

Planning Application Ref: 18/00287/FUL
Proposed Dwelling House
Land North-West of Doonbye
Smith's Road, Darnick. Melrose.

Appeal Statement to Local Review Body

Introduction

With reference to the above Planning Application we write to request a review of the reasons for refusal.

In this appeal submission we wish to highlight certain aspects of this and previous applications which are well documented in our Planning Design Statement which believe have been overlooked or misinterpreted and have subsequently led to a misinformed planning decision. These are as follows:

- Reason for refusal – Overdevelopment of the site
- Reason for refusal - No off-street parking

Reason for Refusal – Overdevelopment of the Site

We are acutely aware of the issues regarding the proposed house design in relation to the size of ground available and what would be deemed an acceptable scale of development within the context of the surrounding conservation area. Comments received from the Councils Heritage & Design Officer to the previous submission which led to its withdrawal.

The decision was taken by the applicant to respond to these comments by carrying out a re-design of the proposals with a reduction in size to a single storey property which is the subject of this application. This would address previous concerns over height in relation to the elevation of the site and the omission of the first floor windows would remove the potential for overlooking into the immediately adjoining garden ground. In addition the amended design would assimilate with the closest single storey property adjoining the application site and a simplified exterior would blend into the general architectural narrative of the conservation area as a whole.

The Heritage & Design Officers response to these proposals were positive to the point where his previous objection was able to be removed and states:

“This scale and form of building is akin to other “cottages” in the conservation area and I am content that the proposals can be viewed as having a “neutral” impact on the conservation area as a whole”.

He further acknowledges that the site is relative in size and in a number of cases more generous a building-to-site ratio than others in the conservation area, which will be “challenging” but he does not deem this to be unacceptable.

We would ask the review body to consider the weight placed on the views of this consultee as an expert in the protection of built heritage and design against the views of the Planning Case Officer which dismiss these comments out of hand along with the detailed assessment within the design statement without any means of justification.

The Planning Case Officer states:

“The site layout and footprint of the proposed dwellinghouse has not altered from the previous refusals. The dwellinghouse would be sited 1m from the existing timber fencing and hedge. This relationship would result in a restricted outlook for future occupants and the fence would have an overbearing impact and restrict light. Only a small area of garden ground is proposed and there is no space for on-site parking and turning. It is considered that the proposal would constitute overdevelopment of the site. The concern that the house would appear as overdevelopment was raised in the Principal Officer (Heritage and Design) and Planning Officer's assessment of the original application for this site.”

Firstly, the house would not have a restricted outlook due to the elevated nature of the site and the way in which the house design makes access to natural light entirely possible. It should be noted in the image below that there are many more existing properties in the vicinity which have a much more restricted and low lying outlook than the proposed dwelling. It should also be noted how the house is well separated from the other existing properties in the vicinity which are all adjoining or very close together.



Fig 1 - Aerial view from the north of the revised design

Secondly, it has been demonstrated by means of a detailed aerial assessment in the planning statement that the development density of the application site is consistent and in some cases better than many other dwellings in the conservation area. Furthermore, the statement made by the Planning Case Officer with regard the views of the Heritage & Design Officer relate to the previously withdrawn application which has now been adjusted

to his satisfaction. This statement distorts the fact that this previously held objection has now been withdrawn and gives the impression that both officer and consultee share the same opinion which is misleading.

Pedestrian/vehicular access & parking

Again, an extensive and detailed assessment of the parking dynamics in Smiths Road and the wider conservation area is documented in the planning statement which is directly linked to the pattern of development which sees many properties remote from the public road without vehicular access.

We agree that the parking capacity in Smiths Road is limited and that there are more cars than parking spaces at times. However, it is our view that the addition of one small house is not going to make Smiths Road any more hazardous since there is spare parking capacity in the adjacent Abbotsford Road which is used by residents from Smiths Road and many other parking restricted streets within the conservation area. The reality of this is that if you were to park in Abbotsford Road, you would have no further to walk to gain access to the proposed site than you would have parking at the top of Smiths Road with the added & less dangerous benefit of parking on a full width carriageway.

We really do believe that the parking provision is being assessed on a purely prescriptive approach when there is already a parking regime in action which works and has been endorsed by the Darnick Development Trust.

It may also be worthy to note that the proposed site is well connected to public bus & train transport as well as local/national cycling networks and due consideration should be given in this regard as to whether a more sustainable transport solution lies within these transport links.

Summary

In summary, we would highlight the following points in support of the examination of our submission to the Local Review Body.

- Support for the development of the site from the Heritage & Design Officer.
- A lack of transparency in the Planning Case Officers reason for refusal on perceived overdevelopment of the site, despite factual evidence provided to the contrary.
- The subjective nature and lack of understanding expressed by the RPS without assessment against the current Governmental and Planning Guidance.
- The detrimental effect off-street parking would have on the Conservation Area.
- The availability of further on-street parking in the adjacent street.

We trust the Local Review Body will find the foregoing information to be in order and believe this to give adequate justification to our submission.

Ross Martin

For & on behalf of RM architecture ltd