



APPEAL STATEMENT

SITE ADDRESS:

**LAND WEST OF THORNWOOD LODGE WEENSLAND
ROAD HAWICK SCOTTISH BORDERS**

**PLANNING APPEAL AGAINST THE REFUSAL OF:
ERECTION OF FOUR DWELLINGHOUSES**

APPELLANT:

BORDERS LOW CARBON DEVELOPMENTS LTD

JUNE 2019

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CONTENTS

1. Introduction
2. Site Context and Proposal
3. Planning Policy Context
4. Grounds of Appeal
5. Conclusion

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1. Introduction

- 1.1 This statement of appeal has been prepared by Ferguson Planning on behalf of our client, Borders Low Carbon Development Ltd, who seeks the erection of four high performance low-energy semi-detached dwellinghouses on land at Thornwood Reach, Weensland Road, Hawick.
- 1.2 The proposal (18/01671/FUL) for the dwellinghouses was lodged on 4th December 2018 with a decision, via delegated powers, to refuse the application received on 9th May 2019. As such, we now seek to appeal the decision via the Local Review Body.
- 1.3 This statement responds to the reasons for refusal and, where appropriate, cross referencing to the delegated officer's report, Development Plan and material considerations. The relevant core documents are listed within Appendix 1.

Reasons for Refusal

- 1.4 Within the 'Decision Notice' the following reasons for refusal were:
 1. *The proposal is contrary to Adopted Local Development Plan Policies PMD2 and PMD5 in that it would not respect the amenity and character of the site and surrounding area, including neighbouring built form, in that the proposed dwellinghouses would not be of a design or layout that would be sympathetic to the site or the surrounding area.*
 2. *The proposal is contrary to Adopted Local Development Plan Policies PMD2, PMD5 and HD3 in that it would have unacceptable impacts upon the amenity of the residential property at No 8 Weensland Terrace, principally as a consequence of an unacceptable loss of daylight and outlook due to the significant exaggeration of these impacts as a consequence of the proposed dwellinghouses being set further back into the site from the public road, than is necessary or otherwise justified by any circumstances on site or within the surrounding streetscape.*

Representations

- 1.5 There was a total of 6 statutory consultee representations to the proposal. These are outlined below:
- 1.6 **Roads Planning Section: No objections.** Roads requires that any consent should include the following planning conditions to be submitted to the Council for its prior approval ahead of the commencement of development:
 - a. access points to be constructed as per DC-10 (with the width of the access to be widened to suit);
 - b. visibility splays of 2.4 by 43 metres in both directions from each access point;

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- c. construction specification for the parking areas; and
- d. dimensions of the parking bays and turning space.

1.7 **Flood Prevention Section: No objection.** As flooding is not anticipated to affect the majority of the site and specifically the buildings as per the Site Plan (Drawing 9373.1.01), the Flood Prevention Section would have no objections to the proposal on the grounds of flood risk. Furthermore, there is suitable access and egress from Weensland Road.

1.8 **Landscape Section: No objection.** Any approval should be met with the following conditions:

- a. require submission and agreement of landscaping details;
- b. regulate commencement of landscaping works;
- c. require a notice of completion of the same;
- d. require retention of existing trees; and
- e. require protection of hedges.

1.9 **Ecology Section: No objection.** After further information was provided Ecology are satisfied with the proposal. There is potential for matters regarding the Construction Method Statement to be addressed by appropriately worded conditions in the event of approval. It is advised with respect to otter conservation that a planning condition requiring a sensitive lighting scheme would be required. Further, a Species Protection Plan for birds would also be required.

1.10 **SEPA: No objection.** Satisfied the proposal is compliant on flood risk grounds in light of advice given with respect to finished levels within the site.

1.11 **Scottish Natural Heritage: No objections.** After submission of further information SNH removed their initial objection. Advising: (a) that it approves of the removal of balconies from the rear of the dwellinghouses; (b) that it would accept that a planning condition might - as per the advice of the Council's Ecology Officer - suffice to manage the mitigation required for otter; and (c) that while the Applicant's submitted Construction Environment Management Plan report and map are fairly basic, the report makes reference to General Binding Rules and the map illustrates the presence of a drainage channel leading to a settlement pond, with an outflow and sediment trap. Implementation of these measures should be secured by planning condition.

