



Mr & Mrs S Phaup
per Richard Amos (Duns)
2 Golden Square
Duns
Scottish Borders
TD11 3AW

Please ask for: Paul Duncan
01835 825558
Our Ref: 19/00590/FUL
Your Ref:
E-Mail: paul.duncan@scotborders.gov.uk
Date: 12th July 2019

Dear Sir/Madam

**PLANNING APPLICATION AT Land North East of Hoprigshiel Farmhouse Cockburnspath
Scottish Borders**

PROPOSED DEVELOPMENT: Erection of dwellinghouse and agricultural building

APPLICANT: Mr & Mrs S Phaup

Please find attached the formal notice of refusal for the above application.

Drawings can be found on the Planning pages of the Council website at
<https://epanning.scotborders.gov.uk/online-applications/>.

Your right of appeal is set out within the decision notice.

Yours faithfully

John Hayward

Planning & Development Standards Manager

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (as amended)

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Application for Planning Permission

Reference : 19/00590/FUL

To : Mr & Mrs S Phaup per Richard Amos (Duns) 2 Golden Square Duns TD11 3AW

With reference to your application validated on **26th April 2019** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of dwellinghouse and agricultural building

At : Land North East of Hoprigshiel Farmhouse Cockburnspath Scottish Borders

The Scottish Borders Council hereby **refuse** planning permission for the **reason(s)** stated on the attached schedule.

**Dated 10th July 2019
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 19/00590/FUL**Schedule of Plans and Drawings Refused:**

Plan Ref	Plan Type	Plan Status
17/B561/PL01	Proposed Plans	Refused
17/B561/PL02	Proposed Elevations	Refused
17/B561/PL03	Proposed Site Plan	Refused
17/B561/PL08	Proposed Elevations	Refused
17/B561/PL05	Location Plan	Refused
17/B562/PL09	Other	Refused

REASON FOR REFUSAL

- 1 The proposed development would be contrary to Policy HD2 of the Local Development Plan 2016 and the New Housing in the Borders Countryside Guidance 2008 in that the proposed dwellinghouse and agricultural storage building would not have a visually sympathetic relationship with either the existing farm steading or the nearby building group; would result in sporadic rural development that would not relate sympathetically to the character of the surrounding landscape; and insufficient justification has been submitted demonstrating that a site more sympathetically related to the steading or building group is not available.

FOR THE INFORMATION OF THE APPLICANT

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended) within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 OSA.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997 (as amended).

PLANNING STATEMENT

**SITE ADDRESS:
Hoprigshiels
Cockburnspath
TD13 5YN**

**PROJECT:
Proposed New Dwellinghouse**

**APPLICANT:
Mr & Mrs S Phaup**

**PROJECT REFERENCE:
17/B561**

**DATE:
April 2019**

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1.0 Introduction

1.1 The Proposal

The erection of a new Dwellinghouse and agricultural shed on Hoprigshiels Farm for Mr & Mrs Phaup.

1.2 Purpose of Planning Statement

The purpose of this Planning Statement is to demonstrate the economic requirement for an additional Farmhouse on the Farm and to justify the carefully considered site selection.

This statement will cover the design and siting of the dwellinghouse against Planning Policies and Planning Guidance Notes outlined in the Pre-application Enquiry.

2.0 Foundation of Proposal & Compliance with Planning Policies (Housing in the Countryside (HD2), Placemaking and Design (PMD1-5), Sustainability (PMD1) and Quality Standards (PMD2), (ED10) :

2.1 Justification for a new Dwellinghouse (Policy HD2 (F):

The 283 hectares mixed arable Farm has been in the Phaup family for just under 45yrs.

Mr & Mrs S Phaup started running the Farm in 1986 and currently still work full time on the farm. For the last 45yrs the current Farm worker has lived off site, which has been very helpful, as there is currently only one house on the farm.

The current Farm worker is nearing retirement, a replacement will be sought and being able to offer a house on the Farm is an almost essential requirement nowadays. Mr and Mrs S Phaup wish to move into semi-retirement in the not distant future but require to live on the farm to oversee the day to day running of the business.

