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Land North West of Town O' Rule Farmhouse

Construction of new dwelling and associated  
outbuildings

Planning Statement

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# 1. Introduction

## 1.1 Applicant and Agent

- 1.1.1 Ethical Partnership (the Agent) has been instructed on behalf of Mr Jamie Reddihough (the Applicant) to prepare a planning application for the construction of a new dwelling, associated outbuildings and a new access track on land to the northwest of Town O' Rule Farmhouse.

## 1.2 Pre-application

- 1.2.1 A pre-application enquiry was submitted to the local planning authority and a response was received on 10<sup>th</sup> of August 2017 which stated; *“At the present time, the Council’s Development Management Service is currently unable to provide advice as to whether or not Planning Permission or a related consent will be granted for your proposed development. This is because of current limitations on resources, and to allow planning officers to most efficiently process formal applications.”*

## 1.3 Purpose of this statement

- 1.3.1 As part of the commission to prepare this planning application, Ethical Partnership has prepared this planning statement.
- 1.3.2 The purpose of this statement is to test the application against section 25(1) of the Town and Country Planning (Scotland) Act 1997 which requires its determination in accordance with the statutory development plan unless material considerations indicate otherwise.
- 1.3.3 As such, this planning statement assesses the proposals against the development plan and other material considerations which include the National Planning Framework.
- 1.3.4 This statement forms part of the application for planning permission submitted to Scottish Borders Council as the local planning authority.

## 1.4 Supporting Information

- 1.4.1 The local planning authority does not publish a validation checklist and advised that it was unable to provide pre-application advice for the proposed development. As such, the application is accompanied by the information which is considered necessary for the local planning authority to assess and approve the application. The supporting information is summarised in this statement.
- 1.4.2 If the local planning authority are of the view that additional information is required to inform the determination of the application, then this will be provided as quickly as possible.
- 1.4.3 The applicant wishes to assist the local planning authority to determine the application as expeditiously as possible and to this end will attend meetings as required.

## 1.5 Conditional Permission

- 1.5.1 The local planning authority is requested, wherever possible, to minimise the imposition of pre-commencement conditions to allow for the discharge of conditions in a phased manner.
- 1.5.2 The applicant wishes to work with the local planning authority to discuss the wording of conditions during the determination of the application.

## **1.6 Structure of the Statement**

1.6.1 This statement is structured as follows;

- Section 2 sets out the background to the development and highlights the relevant planning history for the site and adjacent land
- Section 3 introduces the application site and describes the proposed development
- Section 4 outlines the sustainability and innovation concepts for the proposed development
- Section 5 summarises the submitted Design and Access Statement
- Section 6 describes the submitted Landscape proposals
- Section 7 summarises the submitted Preliminary Ecological Appraisal
- Section 8 summarises the submitted Arboricultural Impact Assessment
- Section 9 outlines the proposed access arrangements to the dwellinghouse and existing agricultural buildings to the west of the site
- Section 10 summarises the submitted Contaminated Land Desk Study
- Section 11 outlines the flood risk and drainage considerations pertaining to the application site
- Section 12 presents the heritage considerations pertaining to the application site
- Section 13 sets out the planning policies which are relevant to the determination of this planning application
- Section 14 demonstrates how the proposed development accords with the relevant national and local planning policies
- Section 15 provides a summary and conclusions for the approval of this planning application

## 2. Background to the development

### 2.1 Introduction

- 2.1.1 The applicant is the landowner of a large agricultural estate in Hawick, which encompasses a landholding in excess of that which forms the application site.
- 2.1.2 The application site is situated within the heart of the applicant's estate. The applicant proposes the construction of a high-quality, sustainable dwellinghouse with ancillary buildings, associated landscaping and a new access track to facilitate access to his existing agricultural buildings to the west of the proposed dwellinghouse.
- 2.1.3 The applicant does not currently have a residence within his agricultural estate. It is anticipated that the proposed development will be used as a family home by the applicant, and will enable him to better maintain and manage his land.

### 2.2 Planning History

- 2.2.1 A desk-based review of the planning applications which have been submitted to and either: consented, refused or withdrawn on the land which comprises the application site and land adjacent to the application site has been undertaken.
- 2.2.2 The relevant planning history pertaining to the application site and adjacent land is detailed in the Figure 2.1 below.

**Figure 2.1 Planning History**

Reference	Address	Description	Decision	Date
15/01113/PPP	Land North West Of Town O Rule Farmhouse Bonchester Bridge Hawick Scottish Borders	Erection of dwellinghouse	Granted	12.11.2015
12/01210/PPP	Land North West Of Town O Rule Farmhouse Bonchester Bridge Scottish Borders	Erection of two dwellinghouses	Withdrawn	17.09.2015
12/01209/FUL	Disused Agricultural Building North West Of Town O Rule Farmhouse Bonchester Bridge	Change of use from agricultural building and alterations to form dwellinghouse	Withdrawn	17.09.2015
05/01676/OUT	Site In Lambing Field No 9444 Town O' Rule Bonchester Bridge Scottish Borders TD9 8JB	Erection of dwellinghouse	Granted	09.11.2005
06/01716/FUL	Site In Lambing Field No 9444 Town O' Rule Bonchester Bridge Scottish Borders TD9 8JB	Erection of dwellinghouse, stables and kennels	Granted	30.10.2006



## 2.3 Material Considerations

- 2.3.1 The site abuts land used for largely agricultural purposes, with some residential uses located nearby, with Town O' Rule Farmhouse and Town O' Rule Cottages located approximately 200m to the east of the site.
- 2.3.2 A review of planning applications on land adjacent to the site (both determined and in the process of being determined) has been undertaken to identify any consented developments which may be a material consideration in the determination of this planning application. An overview of each of those developments which are likely to be relevant to this application is provided in the following sections.

## 2.4 Application Reference 15/01113/PPP

- 2.4.1 This Planning Permission in Principle application was approved in November 2015.
- 2.4.2 The officer's report confirms that the principle of residential development on the site has been supported by the Council in the past and policies on housing in the countryside have not changed since that decision.
- 2.4.3 The officer's report states; *"It is accepted that there is a building group at Town O Rule comprising of the farmhouse, Town O Rule House to the south east of the farmhouse and the three Town O Rule Cottages. Planning permission for additional housing in this building group has been granted in the past; permission was granted for Town O Rule House in 2005 as it was considered then that there was a building group in this location and the site for the proposed house was midway between the cottages and farmhouse."*
- 2.4.4 *It is considered that this site is well related to the existing building group, being part of the existing steading, and within the area defined by the sense of place. There are no significant boundaries between the existing houses and the site. The proposed dwellinghouse would be within a reasonable distance of the farmhouse. The proposal would represent an appropriate addition to the building group.*
- 2.4.5 *There have been no other approvals for dwellinghouses within or adjacent to this building group in the current Local Plan period, as the previous application for two dwellinghouses has been withdrawn, and so there would be no conflict with this aspect of the policy."*
- 2.4.6 The officer's report confirmed that the site is within the Special Landscape Area, as designated in the Council's Supplementary Planning Guidance: Local Landscape Designations August 2012. The report states; *"The proposal would involve the removal of the redundant agricultural buildings on the site, which have no architectural merit, and their demolition would improve the appearance of the site. The plot is well related to the existing traditional farm buildings to the north east. These would act as a backdrop and a screen. It is considered that the development would not be unduly prominent in the landscape. It is considered that with appropriate scale, design and materials the proposal would not harm the special characteristics of the Special Landscape Area."*
- 2.4.7 The application was approved on the basis that the Council considered that; *"the proposal complies with policy D2 of the Scottish Borders Consolidated Local Plan Adopted 2011 as the site is well related to an existing building group. Appropriate siting and design will ensure that the proposal would not affect the residential amenities of occupants of neighbouring properties or the visual amenities of the Special Landscape Area. Adequate access and on-site parking can be achieved."*

- 2.4.8 This application relates to the same site as the approved Permission in Principle application. It is therefore considered reasonable that many of the same conclusions could be reached for this application as for the previously consented application. While the Permission in Principle and this application would be approved within the same Local Plan period, the previous permission was not fully detailed and therefore could not be implemented without further details being submitted to the local planning authority. This permission has now since lapsed and therefore the approval of this planning application would not exceed two approved new build dwellings in addition to the group during the Plan period, in accordance with Policy HD2. This application should therefore, as with the previous application, be approved.