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Third Parties

1.12 Two objections were received by one household, a summary of these main concerns are outlined below:

- Flooding issues
- Land contamination regarding asbestos
- Neighbour notification
- Insufficient parking provision proposed
- Design not in keeping with the surrounding area

1.13 As noted previously all statutory consultees have **no objections** to the matters raised by the third parties and where elements of control are needed, we agree to the suggested conditions.

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2. SITE CONTEXT

- 2.1 The site at Thornwood Lodge is located within Hawick settlement boundary, situated only a 20-minute walk from Hawick town centre. The site extends to 1440 m2 of land with an additional 500m2 into the middle of the Teviot River.
- 2.2 The surroundings are predominately housing, built over the last 150 years. To the south west is a terrace of 1860s stone houses, to the north east the single storey detached Thornwood Lodge, and across the street two storey linked terraced houses and c1970s infill housing around the entrance to the Mansfield Hotel.
- 2.3 The site is confined by high mixed hedging along Weensland Road to the southern boundary. The River Teviot acts as the north western boundary. The river's edge is a continuous stone retaining wall approximately 3 meters tall with a post and wire fence.
- 2.4 The site is currently maintained garden grounds as shown in the image below.



Planning History

- 2.5 The subject site has had previous consent for the erection of three dwellinghouses (09/00547/OUT) which included the section of garden land to the north east adjacent the detached bungalow.
- 2.6 The planning consent was dated 15th December 2009 and has therefore now lapsed.

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Proposal

- 2.7 Thornwood Reach will comprise four high-performance, low energy/carbon four bedroom houses contained in two blocks, with shared parking courts and individual northwest facing gardens overlooking the river. The houses are designed to address the challenge of global warming and urgent need for more sustainable low carbon homes, in the 21st Century.
- 2.8 The bespoke timber frames are designed and engineered to minimise embodied energy and increase speed of construction. Vertical square edge Siberian larch cladding boards of three widths used in random pattern on the upper floors.
- 2.9 The houses will be on three levels, with the lowest level dug into the slope of the hill so as to appear two storey from the street.
- 2.10 Two new five metre wide access will be formed through the hedge from Weensland Road with dropped kerbs. Each shared parking court at the front of the properties will have four unallocated gravel surfaced parking spaces with sufficient space for turning.
- 2.11 The roof will comprise 16 black solar panels set in two 40 degree inclined frames along the principle facades, with a 20m² moss roof in between. The carbon capture of the moss in each roof will be the equivalent to several hundred trees. Syphonic drainage will be designed to accommodate increased future rainfall.

Landscaping

- 2.12 There are currently six trees within the site. The intention is to retain them all. Three trees will likely need to be repositioned. It is hoped these works would be carried out while the trees are still dormant.
- 2.13 It may be possible to retain a fastigate beech within the parking court, but it is close to the proposed crib wall and may need to be moved 16 metres to the boundary between the two parking courts. A compact common birch lies within the footprint of House no 1 it is intended to relocate this 7 metres toward the south west corner of the site. The second fastigate beech lies too close to House no 1 and will be moved 16 metres to the boundary between parking courts. Any trees lost will be replanted.
- 2.14 It is intended to reinforce the existing mixed hedgerow on Weensland Road to be retained between the two new accesses with more mixed hedging on the inside of the hedge thickening it to 1.2 metres width when mature. Bare root hedging will be installed with protection.
- 2.15 The crib retaining walls will be planted with bedding and trailing plants.

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- 2.16 The roof gardens will be landscaped with a moss habitat to maximise carbon capture. Fast growing pleurocarp mosses will be planted with light shade canopy of ferns and shrubs such as camelia, fatsia, hosta, hydrangea, set in large river stone beds. To maintain an optimum environment for the moss garden, automated sprinklers irrigation using recycled wastewater will be installed. Access for future maintenance will be via an openable stair rooflight.
- 2.17 The existing lawned garden ground will be retained and turfed or seeded where any disturbance has occurred from construction work. Boundary wire fences will be planted with beech hedging between gardens.

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3. PLANNING CONSIDERATIONS AND POLICIES

3.1 The development plan is made up of the SESplan Strategic Development Plan 2013 and the Scottish Borders Local Development Plan 2016. Further material considerations being Scottish Planning Policy and related Supplementary Planning Guidance.

