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Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000125371-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ericht Planning & Property
Consultants

Ref. Number:

First Name: *

Kate

Last Name: *

Jenkins

Telephone Number: *

07795974083

Extension Number:

Mobile Number:

Fax Number:

Email Address: *

kate@kjenkins.co.uk

You must enter a Building Name or Number, or both:*

Building Name:

Building Number:

40

Address 1 (Street): *

Belgrave Road

Address 2:

Town/City: *

EDINBURGH

Country: *

UK

Postcode: *

EH12 6NQ

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>
Other Title:	<input type="text"/>
First Name:	<input type="text"/>
Last Name:	<input type="text"/>
Company/Organisation: *	<input type="text" value="R&M Brockie & Son"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

You must enter a Building Name or Number, or both:*

Building Name:	<input type="text" value="Wormiston Farm"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Wormiston"/>
Address 2:	<input type="text"/>
Town/City: *	<input type="text" value="Eddleston"/>
Country: *	<input type="text" value="United Kingdom"/>
Postcode: *	<input type="text" value="EH45 8PP"/>

Site Address Details

Planning Authority:	<input type="text" value="Scottish Borders Council"/>
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Full postal address of the site (including postcode where available):

Address 1:	<input type="text" value="FARMHOUSE WORMISTON"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="SCOTTISH BORDERS"/>	Town/City/Settlement:	<input type="text" value="PEEBLES"/>
Address 3:	<input type="text"/>	Post Code:	<input type="text" value="EH45 8PP"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="645773"/>	Easting	<input type="text" value="323471"/>
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Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see attached Supporting Statement to Notice of Review.

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *

Yes No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Supporting Statement to Notice of Review
ORIGINAL APPLICATION DOCUMENTS:
Planning Application Form
Supporting Statement
Supplementary Supporting Statement
Location Plan
Site Plan
Proposed Elevations
Proposed Floor Plan
Floor Plan of no.3 Wormiston Cottages
Contextual Site Plan and section of no.3 Wormiston Cottages
Planning Officer's email -16th March
Planning Officer's Report
Decision Notice

Application Details

Please provide details of the application and decision.

What is the application reference number? *

15/00071/FUL

What date was the application submitted to the planning authority? *

26/01/15

What date was the decision issued by the planning authority? *

28/05/15

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Kate Jenkins

Declaration Date: 06/07/2015

Submission Date: 06/07/2015

Proposal Details

Proposal Name	Local Review: Erection of house for retiring farmer
Proposal Description	Local Review: Erection of house for retiring farmer on land to north east of Wormiston Farmhouse, Eddleston
Address	FARMHOUSE WORMISTON, SCOTTISH BORDERS, PEEBLES, EH45 8PP
Local Authority	Scottish Borders Council
Application Online Reference	000125371-001

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete
Payment Method	incomplete

Attachment Details

Application Form	Attached	A4
Decision Notice	Attached	A4
Elevations	Attached	A3
Floor Plan	Attached	A3
Locn Plan	Attached	A3
Notice of Review	System	A4
Notice of Review	System	A4
Officer's Report	Attached	A4
Original application - Supplementary Supporting Statement	Attached	A4
Original application - Supporting Statement	Attached	A4
Planning Officer email 16/03/15 scotapp	Attached	A4
System	System	A4
Site Plan	Attached	A3
Supporting Statement to Notice of Review	Attached	A4
Wormiston Cottage Floor Plan	Attached	A3
Wormiston Cottage Site Plan	Attached	A3

Supporting Statement to Notice of Review

**in relation to Scottish Borders Council's refusal of planning permission for
the erection of dwellinghouse on land to the north east of Wormiston
Farmhouse, Eddleston, Scottish Borders**

July, 2015

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EXECUTIVE SUMMARY

This Notice of Local Review is submitted on behalf of R & M Brockie and Son of Wormiston Farm, Eddleston against the decision of Scottish Borders Council to refuse planning permission, on 28th May 2015, for the erection of a house for Mrs Brockie, a widowed retiring farmer, on land adjacent to Wormiston Farmhouse. The application reference was 15/00071/FUL.

In practice, the key reasons for refusal include the Planning Officer's view that:

- The site is not well related to the building group;
- There are more suitable sites on the holding;
- An existing farm cottage in a row of farm workers' cottages could be adapted for the elderly retiring farmer;
- A single storey house on the proposed site would have an unacceptable impact as viewed from the A703.

Mrs Brockie has farmed Wormiston, together with her late husband, and latterly her son, for 40 years. Mrs Brockie is an individual who has also been heavily involved in the local community for many years. Unfortunately, she has suffered ill health over the past four years, and has undergone cancer treatment, which is adding to the necessity for her retirement.