## **2.5 Application Reference 12/01210/PPP**

- 2.5.1 Written correspondence between the applicant and the local planning authority regarding this application confirms that the Planning Permission in Principle application for the erection of two dwellinghouses was approved by the Planning and Building Standards Committee on 10<sup>th</sup> December 2012 subject to the completion of a Section 75 Agreement and conditions.
- 2.5.2 However, the applicant decided that they did not wish to proceed with the application and it was therefore withdrawn on 17<sup>th</sup> September 2015, which included the section 75 agreement.

## **2.6 Application Reference 06/1716/FUL**

- 2.6.1 The officer's report confirms that this application was for the development of a site granted outline consent for one dwellinghouse in November 2005.
- 2.6.2 The report states; "The principle is agreeable, and no policy changes apply which would require that this application be treated differently to the outline application in principle."
- 2.6.3 On this basis, the application was approved.

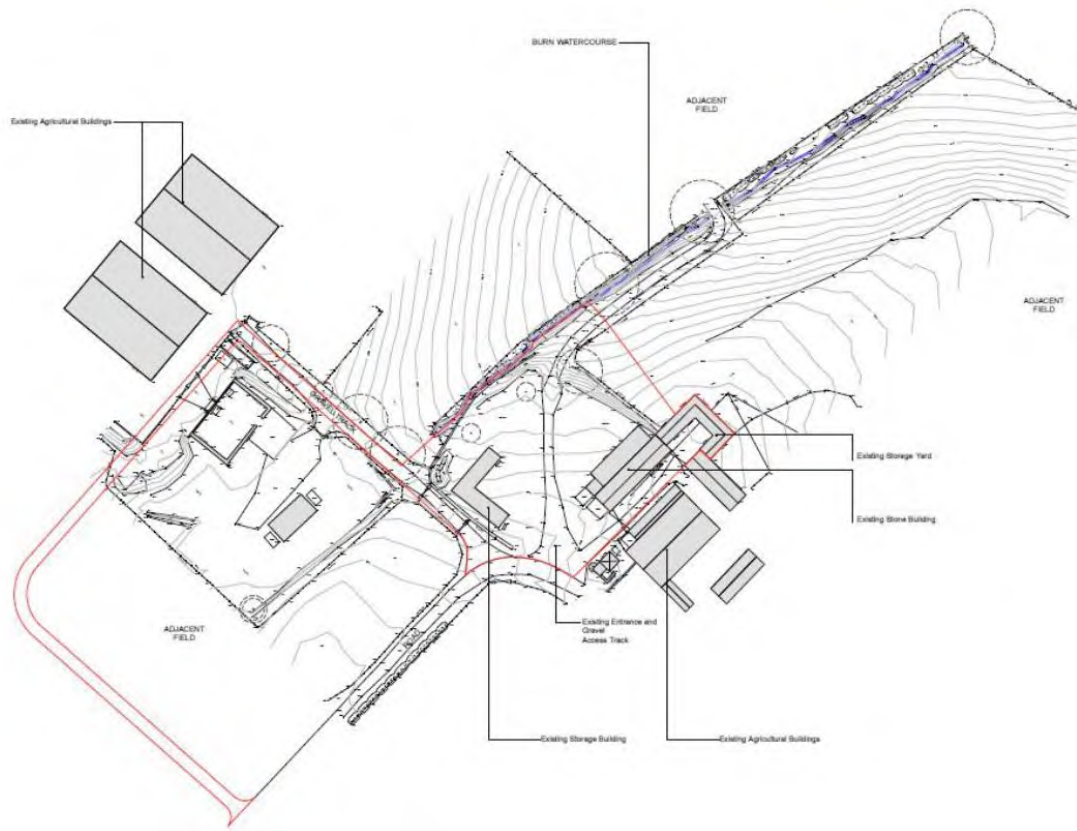
## **2.7 Application Reference 05/01676/OUT**

- 2.7.1 This outline application was approved on 9<sup>th</sup> November 2005. A full application pursuant to the outline (ref: 06/1716/FUL) was subsequently submitted and approved on 30<sup>th</sup> October 2006.

## **2.8 Land ownership**

- 2.8.1 The land within the red line boundary (as shown on Figure 2.2) is owned by the applicant. The applicant's wider land ownership is shown on the submitted Farm Plan (drawing number: 5031-1052738/02).

Figure 2.2 Location Plan



## 3. The Proposed Development

### 3.1 Introduction

3.1.1 This section provides an overview of the site and a description of the proposed development.

### 3.2 Site Description

3.2.1 The application site is located in Town O' Rule, a farmstead off the B6357 road in the Scottish Borders.

3.2.2 Town O' Rule Farm is situated approximately 1.3 miles to the north of Bonchester Bridge, approximately 5 miles east of Hawick, 6 miles southwest of Jedburgh and 3 miles northwest of Chesters. The structures in the farmstead are a mixture of agricultural buildings and residential dwellings.

3.2.3 The site is accessed by a minor public road from the B6357 Bonchester Bridge to Jedburgh Road. The existing site comprises a two-storey rendered farmhouse and a number of traditional stone and slate and more modern corrugated metal farm buildings.

3.2.4 The site to which this application relates is situated to the northwest of the main steading. There are corrugated metal sheds on the site and an access onto the public road. There are fields to the north and east and the modern agricultural complex is to the north west. There is a stone wall on the western boundary with the road and access track to the modern steading.

3.2.5 The farmhouse and a modern house, Town O' Rule House, are situated to the southeast and there are three farm cottages on the opposite side of the public road to the southeast.

3.2.6 The site is within the southern part of the Teviot Valleys Special Landscape Area. The Special Landscape Area runs between Hawick and Jedburgh and consists of three valleys characterised by visually prominent hills, with a number of landmark features with associated pastoral and woodland settings.

3.2.7 The Valley associated with Town O' Rule is Rule Water and has its own distinctive character;

3.2.8 It is densely wooded with beech trees along the road. It is an intimate, picturesque valley with traditional stone buildings and bridges, and intriguing gateways into estates. There is evidence of management which suggests a well-established and well-maintained landscape.