Amongst other things, there are between 450 to 500 stock on the Farm at any one time, which in itself equates to a labour requirement in excess of 5,000 hours (source SAC, the Management Handbook 2017/18). One standard labour unit (worker) equates to 2,304 hours per year (6 days a week @ 8hrs per day: 4 weeks paid leave per year). As a minimum, this justifies 2-full time and one part time worker/s on the Farm Unit.

As Mr & Mrs S Phaup move into semi-retirement, it is essential for the efficient operation of the Farm that there is a full time Farm worker on site at all times, particularly during lambing, calving and the feeding of stock in the winter months. In this day and age security of the Farm is also of prime importance. It is essential that Mr and Mrs S Phaup remain on the Farm to oversee the running of the Farm, carry out day to day duties and cover holiday periods.

2.2 Selection & Justification of Site

In semi-retirement Mr and Mrs S Phaup would like to have the ability to relax on days off without being within or directly adjacent to the steading complex. Being at the side of the roadway leading to the steading they will be able to monitor access and be in control of security. An agricultural shed for storing farm machinery also forms part of the approval. The location of the shed next to the house is a deterrent and makes the shed easy to oversee from the house.

Along with sites identified as potentially appropriate, at the pre-application stage, the chosen site has been carefully selected over other potential sites on the Farm. The principal areas considered for the house site were: near to the farm steading, adjacent to the Hoprig building group and alongside the farm access roadway.

Land Adjacent to the Farm Steading:

Fields directly adjacent to the Farm steading, that may have provided a suitable site and location for the dwelling, are essential to the working farm, particularly during lambing, calving and winter months, when the welfare of the animals are of prime importance. Other areas near to the steading complex, are only accessible by driving through the steading. (See drawing 17-B651-PL07 in Appendix 1).

The Farm Steading must also to be future proofed; the construction of a new Dwellinghouse close to the Steading area may prevent the natural development of the Farm buildings. Construction of a new Dwellinghouse in front of the existing Farmhouse would also require removal of a significant section of the established shelter belt of mature trees and hedge.

Site Adjacent to Hoprig Building Group:

The potential site adjacent to the Hoprig building group in the South East corner of the field would not meet with the requirements of Policy EP13 and cannot be suitably accessed without disturbing the root structure of mature trees, to move the access would involve removing existing hedges and mature trees. The site is at the lowest point in the field and will likely be affected by ground water run off during extreme weather conditions.



Access to the site adjacent to the building group



There is no suitable means of installing a foul drainage system from this area without going through land in different ownership. The existing mature trees and the overhead electricity lines dictate the developable area of the site leaving insufficient room for meaningful development. Lastly and of similarly great importance a house in this location, being slightly elevated above the house to the east will encroach significantly on their privacy. See photograph of adjacent house with all principal windows facing the site being considered.



Site adjacent to building group would destroy the privacy of the adjacent Dwellinghouse and would struggle to meet with the requirements of Policy HD3

The Proposed Site:

Running within the roadway, the chosen site has an adjacent potable private water supply and electricity supply. There is an existing wide vehicular access off the private Farm road, which can easily be developed to provide access to the proposed site. Foul drainage will connect to a septic tank with an outfall to field tiles. (See drawing 17-B562-PL09).

The existing well established wooded area to North and North West of the site, provides a solid natural boundary and shelter belt for the proposed site without the need to remove or put any established trees at risk. The proposed wildlife greening margin on the field boundary will provide a substantial boundary for the proposed site and improve the local environment for the indigenous wildlife. The field will remain easily cultivated and there will be a minimal loss of land for grazing or cultivation. Further landscaping within and around the site will screen the house allowing it to blend in with the surrounding landscape.

No appropriate site exists within a building group and there is no suitable existing house or other building capable of conversion for the required residential use. The site and proposed Dwellinghouse are well located to satisfy the requirements of Policy HD2 and will continue to serve the future running of the Farm, whilst providing an ideal location for the applicant's semi-retirement.

2.3 Placemaking and Design:

At pre-application stage it was established that the application would be considered as a Local Development and it would be assessed against the SPG 'Placemaking and Design'.