The Appellant's livestock farm extends to 283 ha (700 acres). Accommodation on the farm includes [1] the farmhouse, currently occupied by Mrs Brockie and soon to be occupied by Mrs Brockie's son and his wife, [2] Moss House, located half a mile to the north west of the farm and occupied by Wormiston's cattle man for over 14 years and [3] Nos. 1-3 Wormiston Cottages currently occupied by 2no farm workers, with No.3 occupied by Mr Brockie.

No 3 Wormiston Cottages will be vacated by Mr Brockie once he and his wife move to the existing farmhouse. The appellant is clear that this property is unsuitable for Mrs Brockie as an elderly retiring farmer on account of its positioning, amenity and layout. This position was fully justified in the application and key points are set out herein.

The site selected for the development of a single storey house, designed for Mrs Brockie, is the most suitable site. This statement draw upon the key points of the 'potential sites appraisal' set out in the application to reach this conclusion.

Grounds for Local Review:

Ground 1

The proposal is not contrary to Consolidated Local Plan policy D2 'Housing in the Countryside' or to Supplementary Planning Guidance 'New Housing in the Borders Countryside'. The site is related to an existing building group and it has been demonstrated that no alternative site or accommodation exists on the farm.

Ground 2

The proposal is not contrary to Consolidated Local Plan policy D2 'Housing in the Countryside', policy G1 'Quality Standards for New Development' or Supplementary Planning Guidance 'New Housing in the Borders Countryside' in that it does not have a significant adverse impact on the landscape.

In supporting **Ground 1**, this supporting statement addresses the key issues noted below in logical manner, as below:

- General comments;
- Relationship of the site to existing building group and site suitability;
- No alternative accommodation in the form of existing traditional buildings capable of conversion;
- No alternative accommodation – review of No 3 Wormiston Cottages from the perspective of existing layout, external circulation space and access, residential amenity and extension potential;
- No alternative site at Wormiston Farm – appraisal of 5 sites at Wormiston.

Following this, supporting information is given in respect of **Ground 2**, including comment on two comparable consented three-bedroomed bungalows, one at nearby Hattonknowe and the other at Darnhall Mains.

The Local Review Body, having considered the detail contained within the original Planning Application, the Supplementary Supporting Statement together with the information set out herein, will be respectfully requested to allow the Review to enable planning permission to be granted for the house to satisfy a genuine need by a retiring farmer who has farmed at Wormiston for 40 years.

1.0 INTRODUCTION – DOCUMENTATION

1.1 The Application for planning permission for the erection of a farmhouse included the following drawings, which are included with this Local Review.

- Location Plan – Proposed house
- Site Plan – Proposed house
- Proposed Elevations – Proposed house
- Floor Plan – Proposed house
- Floor Plan - no3. Wormiston Cottage
- Contextual site plan and section - no.3 Wormiston Cottage

1.2 The application included a Supporting Statement and a Supplementary Supporting Statement, the latter which was prepared to address issues set out by the Planning Officer within her email of 16th March. These documents are included within the Local Review documents. The Planning Officer's Report and Decision Notice are also included.

2.0 BACKGROUND AND APPLICATION PLANNING HISTORY

2.1 The Brockie family have lived and worked at Wormiston for 40 years and would hope to do so for future generations. The farm boundary is indicated on the 'Farm Boundary Plan', within which there is no available or suitable accommodation for a retiring farmer.

2.2 The original supporting statement contained a thorough appraisal of the suitability of 4 potential sites at Wormiston, namely:

- Site 1: Land adjacent to an existing agricultural shed and operational area;
- Site 2: Land to the south of existing farm buildings;
- Site 3: Land to the south of the existing farmhouse;
- Site 4: Land to the north east of the existing farmhouse (the selected site).

2.3 The original supporting statement also considered the potential to convert the traditional buildings which lie in the core of the working farm and concluded that there was no potential for residential conversion, a point agreed by the Planning Officer.