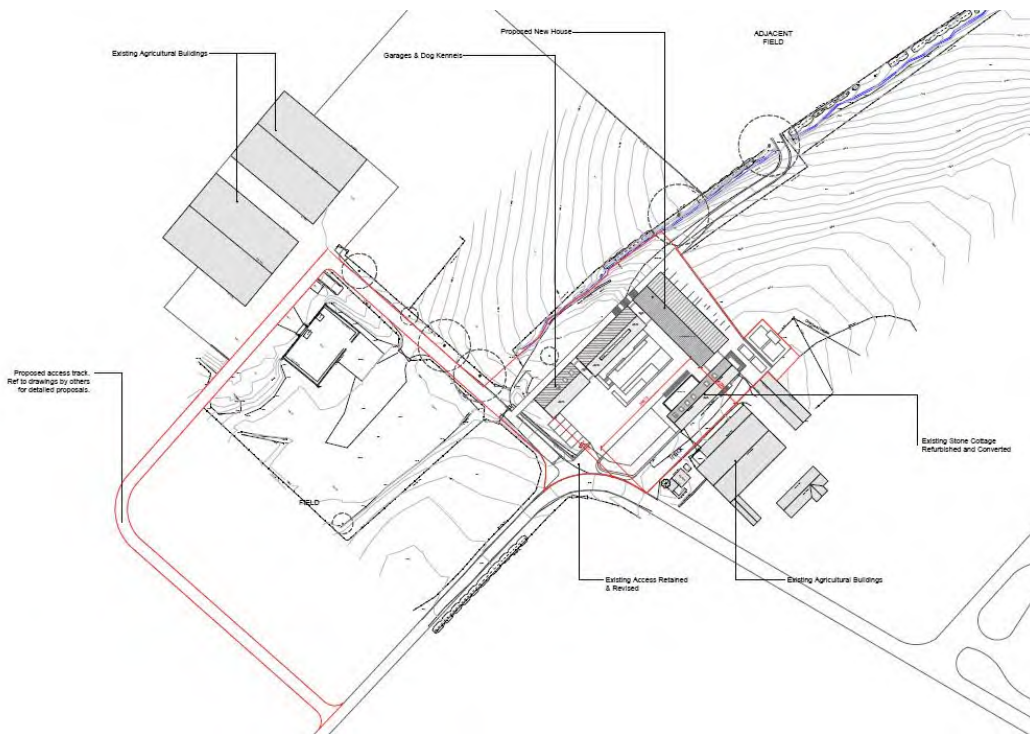
3.2.9 The hills that have a strong relationship with Rule Water include Rubers Law to the north and Bonchester Hill to the south. Both hills have a distinct craggy summit with Rubers Law the more prominent of the two.

3.2.10 The immediate landscape of Town O' Rule is defined to the north by the dense trees that line along both Hallrule Burn and the lane access to Hallrule Farm from the B6357 road. To the south, tree plantations and hedgerows loosely define the gentle incline of the surrounding immediate context. Views within the immediate landscape to the agricultural and domestic structures are largely uninhibited due to tree cover being limited to various points along field boundaries and along a small burn running north east out from the centre of the hamlet. The ground levels across the site undulate and subsequently the buildings further to the west appear more prominent in views.

### 3.3 Description of proposed development

- 3.3.1 The application proposes the construction of a new dwelling and associated outbuildings on land to the northwest of Town O' Rule Farmhouse. The application also proposes the construction of a new access track.
- 3.3.2 The aims for the development are:
- to conserve and enhance the Special Landscape Area
  - create a high-quality, sustainable development which promotes the innovative use of renewable technologies, which are fully-integrated in the scheme's design
  - retain high quality trees
- 3.3.3 The proposals have been designed to sensitively respond to the rural character of the site. This has been achieved by designing the building in a form which relates to the adjacent agricultural buildings in terms of scale and massing.
- 3.3.4 The building has been designed based on a sound understanding of the landscape features and value of the site. The building has been sited to ensure that it does not appear overly-prominent or visually obtrusive.
- 3.3.5 The agricultural store on the site is to be demolished. This is considered to be of limited architectural merit, and this is considered to improve the appearance of the site.
- 3.3.6 A sensitive landscape scheme is to be implemented which will enhance the setting in which the dwelling is located; positively contributing to the character and appearance of the site and surrounding area.

Figure 3.1 Proposed Site Plan



## 4. Sustainability and Innovation Concepts

### 4.1 Introduction

4.1.1 The client aspires to establish a high-quality, sustainable dwellinghouse with all of its energy needs met by renewable sources. The intention is that the dwelling house is to Net Carbon in so far as its energy needs over the course of the year will be met from on site sources. Photovoltaic panels are to be installed on the existing agricultural buildings to the west of the site This will provide the necessary power for a ground source heat pump to meet the heat demands of the proposed dwellinghouse. The electricity demands of the dwellinghouse will be met by the photovoltaic panels. Surplus power from the panels will be stored in batteries or exported to the grid.

### 4.2 Assessment of Appropriate Technologies

4.2.1 An initial assessment has been carried out to ensure that the solution meets the thermal energy demands of the new dwelling. The recommendations are designed to ensure the approach meets as much demand as possible.

4.2.2 The supporting energy usage data and assumptions have been based upon the electrical usage patterns of similar sized buildings and estimation of peak thermal demand based upon total kWh and calculated using client-approved energy performance data. All of these are subject to further refinement, full building performance analysis, FSAP and room-by-room heat loss calculations, which would be undertaken at a detailed design stage.

### 4.3 Energy Demands of Proposed Development

4.3.1 The energy demands of the proposed development have been assumed as follows;

- 800sq/m property - 32kW Load
- 80 cubic metre swim pool - 16kW load (TBC)
- De-humidification load 8kW (TBC)
- Total load 56kW
- 2 x 30kW Compact twins cascaded together (3 phase will be required)
- 20 x 50mtr slinkies - 5000sq/m of land required
- 2 x 10 way manifolds
- 1 x 2 way splitter manifold
- 2 x 305 litre cylinders - 50°C potable hot water, would suggest zip tap at kitchen sink

### 4.4 Ground Source Heat Pump

4.4.1 GSHPs are designed to extract heat energy from the ground via an array of collectors in the form of slinky pipes in the soil which are connected to a heat pump above ground.

4.4.2 The heat pump performs the same role as that of a traditional boiler in a central heating system, but using ambient temperature in the ground rather than burning fuel to generate heat.

- 4.4.3 Heat energy is stored in the ground at a constant temperature all year round. The network of ground collectors (or ground arrays), consisting of a series of pipes, is buried in the ground in trenches to a depth of 1 – 2m where the ground temperature remains a fairly constant 8-10°C all year round.
  - 4.4.4 Ground source heat pumps are extremely energy efficient, with every unit of electricity used (to drive the pump and compressor), producing between three and four units of heat
- 4.5 Detailed Design**
- 4.5.1 Full details of the system for heat and power generation will be refined at a detailed design stage, following a grant of planning permission for the scheme.

## 5. Design and Access Statement

### 5.1 Introduction

- 5.1.1 A Design and Access Statement has been prepared by Sadler Brown Architecture. The Design and Access Statement is submitted as a standalone document to support this planning application for the construction of a new dwellinghouse and associated works at the site.
- 5.1.2 The Design and Access Statement explains the architectural design principles and concepts behind the proposed new family home.

### 5.2 The Brief

- 5.2.1 The client's wishes are to create a modern family home that is sensitive to the site and its local character; and their desire is for a sustainably responsible home that serves the land and generations to come.
- 5.2.2 The proposed family dwelling aims to be sensitive to the defining characteristics of the local area, but also provide a modern and future proof house. Its architectural language takes inspiration from the surrounding stone buildings and aims to blend the extension into its setting, being sympathetic to the existing coastal vernacular in terms of form and materiality.

### 5.3 Access and Public Transport

- 5.3.1 It takes approximately 1 hour and 30 minutes to travel to Edinburgh, 1 hour 15 minutes to travel to Carlisle and 1 hour and 20 minutes to travel to Newcastle upon Tyne by road. The nearest railway station is at the terminus of the Borders Railway line located in Tweedbank, 14 miles north that connects to Edinburgh.
- 5.3.2 The nearest station with connections to the East Coast Main Line is in Berwick upon Tweed, 35 miles north east, and the nearest station with connections to the West Coast Main Line is Lockerbie, 35 miles south west. There are regular bus connections to railway stations from Hawick.
- 5.3.3 The Scottish Borders Council operate a bus service between Chesters, Bonchester Bridge and Hawick once a day, four days a week in both directions and the nearest stop is located 1 mile away from the site in Bonchester Bridge.

