be given to the impact of whatever is to be proposed by the applicants.

3 Conclusion.

- 3.1 This site has a much greater planning history that has been set out in the agent's Statement. Indeed, the key matters have been ignored completely.

3.2 The application is deficient in several respects:

- a) Land owners have not been served with Notice, as required.**
- b) No Design Statement has been submitted for a site within a Conservation Area as required.**
- c) No Drainage Impact Assessment or SUDS layout has been submitted for consideration.**

3.3 The Policy background for consideration of this application is clear and unambiguous. Indeed a lesser proposal was tested against these policies as recently as 2007 and found to be unacceptable by both the Inquiry Reporter and Scottish Borders Council. There have been no material alterations to policy since that time, and no precedents have been set that could indicate a change in the decision.

For these reasons I request that application 15/01552/FUL be refused planning permission.

Yours faithfully

A large black rectangular redaction box covering the signature and name of the official.

NICHOLAS COOK

INFILTRATION SYSTEMS:



POLICY FOR THE DISCHARGE OF TREATED EFFLUENT TO AN INFILTRATION SYSTEM (LOCATION RESTRICTIONS)

Mandatory Standard 3.9 is intended to ensure that wastewater from a building is carried to a suitable point of disposal. One method of complying with the requirement is to treat the wastewater with a septic tank or mini sewage treatment plant discharging to an infiltration system (soakaway). Before an infiltration system can be considered the area of ground has to be checked for its suitability and the guidelines below should be followed.

Step 1: Assessment of Plants and Vegetation:

1. Note the type of plants/vegetation growing on the site; they can often be a good indication of the ground conditions.
2. Plants which indicate good drainage conditions throughout the year include bracken, daisy, ragwort, creeping thistle, bluebell, dandelion, wild carrot, cowslip and poppy. Plants which indicate poor drainage conditions throughout the year include soft rush, meadowsweet, marsh thistle, creeping buttercup, jointed rush, marsh ragwort.

Step 2: Assessment of Site Slope and Gradient:

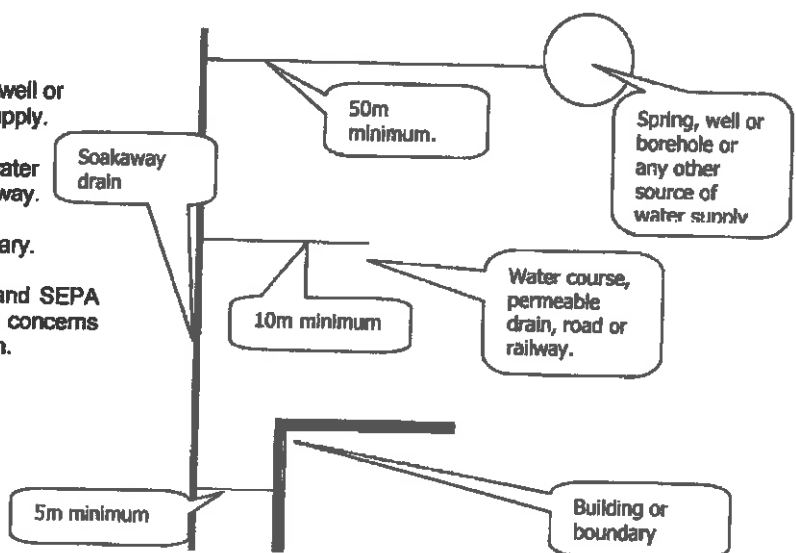
1. Note the gradient of the ground, infiltration systems should not be positioned on steeply sloping sites; they may be positioned on gentle slopes provided they are laid following the contour lines.
2. Infiltration systems should be a minimum of 15 m away from the start of any steeply sloping ground, please consult Building Standards if further clarification is required
3. Infiltration systems should not be sited adjacent to contaminated land as there is a risk that contaminants may be flushed out. Infiltration systems should be sited sufficiently far away from any other soakaway systems so that the overall soakage capacity of the ground is not exceeded. No access road, driveways or paved areas should be located within the disposal area.

Step 3: Risks to Water Supplies / Courses and Distance to Buildings, Boundaries, Roads and Railways.

The infiltration system should be:-

1. At least 50 m away from any spring, well or borehole used as a drinking water supply.
2. At least 10 m horizontally from any water course, permeable drain, road or railway.
3. At least 5 m from a building or boundary.

The local Environmental Health Officer and SEPA should be consulted if there are any concerns regarding potential pollution/contamination.