- 2.4 On 12th February, the Council's Landscape section submitted a consultation response to the application which raised several issues including:
- The house could be assimilated into the wider valley landscape if a more substantial belt of trees was planted along the northern boundary of the house. The Officer's suggested planting proposals were marked, by her, onto the applicant's site plan, by way of illustration;
 - The Officer considered the building design not to be strong enough in terms of the Scottish Government's Planning Advice Note 72 'Housing in the Countryside', particularly due to its prominent location and the wider impact on the Eddleston Water Valley.
 - Overall, the Officer indicated that she would have concerns about supporting the application without (a) a more robust planting scheme to better integrate the house and (b) a more appropriate house design.
- 2.5 The applicant, their architect and their agent gave the Landscape Officer's comments careful consideration and took on board her views. The architect made several alterations to the design of the house, as can be seen by comparing the drawings, and the landscaping/ planting scheme was strengthened to enable the house to be better assimilated into the landscape. The house remained single storey in order to minimise its visibility from the Eddleston valley and meet Mrs Brockie's needs. On 3rd March a revised site plan, elevations and floor plans were submitted to the Planning Officer.
- 2.6 The Landscape Officer considered the revised submissions on 9th March and noted that her planting suggestions had been taken on board. She retained some reservation about the house design.
- 2.7 On 16th March, the Planning Officer reverted, by email, with the following points:
- Acceptance of the requirement for Mr Brockie to move into the existing farm house and the resulting accommodation requirement for Mrs Brockie, as retiring farmer.
 - The amended plans are an improvement on the original proposed design and the Landscape Officer welcomes the additional planting scheme.
 - The design of the house proposed remains unsuitable for the locality and does not respect the 'sense of place' created by the existing buildings.

- The site is considered to be outwith the recognised building group.
- Any development at this location would have an adverse impact on the landscape due to the prominent location.
- The proposal would result in ribbon development along a public road, which is generally not supported.
- Although the justification for a new house is 'economic requirement', siting and design remain important.
- The proposed location is not an appropriate site for a new dwellinghouse.
- Suitable housing is considered to exist within the building group.
- It is accepted that the older buildings within the centre of the farm steading are not suitable for conversion.
- No3. Wormiston Cottages, being vacated by Mr Brockie, is capable of alterations and extension to meet the future needs of Mrs Brockie.
- A site in the garden ground of the existing farmhouse between the house and the farm buildings, would offer an alternative site;
- Environmental Health will require further information in order to be satisfied with regard to the private water supply to the proposed house.

2.8 On 17th April, after further careful consideration, a supplementary supporting statement was submitted to the Planning Officer to address her comments of 16th March. This was the final piece of information which was submitted by the applicant's agent to support the application. The copy submitted with this Review forms an important part of the appeal.

In summary, the document covered the following points:

- The revised design of the house;
- The existing layout; external circulation space and access; residential amenity and extension potential of no.3 Wormiston Cottages;
- The unsuitable nature of the site in the garden ground of Wormiston Farmhouse;
- The merits of the proposed site;
- Water supply.

2.9 On 19th May, an email from the Planning Officer confirmed that *"we are still of the view that the application cannot be supported as we are not persuaded that an existing house could not be adapted or that a new house could not be accommodated within the existing group. In addition, I am of the opinion that even with the proposed planting, the new dwelling will have a significant*

adverse impact on the landscape, particularly when viewed from the minor public road”.

3.0 REFUSAL OF APPLICATION BY SCOTTISH BORDERS COUNCIL

3.1 The application was refused by Scottish Borders Council on 28th May on the basis set out below.

[1] *The proposal does not comply with Local Plan policy D2 ‘Housing in the Countryside’, G1 ‘Quality Standards for New Development’ and SPG ‘New Housing in the Borders Countryside’ in that the site is not well related to an existing building group and it has not been demonstrated to the satisfaction of the planning authority that there is no alternative site or accommodation within the building group.*

[2] *The proposal is contrary to Local Plan policy D2 and G1 and Supplementary Planning Guidance ‘New Housing in the Borders Countryside’ in that the development will have a significant adverse impact on the landscape.*

4.0 GROUNDS FOR LOCAL REVIEW

4.1 The Local Authority’s decision to refuse the application is challenged on the basis of the Grounds set out below. It is asserted that the Proposal accords with the relevant policies and intentions of the Consolidated Local Plan and Supplementary Planning Guidance.

4.2 The Appellant sets out the following Grounds for Review:

- **Ground 1** *The proposal is not contrary to Consolidated Local Plan policy D2 ‘Housing in the Countryside’ or to Supplementary Planning Guidance ‘New Housing in the Borders Countryside’. The site is related to an existing building group and it has been demonstrated that no alternative site or accommodation exists on the farm.*
- **Ground 2** *The proposal is not contrary to Consolidated Local Plan policy D2 ‘Housing in the Countryside’, policy G1 ‘Quality Standards for New*

Development' or Supplementary Planning Guidance 'New Housing in the Borders Countryside' in that it does not have a significant adverse impact on the landscape.

