

**SCOTTISH BORDERS COUNCIL**

**PLANNING AND BUILDING STANDARDS COMMITTEE**

**29 APRIL 2019**

**APPLICATION FOR PLANNING PERMISSION**

<b>ITEM:</b>	<b>REFERENCE NUMBER:</b> 17/01555/FUL
<b>OFFICER:</b>	Paul Duncan
<b>WARD:</b>	East Berwickshire
<b>PROPOSAL:</b>	Erection of five dwellinghouses with integral garages
<b>SITE:</b>	Land North West Of Primary School, Braeheads, Main Street, Reston, Scottish Borders
<b>APPLICANT:</b>	Hagan Homes
<b>AGENT:</b>	Bain Swan Architects (Eyemouth)

**PLANNING PROCESSING AGREEMENT:** The Planning Processing Agreement (PPA) for this application extends to Monday 29<sup>th</sup> April 2019. The applicant has indicated a willingness to extend the PPA to allow a site visit should members feel this is necessary, noting that to precipitate a technical refusal of the application on the grounds of non-determination would not be in anyone's interest.

**SITE DESCRIPTION**

The proposed site forms part of a larger site which is allocated for housing via the Local Development Plan [site reference BR6]. The allocated site extends from the B6438 Duns Road to the south to the public C class road known as Braeheads to the north. Roughly speaking, the current application site covers the north-east corner of the allocated area which amounts to around one fifth of its overall size. The proposed site and the allocated land to the south currently comprise mainly of undeveloped arable farmland. The land slopes down from the south-west, from the B6438 road down towards Braeheads, which sits on lower ground.

The site is bound to the north by a well-established hedge which also defines the limits of the Braeheads road verge. Braeheads connects with the B6438 road at a junction at Reston Primary School around 150m east of the proposed site. Braeheads serves numerous terraced cottages and detached dwellinghouses, a public car park to the rear of the Primary School, and continues beyond the village, serving more dispersed properties and farmland before terminating south of the A1. A terrace of four former farm cottages is located opposite the proposed site, on the north side of Braeheads with a detached dwellinghouse known as Rose Cottage. Glenelg Cottage sits to the north east of the site.

The eastern boundary is defined by a well-established Western Red Cedar hedge which marks the boundary with the neighbouring dwellinghouse, Endrigg. The southern boundary of the proposed site follows Endrigg's rear garden ground boundary.

Elsewhere within the village, the Local Development Plan allocates several sites for housing and mixed use development including the former Auction Mart site. Members will be aware that Reston Station is scheduled to open by 2024.

## **PROPOSED DEVELOPMENT**

Five detached dwellinghouses would be erected on the site in a layout which would allude to a courtyard type arrangement. Four of the dwellinghouses (plots 2-5) would be set well back from Braeheads and the existing hedging to the north with the final plot sitting forward of plot 2, closer to Braeheads. A break in the hedge directly opposite a recent extension to number 4 Braeheads Cottages would accommodate a new access and an internal road (which would be adopted) would serve the development. The site plan allows for potential connectivity through to the remainder of the allocated site via a future access to the south. Private parking would be provided for two vehicles within the curtilage of each unit with a further two spaces for visitor parking at the entrance to the development.

Each dwellinghouse has been designed differently, although Plots 3 and 4 would be handed versions of the same design. Each of the dwellinghouses would comprise of a 1.75 storey core. Single storey offshoot extensions would be a feature throughout the development whilst plots 3 and 4 would exhibit full-height timber-clad projections producing cut-away gables with over-hanging porch entrances. Roofs would generally be pitched and finished in either pantile effect tiles or, to the single storey elements, slate.

A grassed public space to the north of Plot 5, east of the access to Braeheads, would contain underground storage for surface water. New hedging screen a bin collection area and, potentially, gas tanks. Hedge planting would enclose the front and rear of the plots, with small cluster of hedgerow tree planting around the site perimeter.

The application supporting statements suggests that whilst the developer may deliver the entire development, the developer may choose to deliver the infrastructure then release individual plots to be developed privately.

## **PLANNING HISTORY**

Relevant planning history on the site is summarised below:

- 01/01617/OUT - Erection of two dwellinghouses – Approved
- 07/00477/FUL - Erection of 45 dwellinghouses with associated roads and landscaping - Withdrawn

## **REPRESENTATION SUMMARY**

15 individuals objected to the application, raising the issues summarised below:

### Design

- Density too high
- Dwellinghouses too high/ larger than the cottages opposite
- Design is more urban than rural in character

### Flooding & Drainage

- Existing surface water drainage issues
- Foul drainage sewer inadequate
- Residents along Braeheads and Waulkmill would be at risk of flooding

- If culvert at Brambleburn were to become blocked it would back up and flood Braeheads
- Pipes running down Braeheads could affect services pipes/ cables to Endrigg
- Drainage pipe could harm hedge

#### Traffic, parking and access

- Access proposals inadequate/ dangerous
- Concerns regarding existing access junction with the Duns Road
- Safety impacts on school drop-offs
- Parking during school hours constrains vehicular access
- Access should be off the Duns Road during construction/ thereafter
- Roads network cannot accommodate increased traffic
- Traffic issues during construction
- Pedestrian access inadequate
- Braeheads popular with dog walkers and family groups
- Farm vehicles/ oil delivery vehicles use Braeheads and service vehicles have difficulty turning
- Impact on parking availability
- There is a history of speeding on Braeheads and the extra traffic justifies a traffic management review and traffic calming measures
- Road surface is worn and degraded

#### Other Concerns

- Water supply inadequate
- Impact on access to light/ sunlight of neighbouring properties
- Noise of vehicles
- Lack of a GP in Reston
- Loss of prime agricultural land
- Self-building on the site could prolong the construction period
- Siting of underground storage next to neighbouring dwellinghouse
- Impact on field drain within Plot 5
- Whether the Primary School have sufficient capacity to accommodate this further development
- Lack of clarity on use of land where attenuation tank would be sited
- Loss of mature trees
- Mature trees are within ownership of property which the bound with road verge
- No Environmental Impact Assessment carried out
- Neighbour notification not carried out correctly
- The Local Plan designates the Auction Mart site for preferred development
- Local Development Plan would be undermined by approving an increase in site capacity on this site
- Information submitted is out of date
- Reference to future intentions

Photos have also been submitted which demonstrate the existing issues with surface water drainage within the locale.