Thornbank
The Wynd
Denholm
TD9 8LY
4/02/2016

The Chief Planning Officer
Scottish Borders Council

Dear Sir

Application Number	15/01552/FUL
Proposed Development	Erection of 2 Dwelling Houses
Location	Land South of Primary School (known as the Manse Field) West End Denholm

As a neighbouring proprietor I make the following comments on the above planning application and trust that they will be taken into account when the application is considered.

Denholm can be traced back to the 4th century with the earliest surviving record of the village, the Ragman Rolls, being signed in 1296. The centre of the Anglo - Saxon settlement spread from the Dean Burn to the present mill development and includes the Manse Field, the subject of this application. The village is unique in the Borders with its large green, much used by the residents, in particular children, and the amount of common land both within and on the margins of the village which is owned by the village and administered on behalf of the residents by the Feuars committee. The importance of the retention of the character of the village is acknowledged by the designation and delineation of the Conservation and Prime Frontage Areas as agreed by the former Borders Regional Council and the present Scottish Borders Council. Until recent years the village managed to keep much of its character around and near the conservation area with some sympathetic building including the new primary school.

My specific objections to the application are:-

1. **Precedence has shown that the development of this site is unacceptable and there has been no material change in circumstance that would alter this view**
2. **The proposed building is within the designated Conservation Area, and would adversely affect the character of the Conservation Area**
3. **Access to the site both for long term vehicular traffic and short term construction traffic is unsuitable**
4. **The proposal will visually intrude into open countryside and have an adverse impact on the landscape, contrary to the local plan**
5. **The proposal is not consistent and does not complement the character of the present settlement**
6. **The proposal will have an adverse effect on the approach to (and exit from) the village from the west which being at the entrance to the village has high amenity value to the residents of Denholm and all those who visit the village.**
7. **The intrusion of the proposed development cannot be measured in terms of just the building(s) but the driveway, parked cars and items of the sort of paraphernalia (and possible detritus) that is usual in private gardens will lead to even greater adverse visual impact particularly as the parking areas are to the front of the proposed houses and in full view from the A698**
8. **It is unfortunate that the owner of the Manse Field recently authorised the felling of trees which otherwise served to help screen the gable end of the house known as the Riggs, the preservation of which was a specific planning condition applied to the Riggs. It therefore must be assumed that these trees will be replaced and the screening restored**
9. **The proposed buildings would close the long channelled view from the west along the A698**
10. **The aspect and view of the countryside towards the Dean and Ruberslaw**

from the designated Denholm Footpath above the Manse field will be obscured and it and the adjacent rights of way which conform to Council's policy on the countryside will also lose much of their appeal

Previous planning decisions have not in some cases enhanced the character and charm of the village and it would be a great sadness if what remains as one of the most pleasant aspects of the village is blighted by inappropriate development and our legacy to the next generation squandered. The present use for grazing is wholly fitting for the rural nature of the village and more appropriate than the intrusive development of a large mock barn conversion.

Your faithfully,

Frances Stuart

Application Comments for 15/01552/FUL

Application Summary

Application Number: 15/01552/FUL

Address: Land South Of Primary School West End Denholm Scottish Borders

Proposal: Erection of two dwellinghouses

Case Officer: Andrew Evans

Customer Details

Name: Mrs Margaret Sellar

Address: Rillbank Cannongate, Denholm, Hawick, Scottish Borders TD9 8NF

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Detrimental to environment
- Poor design
- Trees/landscape affected

Comment: This substantial block of blatantly unaffordable housing is a dull and dispiriting pastiche which will destroy the view of the historic village in its natural setting on the approach to Denholm. It is especially important to preserve this western aspect when so much is being sacrificed to development on the other side of the village.

Planning permission should be refused.

Application Comments for 15/01552/FUL

Application Summary

Application Number: 15/01552/FUL

Address: Land South Of Primary School West End Denholm Scottish Borders

Proposal: Erection of two dwellinghouses

Case Officer: Andrew Evans

Customer Details

Name: Mr Tom Sellar

Address: Rillbank Cannongate, Denholm, Hawick, Scottish Borders TD9 8NF

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Designated Conservation Area
- Detrimental to environment
- Loss of view
- Poor design
- Trees/landscape affected

Comment:Denholm is an historic village protected by conservation status. Building 2 large modern houses at the entrance would be totally out of keeping with other houses in the historic village and detrimental to the natural setting and landscape as you approach from the west. The application should not succeed

Fernbank

Denholm

Hawick

TD9 8NB

ENVIRONMENT &
INFRASTRUCTURE

- 8 FEB 2016

TO _____
Ackn _____
File _____
Comments/Complaint _____
Ref No _____

Planning Officer

Scottish Borders Council

Newtown St Boswells

Application 15/01552/FUL

6th February 2016

Dear Sir/Madam,

As a resident of the village for many years, I was very dismayed to view the application that has been submitted for the new development on the western outskirts of the village, sometimes known as the Manse field. It has been used for many years as a grazing field for horses. I understand planning applications have been refused in the past with reasons being very clearly stated.