5.0 CASE FOR THE APPELLANT

GROUND 1: THE PROPOSAL IS NOT CONTRARY TO LOCAL PLAN POLICY D2 – HOUSING IN THE COUNTRYSIDE OR TO SUPPLEMENTARY PLANNING GUIDANCE 'NEW HOUSING IN THE BORDERS COUNTRYSIDE'. THE SITE IS RELATED TO AN EXISTING BUILDING GROUP AND IT HAS BEEN DEMONSTRATED THAT NO ALTERNATIVE SITE OR ACCOMODATION EXISTS ON THE FARM.

5.1 The ground will be tackled under the following headings:

- Section [1] General comments;
- Section [2] The relationship of the site to the building group and its suitability for the house ;
- Section [3] Confirmation of there being no alternative accommodation in the form of existing traditional buildings capable of conversion;
- Section [4] Confirmation of no suitable alternative accommodation in the form of existing residential accommodation at Wormiston;
- Section [5] Confirmation of no alternative site at Wormiston.

[1] General Comments

5.2 The proposal for the dwelling is consistent with Policy D2- Housing in the Countryside. The relevant section of this policy lies under the heading '*economic requirement*'. The new dwelling is specifically for occupation by a retiring farmer (Mrs Brockie) who has farmed the holding together with her late husband and, latterly, her son for 40 years. The development of the proposed house will release the farmhouse for use by her son and his wife in the management and ongoing running of the holding.

5.3 The new house will enable the continued operation of the farming enterprise which comprises 1000 breeding ewes and followers (max sheep numbers 2,700), 130 breeding cows and followers (max numbers 400 head) and local agricultural contracting. The farm employs a tractorman, a general farm worker and a cattleman.

- 5.4 There is no adverse effect on the viability of the farming unit in physical, operational or economic terms. The proposed house site is not on land onto which farm buildings may need to expand in the future.
- 5.5 Satisfactory access can be achieved. The Roads Officer had no objections to the proposal and stated a number of points which must be incorporated into the design of the access/ parking area.
- 5.6 The applicant is willing to enter into section 75 agreement to tie the proposed house to the farm business.

[2] Relationship of the site to existing building group and its suitability

- 5.7 It is acknowledged that the process of assessing the suitability of a house site for a retiring farmer will necessarily consider whether an appropriate site exists within a building group on the holding and whether there is a suitable house or other building capable of conversion for the required residential use. It should be noted that where no such site(s)/ building(s) exist, a site outwith a building group can be considered.
- 5.8 A building group effectively comprises 3 or more houses, in this case being 1-3 Wormiston Cottages and the existing farmhouse. These properties are 200 metres apart, measured between their closest points. Between them lies the operational farm area. Given the lack of potential house sites which lie *between* the farmhouse and the cottages, as justified within the original supporting statement, the supplementary supporting statement and herein, the most appropriate site lies in proximity to the farmhouse, adjacent to the public road, as proposed within the application. Such siting is a logical and natural extension to Wormiston.
- 5.9 Given that the residential “building group” is viewed as bridging the 200m (non-residential) farm steading between the cottages and the farmhouse, it seems unreasonable to assert that the proposed house, which lies only 55m from the farmhouse, is wholly outwith the group, particularly as the application offers robust landscaping, as requested by the Landscape Officer, which will help to assimilate the new house into the landscape and the developed area.

- 5.10 Even if the site were to be judged to lie outwith the group, this, in accordance with the reasoning set out at 5.7 above, does not preclude its development so long as no other suitable sites/ buildings are available, as is confirmed to be the case.
- 5.11 The suggestion, within the Officer's email of 16th March, that the proposal would amount to "ribbon development" is considered to be unreasonable. Ribbon development is commonly defined as "*the building of houses in a continuous row along a main road*". The addition of one house to a significant cluster of buildings, the vast majority of which comprise agricultural buildings, cannot reasonably be called 'ribbon development', particularly as the house has policy justification under 'economic requirement' (retiring farmer).
- 5.12 The application site has been selected for a number of reasons:
- There is no suitable house available for use; the unsuitability of no3. Wormiston Cottages has been explained within the original Supporting Statement, the Supplementary Statement and is reiterated herein;
 - There is no building capable of conversion for the required use, as demonstrated within the original Supporting Statement and accepted by the Planning Officer;
 - There is no other site which is suitable for use – several sites were demonstrated to be inappropriate within the original Supporting Statement, the Supplementary Statement and herein;
 - The site offers a logical and practical extension to Wormiston at a location where residential amenity is afforded to the retiring farmer;
 - The site can be safely accessed by formation of a new access onto the public road;
 - An area of woodland planting to the north east will provide a clear edge (a 'stop') to Wormiston and help to assimilate the new house into the landscape;
 - The site does not impact upon land being retained for farm expansion.
 - The area is not subject to flooding or waterlogging;
 - The single storey house will be viewed as part of the overall 'built area' at Wormiston;
 - The house will not impact upon the residential amenity of the farmhouse;
 - Existing ground levels require minimal 'cutting'.