## **APPLICANTS' SUPPORTING INFORMATION**

The applicant has submitted a thorough design statement which outlines the history of efforts to deliver an appropriate scheme on this site and the placemaking and design approach which has underpinned the proposals. A comprehensive report on the handling of surface water drainage was also submitted and has been the subject of revisions through the application process. Street scene section drawings have also been submitted which demonstrate how the proposed development relate to the existing dwellinghouses on the north side of Braeheads.

### **DEVELOPMENT PLAN POLICIES:**

#### **Scottish Borders Council Local Development Plan 2016**

PMD1: Sustainability  
PMD2: Quality Standards  
PMD3: Land Use Allocations  
ED10: Protection of Prime Quality Agricultural Land and Carbon Rich Soils  
HD3: Protection of Residential Amenity  
EP1: International Nature Conservation Sites and Protected Species  
EP2: National Nature Conservation Sites and Protected Species  
EP3: Local Biodiversity  
EP7: Listed Buildings  
EP11: Protection of Greenspace  
EP13: Trees, Woodlands and Hedgerows  
IS2: Development Contributions  
IS7: Parking Provision and Standards  
IS8: Flooding  
IS9: Waste Water Treatment and SUDS

### **OTHER PLANNING CONSIDERATIONS:**

SESplan Strategic Development Plan 2013  
SBC Development Contributions Supplementary Planning Guidance 2011 (Updated 2018)  
SBC Landscape and Development SPG 2008  
SBC Placemaking and Design Supplementary Planning Guidance 2010  
SBC Privacy and Amenity Supplementary Planning Guidance 2006  
SBC Renewable Energy Supplementary Guidance 2018  
SBC Trees and Development Supplementary Planning Guidance 2008  
Planning Circular 4/1998: the use of conditions in planning permissions  
Designing Places 2010  
Designing Streets 2010  
Scottish Planning Policy 2014  
PAN 44 Fitting New Housing into the Landscape 1994  
PAN 60 Planning for Natural Heritage 2008  
PAN 61 Sustainable Urban Drainage Systems 2001  
PAN 69 Flood Risk 2015

## **CONSULTATION RESPONSES:**

### **Scottish Borders Council Consultees**

**SBC Education and Lifelong Learning:** No objection. 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. The proposed development is within the catchment area for Reston Primary School and Eyemouth High School. A contribution of £4,170 x 5 is sought for the Primary School and £3,428 x 5 is sought for the High School, making a total contribution of £37,990 [at 2017/18 rates].

**SBC Education and Lifelong Learning (separate response on Primary School Capacity):** The Primary School is sitting at 61% occupancy, so there would be capacity available for the proposed development.

**SBC Environmental Health:** No objection. Conditions are requested relating to drainage, water supply and air source heat pumps. Informatives requested to advise the applicant on the use of stoves and solid fuel, and on the standards expected during the construction phase.

**SBC Flood Risk (first response):** Review of the application shows that the proposed site is located outwith SEPA's 1 in 200 year (0.5% annual probability) flood map and is not at risk of fluvial or surface water flooding. No objections to the principle of the development on the grounds of flood risk.

A Feasibility Study for Water, Wastewater and Surface Water has been submitted in support of the application. Content that the hydrological calculations for Greenfield runoff provided in the report are accurate. The hydraulic calculations provided confirm that the proposed underground storage has the capacity store the 1:30 +30% flood event as required. However, it is proposed that surface water is attenuated via a Hydrobrake and discharged to the ditch to the east of the site. The ditch passes through a road culvert and railway culvert before entering the Eye Water. Requires that a condition assessment of both culverts is undertaken and that a report confirming the conveyance capacity of each culvert is submitted. As the burn will be taking approximately an additional 2l/s of flow, will require confirmation that each culvert can safely accommodate the flow of the burn/ditch during periods of high flow.

Will also require that boundary drainage is incorporated into the design of the site and that the design and drainage calculations are updated to include this. Details of surface water flow paths through the site should also be submitted for approval. This should show how surface water for the 1:100 year and 1:200 year event plus climate change will be routed through the site and include Finished Floor Levels, channel levels and top of kerb levels to allow further assessment of surface water flood risk upon the proposed properties.

**SBC Flood Risk (second response):** Now content with report and have no further comments.

**SBC Housing:** No objection. The number of proposed properties does not require on site provision of affordable housing as per Council's Affordable Housing Policy. Therefore developer contributions will be required.

**SBC Landscape:** The site is part of a larger field on the west side of Reston. The eastern part of this larger field is zoned for housing in the Local Development Plan. The northern part the zoned area makes up the current application site. The layout for this phase of the larger development is a great improvement on the original application and has addressed the importance of retaining the existing hedge along the small road to the north. However, the following are some of the concerns with the proposal:

1. The Local Development Plan shows structure planting along the west boundary and a mixed hedge does not provide adequately structure planting to the west side of what is the first phase of a large housing development. A 6m wide strip of hedge and structure tree planting would help to assimilate the development into the local area. The establishment of structural landscaping along the western boundary affects the larger development site and any departure from this will create a precedent for the remainder of the site.
2. The layout does not immediately suggest a courtyard layout, nor does it really address the scale of the existing properties to the north of the Braeheads road, in particular, the orientation of Plot 1 means there is a blank gable end (with the exception of a small window at ground floor level that will look straight onto the retained hedge) very close to the hedge and road beyond is not satisfactory in terms of the wider streetscape.
3. The location of the underground storage attenuation within Plot 5 could become an issue for future maintenance etc. and it is suggested this strip be taken out of Plot 5 and added to the public open space – similar to the west side of the site access road.
4. There are two mature ash trees within the hedgerows along the Braeheads road, one at the northeast corner of the Endrigg, next to the parking area for the primary school and a multi-stemmed ash at the northeast corner of the site. The Root Protection Area (RPA) of both is likely to be impacted by a required footpath between the site and the primary school and the surface water outfall appears to be cutting through the RPA of the multi-stemmed ash, as it exits the site. Both these trees are important in the local streetscape so there must be some consideration to their long term viability.(No assessment has been made at this time about the health of these trees, in light of the ash dieback disease which is prevalent in the Borders)
5. The planting proposals to the internal streetscape will create an attractive setting, although may need minor adjustments to the road geometry at entrance to Plots 1 and 2 to make it more workable.