Scottish Borders Local Development Plan (2016)

3.2 The following policies are considered in the determination of this application:

- **PMD2 – Quality Standards**
- **PMD5- Infill Development**
- **HD3 – Protection of Residential Amenity**
- **EP1- International Nature Conservation Sites and Protected Species**
- **EP2- National Nature Conservation Sites and Protected Species**
- **EP3- Local Biodiversity**
- **EP13 – Trees, Woodlands and Hedgerows**
- **EP 15 – Development Affecting the Water Environment**
- **IS8- Flooding**
- **IS7 – Parking Provision and Standards**

3.3 Within the ‘Report of Handling’ the Planning Officer has focussed the determination of the application on **Policy PMD2 Quality Standards, Policy PMD5 Infill Development, and Policy HD3 Residential Amenity.**

3.4 Policy **PMD2** ensures that all new development is of a high quality in accordance with sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings.

3.5 Policy **PMD5** ensures infill development within Development Boundaries will be approved where the following criteria are satisfied:

- a) *Where relevant, it does not conflict with the established use of the area; and*
- b) *It does not detract from the character and amenity of the surrounding area; and;*

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- c) *The individual and cumulative effects of the development can be sustained by the social and economic infrastructure and it does not lead to over development or ‘town and village cramming’; and*
- d) *It respects the scale, form, design, materials and density in context of its surroundings; and*
- e) *Adequate access and servicing can be achieved, particularly taking account of water and drainage and schools capacity; and*
- f) *It does not result in any significant loss of daylight, sunlight or privacy to adjoining properties as a result of overshadowing or overlooking.*

3.6 Policy **HD3** ensures that any development protects the amenity and character of areas, development will be assessed against the following criteria:

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

Material considerations

Scottish Borders Renewable Energy SPG (2007)

3.7 With increasing public and political interest in environmental issues, especially climate change, some companies and clients are specifically looking to invest buildings or developments which have not only been designed to high specifications, but which will also use the company’s own environmental credentials.

3.8 The inclusion of renewable energy technologies in development can have benefits for both the developer and the end users. Developers are able to demonstrate their competence and

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enthusiasm in an area of building and design in which opportunities are likely to expand a political and public understanding and concern as environmental issues continue to grow.

- 3.9 The use of finished developments which incorporate renewable energy technologies can look forward to being insulated against any rise in energy costs and issues around security of supply by using natural resources such as the sun, wind to generate energy locally. Thus, reducing those experiencing 'fuel poverty'.

Scottish Borders Placemaking and Design SPG

- 3.10 Building materials encouraged by the SPG include:

- Lighter weight materials such as timber allow for more rapid heating and cooling of buildings, which is more responsive to external temperature variation.
- Building design that incorporates elements of both heavyweight and lightweight construction - in response to the microclimate and needs of the end-user - can achieve the best possible balance of passive solar design when combined within a well designed, energy efficient building form.

- 3.11 Design guidance with the SPG regarding up to 10 houses within a town or village encourages:

- Using sustainable resources: grey-water recycling, sustainable building materials and renewable energy sources are all key considerations in the building specification
- Relate to the townscape: revisit the townscape analysis in the building design; identify local roofscape, colours and building lines and how new development will relate to this
- Materials: consider historic materials palette, used in conjunction with sustainable materials such as timber.

Scottish Planning Policy (SPP)

- 3.12 This SPP introduces a presumption in favour of development that contributes to sustainable development.

- 3.13 NPF3 and this SPP share a single vision for the planning system in Scotland:

“We live in a Scotland with a growing, low-carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between our regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.”

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- 3.14 The SPP encourages **A low carbon place** (Outcome 2) as a means of supporting the above vision – through reducing our carbon emissions and adapting to climate change.

A Low Carbon Building Standards Strategy for Scotland 2007 ('The Sullivan Report')

- 3.15 The Sullivan Report - in 2007, published by the Scottish Ministers convened an expert panel to advise on the development of a low carbon building standards strategy to increase energy efficiency and reduce carbon emissions. The Sullivan Report recommends total-life zero carbon buildings by 2030.
- 3.16 This Low Carbon Building Standards Strategy is intended to drive a step change in building practice. It sets out a vision for the way the building standard system and policies in Scotland should develop over the next ten years and beyond. It provides a route map that will lead to low and eventually total-life zero carbon buildings and recommends future developments in building standards in relation to carbon emissions from, and energy use in, buildings.
- 3.17 The vision behind the Scottish building standards system is of a construction industry which consistently produces buildings which are safe, accessible to everyone, durable and sustainable, resulting in as few carbon emissions over their lifecycle as possible. To achieve this vision, architectural creativity and technical innovation must be encouraged and not restricted.