[3] No alternative accommodation in the form of existing traditional buildings capable of conversion.

- 5.13 The original supporting statement identified the traditional buildings at Wormiston Farm and demonstrated that none is suitable for conversion to residential use. The principal reasons are because the buildings remain in agricultural use and lie at the heart of the operational farm steading. This point was accepted by the Planning Officer and is not further dealt with herein.

[4] No alternative accommodation – review of No 3 Wormiston Cottages

- 5.14 These cottages lie at the southern end of the farm steading. Nos. 1 & 2 are occupied by farm workers. No. 3 is currently occupied by Mr Brockie who will move to the farmhouse. It is a 1 bedroomed property with a steep flight of internal stairs and is unsuitable for Mrs Brockie whose future living needs require single-level living space. The property is used for occupation by seasonal farm workers and also for students which are employed on the farm at points throughout the year.

- 5.15 The Planning Officer is of the view that this property could be adapted for occupation by Mrs Brockie. It is, however, asserted that the property is unsuitable for the retiring farmer on a number of counts, each explained below, with photographs, where appropriate.

Existing Layout

- 5.16 The applicant's architect has provided a measured survey of the property which is provided with this Local Review. Within the drawing, a number of restricting factors have been pointed out.
- 5.17 The cottage is a 1 bedroomed property with a steep flight of internal stairs leading to the bedroom. The gradient of these stairs would not meet with the maximum gradient permissible under Building Standards. Whilst this is not an issue with the existing use of the cottage, it does demonstrate just how steep the stairs are and how they would be inappropriate for an elderly person. Single level living accommodation is sought for Mrs Brockie. It is noted that the property is also accessed by 3 steps, which is not ideal for an elderly person.

Fig 1: Front elevation of 3 Wormiston Cottages with bedroom upstairs:



Fig 2: Entrance to the cottage with steep and narrow flight of stairs:



- 5.18** The ground floor accommodation comprises a living room, kitchen and bathroom. There is no room downstairs which could be converted to a bedroom with accessible access to the bathroom. Whilst the bathroom is of reasonable size, the access corridor to it and the door opening are narrow on account of the structural wall and the internal circulation space is poor. The property is not considered to be capable of satisfactory adaptation within its existing footprint.

Fig 3: North elevation of the cottage (extent of accommodation outlined in red)



External Circulation Space and Access

- 5.19 Given Mrs Brockie's future requirements, the circulation space to the exterior of the cottage is inappropriate for an elderly person. There is a lack of space to create a clean and level walkway suitable for disabled access and equally, lack of space to create an appropriate surfaced parking space.

Fig 4: External circulation space



- 5.20 Given the gradients present, it would not be possible to create a separate access to no.3 Wormiston cottages from the public road. This is illustrated within the architect's site plan and sectional elevation. It is reasonable to expect the house for the retired farmer to have a separate access from the workers' cottages.

Fig 5: Steep gradient above the cottage towards public road



Residential Amenity

- 5.21 The other 2 cottages in the row are occupied permanently by full time agricultural workers. Mrs Brockie, having retired from farm work, does not wish to live in a row of workers' cottages. The residential amenity of an individual who is no longer involved in the day to day operation of the farm would be impacted negatively upon at this location.

Extension Potential

- 5.22 The Planning Officer believes that no.3 Wormiston Cottages could be extended to provide suitable accommodation. When consideration is given to the land immediately to the south and south east, there appears to be limited potential for a meaningful extension at reasonable economic cost. As can be seen from the architect's site plan, adjacent ground is extremely steep. A proportion of

the ground within the fence boundary is understood to be 'made-up' and not firm. A meaningful extension to offer living space suitable for an elderly person would not be feasible at reasonable economic cost.