Cannot support the existing proposal while the issue of an appropriate amount of structure landscaping along the western boundary remains unresolved. If this and the other issues raised above can be given further consideration and resolved to our satisfaction, would be able support this development.

**SBC Roads Planning:** No objection. This site forms part of allocation BR6 within the current Local Development Plan, the principle of housing on this site has therefore already been accepted. Designing Streets, a Scottish Government Policy document, encourages well connected street networks. In this regard as this site develops I shall be looking for the main access to the overall allocation to be from the B6438, however vehicular access from Braeheads Road will also be required to allow for proper street connectivity and integration. Taking this into account a small number of properties such as this served solely by Braeheads Road, until such a time as the rest of the site is developed, would appear to be acceptable provided some upgrading of the pedestrian facilities on Braeheads Road is provided.

The RPS not object to this application provided the following is included in any consent issued:

- A Traffic Management Plan for the construction period to be submitted and approved prior to commencement of development. This plan should look at the possibility of taking a temporary construction access from the B6438.
- A footway to be provided between the site and the existing footway serving the school. Details of which must be submitted and approved prior to commencement of development and the footway completed thereafter prior to occupation of the first dwelling.

The service reserves comment on the surface water proposals until such a time as the report for Wastewater and Surface Water Infrastructure is submitted. The streets within the site require Roads Construction Consent, this must be submitted and approved, with the relevant security in place prior to commencement of any building works on site.

**SBC Roads Planning (informal later response):** In terms of effects on the public road, proposals for the handling of surface water are acceptable in principal.

### **Statutory Consultees**

**Reston and Auchencrow Community Council:** Object. The community council through consultation with neighbouring tenants to this application, have considered this application to be of great concern.

Primarily a major concern is that of road ingress and egress to the proposed development. This road has been highlighted over the past 10 years to SBC roads department, Police and councillors, with the concern over safety. Several meetings have been held with SBC road safety engineers as well as police and representatives from the local primary school. The concerns raised have been of speeding vehicles, damage to property and parking. The development wishes to increase the traffic flow along this road a narrow class 'C' road. The road is unsuitable for widening or installation of 'Passing Places' and therefore we would not recommend the proposed ingress/egress point to the development. The developer wrongly states the number of residential properties which at present is served by this road, as well as the busy working farm that is in use.

The developer mentions several times throughout the application of a 'Phase Two' with ingress/egress point along the parallel road B6438, to which this is a more suitable access point to the development. We would consider this as a more suitable and safe solution. Should the application be approved we would hope that a condition be imposed that construction traffic would access the site via the B6438. As clearly demonstrated in the photograph supplied by Mrs Alexander of a tanker discharging heating oil to one of the existing properties, the road becomes closed off and inaccessible by all vehicles. As already a consideration by the developer for LPG heating in the design statement, large vehicles would require access to the site. Consideration must be given to emergency vehicles access to the existing properties.

What is apparent is the developer has omitted to take account of approved planning application to 'Heather Cottage' 15/01321/FUL extension to Heather Cottage, this property is directly adjacent to the proposed access to the development and would restrict turning larger vehicles accessing the site.

The proposed application shows parking on the identified plots, however it is believed that there is a requirement for vehicles to be able to turn in the curtilage of the property before accessing roads, this cannot be demonstrated on this application, and indeed 'Plot 5' is restrictive in turning onto a walkway. The 'visitors parking' would see vehicles traversing onto the C114 main road.

The neighbours to the development have highlighted to this application of the flood and associated drainage problems in this area. The proposed development wishes to use existing drainage for this application, to which we would advise against and to ask the planning department to listen to local knowledge and experience. Scottish Water have been consulted on this application have stated they have no concerns and state the infrastructure has the capacity to undertake the additional load of this development, the community council would disagree to this. Already highlighted and commented upon is the recurring foul drainage problems at the road/rail bridge of the B6438. Where heavy downpours have occurred the road drains and foul drains have been overwhelmed and created flooding at 'Bridgend Cottages'. This has been a recurring problem and on several occasions the properties have had to be evacuated, due to this recurrence the community council 'Resilient Sand Bag Store' is kept at this location.

The map that Scottish Water use in their submission comments is outdated and does not show in this area alone the New Build that has occurred:

- 15/01321/FUL - Extension to Heather Cottage
- 04/01943/FUL - Garden Ground of the Old Schoolhouse Reston Eyemouth Scottish Borders TD14 5LD
- 04/01063/FUL - Garden Ground of Fertile Hall Reston Eyemouth Berwickshire TD14 5LD
- 03/01270/REM - Plot 1 Land Adjacent Primary School Braeheads Reston Eyemouth Berwickshire

We would therefore conclude that their information is inaccurate and unreliable. Reston has seen several New Builds over the years to which has put increasing pressure on the waste water treatment plant, we have serious concerns over the capacity of the service and would have reservation to any additional new build which takes place without upgrade works to the treatment plant.

PAN 69 Building Standard 3.3 states "every building must be designed and constructed in such a way that there will not be a threat to the building or the health of the occupants as a result of flooding and the accumulation of ground water". We would advise that this is not being adhered to.

The application makes reference to 'Attenuation Tanks' this is a concern for the adoption by Scottish Water, SUDS is the most favourable design for water retention however the developer has chosen 'Attenuation Tanks' which require more maintenance as per 'GBR10' this is more invasive and restrictive, we would recommend that 'Scottish Water' formerly adopt this method of water retention as a condition of this application.

The developer has used a computer model to gain the information for water runoff from the proposed development, we would ask that local knowledge and experience

as highlighted in submissions by residents be adhered to. Photographs have highlighted water runoff from fields which have overwhelmed the drainage in this area and the culvert, which the developer plans to use. The culvert which has not been maintained for numerous years is overgrown and leads under the 'East Coast Mainline' and enters the river 'Eye' at the bottom of a steep hill, nor Network rail or the landowner have been successfully contacted to works proposed. This is a concern of the community council that communications should be sought before any proposed development proceeds.

PAN69: "127. Existing culverted watercourses are frequently polluted by misconnected sewers, overflows from blocked sewers or contaminated surface water. They cause flooding if they block internally or if their entrances become blocked. Erosion downstream of a culvert may be caused by increases in water velocity leaving the culvert." We believe that the water velocity will increase damage and erosion to the existing river entrance.