Low Carbon Building Standards Strategy for Scotland 2013 Update'

- 3.18 In an attempt to meet the EU Directive requiring 'nearly zero energy buildings' from 2019, recommendations from the initial Sullivan Report were revisited in 2013. This update enabled greater support from Scottish Ministers in delivering a 'zero carbon standard' for new buildings which can be achieved in practice.
- 3.19 This report acknowledged the introduction of the Climate Change (Scotland) Act 2009 and its legally binding greenhouse gas abatement targets, recognising that balancing action towards meeting climate change targets and supporting continued economic growth during a period of economic downturn is essential.
- 3.20 It was also recognised that, during any downturn in the economy less new building is taking place, therefore, greater emphasis is needed on energy and carbon improvement to the existing building stock, "*Houses are key sources of carbon emissions so new technologies are essential to ensure we deliver energy efficient and low carbon affordable homes.*"

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4. GROUNDS FOR APPEAL (GOA)

Reasons for refusal

- 4.1 The reasons for refusing the application is outlined in Chapter 2. It centres on the belief that the application fails to comply with Policies **PMD2**, **PMD5** and **HD3** of the Scottish Borders Local Development Plan 2016. The reasons state the development would have unacceptable impacts upon the residential amenity at No. 8 Weensland Terrace and that the design and layout of the dwellings would not be sympathetic to the site or the surrounding area.
- 4.2 It is taken that the proposal complies with all other related planning policy matters.
- 4.3 The below Grounds of Appeal (GOA) have been grouped into relevant subheadings taking into consideration different themes. Having read the Officer's report and reasoning for refusal we now outline below our Grounds of Appeal.

Layout

GOA 1

- 4.4 The streetscape of Weensland Road is not defined by one continuous roadside alignment. The street is characterised by dwellings mostly situated further back from the main road allowing for driveways and front gardens. The remnant of Weensland Terrace is the one exception to this pattern with a position close to the public path. The setback of the proposed dwellings is not '*exaggerated*' as the Case Officer has stated. The proposal is not offering a set back from the public road that is exaggerated in relation to existing dwellings in the area, it instead has proposed an alignment that follows the exact same setback as 220 – 232 Weensland Road and Thornwood Grove directly opposite the site, and Thornwood Lodge next door to the site. In other words, the proposed site layout is consistent with the surrounding pattern of all 20th century housing development.
- 4.5 Therefore, the Case Officer's argument that the dwelling should match exactly what is immediately adjacent to the proposal we find to be incorrect and unreasonable. As the street is defined by a mix of alignments from the main road and this therefore in itself acts as a part of the streetscape character. The image below demonstrates the setback alignment of the dwellings directly opposite the subject site, where there is ample space to accommodate front gardens and a path.

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- 4.6 The setback alignment of the houses was not to accommodate the Appellants intentions of the development accommodating the river views to the rear as the Case Officer has suggested, *'deliberate design-features of the proposal, and principally intended to allow for the accommodation of a lower storey facing towards and over the river'*, instead the setback arrangement has enabled the dwellings to achieve their own parking provision at the front, with those adjacent at Weensland Road Terrace and 220 – 232 Weensland Road directly opposite having to rely on the limited on street parking. The setback also allows a greater level of privacy from the public road.

Design

GOA 2

- 4.7 The Case Officer's description that the proposal is liable to appear, *'squat, bulky and boxy'* is found to be unjustified. The mass and scale of the four dwellings are proposed as following the same design and layout of those dwellings existing at Weensland Terrace. It is acknowledged the flat roof design is not a traditional form of design in the area however the height of the building does not appear above the roof line of the adjacent Weensland Terrace properties and is therefore is not an obstruction in the streetscape.
- 4.8 In relation to the roof design, it is only the central and non-visible part of the roof that is flat. The roof edges are angled to replicate traditional pitches and to accommodate solar panels.
- 4.9 A great deal of time and expense has been spent on the design to create unique sustainable dwellings in Hawick. The use of quality natural local materials both in the construction and furnishing of the dwellings is key. The roof gardens will be landscaped with a moss habitat to

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maximise carbon capture. Fast growing pleurocarp mosses will be planted with light shade canopy of ferns and shrubs such as camelia, fatsia, hosta, hydrangea, set in large river stone beds. The external materials will include timber and aluminium cladding creating a visual connection with the proximity of both the urban area and the natural feature of the River Teviot.