Fig 6: Steep land immediately to the south



Fig 7: View of southern elevation



Fig 8: Steep land immediately to the south



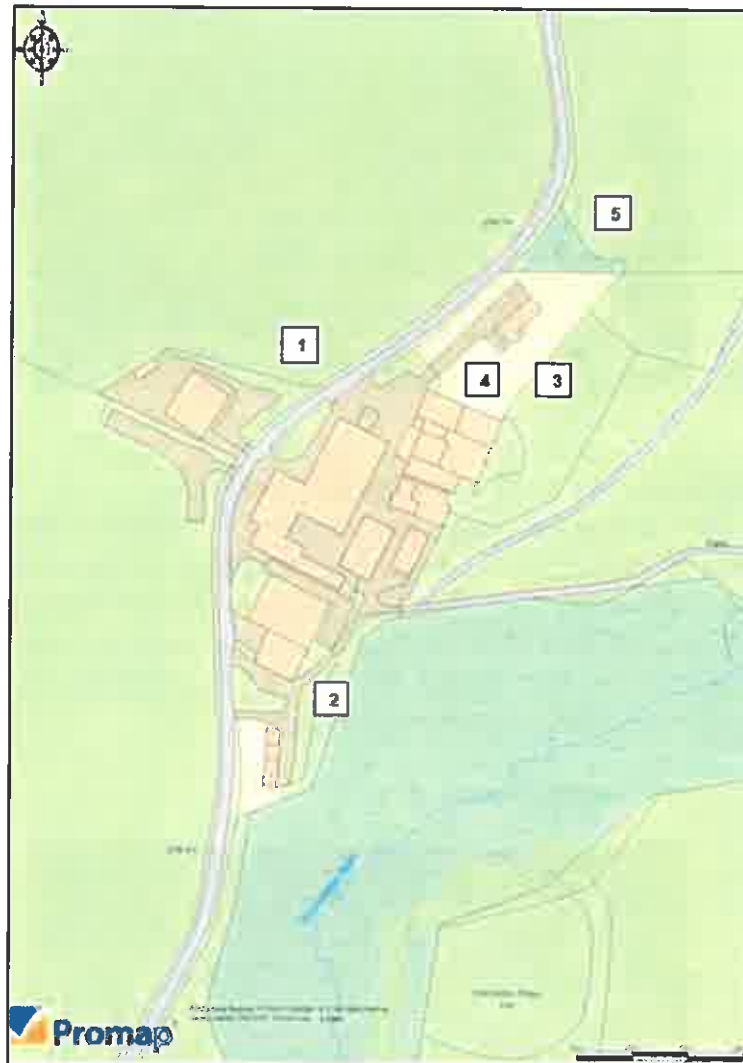
[5] No Alternative Site at Wormiston Farm

5.23 The following criteria must be met by the site for the new house. The site must be:

- In reasonable proximity to the group of existing farm buildings and the existing farmhouse;
- Sufficiently distant from the operational farm buildings in the interests of residential amenity, including aspects relating to noise and visibility;
- Able to achieve a safe access in terms of operational farm traffic and sightlines on the public road;
- Located on reasonably level, firm and dry ground. Much of the land surrounding the farm steading is sloping and marshy;
- A site which does not interfere with the operation of the farm, nor requires any of the existing farm buildings to be taken out of use;
- A site which does not compromise future farm expansion;
- A site which does not impact negatively on the landscape.

- 5.24 The location of house sites which were considered is shown below and the assessment of each site which was made in the application is provided.

Fig. 9: Location of Potential House Sites at Wormiston Farm



Site 1: Adjacent to existing agricultural shed

- 5.25 The applicant wishes to retain this area of land for future expansion of the farm. This site is the most suitable site for the erection of a further agricultural shed as other ground around the farm buildings is generally sloping and wet, offering little opportunity for effective operational space of the size required for a new shed.

Fig. 10: Site 1: Land adjacent to existing agricultural sheds



Site 2: Land to the south of existing farm buildings

- 5.26 This site is situated at lower level than the farm buildings and track which is likely to result in an access, the gradient of which is not acceptable. The track is heavily used to cart dung and slurry out of the livestock sheds so as to prevent the front access from becoming poached. In the winter this rear track becomes wet and muddy and sharing this length of operational access would be inappropriate. Further, visibility is not good.

Fig. 11: Site 2: Land below farm steading



Fig. 12: Agricultural access leading to rear (east) of farm buildings



Site 3: Land to the south of the existing farmhouse

5.27 This site is not favoured for several reasons:

- The land is sloping and is prone to becoming waterlogged;
- This site does not form a logical extension of the built area;
- Development would result in one house being 'stacked' on the other;
- The house would be overlooked by the existing farmhouse.

Fig. 13: Field to south of existing farmhouse



Site 4 Garden Ground of Wormiston Farmhouse

- 5.28 Within the Planning Officer's email of 16th March, she stated that *"there would appear to be an alternative site in the garden ground of the existing farmhouse between the house and the farm buildings. I appreciate that this might involve the removal of some trees and would involve the loss of garden ground but this would be preferable to the proposed site"*
- 5.29 An indicative layout is provided below. Notwithstanding that the house is for a retiring farmer, a distance of only 9 metres from a livestock shed is considered to be inappropriate in terms of impact upon residential amenity, particularly in terms of the potential for noise and smell from a shed which is used regularly for livestock throughout the year. The fact that an elderly person has been engaged in farm work during their life should not affect the level of residential amenity to which they are entitled when they retire.