The proposed development is to be sited on the southerly side of the C114 road to which is directly inline of site of the existing 'Braehead Cottages'. Already in the winter months the residents of the cottages have reduced sun light hours due to the nature of the land, to build five houses directly inline of sight of the south facing cottages will reduce even further the light thus being intrusive to their properties.

The development proposes the use of 'Air Source Heat Pumps' as a means of heating the build, consideration must therefore be taken into account noise conditions arising from these units.

**Scottish Water:** No objection. We do not perceive to be any issues in connecting 5 housing units to both our water and wastewater network. There is sufficient capacity at our water treatment works and limited capacity at our wastewater treatment works and at this moment we have capacity to serve this development. Scottish Water would like to advise that any further developments within this catchment will trigger a growth project upon meeting our 5 Criteria. Early engagement with Scottish Water is essential to understand the requirements to meet any expected delivery programme while we process the growth project.

### **Other Consultees**

**Berwickshire Civic Society:** The Society has a number of concerns regarding this proposed development:

1. Contrary to the Local Plan: This site (BR6 in the Local Development Plan) is recommended for a capacity of sixteen houses with provision of vehicular access from B6438 in agreement with the Council's Road Planning Team. Pedestrian access through the site from the B6438 and also onto Braeheads (the single road to the north).
2. The proposed plan shows access from the five houses directly into Braeheads. This road, which is a single track, is incapable of being widened, due to the location of existing housing and the mature hedge opposite, (which has to be retained for environmental reasons). We would contest that increased traffic from this development would create additional traffic hazards, because of insufficient width for construction vehicles, farm vehicles, and general vehicle access and manoeuvring.
3. The issue of increased traffic is particular pertinent to the site of Reston School. Already there is traffic congestion due to school traffic which would be further exacerbated by increased traffic to this development.

4. It is not the prime development site in Reston zoned for housing, which is the Auction Mart site, most likely to enhance both the Reston local environment and economy.
5. It is unclear if the Primary school now has sufficient pupil capacity to allow future housing development, previously inhibiting all such development in Reston.
6. If the Primary School, in its current location, has extra capacity, does the road infrastructure also have capacity to cope with increased traffic/parking/mixture of traffic and pedestrians mostly children?
7. The design with an access way provided for future development of (40 houses) to the south will inhibit any expansion of the existing primary school, and further unbalance development in Reston.
8. There are existing major drainage, sewage and surface water issues in Reston which this development will exacerbate, adversely affecting everyone. We would therefore object to this proposal because of the proposed access to Braeheds. There would be significant drainage issues which would be detrimental to the environmental and residential amenity.

### **KEY PLANNING ISSUES:**

The key considerations for this application are:

- Whether the proposals would represent a suitable development on an allocated housing site within Reston settlement boundary;
- Whether the proposals are acceptable in terms of parking, access and impacts on road safety;
- Whether the proposals would harm the residential amenity of neighbouring dwellings; and
- Whether adequate drainage and servicing can be achieved.

### **ASSESSMENT OF APPLICATION:**

#### Planning Principle

The principle of developing this site for housing is well established. The site sits within a larger site which has been allocated for housing in the Local Development Plan since 1994. To date, only the property known as Endrigg has been delivered, to the immediate south-east of the currently proposed site. The LDP identifies a number of site requirements for the development of the allocated site. These site requirements are addressed separately, where relevant, below.

There are further sites within Reston which are allocated for housing or mixed use. Reston is well placed to contribute to housing land targets and Reston Railway Station will support this. There is however no hierarchy of allocated sites and proposals must be assessed on their own merits when they come forward. It would not be reasonable to refuse this application on the basis that another site was considered preferable.

In the past, development on this site has been constrained by capacity at the Reston Primary School. Discussions with Education and Lifelong Learning have confirmed that sufficient capacity is available at Reston Primary School. This development would not prevent the future expansion of the Primary School should that ever become necessary. There is considered to be suitable infrastructure and public service provision locally to accommodate further development within Reston.

## Placemaking and Design

### *Layout and density*

The proposed layout was the subject of pre-application discussions over several years which have been described in detail in the supporting statement which accompanied the application. The layout has been guided by a desire to retain the hedge along the northern boundary of the application site which provides an attractive, natural form of enclosure to the development, as well as ecological and privacy benefits. Given the landform, the dwellinghouses will inevitably rise above those to the north, but by setting the houses back from Braeheads the contrasting effect of this will be reduced. The arrangement of dwellinghouses is indicative of a courtyard arrangement with dwellinghouses generally following the building line of Endrigg, but with Plot 1 sitting forward, to provide a strong sense of enclosure and a robust edge to the development and settlement on the north-west boundary. The offshoot extensions to the north of Plot 5 would serve to support this courtyard effect within the development. The remaining units would sit closely together to produce a very strong frontage. This approach is welcomed.

Concerns have been raised with regards to the density of the proposed development. The indicative site capacity of the wider allocated site is 16 units. Members will be well aware that this figure is a simple estimate of what could be delivered from the allocated site and is mainly used to estimate the Council's housing land supply. Objectors have expressed considerable concern about an application previously submitted [reference number 07/00477/FUL] for the erection of 45 dwellinghouses on the wider allocated site. That application was withdrawn and the proposals it presented are now of limited relevance. It is however worth noting that in crude numerical terms, the density of the proposed development, replicated across the entire allocated site, would equate to around 25-30 units across the entire site, rather than 45 units. Ultimately the density of proposals for the remainder of the allocated site would be considered separately via any future planning application.

### *House design*

The design of individual dwellinghouses does not make any attempt to replicate the scale of the traditional farm cottages on the north side of Braeheads although this is not considered to be necessary or appropriate. The existing dwellinghouse on the south side of Braeheads (Endrigg) provides an existing context for larger scale built form on the southern side of Braeheads, as does, to some degree, the Primary School. By setting the dwellinghouses back from Braeheads, behind the hedge, the development would appear as a distinct entity with its own character. The dwellinghouses would generally exhibit traditional form and massing. The scale of the proposed dwellinghouses is broken up visually by offshoot extensions, varied roof designs and a mixed but singular palette of appropriate materials (textured render/ timber cladding/ natural slate and pantile effect tiles, which are appropriate in this part of Berwickshire). The height of the dwellinghouses is considered to be acceptable. The overhanging part-gabled projecting entrance porches to Plots, 1, 3 and Plot 4 would help give the development its own identity. Eaves and verge detailing would be flush with wall-heads with no overhangs, soffits or bargeboards, in the traditional rural architectural style. This is particularly welcomed.