A high quality of design has been adopted to satisfy Policy PMD2. The use of natural stone and pantile roof reflects the local vernacular architecture and would not be out of place in the proposed setting.



Typical house construction in Cockburnspath with stone and rendered walls and pitched pantiled Rosemary tile and slate roof coverings



The style of the new Dwellinghouse contributes to the local character of the area, providing a suitable place to live, whilst still being able to monitor the Farm access and being within easy walking distance of the Farm Steading. The scale, massing and form of the new Dwellinghouse is similar to that of many of the original Dwellinghouses in the surrounding area with a good roof pitch and roof to wall proportions. In line with the local vernacular, window proportions and glazing having a vertical emphasis.

The new Dwellinghouse will be highly energy efficient and constructed with truly sustainable materials.

When considering the site, its impact on the landscape was of prime importance. The only key viewing point from which the site can be viewed is the public roadway leading to Oldhamstocks. The following photographs show that the house will not be prominent within the landscape. The site has a backdrop of trees, which will be higher than the proposed single storey Dwellinghouse. Planned landscaping to the boundary of the site will provide attractive edges, screening and shelter to the new Dwellinghouse. The proposed planting around the new Dwellinghouse will also improve the habitat for the indigenous wildlife.



View from road

3.0 Ecology

There are no signs of badger sets or other wildlife habitat on the proposed site. The provision of a significant amount of extra planting will increase the habitat for wildlife.

4.0 Road Safety

The existing tarmac road provides access to the Farm and is of a good standard suitable for vehicular traffic and is of sufficient width for a Fire Engine. Visibility at the junction with the minor road leading to Oldhamstocks is very good with well-maintained verges.

There is ample room on the site for parking and turning.

5.0 Flooding

This is a gently sloping site and the pre-application Enquiry confirms that there is no flood risk.

6.0 Site Services

6.1 Foul and Waste Water Discharge

Drainage will be to a septic tank, connecting to field tiles in excess of 300m long within the opposite field which is within the ownership of the client.

6.2 Water Supply

A potable private water supply runs within the access roadway adjacent to the site.

6.3 Electric Supply

Mains electricity runs within the access roadway adjacent to the site.