Fig 14: Indicative positioning of house in garden ground

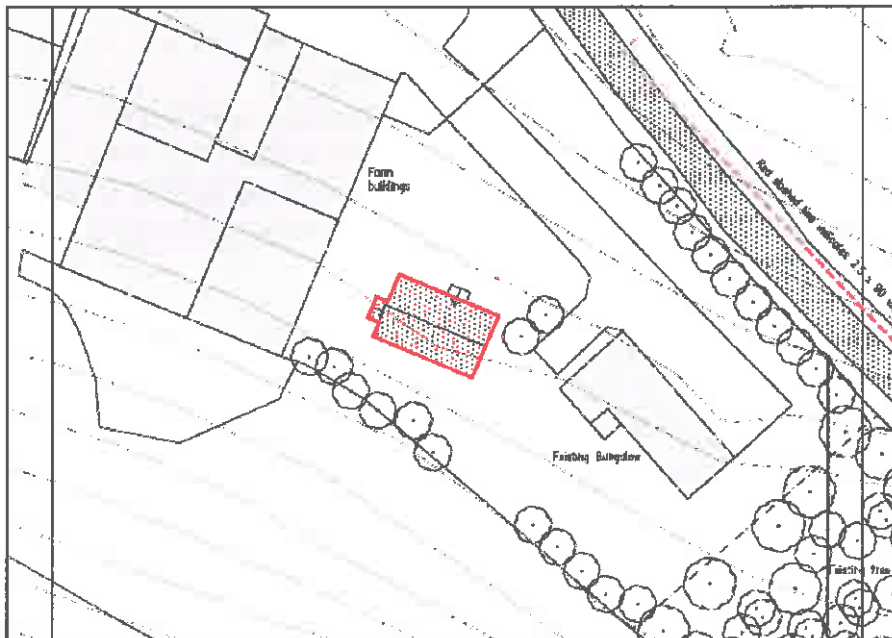


Fig 15: Proximity to agricultural shed



- 5.30 Further, the gradients within the garden ground are such that any house would require substantial underbuilding which would result in a building unrelated to the existing landform. Such construction is specifically not favoured under Scottish Borders' Supplementary Guidance relating to Housing in the Countryside and would be out of character in this location. The existing bungalow (farmhouse) is built on the upper flat part of the land.

Fig 16: Steep gradient within garden ground



GROUND 2: THE PROPOSAL IS NOT CONTRARY TO LOCAL PLAN POLICY D2 AND G1 AND SUPPLEMENTARY PLANNING GUIDANCE 'NEW HOUSING IN THE BORDERS COUNTRYSIDE' IN THAT THE DEVELOPMENT WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE LANDSCAPE.

- 5.31 The proposed location for the new house does not lie within a National Scenic area or Special Landscape Area.
- 5.32 The site is visible only from a reasonably limited stretch of the A703, in accordance with the Landscape Officer's observations.

Fig 17: View of Wormiston Farm from A703 layby with proposed site highlighted



- 5.33 The Appellant took on board the Landscape Officer's requirements for a substantial belt of trees to be planted along the northern boundary of the house in order to help to assimilate a new house into the landscape and provide a degree of screening.
- 5.34 On 2nd March, the Planning Officer from Eddleston and District Community Council (EDCC) issued a consultation response on behalf of EDCC. The Community Council supported the application recognising the 'much needed' nature of the house. The beneficial nature of the landscape planting suggested by the Landscape Officer, and adopted by the applicant, was noted.
- 5.35 No objections were received by members of the public to the proposal.

- 5.36 Whilst it is acknowledged that the dwelling will be seen from a short stretch of the A703, its visual impact is minimised on account of its single storey nature and the proposed landscaping. The existing cluster of buildings at Wormiston Farm, comprising a large area of agricultural buildings, the cottages and the farmhouse are visible from the A703, as shown above. The addition of the proposed house is considered to be a reasonable addition to the setting of a working farm.
- 5.37 Two relatively recently constructed bungalows on farms in the locality are noted below:

Bungalow at Hattonknowe

- 5.38 This house lies only one kilometre to the north east of Wormiston, on the same minor public road. The 3-bedroomed bungalow with double integrated garage was granted consent in this location under applications 05/01507/OUT and 06/01399/FUL. The external materials include dry dash render and uPVC windows. The Officer deemed the design and external materials to be acceptable and stated that they were similar to other properties within the group, despite two of the adjacent houses being of traditional construction. A photograph of the group is shown below, with the recently constructed bungalow outlined. It is clearly extremely prominent from the Meldons road.