The proposals, and in particular the site layout, are considered to demonstrate a high standard of placemaking and design quality.

## Vehicular and Pedestrian Access and Parking

Considerable concern has been raised in relation to proposed access arrangements to the development. Concerns include the impact of increased traffic along Braeheads, the narrow width of the road, the physical condition of the road and particularly the conflict of a mix of road users with school drop-offs. These concerns are exacerbated by the fear that the proposed access would ultimately serve as the vehicular access for the remainder of the allocated site. This is not the case.

The site requirements of the allocation for the wider site are clear that vehicular access should be taken directly from the B6438. The Roads Planning team are also clear that this remains necessary. Members will be aware of the Designing Streets guidance document which supports well connected street networks. In line with the principles of Designing Streets, connectivity through the whole of the allocated site would be an aim of the Roads Authority for any future proposals for the development of the entire site, with the main access being taken from the B6438 to that effect but with an additional access being provided also at Braeheads. The current proposals would see the latter access delivered now, as a sole access point for just five units. Whilst the Roads Authority is able to accept the proposed access arrangements for the five proposed dwellinghouses off Braeheads via the existing junction with the B6438, this does not alter the need for a main access point to the wider development site, when proposals come forward, directly from the B6438.

It is worth noting that in that event, Braeheads would be not serve as a particularly efficient vehicular access route. The required B6438 access would be far more direct for road users accessing from either direction. It should also be noted that an eventual B6438 access would also provide residents at Braeheads with an alternative and potentially more direct access option for their own use.

Members should be aware that in making a decision on this application, no decision will be made on the layout or access arrangements of any future proposals coming forward for the remainder of the site. Whilst the site layout plan shows, indicatively, the access continuing to the south of the site, the Planning Authority would assess the suitability of any such arrangements at the time of a future planning application. Any concerns in this regard would not amount to acceptable grounds for refusing this current application. Only the impact of the five proposed dwellinghouses can be considered in determining this current application.

A significant concern for objectors has been provision along Braeheads for pedestrians, which is understood to be popular with walkers and busy at times of school drop-offs. As referred to above, the Roads Planning Officer has requested a footway between the proposed site and the existing footway serving the school, which would be a condition of any consent granted. This would ensure pedestrian footway is available from the development site to the Primary School. This would deliver an improvement for pedestrians using Braeheads.

Objections have been raised with respect to potential impacts on parking within the vicinity of the site and parking and turning within the development. The proposals make provision for 2 parking spaces per unit, plus 2 visitor spaces. This is considered adequate for a development of this size. The Roads Planning Officer is satisfied that parking and turning can be achieved within the development.

Concerns regarding traffic during the construction period are noted. The Roads Planning Officer has requested the submission of a Traffic Management Plan for the construction period. The potential use of a temporary access directly from the B6438

would be considered through that process. The applicant has raised potential concerns in relation to this requirement but no decision has been made.

## Flooding and Drainage

Objectors have raised significant concern regarding flooding and drainage issues. SEPA's flood risk mapping does not show the site, or land in the vicinity, to be risk of flooding. There is however no doubt that there are existing surface water drainage issues which are periodically causing issues in the surrounding area. This has been evidenced in photographic records submitted by objectors and the applicant acknowledges these issues. Members should be aware that it is not the applicant's responsibility to resolve any such *existing* issues. The key determining factor in assessing such matters instead turns simply on whether the proposals being considered would *worsen* the existing situation or create any new issues.

### *Existing foul and surface drainage arrangements*

Properties at Braeheads connect to the mains sewer. This serves as a combined sewer for foul and surface water and at times of exceptional rainfall, it is known to struggle to handle the resulting volume of water. This occasionally causes surplus water to gather on the public road, particularly at the effective basin that exists in the area west of the East Coast Main Line road crossing. Scottish Water are understood to have carried out investigations into these issues. In terms of surface water, drainage within the site is understood to be limited.

### *Proposed foul and surface water drainage arrangements*

The precise details of foul and surface water drainage proposals would be addressed separately through the Building Warrant and Roads Construction Consent processes. At the planning stage, the aim is to establish whether suitable arrangements can, in principle, be achieved, without unacceptable impacts.

In terms of surface water, various Sustainable Urban Drainage Systems (SUDS) are proposed. A large underground attenuation system would be installed within an area of communal land within the site. A grass swale would take surface water from the new internal road. Permeable paving would be utilised. The perimeter of the site would be provided with new cut off land drains. The attenuation system would release water at a controlled, steady rate to avoid overloading a new surface water outfall pipe which would be laid in the public road, connecting directly to the north side of the Bramble Burn which passes between Glenelg Cottage and the dwellinghouse itself known as Brambleburn. It should be noted that the outfall pipe would not connect to the culvert on the south side of Braeheads. The route of the new pipe would need to be carefully considered to avoid harming hedging and existing servicing. The Bramble Burn watercourse discharges to a 900mm culvert under the East Coast Rail line, then joins a ditch which in turn feeds the Eye Water.

It is important to emphasise that these proposals would see surface water handled entirely separately to the existing combined foul and surface water drainage network which has caused the aforementioned flooding issues in the past. Surface water would be discharged independently at a controlled rate via the new, separate outfall pipe directly to the Bramble Burn. The applicant argues that the proposals cannot therefore contribute to the existing the aforementioned localised flooding issues. In principle, the installation of formal surface water drainage systems may achieve an improvement on the current position at times of exceptional rain given the storage system that the development and site would ultimately benefit from.

The Flood Risk Officer has assessed the proposed arrangements for handling surface water and the proposals were the subject of lengthy detailed discussions. The Flood Risk Officer has no objections to the resulting proposals. The Roads Planning Officer is satisfied with the principle of what is proposed in terms of handling roads surface water, and avoiding surface water run-off to Braeheads. Whilst a condition would be attached to control the precise details and implementation, in principle, the proposals are considered to satisfy Local Development Plan policies IS9 in terms of surface water drainage and IS8 (Flooding).

Local Development Plan Policy IS9 states that the preferred method of dealing with waste water would be a direct connection to the public sewerage system. For foul drainage, the development would connect to the public sewer. Scottish Water have confirmed that there is sufficient capacity within the current Waste Treatment Facility and foul drainage network to serve the proposed development. Concerns that the development could exacerbate the existing foul drainage issues are noted, but the assessment of Scottish Water is that such matters can be adequately addressed.