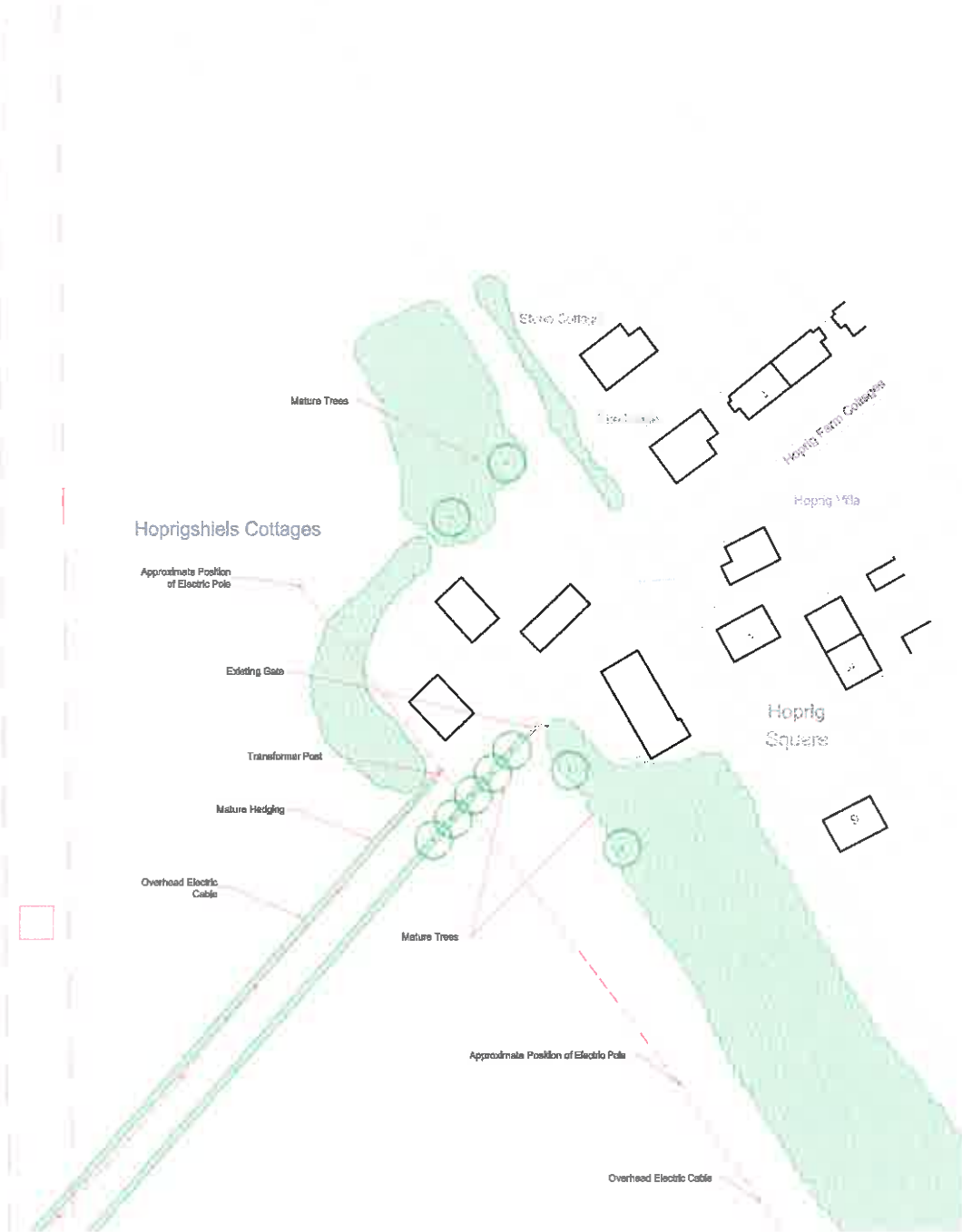
7.0 Conclusion

The pre-application assessment and the justification for a new Dwellinghouse on the Farm has been established on economic grounds.

The siting and design of the new Dwellinghouse has been carefully considered, including options to construct the house near to the Farm Steading and the Building Group at Hoprig.

Taking into account all of the above factors, the chosen location is the best site for the Dwellinghouse, being positioned in the corner of a field with an existing long established access. The loss of prime agricultural land is at a minimum and the applicant will be able to monitor access and be within easy walking distance of the Farm Steading.

