



Delivered by Email

27<sup>th</sup> February 2019

Stuart Herkes  
Development Management  
Regulatory Services  
Scottish Borders Council

Your Ref. 18/01680/FUL

Dear Stuart

### **Erection of Three Holiday Lodges and Associated Works, Hallrule Farm**

We write in relation to statutory consultations received on the above application to date and in relation to a number of objections made to the application.

It is not our intention to focus on individual comments but rather group them under subject headings and provide key points of response and why we consider that the information before you provides the justification or reasoning as to why the proposal can be supported in planning terms.

We also seek to make you aware of certain comments made which are entirely false, misleading and should be set aside when coming to a determination of the application.

### **Statutory Consultees**

As our client's detailed submission shows the proposal is one that is well thought out and of the highest design quality. It is truly unique and one which will largely go unnoticed due to it being set within the valley.

We have reviewed consultee comments thus far and buoyed to note that **no formal objections has been recorded.**

### **Economic Development**

Contrary to some of the comments made by objectors our client's are in full agreement with the Council's Economic Development Department.

They have clearly stated that the proposal fits with the Scottish Borders Tourism Strategy 2013-2020 strategic target by:

- Increasing volume of overnight visitors.
- Increasing overnight visitor spend.

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- Ensure the Region's accommodation offerings meet consumer demands and where opportunities are available can act as an attractor of demand in themselves.
- Ensure a relevant range of types of accommodation is available across the Region to meet evolving market demand and expectations. Identify opportunities where better quality and new products can 'lead' and generate new demand and continue to raise average quality quotient across all forms of accommodation

### **Community Council**

We note that the Hobkirk Community Council have no observation/objections to that proposed.

### **Ecology**

The review of Ecology matters has found the proposal to be in compliance with LDP policies EP1, EP2 and EP3. The Ecology Officer outlines a number of Planning Conditions and to which the applicant accepts.

### **Environmental Health**

Again the applicant has observed comments with regard to being conditioned on matters related to water supply and drainage and again would be content to providing the appropriate technical detail outlined.

### **Flooding**

We have noted comments made by SEPA (who have no objection to the proposal) and those by the Council's Flood Officer.

As noted by the Applicant's own consultants there are a number of mitigation measures suggested and to which would be expected by way of suitable worded conditions. This includes matters such as Finished Floor Levels and addressing any water capture or channels to minimise flood risk and encourage flows away from the lodges.

It is again noted that the relevant consultees are satisfied that the bridge and recommended improvements to the access road will be able to maintain access & egress from the lodges during times of flood and have no objection to the application.

It is appreciated that the responsibility for the culverts will lie with the landowner and should be subject to regular inspection and maintenance.



## Roads

The Roads Department have raised no objections to the proposal. Comments regarding the construction of the access road/path is acknowledged as is the related conditions seeking the associated detail.

Again the Applicant is willing to work with the Roads Officer on the timing, location and detail of any passing places. The Applicant owns a significant proportion of the land running along the road again which may assist in the best locations for such passing places.

## Objection Comments

Reviewing the objection comments received we would respond with the following key points:

- It is claimed by one objector that the applicant has or sought to obtain planning consent for holiday lets within Hallrule steading. **The applicant has never applied for or been granted any consent for any conversion of farm buildings.**

As noted within the submission the farm steading is very much in active use and needed for farm operations. Also the proposal is seeking tranquility and having the lodges within the operational farm would conflict with this approach.

It would have, hypothetically, also meant that the proposal would be directly next door to the objector and therefore more obtrusive to their property if the chain of thought was taken that step further.

We have addressed the criteria outlined within LDP Policy ED7 and its compliance with it. It is again strongly refuted that a proposal of this nature would not bring substantive employment and economic benefits. Again we have provided the Economic Department with the Business and Tourism Plan which more than proves the significant economic and tourist benefits of the proposal. The sweeping generalisations made by the objector are unfounded and should be set aside.

- The proposal is specifically for holiday cottages and relate to a rural business/leisure purpose and one which is fully supported by the appropriate business/tourism case. It is in compliance with Policy ED7 and is not applying for mainstream housing in the countryside as being implied by some of the objections made. The application of Policy HD2 is thus being misconstrued in some of the points being made.
- Should planning permission be granted it is expected that a condition would be applied as per the proposal title to restrict the development to holiday accommodation and thus should put objectors minds at rest that this proposal is not for mainstream residential purposes.

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- Comments or concerns regarding matters, such as, Habitat/Ecology, Flooding, Roads and the like have all been reviewed by professional reports lodged by the applicant and verified by the statutory consultees. An overview of this has been outlined earlier in this letter and no one has raised any material objection to that proposed.
- The proposed lodges by their very location are some distance from neighbouring properties and in no way will lead to any significant impact on their views (not that is a material planning consideration) or in relation to noise or odour. Should there be any related concerns a suitable worded condition can be applied.
- The Applicant strongly believes that the Habitat will in fact be enhanced by the development of the site by selectively taking out invasive plants such as bracken, gorse and broom. These are all encroaching plants that have such dense canopies that block out all the light to anything that lives below. Having already controlled some of the bracken on the site the semi natural grassland has started to regenerate itself and in time will flourish again thus enhancing this natural habitat. By selectively controlling the gorse and broom it will allow more native species such as hazel and hawthorn to flourish adding to the biodiversity of the site. None of the mature woodland which is on the southern bank will be touched by this development.

Over the last 6-7 years the farm has done a huge amount for the environment, linking habitats together by creating corridors for wildlife to allow them to move freely and unseen between these habitats. Some 50,000 hedge plants have been planted to help create this, 7.5km of grass margins, 6.5hectares of wild bird seed.

The Applicant is the owner of the subject site and wider farm lands and has invested heavily in furthering the local habitat.

- As can be seen by reading the Economic Development consultation the proposal is fully supportive and in line with local and national tourism strategies. It is disappointing that some objections sought to challenge this and the need particularly when some run their own Bed and Breakfast business and thus operating in a similar remit.
- In relation to concerns raised about water. We are led to believe that all the properties in the hamlet of Hallrule are on mains water and nobody has a private water supply. The related objection is largely unfounded. Water to the lodges will be provided by an existing borehole. The bore hole has also had all the purity checks and is fit to drink and wholesome as requested by environmental officer.
- Walkers and visitors to the area walk up to Ruberslaw do not walk in the site area because it is out of sight and they do not know it is there and it does not lead anywhere.

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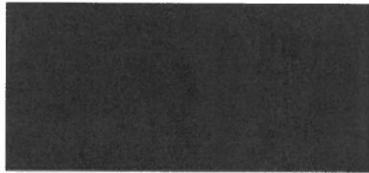


- The Local Development Plan and various Tourism Strategies fully support proposals of this nature and particularly in those more remote areas that are often left behind in terms of inward investment. People seeking to bolster tourism in the Scottish Borders should be fully supported in that regard.
- Certain objectors have complained about not having formal notification. This is a matter for the Council to respond to but we understand all due procedure has been followed. The applicant informs us that they also had previously discussed the project in person with the people who made the statements so they were made aware of the proposal.

We trust you find the above comments useful and we kindly request they are taken into consideration prior to making a recommendation on the proposal.

Should you wish to discuss any aspect please do not hesitate to contact Tim Ferguson, Director using the detail within the foot of this letter.

Yours Sincerely



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