The owner of Endrigg has raised a concern that existing drainage within Plot 5 could be affected by these proposals. This drainage appears to serve Endrigg, as well as the proposed site. This would be a private matter between the interested parties.

#### Residential Amenity

Members will be familiar with Policy HD3 of the Local Development Plan which 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 on Householder Developments supports policy HD3 and contains advice on daylight and privacy standards. In addition, the LDP site requirements demands that specific attention is given to the amenity of the existing residential property known as Endrigg. The amenity of neighbouring properties to the north and north-east of the proposed site are also equally important.

#### *Privacy*

In terms of Endrigg, this property benefits from well-established hedge planting on the boundary it shares with the proposed site. The south-east elevation of Plot 5 faces towards Endrigg and would include kitchen and store room windows at ground floor level, and a staircase window between ground floor and first floor. The original proposals featured a window to bedroom 2, at the first floor, but this has since been omitted upon request. Given the screening benefit of the hedge and the use of the rooms which would be provided with windows, no significant adverse overlooking impacts would arise.

The layout of the development minimised potential for overlooking impacts on the cottages on Braeheads. Plots 3 and 4 would sit over 30m back from these houses. Even accounting for the differences in levels, this would be comfortably within the recommended distances set out within the Council's Privacy and Amenity Guidance Note. Plot 1 would sit closest to the cottages, behind the retained hedge, but would not feature window openings on the north elevation which faces Braeheads. The angles and distances involved would prevent any significant impacts from the front elevation of Plot 1. A condition is recommended to restrict window openings on the north elevation of Plot 1. Were the house at Plot 2 erected but the house at Plot 1 not, it is very unlikely that any unacceptable overlooking would arise.

### *Loss of light/ sunlight*

With respect to potential impacts on access to light and sunlight, the primary consideration would be the effect of the dwellinghouse at Plot 1 on Braeheads Cottages 1-4. Plot 1 has been redesigned during the course of the application to include a single storey hipped extension to the north. In general amenity terms, it is noted that the principal elevations of cottages 1-4 front onto Braeheads, but the outlook of these properties is very much to the rear, where expansive views northwards are enjoyed. The sloping nature of the proposed site means that any development of the site for housing would likely have some effect on these properties but the proposed layout and revised house design is not considered to give rise to any unacceptable loss of light/ sunlight impacts.

### *Other residential amenity considerations*

Air source heat pumps are an increasingly common micro-scale renewable energy system with a similar appearance to air conditioning units. One heat pump system would be installed at each dwellinghouse. Adverse noise impacts are not anticipated, but a planning condition is recommended to provide additional control.

### *Landscape and Trees*

The Local Development Plan sets out a requirement for the retention of the hedge to the north of the allocated site. With the exception of a narrow break for access, the hedge is to be retained and will be a key feature of the development. A condition is recommended to ensure the hedging is protected during the construction phase of the development. The site layout incorporates a significant amount of internal hedge planting which would help soften the appearance of the strong frontage, particularly of plots 3 and 4, and would integrate the development with the landscape and streetscape character of Braeheads. Precise details of the proposed landscaping proposals would be agreed by condition at a later date.

A further LDP requirement was for the provision of a planting belt on the western boundary of the allocated site to provide a clear edge to the settlement and enclosure to the site. This has not been included within the site layout. The decision to omit a planting belt has been the subject of lengthy discussions with the applicant who has ultimately argued persuasively that a substantial tree planting belt would not be appropriate for the edge of this part of the allocated site. For the applicant, this form of settlement edge is not within the Berwickshire tradition, and would produce a dark, oppressive effect, which would harm the amenity of new and existing properties in the vicinity. A photographic survey of the approaches to Reston and other Berwickshire towns has been submitted in support of this view. The applicant contends that rather than screening or “cocooning” village or town edges, the Berwickshire tradition is for hedges and hedgerow trees which soften edges.

It is agreed that the space created by omitting the planting belt enables a better site layout to be achieved, as it allows the erection of a dwellinghouse on plot 1 without unacceptable harm to the amenity of 1 Braeheads Cottage. Plot 1 is fundamental to achieving the courtyard effect. Provided that a high standard of house and roofscape design/ materials is achieved (as is proposed) it is agreed that the benefits of a thick belt of trees on the edge of this particular site would not outweigh the placemaking benefits of the layout proposed, or the resulting harm to the amenity of neighbours and future residents. A combination of hedge planting and small pockets of tree planting in the corner of the two boundary plots shall provide an adequate and proportionate edge to the settlement at this location. Should proposals come forward

for the wider side, a tree planting belt may well be appropriate, but this would be considered in detail at that time. No precedent would be set by the decision not to insist on the planting belt for this proposed development.

Concerns have been raised regarding a multi-stemmed ash tree on the road verge at the north-east corner of the site. The tree contributes to the local streetscape but may be affected by the aforementioned footpath requested by Roads Planning, and could also be affected by the outfall pipe from the attenuation tank. It is not known whether this tree has been affected by ash dieback disease, nor is its condition known in more general terms. The applicant has confirmed that whilst the tree is shown to be removed on the latest site plan, this is not the case and this merely reflects the noted potential impacts on the tree. A further mature ash tree is located on the boundary between Endrigg and the car park to the east but sits a much greater distance back from Braeheads.

Neither of these trees has been deemed worthy of statutory protection, and whilst harm to either would be regrettable this must be balanced against the benefits of extending the footpath along Braeheads. Local concerns about pedestrian access along Braeheads have been expressed through the course of the application consultation process. It is considered to be clearly preferable that Braeheads benefits from proper segregated pedestrian access and this is considered to outweigh the potential impact on the two trees. The landscaping scheme for the development will ensure replacement tree planting is delivered elsewhere within the site, including trees along the frontage of the site. Nevertheless, the design of the proposed footpath and services should seek to avoid impacts, where possible.

#### Developer Contributions

Contributions towards off-site affordable housing and local schools would be required should Members support this application. The site is located within the catchment area for Reston Primary School and Eyemouth High School. At 2019/20 rates, contributions totalling £22,030 and £18,360 respectively would be sought for the schools and a contribution of £8000 would be sought for affordable housing. The applicant has indicated a preference to settle these contributions by way of a Section 75 Legal Agreement.