Appendix A



Hoprigshiels Building Group

Scale: 1:1000



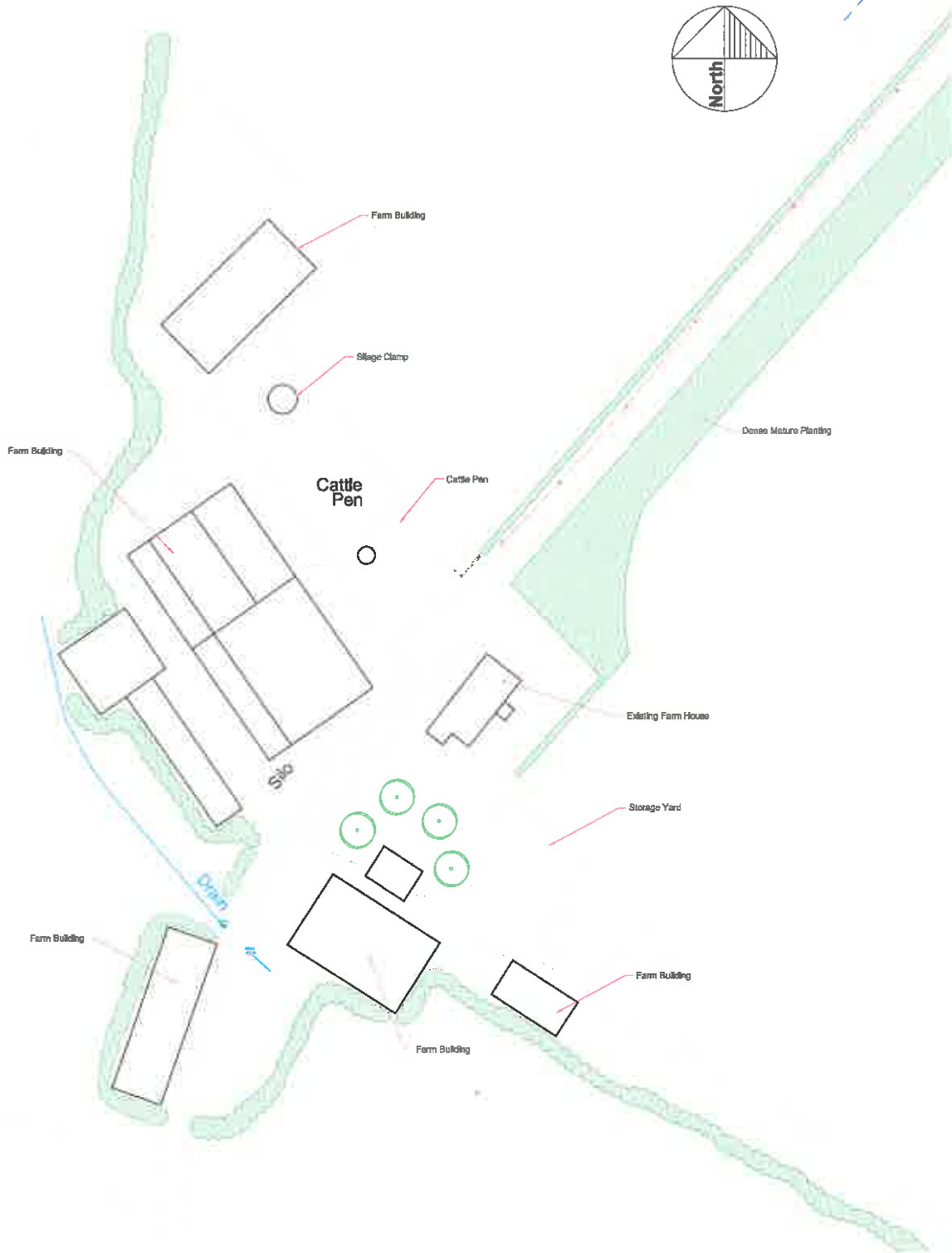
CLIENT: Mr and Mrs S Phaup			
PROJECT: Proposed New Dwelling on Land at Hoprigshiels Farm, Cockbumspath, TD13 5YN			
DRAWN: DS	SCALE: 1:1000	DATE: 12/04/2019	A3

Richard Amos Ltd
Chartered Architectural and Building Surveying Services
 2 Golden Square, Duns, Berwickshire, TD11 3AW,
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Registered Office 2 Golden Square, Duns, Berwickshire, TD11 3AW.
 Registered in Scotland, Company No. 249332 V.A.T. Reg. No. 502 4656 71

TITLE: Hoprigshiel Building Group	DRAWING NO: 17/B651/PL06
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Hoprigshiel Farm Steading

Scale: 1:1000



CLIENT: Mr and Mrs S Phuap			
PROJECT: Proposed New Dwelling on Land at Hoprigshiels Farm, Cockburnspath, TD13 5YN			
DRAWN: DS	SCALE: 1:1000	DATE: 12/04/2019	A3