### 5.4 Buildings and Structures

- 5.4.1 The original historic farm buildings located at the centre of the farmstead are stone wall / slate roof construction that uphold the traditional farmstead aesthetic of the local area. In terms of materiality the later constructed agricultural storage buildings to the east and west are less sensitive to the traditional aesthetic, with corrugated metal and timber cladding the predominant materials. The later permanent structures are notably larger in scale than the original farmstead structures.

### 5.5 Use

- 5.5.1 The buildings and structures in Town O' Rule are a mixture of agricultural sheds and barns used for storage together with residential structures and their associated domestic curtilage. The residential properties predominantly address the eastern lane approach from the B6357 road, these consist of the original farm house, the cottages (3 units) and



more recently constructed house with stables opposite the cottages. There is evidence of 3 timber framed agricultural sheds that were recently dismantled due to partial and full collapse during severe weather.

## **5.6 Site and Opportunities**

5.6.1 The preferred site for the new dwelling lies within the historic curtilage of the original farmstead. The choice of site is informed by the following reasons:

- To reinforce and consolidate the nucleated pattern of domestic curtilages addressing the eastern lane approach.
- The opportunity to restore and enhance the historic structures in disrepair.
- To capitalise on the desirable panoramic views over the surrounding valleys and hills to the north and south.

## **5.7 Site Visual Record**

5.7.1 The proposed site for the dwelling is characterised by a gently sloping plateau of mixed hardsurfacing that rapidly falls past the edge of the northeastern line of buildings. The eastern edge of the plateau is defined by a gently curving dry stone wall that follows the course of the existing dry burn running north east and aligns the edge of the private access gravel track that adjoins the bend in the public access lane. A steel-clad L-shaped temporary storage structure of low architectural value rests in the eastern corner behind the stone wall. To the west is the historic slate roof stone barn that defines the historic edge of the original farm buildings. The barn has a stone wall / corrugated metal roof lean-to structure along the western elevation that is of low architectural value. The access to the plateau is from the bend on the adjacent public access tarmac lane.

## **5.8 Existing Structures Appraisal and Opportunities**

5.8.1 The site contains various existing structures of varying scale and quality.

### **1. Single Storey Timber Store/ Shed to the South**

5.8.2 At the south of the site near to the proposed access driveway there is a low-quality timber and corrugate metal open storage structure. This poor-quality building has little architectural value and is proposed to be demolished as part of the new development.

### **2. Two Storey Stone Building to the West**

5.8.3 Located along the eastern boundary of the proposed site there sits an existing two storey stone building with a pitched tile roof. The building has been used for agricultural storage with a variety of poor quality alterations made to accommodate equipment. This building provides an opportunity to mediate between the new structures and the existing buildings to the west.

5.8.4 The western elevation of the contains a single storey timber and corrugated extension to provide additional storage. This addition is in a state of disrepair and provides little or no architectural value. As part of the regeneration of the existing stone building this would be removed, existing stonework retained and repaired; and a new extension added to connect the stone building with the new build construction.

### 3. Single Storey Stone Store to the North

- 5.8.5 Adjoining the north gable of the existing two storey stone building a single storey open store has been added. This does not appear on historic maps and can be assumed to have been added relatively recently to the two storey building. As part of the proposed new dwelling this store is to be carefully demolished and the stone retained for proposed and repair work across the site.

## 5.9 Design Concepts

- 5.9.1 The principle concept behind the design of the new dwelling is considered in terms of the layout and scale; and is intended to be a sensitive intervention that sympathises and gives reference to the local vernacular of rural building typologies: The rural landscape is characterised with clusters of linear forms typically one and two storey that have dual pitched roof structures that form gable ends.

## 5.10 Architectural Style

- 5.10.1 The architectural approach to the design terms of the materiality and architectural detailing is expressed in a modernist, contemporary architectural style, that will be a honest reflection of a building constructed in 21st century using modern materials, construction methods and utilising the latest technology.

## 5.11 Visual Impact

- 5.11.1 The proposals have been developed from an analysis and understanding of the site where the new home acknowledges that it will have a visual presence within it's immediate setting and therefore seeks to be sensitive and sympathetic to the surrounding context. Due to the visibility views of the building are carefully considered so that they are celebrated.

## 5.12 Scale and Massing

- 5.12.1 The proposed house massing consists of a U-shape that through the use of glazing and recesses is articulated into three volumes of similar size in plan. These three volumes reflect the scale and massing of the existing built forms of Hall'O'Rule and their arrangement takes inspiration from the historic grouping of agricultural buildings and farmsteads. The eastern and northern elements of the massing are created by proposed new build volumes with the eastern mass consisting of the existing stone building on the site. To the northern end of the existing two storey stone building there is an adjoining open agricultural shelter. It is proposed that this unused storage building will be demolished and the material retained for repairs and refurbishment works for the proposed house.
- 5.12.2 Each of the three volumes has an elongated rectilinear form with the width and length proportions of the two proposed elements reflecting that of the existing stone building. The height, massing and forms of the proposed volumes take inspiration from the surrounding rural and agricultural buildings in the landscape. The roofs of the proposed structures are pitched along the length of the rectilinear forms to match the existing stone building, characteristic of the rural massing that has been driven by the practicalities of the vernacular construction techniques.
- 5.12.3 The rectilinear forms and pitched roofs utilised within the proposed massing are consistent between all the volumes but differ in scale to reflect the hierarchy of accommodation contained within. The more important accommodation is within the north

volume and therefore has a larger, longer and wider, footprint; and is taller at two storeys to signify it as the main living accommodation of the house. The proposed massing of the western volume is single storey with the ridge and eaves sitting lower than both the existing stone building and northern volume to reflect its reduced importance. This also ensures that the massing steps down and reduces down in scale as it moves further away from the collective built forms of the east out towards the surrounding rural land to the west.

- 5.12.4 The proposed massing for the house also reflects the topography of the site as it falls from south to north as the most northern volume takes opportunity of this change in level to steps down creating a semi buried level of accommodation. This lower ground floor provides a retaining structure to the historically made-ground and resulting slope; and is not visible from the south or east.

### **5.13 Layout and Arrangement**

- 5.13.1 The arrangement of proposed house accommodation within the U-shape massing creates a central, south facing courtyard and defines its domestic curtilage. This south facing courtyard creates an external area for the occupants that is sheltered from the prevailing winds, whilst visually screening the domestic parking and ancillaries from the longer rural views in from the north of the site. The open courtyard space sits between the main living accommodation and the access road creating a separating buffer between the rural landscape and the house. The courtyard also allows vehicular access to safely manoeuvre within the dwelling curtilage before re-joining the highway.
- 5.13.2 The ground floor of the central larger massing volume to the north contains the main family living accommodation consisting of the main entrance hallway; open plan kitchen dining; formal sitting; entrance hall; utility; and gun room. At first floor there is the master bedroom with accompanying dressing room and bathroom; and 4no. double bedrooms with en-suites. The lower, semi subterranean accommodation contains a home exercise pool and sauna benefitting from increased privacy and surrounding thermal mass to retain heat from the pool.
- 5.13.3 The converted existing stone building connected to the east of the main entrance contains a home office; and children's bunk house accommodation at first floor; whilst ground floor contains a tv room and home gym space. The home office can be accessed separately from the family accommodation for the client to meet privately with his agricultural tenants.
- 5.13.4 To the west of the main accommodation the single storey volume contains a 3no. car garage; dog kennel; and a multi-purpose family / play room accommodation with generous sliding doors connecting it to the central courtyard.