#### Other Matters

The proposed development would connect to the public mains water supply. Scottish Water have confirmed that adequate capacity exists.

The site is recorded within the register of Prime Quality of Agricultural Land. The principle of allowing housing on the site is well established and the loss of this land was considered and addressed at the time the wider site was allocated.

No screening assessment for Environmental Impact Assessment was required. No sites of ecological interest are located within the vicinity of the development site and no significant adverse ecological impacts were identified as a result of the proposed development.

Neighbour notification processes were carried out correctly and in accordance with regulations. The application was also advertised in the Berwickshire News.

## **CONCLUSION**

The proposed development is considered to satisfy key Development Plan policies including Local Development Plan policies PMD2 (Quality Standards), PMD3 (Land Use Allocation), IS8 (Flooding) and IS9 (Waste Water Treatment Standards and Sustainable Urban Drainage). The proposed development would have a high standard of layout and detailed design in line with the Placemaking principles set out within the Council's Placemaking and Design SPG whilst also protecting the amenity of neighbouring dwellinghouses. Subject to compliance with the schedule of conditions and the conclusion of a legal agreement for development contributions, the development will accord with the relevant provisions of the Local Development Plan 2016.

## **RECOMMENDATION BY CHIEF PLANNING AND HOUSING OFFICER:**

I recommend the application is approved subject to a legal agreement to require contributions towards off-site affordable housing and local primary and secondary schools, and the following conditions and informatives:

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.  
Reason: To ensure that the development is carried out in accordance with the approved details.
2. No development shall commence until details of foul and surface water drainage have been submitted to and approved in writing by the Planning Authority. Thereafter, the dwellinghouses hereby consented shall not be occupied until the surface water and foul drainage arrangements are functional in accordance with such agreed details.  
Reason: To ensure that the dwellinghouses are fit for habitation before they are occupied for the first time.
3. No foul drainage system other than the public mains sewer shall be used to service the development without the written consent of the Planning Authority.  
Reason: To ensure that the development does not have a detrimental effect on public health.
4. Prior to occupation of any property within the development hereby approved, written evidence shall be supplied to the planning Authority that the property has been connected to the public water drainage network.  
Reason: To ensure that the development does not have a detrimental effect on public health.
5. Prior to the occupation of the dwellinghouses hereby approved, written confirmation shall be provided to the approval of the Planning Authority that the development has been connected to the public mains water supply.  
Reason: To ensure that the Development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.
6. No water supply other than the public mains shall be used to supply the Development without the written agreement of the Planning Authority.

Reason: To ensure that the Development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.

7. Any noise emitted by plant and machinery used on the premises will not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR 30 at all other times when measured within all noise sensitive properties (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2

Reason: To protect the residential amenity of nearby properties.

8. All plant and machinery shall be maintained and serviced in accordance with the manufacturer's instructions so as to stay in compliance with the aforementioned noise limits.

Reason: To protect the residential amenity of nearby properties.

9. No development shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the Planning Authority. Thereafter, the development shall be carried out wholly in accordance with the agreed details.

Reason: To ensure construction traffic does not cause unacceptable harm to local road users and road safety.

10. Prior to the commencement of development, details of a footway between the site and the existing footway serving Reston Primary School shall be submitted for the agreement in writing of the Planning Authority. Prior to the occupation of the first dwelling, the footway shall be completed in accordance with the agreed details.

Reason: To secure adequate provision for pedestrians using Braeheads, in the interests of road safety.

11. Notwithstanding the description of the materials in the application, no development shall be commenced until precise details of all external materials to be used in the construction of the buildings have been submitted to and approved in writing by the Planning Authority, and thereafter no development shall take place except in strict accordance with those details.

Reason: The materials require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.

12. No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include (as appropriate):

- i. indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration
- ii. location of new trees, shrubs, hedges and grassed areas
- iii. schedule of plants to comprise species, plant sizes and proposed numbers/density
- iv. programme for completion and subsequent maintenance.

Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.

13. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons

following the occupation of the buildings or the completion of the development, whichever is the sooner, and shall be maintained thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing.

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

14. No development shall commence until details (including a site plan) of protective fencing at a height of 1.5 metres that shall be erected at least 2.0 metres from the southern edge of the hedge that follows the northern boundary of the site have been submitted to and agreed in writing by the Planning Authority. Thereafter, there shall be no works or storage undertaken within the protected areas and the fencing shall not be removed until construction works are complete, unless otherwise agreed in writing by the Planning Authority.

Reason: To protect the hedging along the northern boundary.

15. Details of all proposed means of enclosure shall be submitted to and approved in writing by the Planning Authority before the development commences and thereafter the development shall be carried out wholly in accordance with the agreed details.

Reason: To enable the proper effective assimilation of the development into its wider surroundings.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any subsequent provisions amending or re-enacting that Order), no additional window or other opening shall be made in the north elevation of Plot 1 unless an application for planning permission in that behalf is first submitted to and approved in writing by the Planning Authority.

Reason: To safeguard the privacy and amenity of the occupiers of adjacent properties.

#### Informatives

1. Stoves and Use of Solid Fuel can cause smoke and odour complaints and any Building and Planning Consents for the installation do not indemnify the applicant in respect of Nuisance action. In the event of nuisance action being taken there is no guarantee that remedial work will be granted building/planning permission. Accordingly this advice can assist you to avoid future problems.

The location of the flue should take into account other properties that may be downwind. The discharge point for the flue should be located as high as possible to allow for maximum dispersion of the flue gasses. The flue should be terminated with a cap that encourages a high gas efflux velocity. The flue and appliance should be checked and serviced at regular intervals to ensure that they continue to operate efficiently and cleanly. The appliance should only burn fuel of a type and grade that is recommended by the manufacturer.

If you live in a Smoke Control Area you must only use an Exempt Appliance <http://smokecontrol.defra.gov.uk/appliances.php?country=s> and the fuel that is Approved for use in it <http://smokecontrol.defra.gov.uk/fuels.php?country=s>

In wood burning stoves you should only burn dry, seasoned timber. Guidance is available at:

[http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/\\$FILE/eng-woodfuel-woodasfuelguide.pdf](http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/$FILE/eng-woodfuel-woodasfuelguide.pdf)

Treated timber, waste wood, manufactured timber and laminates etc. should not be used as fuel. Paper and kindling can be used for lighting, but purpose made firelighters can cause fewer odour problems.