Richard Amos Ltd.
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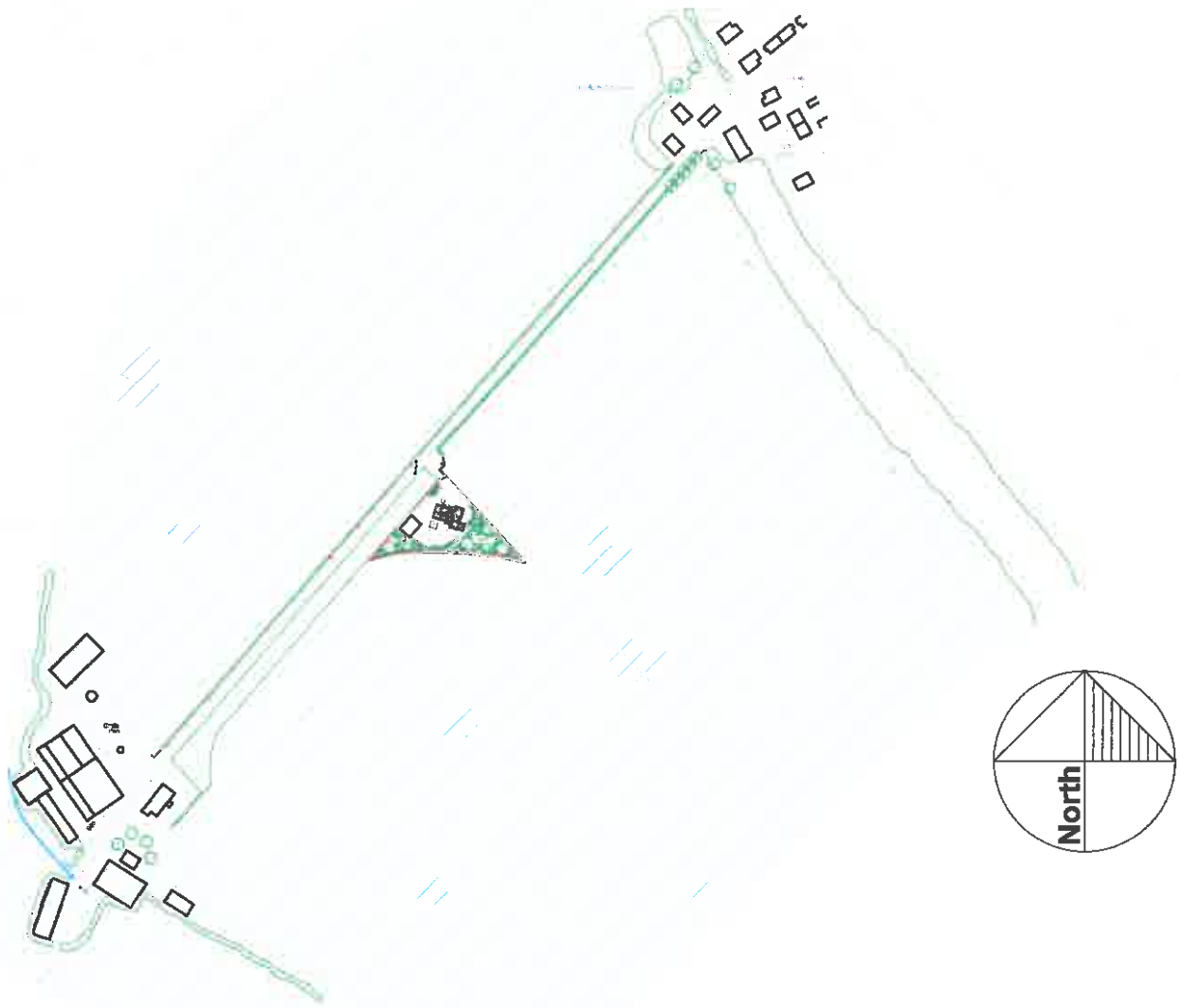
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TITLE:
Hoprigshiel Farm Steading