I believe the development that is proposed is neither in keeping with any properties in the village or a proposal that will enhance the visual aspect to the entrance to the village. I am aware the village boundary is classed on the other side of the road used for Denholm Mill; therefore this property I assume would be included within the Conservation area itself.

The proposed plan incorporating 2 very large houses on a plot of this size and very close to the road, would in my opinion be something that would dominate the entrance to the village rather than blend in as something that 'should' be there. The comment made in their submission notes state it will not result in 'town or village cramming'. I would totally disagree. All recent development is to the Eastern side of the village and outwith the conservation area. The indication that the rear of the plot would still be seen from the road is something I find hard to comprehend, when the height of the property is that of a 2 storey house.

I note several comments made by the applicant refer to the open aspect of the gable wall of the recently built property called The Riggs. I understood this property was screened until recently by trees. The gable only became noticeable when these were removed by the applicant of this planning application. The design of this property was approved in the correct manner and the dominance of the gable wall was not an issue before approval.

I also have reservations that vehicles within the property itself would be a hazard to road users on the A698 Hawick – Jedburgh road who may be distracted by movements within the boundary of the new development as it appears to be very close to the road.

I also note there is also no path going in either direction on the main road at that point so I assume pedestrian access would be made into The Wynd or by the steps leading to the rear of Denholm School. Neither path currently has safe lighting or good surfaces for increased footfall on a regular basis.

I believe this development has been proposed again because of changes to the local development plan, however the reasons behind the refusal of building here in past years has not changed and consideration should be made to the changes this would mean to future generations who are fortunate enough to live here. I feel any development here would adversely change the unique character of the village.

Yours sincerely

A solid black rectangular box used to redact the signature of the sender.

Gwen Crew

From: Rob Armstrong [REDACTED]
Sent: 05 February 2016 18:00
To: Evans, Andrew
Subject: Planning application Denholm

Dear Andrew ,

I was at my monthly community council meeting at Denholm last week and was shocked as we all were by an application to erect a terrace of new houses in a very sensitive and beautiful part of land to the south of Denholm . The area proposed is a very small but pretty meadow visible as you enter the village from the south.

I strongly object on these grounds ,

Firstly any building on this area would effect the integrity and beauty of this conservation village , as you enter the village you drive from a rural setting into a a period village uninterrupted by modern housing .

The buildings proposed are completely of the wrong scale and design for this paddock and situation

The proposed building materials are not in keeping with the rest of the village and would compromise the conservation village status .

The proposed development is also situated on a potentially dangerous corner and I question the safety of the access.

I would like to question also the legality and entitlement of the proposed access .

It's very important to protect these sensitive boundaries of Denholm , the village has earned its conservation status by its own merits and so is a popular village for visitors and tourists , Insensitive developments as this will only jeopardise its standing as one of the prettiest villages in the Scottish Borders .

Yours faithfully ,

Rob Armstrong
Schoolhouse
Minto .

Sent from my iPad

Mrs S. Mackenzie
Hillview
The Wynd
Denholm
TD9 8LY

Scottish Borders Council
Newtown St.Boswells
Melrose TD6 0SA

Dear Sir

05/02/2016

Re.Planning Application 15/01552/ Ful

Proposed Development :- Erection of 2 Dwelling houses
Location Land South of Primary School, (Manse Field), Denholm.

I refer to the above planning application and wish to lodge a formal objection.

There is no pavement into the village for safe pedestrian access.

Access to the site appears to be from the land owned by the owners of Denholm Mill, I am surprised that the roads department are allowing a further 2 houses access from this drive.

According to the proposed plans both properties will have boundaries onto the right of way to the north of the site next to the **Primary School**. Should the occupiers of these properties chose to use the rights of way what provision have the Council put in place to maintain the said Rights of Way as this increasing burden falls to owners of property in the Wynd.

The proposed building is within the designated Conservation Area, and would adversely affect the character of the Conservation Area. The proposed appearance of the properties are not in keeping with Denholm and the surroundings. The proposal would have an adverse effect to the visual approach to the village from the west.

Yours faithfully

Susan Mackenzie.