- 4.10 The design is innovative in its seeking to establish a new and local vernacular for urban buildings but one that uses 21st century technology to adapt the conventional palette of local materials. The increased use of natural materials in residential construction are being both advocated and promoted with this development. As shown in the image below, the scheme is highly innovative in both its architectural expression, the way it enhances its immediate setting and the range of building technologies integrated into the concept.



- 4.11 Regarding the siting and design of the four dwellings within the streetscape, the proposal is intended to reflect high quality design through incorporating low carbon technology as a new introduction to the area in Hawick and therefore great consideration has been given to external materials. However, it is acknowledged should any issues arise the Appellant is happy to be conditioned in this regard should Members of the LRB seek any related amendments.

Environment

GOA 3

- 4.12 Innovation refers to the notion of doing something different rather than doing the same thing better. With this in mind the scheme is highly innovative in both its architectural expression, the way it enhances its immediate setting and the range of building technologies integrated into the concept. It will incorporate and combine a variety of state of-the-art low carbon technologies integrated in a manner unique to a domestic dwelling in the UK.

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- 4.13 Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.
- 4.14 The case officer has taken a stance of complete disregard for the low carbon development of the proposal and fails to consider that the unique design concept is to accommodate the proposed environmental benefits of the development. As stated in the Report of Handling, *'The adoption of such an overtly and self-consciously different design approach, does not reasonably allow that planning policies and guidance promoting sympathetic development and the achievement of good place making should be set aside to allow the Applicant to pursue its own unilaterally identified and defined objectives however technologically innovative and 'green' these may be'*
- 4.15 This argument is in complete contradiction to the findings from the Scottish Ministers 'Sullivan Report' previously noted in Chapter 3. This research recommended a 60% reduction in emissions compared to 2007 and improvements of this magnitude are likely to require significant changes to building practices. At the heart of the current planning system there is a presumption in favour of sustainable development, which does not seem to have been given consideration in the decision-making of this proposal.
- 4.16 The proposals are for an innovative low carbon energy strategy exceeding the local planning requirements. This will be achieved by incorporating a very high efficiency building fabric to maximise the energy efficiency of the dwellings.
- 4.17 Therefore, the proposal complies with Policy PMD2- Quality Design as the evolution of the design has been informed by an assessment of the natural resources of the site and the location. The innovation of the design is for it to have a close relationship with the surroundings. Few if any conventional houses adopt this principle and as such it reflects an innovation in both design and approach.

GOA 4

- 4.18 In relation to other environmental concerns, the proposals will have no impact on the River Teviot including during the construction phase and the Appellant is content with any ecological surveys and landscape requirements as a condition on an approval.
- 4.19 Furthermore, as noted in Chapter 2 the Appellant is confident that the majority of trees on the site can be retained and those likely to be impacted by the development will be accommodated elsewhere. The Case Officer was also accepting of any tree removal as stated, *'I would however not consider the loss of any existing trees within the site itself, to be objectionable.'*

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Residential Amenity

GOA 5

- 4.20 The second principle reason for refusal concerned the unacceptable residential impacts the development would have on the adjacent property at 8 Weensland Road. As the Case Officer has stated that the proposal, *'In this context, can only find the impacts upon the residential amenity of No 8, unacceptable.'*
- 4.21 The principle of housing on this site has been accepted from the previous approval for three dwellings given in 2009 (09/00547/OUT). The Case Officer has acknowledged the principle of housing on the location as an acceptable form of development, *'I am content that the principle of the site being developed for housing, raises no concerns'*. The case officer is also content with the higher volume of dwellings proposed on the site, *'The site could be developed acceptably to accommodate four new build properties- certainly as semi detached or terraced properties-'*.
- 4.22 Again, the greatest concern that the Case Officer expresses is in regard to the layout and design of the dwellings having an unacceptable residential impact towards loss of daylight to No 8 Weensland Terrace. The case officer has stated, *'What is proposed is only reasonably characterised as unnecessarily exaggerating the impacts upon the residential amenity of the neighbouring property'*. As shown in the image below there are no gable windows facing the subject site at the nearest neighbouring property, No 8 Weensland Terrace. The nearest window is 4 metres from the boundary. The gable of the proposed No 1 Thornwood Reach is 4 metres from the boundary. The angle from this neighbouring window to the gable window of my proposed No 1 Thornwood Reach is precisely 90 degrees and 8 metres, ie there is no overlooking.