DRAWING NO:
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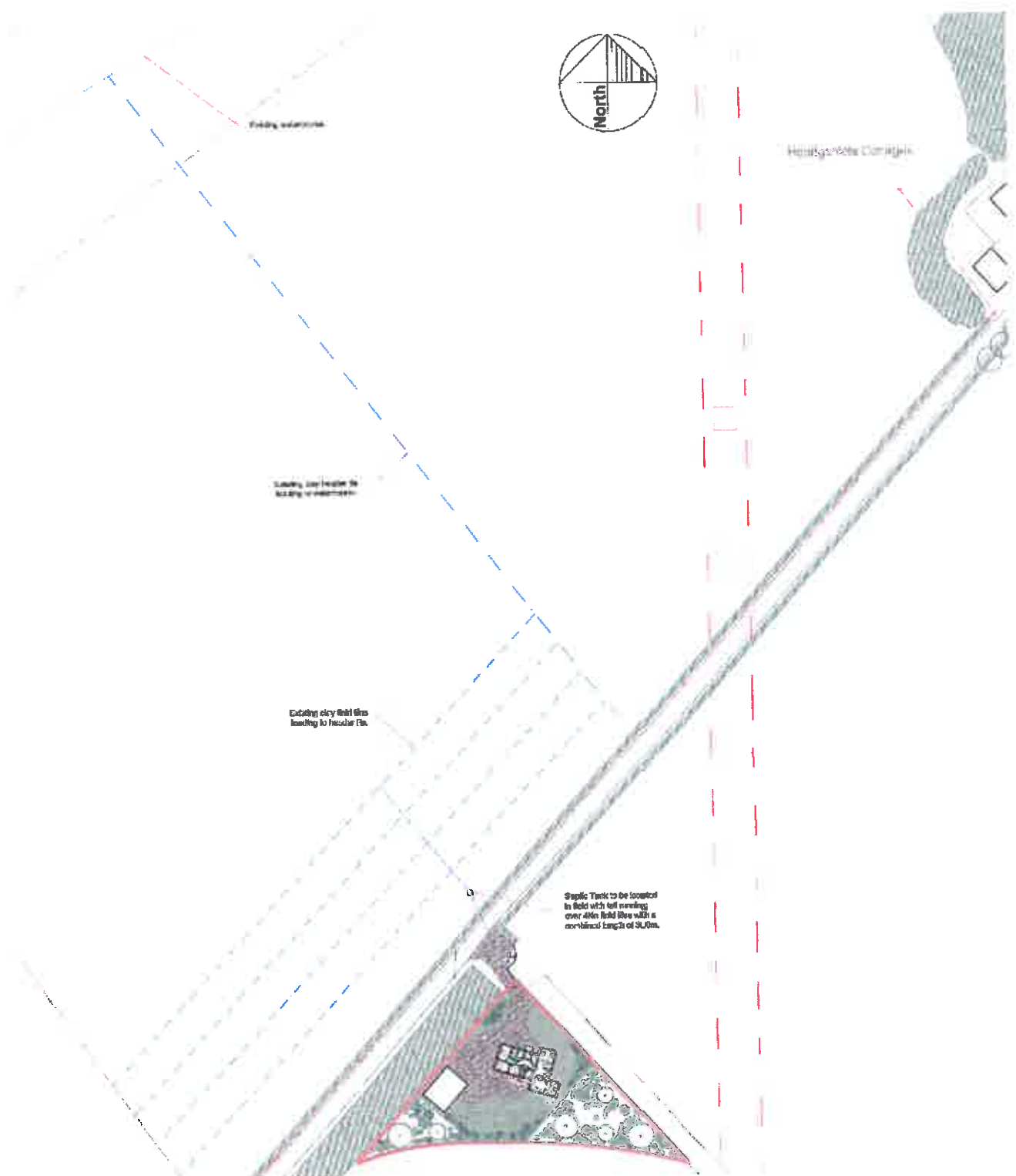
KEY
 Land outline in Red - Application Site
 Land Hatched in Blue - Land in the ownership of the client.

Location Plan

Scale: 1:5000



CLIENT: Mr & Mrs Phaup			<p align="center"> © Richard Amos Ltd. Chartered Architectural and Building Surveying Services </p> <p> 2 Golden Square, Duns, Berwickshire, TD11 3AW, X Tel: (01361) 882599, Fax: (01361) 882577, E-Mail: ra@richardamosltd.co.uk </p> <p> <small>Registered Office 2 Golden Square, Duns, Berwickshire, TD11 3AW. Registered in Scotland, Company No. 240332 V.A.T. Reg. No. 502 4656 71</small> </p>	
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DRAWN: DS	SCALE: 1:5000	DATE: 12/4/2019	A4	
TITLE: Location Plan			DRAWING NO: 17/B651/PL05	
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Foul Drainage Plan



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DRAWN: DS	SCALE: 1:1250				
TITLE: Foul Drainage Plan				DRAWING NO: 17/B562/PL09	
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