### **5.14 Appearance**

- 5.14.1 The materials for the proposed house take inspiration from the surrounding utilitarian agricultural structures within the area but combine this with contemporary detailing and fenestration so that the building reflects modern 21st Century architecture of which it is being built. The proposed materials of stone and timber can be seen on various structures within the immediate locale of the area as well as the wider rural setting of the Scottish Borders. The materials utilised within the area are robust to withstand the harsh environment and mainly include stone walling; tile and slate roofing; sheet metal; and timber.

- 5.14.2 The use of traditional agricultural materials of timber, stone and metal roofing will be visually sympathetic to the existing stone building but through contemporary detailing will ensure that the new architecture is clearly articulated from the old. The proposed materials will have natural untreated finishes that will weather into the setting and soften alongside the existing buildings.
- 5.14.3 The western, existing stone building is proposed to be refurbished with the existing stonework and tiled roof retained. Poor quality additions generally made using corrugated metal will be stripped back to enable the new additions for the gym and glazed link to be added. The new extension and connection link to the existing stone is to be finished in untreated open jointed cedar timber cladding. This use of timber cladding with open jointing and contemporary detailing is to be continued across all the proposed new elevations. The link connections between the three volumes are articulated by recesses in facades and are further accentuated through the use of vertical timber cladding to juxtapose the horizontal boards on the primary elevations.
- 5.14.4 The hierarchical distinction of the accommodation by enlarging the more important volumes is seen in historic farms and the materiality also generally reflects the significance of the spaces within. To continue the visual distinction of the volumes by size, it is proposed that the proposed materials subtly reflect this change in hierarchy by changing the appearance of the roof finishes, whilst leaving the elevations treatments consistent; timber for new and coursed stone for existing. The introduction of a zinc standing seam roof finish to the main central volume reaffirms it as the entrance and main accommodation presence, whilst the proposed garage and informal accommodation volume to the west has a timber finish to signify its reduced status.
- 5.14.5 The fenestration proportions of the new build accommodation are enlarged from the traditional buildings with floor to ceiling height windows to allow maximum daylight and reflect the 21st Century construction available. Insulated sliding shutters are proposed to the areas of large sliding glass doors of the gym and informal accommodation to allow these areas to be closed off and heat loss reduced when not in use.

## 6. Landscape

### 6.1 Introduction

6.1.1 The landscape proposals seek to embrace the uniqueness and special qualities of the site to provide a masterplan which improves the established setting through a series of considered enhancements that enhance the landscape quality and create a setting worthy of an outstanding dwellinghouse.

### 6.2 Landscape Masterplan

6.2.1 The landscape masterplan proposes a series of simple and soft landscape improvements such as sensitive tree planting. The proposals have been designed to respect the site's location with the Teviot Valleys Special Landscape Area, while enhancing the immediate setting in which the proposed dwellinghouse would be experienced.

6.2.2 The landscape proposals have been designed to satisfy the relevant national and local planning policies – with regard had to the Supplementary Planning Guidance published by Scottish Borders Council.

Figure 6.1 Landscape Masterplan



## 7. Ecology

### 7.1 Introduction

7.1.1 A Preliminary Ecological Appraisal at the site of the proposed dwellinghouse was undertaken by Kayleigh Houlby BSc MSc and quality assured by Allen Creedy MRTPI FIEMA. As part of this, an ecological desk study and a walkover survey (in accordance with Phase 1 Habitat Survey Methodology) were undertaken.

### 7.2 Summary findings from the PEA

- 7.2.1 The desk study exercise identified there is one statutory site within 2km of the study area and one non-statutory site within 1km of the study area.
- 7.2.2 The statutory site, River Tweed Special Area of Conservation (SAC) is a strictly protected site designated under the EC Habitats Directive. The SAC is located approximately 500m to the south east of the proposed development site. It is considered unlikely that the proposed development will impact on the SAC due to the separation distance between the conservation site and the proposed development site, the lack of connectivity and the small-scale nature of the development.
- 7.2.3 The non-statutory site, Teviot Valleys Special Landscape Area, encompasses the study area. The Special Landscape Area has been designated to draw together a number of landmark features with their pastoral and woodland settings. The Special Landscape Area is unlikely to be impacted due to the small scale nature of the development, no negative change in land use or management and will not be developed on a hilltop that would visually affect the designation.
- 7.2.4 The desk study also provided records of protected and notable species including squirrels and birds.
- 7.2.5 The walkover survey was undertaken on 16<sup>th</sup> March 2018. The survey area comprises an area of agricultural land with various buildings approximately 7.4 miles to the east of Hawick town centre.
- 7.2.6 No habitat noted by the walkover survey is listed as a Habitat of Principal Importance in Scotland. The key ecological features on site in relation to the works proposed included the presence of notable habitats, including scattered trees and semi-improved grassland and the suitability of the habitats on site to support notable species including house sparrows.

### 7.3 Summary recommendations from the PEA

- 7.3.1 In order to ensure compliance with wildlife legislation and relevant planning policy, recommendations have been made regarding the following;
- 7.3.2 **River Tweed** – risks associated with the development relate directly to water quality due to the proposal being located in close proximity to a stream, likely feeding into the river catchment. Risk is associated with the drainage of the dwelling. Appropriate measures should be undertaken such as the installation of septic tanks and petrol interceptors in accordance with the Water Environment (Controlled Activities) (Scotland) Regulations 2011.
- 7.3.3 **Teviot Valley** – the site lies within the Special Landscape Area, however, the proposed development is unlikely to affect the designation. Guidance on development in the

landscape can be found within the Supplementary Planning Guidance published by Scottish Borders Council.

- 7.3.4 **Habitat Loss and Enhancement** – biodiversity enhancement measures should be incorporated into the landscaping scheme of any proposed works to maximise the ecological value of the site.
- 7.3.5 **Water Bodies** – all works should be undertaken in accordance with best practice e.g. NetRegs Guidance for Pollution Prevention (GPPs) to ensure that the waterbodies and watercourses within the survey area are not adversely impacted by the proposed works.
- 7.3.6 **Scattered Trees** – any trees that are removed should be mitigated within the landscaping design, through the inclusion of replacement planting of appropriate native or wildlife attractive species of adequate size.
- 7.3.7 **Birds** – construction works should begin after the breeding bird season. Provision of nesting/roosting habitat, such as installation of nest boxes for species such as house sparrow, should be installed.
- 7.3.8 **Bats** – prior to any works commencing, construction workers should be given a ‘toolbox’ talk by a suitably qualified ecologist to ensure their compliance with bat regulations and to ensure awareness of signs indicating bat usage. No Breathable Roof Membranes (BRMs) are to be used as roof linings in the roof of the refurbished stone cottage. Continued monitoring and maintenance post development will be required and should be outlined within a management plan. Should bats be discovered at any time during the development, works must be stopped immediately.
- 7.3.9 **Terrestrial Mammals** – any excavations that need to be left overnight should be covered or fitted with mammal ramps to ensure that any animals that enter can safely escape. Any open pipework must be covered at the end of each work day to prevent animals entering and becoming trapped.
- 7.3.10 **Aquatic Fauna** – a reasonable avoidance method statement should be compiled detailing how the proposed works will be undertaken in a sensitive manner to avoid any potential breach of legislation. This document should describe working methods, timings and should detail any ecological control measures that will be implemented e.g. maintaining habitat connectivity.