Fig 18: Bungalow at Hattonknowe, Eddleston



- 5.39 The proposed bungalow offers improvement in terms of the materials used at Hattonknowe including use of cast stone cills, natural stone walling and painted wet dash render, natural slate roof, painted/ stained timber barge boards, timber windows and timber/ composite doors.
- 5.40 The proposed house will not be in an elevated position above the Meldons road, in the same way as the bungalow at Hattonknowe. The Officer had stated in relation to the proposed house at Wormiston, (email of 16th May), *"I am of the opinion that even with the proposed planting the new dwelling will have a significant adverse impact on the landscape, particularly when viewed from the minor public road."* The impact of the proposed new house will be significantly less than that of the bungalow at Hattonknowe when viewed from the Meldons Road, which is the key view the Officer was concerned about.

Bungalow at Darnhall Farm

- 5.41 The second 3-bedroomed bungalow which is worthy of note is that at Darnhall Farm, just under 1km to the north of Eddleston, consented under 05/01212/OUT and 06/02431/REM. It is extremely visible from the A703, much more so than the proposed house at Wormiston would be. It appears that certain elements, including chimney detail, were never constructed in accordance with consented drawings and the design of this property is considered to result in *significant* visual prominence and impact on the landscape as viewed over a length of the A703.

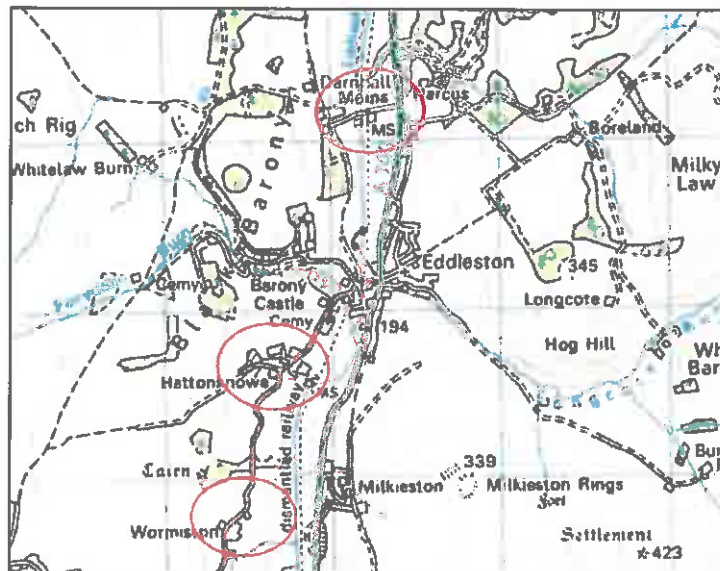
Fig 19: Bungalow at Darnhall Farm, Eddleston (view from A703)



Fig 20: Bungalow at Darnhall Farm, Eddleston



Fig 21: Location of Hattonknowe, Darnhall Farm and Wormiston



6.0 CONCLUSIONS

- 6.1 This Local Review requests that the Officer's decision to refuse planning consent for the erection of a house for a retiring farmer at Wormiston be overturned and consent be granted for a single storey house for Mrs Brockie on land adjacent to the existing farmhouse.
- 6.2 It has been demonstrated that there is no suitable alternative site on the holding through a thorough appraisal process.
- 6.3 It has been demonstrated that there is no suitable alternative accommodation on the holding. The extensive shortcomings of no 3 Wormiston Cottages have been noted.
- 6.4 The impact on the landscape is not considered to be significant in the context of the existing buildings (agricultural and residential) at Wormiston and their visibility within the extended wider landscape. The recommendations of the Landscape Officer in terms of boundary planting have been taken on board.
- 6.5 During the application process, alterations were made to the design of the house and the Planning Officer noted the design to be an improvement on the original, although she remained unwilling to accept the final design.
- 6.6 It has been noted that at least two other 3 bedroomed bungalows have been consented and constructed within a short distance of Wormiston Farm, namely at Hattonknowe and Darnhall. Both are considered to have a more significant impact on the landscape than the proposed house at Wormiston.
- 6.7 The Roads Officer has no objections to the application, subject to considerations being met.
- 6.8 The application received the support of the Community Council and received no public objections.
- 6.9 It has been demonstrated that the proposal is not contrary to Consolidated Local Plan policies D2 and G1 and that it is not contrary to Supplementary Planning Guidance - New Housing in the Borders Countryside, December, 2008. The requirement for a house relates to a genuine need by a retiring farmer who

has worked Wormiston Farm for 40 years and has suffered ill health over the past 4 years.

Ends