2. The applicant should be aware that the streets within the site require Roads Construction Consent, this must be submitted and approved, with the relevant security in place prior to commencement of any building works on site.
3. It should be borne in mind that only contractors first approved by the Council may work within the public road boundary.

#### DRAWING NUMBERS

<u>Drawing number</u>	<u>Received date</u>
LOCATION PLAN L01A	26.02.19
PLOT 1 ELEVATIONS PD P01 REV B	26.02.19
PLOT 2 ELEVATIONS PD P02 REV A	26.02.19
PLOT 3 ELEVATIONS PD P03 REV A	26.02.19
PLOT 4 ELEVATIONS PD P04 REV A	26.02.19
PLOT 5 ELEVATIONS PD P05 REV A	26.02.19
SITE PLAN PL01 REV B	26.02.19
ROAD AND DRAINAGE PLAN PL02 REV A	26.02.19

#### **Approved by**

Name	Designation	Signature
Ian Aikman	Chief Planning and Housing Officer	

The original version of this report has been signed by the Chief Planning and Housing Officer and the signed copy has been retained by the Council.

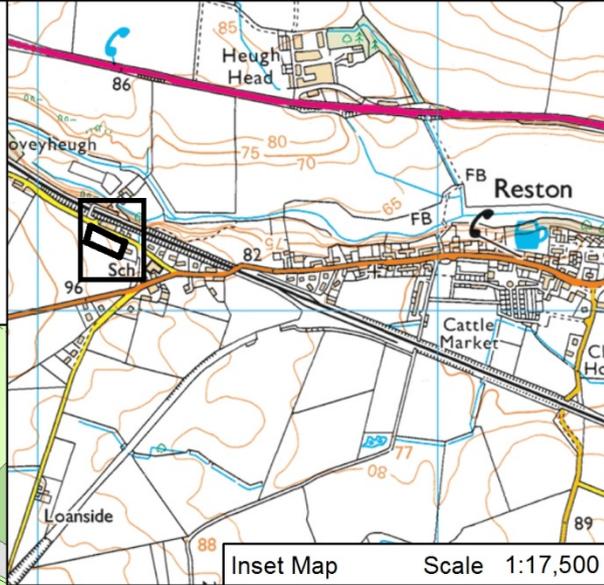
#### **Author(s)**

Name	Designation
Paul Duncan	Assistant Planning Officer

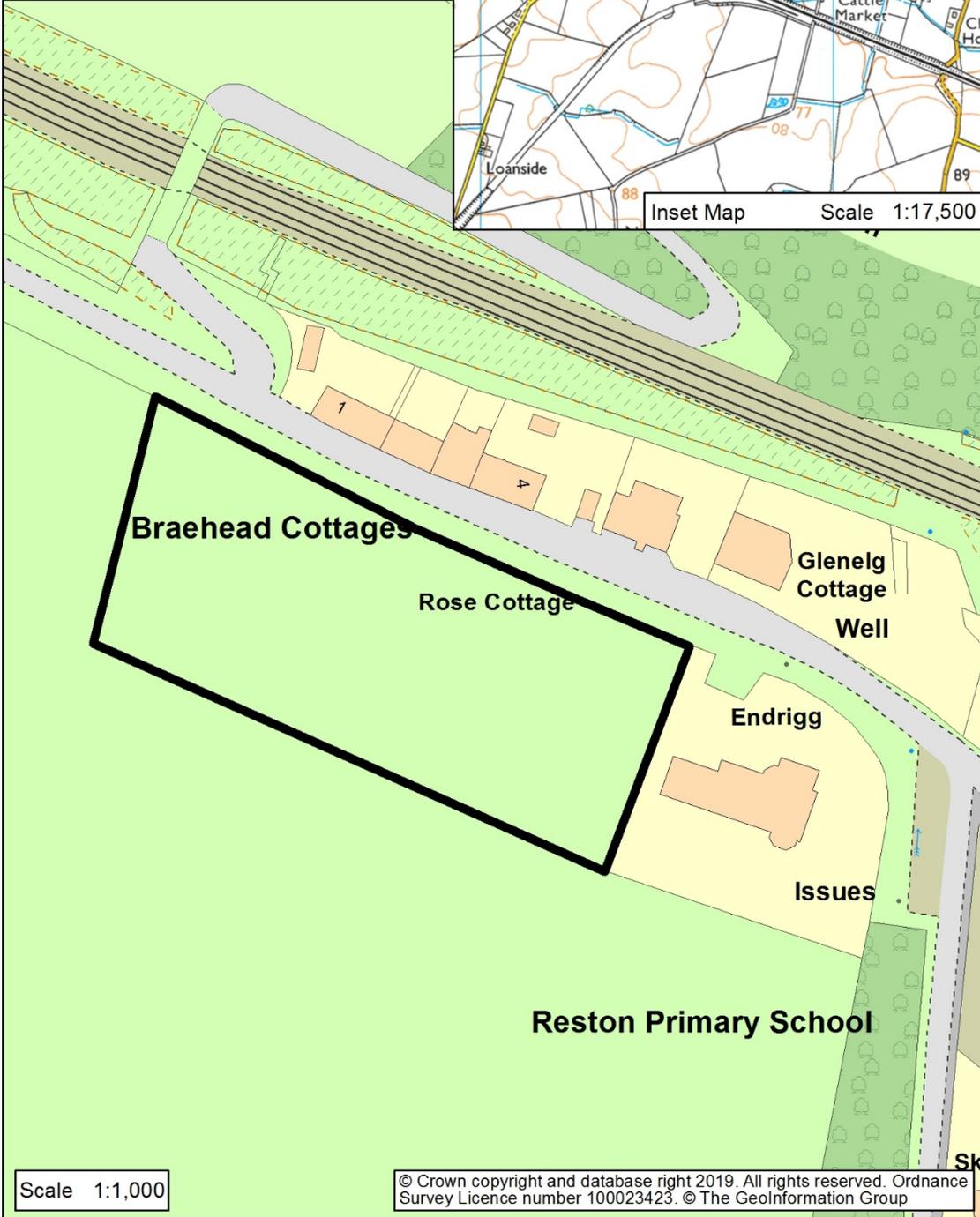


17/01555/FUL

Land North West Of Primary School  
Braeheads  
Main Street  
Reston



Inset Map Scale 1:17,500



Scale 1:1,000