## 8. Arboricultural Impact Assessment

### 8.1 Introduction

8.1.1 An Arboricultural Impact Assessment (AIA) at the site of the proposed dwellinghouse was undertaken by Kayleigh Houlsby BSc MSc and quality assured by Allen Creedy MRTPI FIEMA. As part of this a site walkover was undertaken.

### 8.2 Summary of AIA

- 8.2.1 There are no Tree Preservation Orders, listed buildings or Conservation Areas within or closely surrounding the study area. This was confirmed by Simon Wilkinson, Tree Officer at Scottish Borders Council on 12<sup>th</sup> March 2018.
- 8.2.2 The prioritisation for tree retention should be based upon the guidance contained within BS5837:2012. Category A trees should be seen as the highest priority for retention and Category C the lowest. Category U trees have no retention value and in most circumstances such specimens will not be considered for retention within new development.
- 8.2.3 In order to accommodate the proposed development it will be necessary to remove 3 trees within the site, all of which are Category C trees.
- 8.2.4 The trees identified for removal are deemed to be of low retention value and the loss of these trees will not result in a significant impact on the visual amenity of the site. Furthermore, two of the trees were relatively immature specimens and can easily be replaced in the short-term. It is understood that provision is already included within the landscaping scheme for replacement tree planting throughout the site and as such the loss of these trees should not be considered a significant constraint to the proposed development.
- 8.2.5 There are no areas on site where the demolition of existing buildings is required within close proximity to retained trees. As such no impact from this aspect of the development is considered likely.
- 8.2.6 There are no areas on site where the removal of existing hardstanding will be required within the RPA of any retained trees. As such impacts to retained trees from this aspect of development is not expected.
- 8.2.7 There are no areas on site where the removal of existing underground services is likely to require works within the RPA of retained trees. As such impacts to retained trees from this aspect of development is not expected.
- 8.2.8 The previous usage of the site is considered unlikely to have resulted in areas of soil contamination that would require excavation and disposal, or treatment works, to be undertaken. As such impacts to retained trees from this aspect of development is not expected.
- 8.2.9 The proposed development has been designed to ensure that works are not required within the RPAs of retained trees.
- 8.2.10 There are no aspects of the proposed development expected to require works within the canopy spread of retained trees. To minimise the potential for branch damage to occur the adoption of an appropriate working methodology will ensure that harm to the retained tree is avoided.



### 8.3 Summary recommendations from the AIA

8.3.1 In order to ensure compliance with wildlife legislation and relevant planning policy, recommendations have been made.

8.3.2 The following site-specific recommendations have been made;

- The retention of Category B trees should be considered where possible but where this cannot be achieved compensatory planting will need to be undertaken. It is understood that two Category B trees will be retained.
- The retention of the Category C trees should be considered where possible though it must be noted that these specimens have a low retention value and are likely to only offer a temporary contribution to the landscape character of the site.
- Any proposed new planting should consist of native and wildlife attracting species with a robust five year management plan to assist with the development proposal and to offer mitigation for tree loss.
- In general all new development shall be located outside of the RPA or canopy spread of any retained tree.
- Where any new development is proposed within the RPA or canopy spread of a retained tree it must be constructed in such a way that damage of the trees root system or crown can be avoided.
- Should new development require works within the RPA of any retained tree an Arboricultural Method Statement should be prepared to set out what steps are to be taken to protect the trees during the course of development.
- Prior to development, a plan should be prepared detailing the locations in which activities related to the establishment of a site compound, contractors car parking areas, material storage areas and associated works are to occur. All of which should be located outside of the RPAs of retained trees.

8.3.3 The following generic guidance should also be taken into account during the construction phase of any development, or significant engineering;

- Any trees or groups that are to be retained should be adequately protected by Heras fencing, in line with BS5837:2012, extending at least to the Root Protection Radius, to prevent accidental damage by vehicles or contractors (see Table 3 for RPA data for each tree). Within these areas no construction works, or related activities, will be undertaken.
- All tree works are to be carried out by a competent and qualified arborist to BS3998:2010 standards.
- Tree protection should be included in the induction and/or briefing sessions by the contractors to site personnel.
- Soil compaction, from the storage of large quantities of materials and plant tracking, may result in changes to soil permeability and local drainage. This may lead to waterlogging or loss of soil crumb structure. These effects may in turn lead to root asphyxiation and root death, a cause of instability and or mortality in trees. For this reason, heavy machinery, excavation of bare ground and the storage of

materials should be excluded from the crown and Root Protection Radius of all trees.

- The recommendations of BS5837:2012 and National Joint Utilities Group Volume 4 (Guidelines for the Planning, Installation and Maintenance of Utility Services in Proximity to Trees) (as appropriate to operations) should be followed when working close to trees.
- If works take place during the bird breeding season, usually from March to September inclusive, trees and hedgerows should be checked for nesting birds. If any trees are to be removed this should be done outside the breeding season or in the presence of a suitably qualified ecologist.
- Mature trees often contain cavities, hollows, peeling bark or woodpecker holes which provide potential roosting locations for bats. Bats and the places they use for shelter or protection (i.e. roosts) receive European protection under The Conservation of Habitats and Species Regulations 2010, as amended (Habitats Regulations 2010, as amended). They receive further legal protection under the Wildlife and Countryside Act (WCA) 1981, as amended. Consequently, causing damage to a bat roost constitutes an offence. As such prior to undertaking works to trees a check to see if they are being used for bat roosting should be undertaken by a suitably qualified and experienced ecologist.