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- 4.23 The orientation of Weensland Road is such that the proposed houses will cause no loss of sunlight or daylight whatsoever to the rear of 8 Weensland Terrace or any other properties. Neighbouring amenity has been evaluated in accordance with BRE Digest 209.
- 4.24 Therefore, we strongly believe that, given the adjacent property has no windows on the gable end elevation facing the subject site and the layout/orientation of Weensland road will not cause the proposal to have an impact on sunlight or daylight reaching the rear of No 8 Weensland Terrace. There will be no residential impacts regarding loss of daylight/overshadowing/sunlight or overlooking, the development can in no way have a significant impact upon residential amenity.
- 4.25 We consider the context on some of the reasoning for refusal via Policy HD3 to be misguided. In the Officer's conclusions it is outlined that the design and layout would somehow impact unacceptability upon residential amenity of neighbouring properties principally through its unsympathetic design.
- 4.26 There is no real tangible evidence provided that demonstrates this from the Officer nor a clear explanation of the exact amenity impact. When one refers to the LDP Policy HD3 the premise of it is not necessarily purely design related but, in our mind, more to do with ensuring that there are no significant amenity impacts which we consider relate more to ensuring proposals do not over tower that what neighbours it in height or in relation to privacy or overshadowing.
- 4.27 The Appellant's submission has demonstrated its compliance with such matters and in some instance this has been acknowledged by the Case Officer. The proposal complies with Policy HD3 – Residential Amenity and Policy PMD5 – Infill Development.

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5. CONCLUSION

- 5.1 Ferguson Planning has been appointed by the Appellant to submit an appeal against Scottish Borders Council's refusal for the erection of four dwellinghouses at Thornwood Reach on Weensland Road, Hawick.
- 5.2 The innovation in the integration of sustainable technologies will allow the evaluation of the potential of this combination to meet the challenges of climate change and meet the needs of future. The proposal supports the transition to a low carbon future in a changing climate, including the use of renewable resources to heat and power the dwellings in place of reliance on fossil fuels.
- 5.3 The application will improve sustainable development and aid in reaching renewable energy targets in the Borders while also offering high quality dwellings in the area. As a result, the proposal plays an important role in the future of sustainable development in the Borders through complying with recommendations set in Scottish Planning Policy, Scottish Borders Renewable Energy SPG and A Low Carbon Building Standards Strategy for Scotland 2007 and 2013 update.
- 5.4 Concerns relating to residential amenity are considered to be unjustified in this case as the proposal will in no way have unacceptable impacts on the residential amenity of No 8 Weensland Terrace. There are no windows on the elevation facing Weensland Terrace and the proposed setback positioning of the development will not cause unacceptable disruption to daylight reaching the rear of the adjacent property.
- 5.5 Zero/low carbon developments are unfamiliar to the majority of people which has then led to a number of barriers to their development. The implementation of more low carbon housing in the Borders should be encouraged and not refused on the basis of an untraditional design. Despite there being UK wide emission targets, without a clear and ambitious policy drive, there remains little incentive to change current planning practice. Therefore, this should be seen as an opportunity to take a step in the right direction towards reducing carbon emissions in the Scottish Borders and to help promote sustainable development.
- 5.6 Despite the close proximity to the River Teviot, the proposed dwellings sit entirely outwith the flood plain due to the rising slope of the subject site towards the road.
- 5.7 The Appellant should be supported and not discouraged in taking on such a unique low carbon proposition, one that will make the Scottish Borders stronger in terms of sustainable development and renewable technologies.
- 5.8 Taking the 'Grounds of Appeal' noted within Chapter 4 we respectfully request that this appeal be allowed.

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Appendix 1: Core Documents (CD)

DRAWINGS

- CD 1. 3D Image SK05_-3207181
- CD 2. 3D Image SK07_-3207182
- CD 3. 3D Image SK08_-3207183
- CD 4. 3D Image SK09_-3207184
- CD 5. Elevations- 3215346
- CD 6. Floor Plans- 3215344
- CD 7. Location Plan-3215343
- CD 8. Plan Showing Existing trees
- CD 9. Streetscape Elevation- 3215353
- CD 10. Site Plan- 3215360
- CD 11. Site Section- 3215349
- CD 12. Construction Management Plan

REPORTS

- CD 13. Design Statement
- CD 14. Landscape Statement
- CD 15. Planning Note
- CD 16. Construction Environmental Management Report
- CD 17. Construction Management Plan
- CD 18. Design Appeal Statement
- CD 19. Appellant Statement

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