# 9. Transport

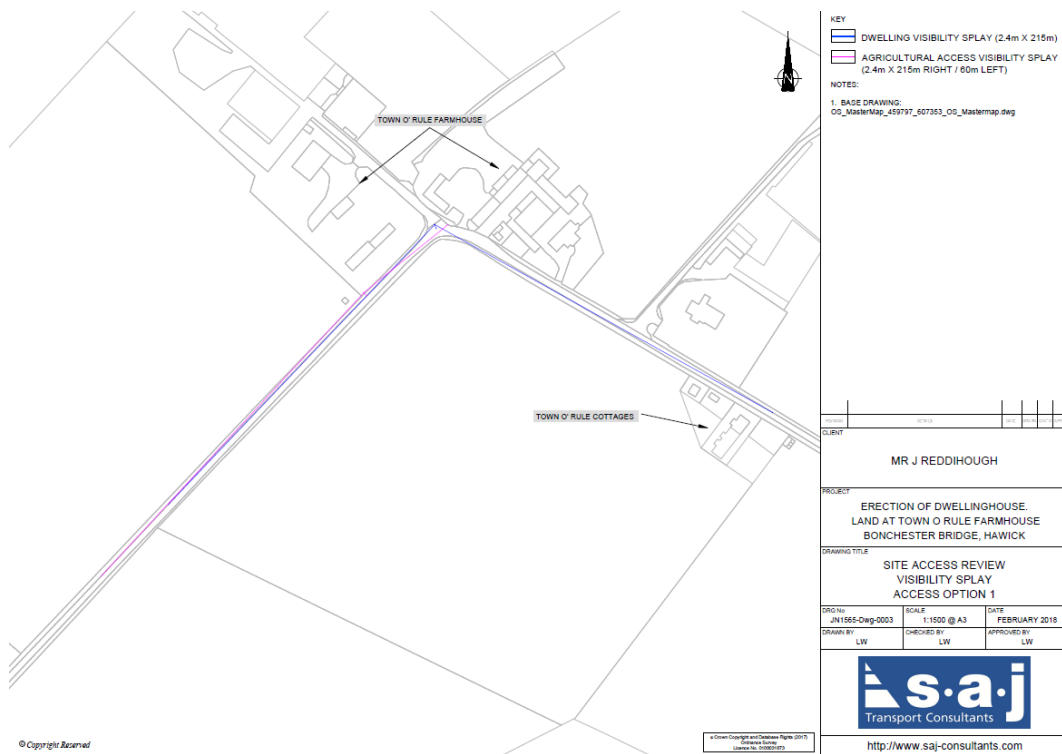
## 9.1 Introduction

9.1.1 A review of the proposed new agricultural access track has been undertaken by SAJ Transport Consultants.

## 9.2 Review of Proposed Access Arrangements

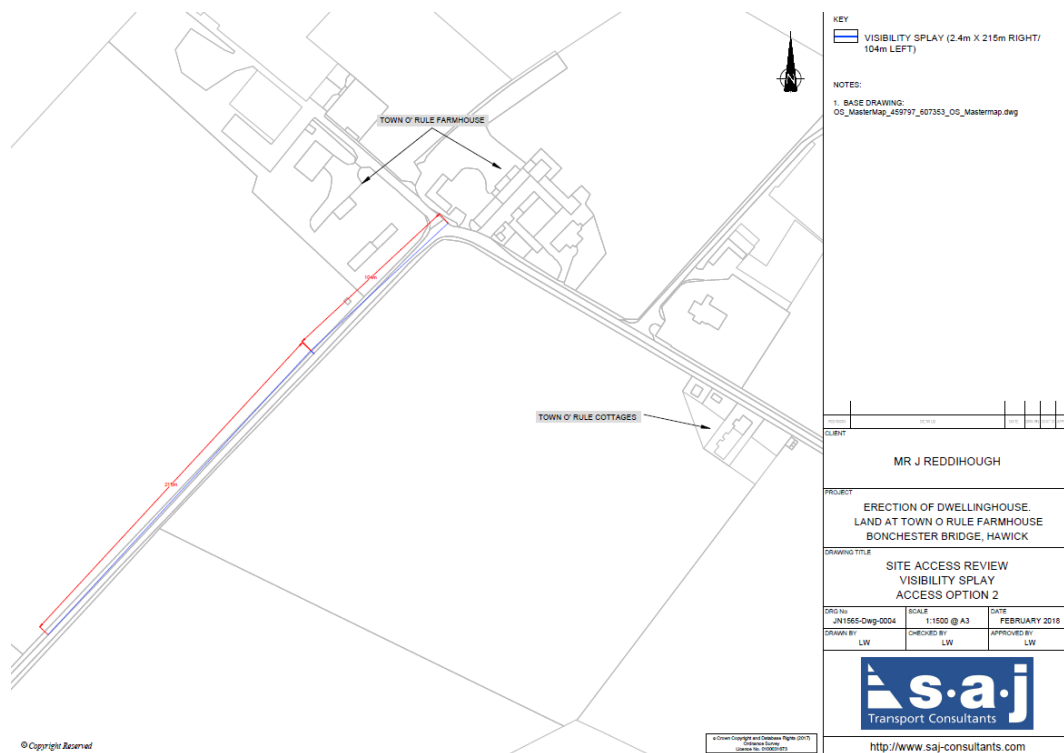
9.2.1 It is understood that the existing access will be retained and revised to serve the dwellinghouse. The access is served directly from the D63 and will be widened. The existing visibility from this position is good as it is on the corner.

Figure 9.1 Dwelling Access Visibility Splay



- 9.2.2 With regard to the access track, it is understood that this will be used for agricultural vehicles only to access the agricultural buildings and the existing agricultural track will no longer be used. Based on the position of the access, the highways authority may request that the visibility requirements associated with the D63 are met.
- 9.2.3 The D63 is subject to a 60mph speed limit with visibility requirements of 215m in both directions, although speeds are unlikely to be 60mph. Only 60m to the left (northeast) is achievable due to the bend in the road. Given that actual speeds on this stretch of road are likely to be lower than 60mph, it is considered that the 60m visibility splay to the northeast would be acceptable.

Figure 9.2 New Agricultural Access Track Visibility Splay



## 10. Land Contamination

### 10.1 Introduction

10.1.1 A Contaminated Land Preliminary Risk Assessment at the site of the proposed dwellinghouse has been undertaken. In order to assess the potential contamination of the site, a desk study was carried out in addition to a walkover of the site.

### 10.2 Summary of Contaminated Land Assessment

10.2.1 The site is situated in a predominantly rural environment with little change to its land use historically. The site has remained largely unchanged with the exception of the erection of Town O' Rule cottages approximately 195m to the southeast of the site and a storage tank being developed directly on site in 1899. The site then went unchanged until 2001 where historical mapping shows the erection of two further buildings.

10.2.2 The areas surrounding the site in all directions have mainly been associated with large vegetation plantations, isolated dwellings and infrastructure associated with rural residential living and agricultural uses such as storage tanks, farms and mills. The site shows signs of small industrial and residential expansion such as the erection of a post office, reservoir and quarries between 1899 and 1923 but has otherwise remained largely unchanged.

10.2.3 Considering the site to be largely undeveloped and the likely characteristics of any made ground present, the risk associated with the site is generally considered to be low, although there is considered to be a Low/Moderate risk associated with the potential for contamination to enter the water environment, given that the proposed development is located adjacent to a small stream and the aquifer having been identified as highly permeable. It is considered unlikely that the site would constitute Contaminated Land, as defined in Part IIa of the Environmental Protection Act.

10.2.4 The proposed use of the site is consistent with the current residential and agricultural operations that are undertaken currently on and adjacent to the site. The risk associated with the site is considered to be Low/Moderate, associated with risks to the water environment, and the current agricultural use. This is mainly due to the geological characteristics on site in addition to the close proximity of the development to a small flowing water body.

### 10.3 Summary Recommendations from the Contaminated Land Assessment

10.3.1 In order to ensure compliance with legislation and relevant planning policy, the following recommendations have been made;

10.3.2 It is recommended that all works and future development should be undertaken in accordance with best practice, e.g. NetRegs Guidance for Pollution Prevention (GPPs) to ensure that the waterbodies and watercourses within the site area are not adversely impacted by the proposed works.

# 11. Flooding and Drainage

## 11.1 Introduction

11.1.1 A Flood Risk Assessment (FRA) at the site of the proposed dwellinghouse has been undertaken. In order to assess the potential contamination of the site, a desk study was carried out in addition to a walkover of the site.

## 11.2 Summary of FRA

11.2.1 The proposed development site is located 2.1km north of Bonchester Bridge and consists of agricultural land with a small watercourse to the west of the site. There are a number of existing agricultural buildings on the site.

11.2.2 A small stream is located approximately 35m west of the site but the flood outline for the stream shown on the SEPA online flood maps confirms that this watercourse will not impact on the proposed development site.

11.2.3 The site is located approximately 88km inland from the coast. There is therefore no risk of coastal flooding.

11.2.4 Fluvial flooding is flooding originating from a watercourse. The nearest watercourse is a small stream, approximately 35m to the west of the site. The SEPA Flood Map (2015) indicates that the site is not at risk from fluvial flooding.

11.2.5 Groundwater flooding is flooding that is caused by unusually high groundwater levels or flow rates. During flooding, groundwater can emerge at the ground surface or within man-made underground structures such as basements. There are various mechanisms of groundwater flooding, including clearwater flooding due to prolonged heavy rainfall on distant connected geology alluvial and coastal groundwater flooding, and that associated with minewater rebound or ground subsidence. The site is located outside the area of groundwater influenced flooding shown on the SEPA map.

11.2.6 Surface water (pluvial) flooding occurs from intense rainfall related overland flows and ponding in localised depressions. The SEPA Flood Map (2015) indicates that the site is not at risk from surface water flooding.

## 11.3 Summary recommendations from the FRA

11.3.1 The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (CAR) requires all new developments to employ Sustainable Drainage Systems (SuDS) to control and treat surface water runoff. The following recommendations are made with respect to SuDS options for this site and should be considered further at detailed design stage:

11.3.2 **CAR Binding Rules** – SuDS should comply with the relevant binding rules described within the Water Environment (Controlled Activities) (Scotland) Regulations 2005 – GBR10: Discharge of surface water run-off from a surface water drainage system to the water environment from construction sites, buildings, roads, yards and any other built up areas and GBR11: Discharge into a surface water drainage system. Any design should be undertaken with reference to the C697 CIRIA SuDS Manual.

11.3.3 **Water Quality** – SEPA WAT-RM-08 defines the number of treatment levels required. Based on the information currently available for this development, it is anticipated that one level of treatment would be required based on the proximity of the development to areas

with designated SAC and SSSI status. This may change depending upon the size of the final development.

- 11.3.4 **SuDS Options** – Any designed SuDS should have a neutral or better effect on surface water flooding at the site. The following high level options are suggested, but further investigation of appropriate methods should be undertaken in the detailed design stages:
- a. Infiltration basin or soakaway – this would discharge surface water directly to the ground via infiltration. It is recommended that an analysis of soil and ground conditions are undertaken if this option is to be considered.
  - b. Dry or wet swale – these strips of vegetated land allow collection of surface water from impermeable surfaces and intercept silt and pollution, allowing cleaner water to be discharged to the ground or a waterbody. This option would require consultation with SEPA and a CAR licence following consultation.
  - c. Detention basin – these are used to store and treat water and consist of commonly grassed areas to store runoff from higher storm durations prior to discharge. Flow control is required. As above, consideration of the levels of treatment appropriate for discharge to the ground or waterbody should be undertaken.
- 11.3.5 **Changes to Flood Risk outwith the Site** – Given the scale of the development and that the site is at low risk of flooding, there should be no change to flood risk outwith the site over the existing pre-development condition.

## 12. Heritage

### 12.1 Introduction

12.1.1 A desk-based review of the relevant heritage resources has been undertaken. This included identifying the proximity of heritage assets to the site in order to ascertain the potential for the proposed development to impact on their significance.

### 12.2 Listed Buildings

12.2.1 The nearest listed buildings are;

- Weens farmhouse (Category B) approximately 571m to the southeast of the site
- Hobsburn farmhouse (Category B) approximately 1.88km to the south of the site

12.2.2 Given the distance between the site and the above referenced statutorily listed buildings, it is considered that the scheme would not impact on the significance of any of those listed buildings.

### 12.3 Scheduled Monuments

12.3.1 There are 2 Scheduled Monuments within 2km of the site. These are;

- Rubers Law fort and Roman signal station approximately 2km to the northwest of the site
- Bonchester Hill fort and earthworks approximately 1.6km to the southeast of the site

12.3.2 Given the distance between the site and the above referenced Scheduled Monuments, it is considered that the scheme would not impact on the significance of any of those Scheduled Monuments.

### 12.4 Conservation Areas

12.4.1 The site is outside of any designated Conservation Areas within the Scottish Borders.

12.4.2 Given the distance between the site and designated Conservation Areas, it is considered that the scheme would not impact on the significance of any Conservation Areas.

### 12.5 Archaeology

12.5.1 The comments from the Council's Archaeology Officer regarding the previous approval at the site (application ref: 15/01113/PPP) confirmed that there are potential archaeological implications for development at the site. There is a medieval village or town which may, potentially, have been located on the site of Town O' Rule Farm. There is also a possible prehistoric settlement in the vicinity of Town O' Rule Farmhouse, though the comments from the Archaeology Officer states that nothing of this settlement now remains.

12.5.2 As with the previous application, and given the two potential archaeological sites, it is recommended that a condition is imposed on an approval for an archaeological watching brief to take place following all demolitions on site and during excavations for the new build. This will ensure the identification and mitigate the loss of archaeological deposit during development.



# 13. Planning Context

## 13.1 Introduction

- 13.1.1 This chapter outlines the principal planning policies that pertain to the proposed scheme. It is important to note that the thematic survey reports and assessments submitted in support of this application contain further details of relevant other policies (e.g. ecology etc.).
- 13.1.2 In Scotland, there is a hierarchical structure of policy covering national and local planning. At a national level the National Planning Framework (NPF3) sets out the Government's long-term vision for development and investment across Scotland over the next 20 to 30 years. At a local level, strategic development plans and local development plans set out area-specific planning policies.
- 13.1.3 Section 25(1) of the Town and Country Planning (Scotland) Act 1997 requires that applications for planning permission must be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

## 13.2 National Planning Framework

- 13.2.1 The National Planning Framework (NPF) sets the context for development planning in Scotland and provides a framework for the spatial development of Scotland as a whole.
- 13.2.2 Scotland's third National Planning Framework (NPF3) is the spatial expression of the Scottish Government's Economic Strategy – with a focus on supporting sustainable economic growth and the transition to a low carbon economy. NPF3 sets out the Government's ambitions for Scotland as a whole.
- 13.2.3 **A successful, sustainable place**
- 13.2.4 The NPF aims to ensure that all parts of Scotland make best use of their assets to build a sustainable future. Planning will help to create high quality, diverse and sustainable places that promote wellbeing and attract investment.
- 13.2.5 The NPF states at paragraph 2.7 that local planning authorities *“must ensure that development facilitates adaptation to climate change, reduces resource consumption and lowers greenhouse gas emissions.”*
- 13.2.6 Paragraph 2.10 of the NPF states that: *“Flexibility is required to allow for different approaches to housing provision that respond to varying local requirements. Planning should focus its efforts particularly on areas where the greatest levels of change are expected and where there is pressure for development.”*
- 13.2.7 **We will have vibrant rural areas**
- 13.2.8 Paragraph 2.26 of the NPF states that: *“We do not wish to see development in our rural areas unnecessarily constrained. There will be a continuing need for new housing – we expect more people to live and work in Scotland's rural areas as digital links and opportunities for remote working and new enterprises continue to grow. The Scottish Planning Policy sets out a framework for planning for rural housing which reflects the varying characteristics and pressures of rural communities. It highlights that careful planning is required to manage demand in our most accessible countryside around towns and cities. Remote areas are likely to benefit from a more flexible approach, particularly where it helps to sustain fragile communities. Facilitating the delivery of affordable rural*

*housing remains a priority to support community vitality and increase population growth. Design solutions will ensure that affordability need not be at odds with achieving more ambitious emissions standards."*

- 13.2.9 The NPF outlines at paragraph 2.27 that, nationally, the Scottish Government will continue to work with the housing sector to identify innovative approaches to rural housing, including assisting rural enablers to support individual house building and, as in all of Scotland, to ensure a sufficient supply of new and affordable housing for both rent and ownership. This is a significant factor in sustaining rural communities, and there are particular housing support mechanisms available in crofting communities.
- 13.2.10 Paragraph 2.28 states that rural areas will be a focus for new technologies, including low carbon and renewable heat and digital connectivity.
- 13.2.11 **A low carbon place**
- 13.2.12 The NPF states that the Government's ambition is to achieve at least an 80% reduction in greenhouse gas emissions by 2050.
- 13.2.13 Paragraph 3.5 advises that: *"Heating and cooling constitutes around half of our total demand for energy, and our renewable heat infrastructure is growing. The distribution of new and planned district heating schemes is broadening from small-scale, rural installations towards larger projects across our towns and cities. Both will be required if we are to meet our target for renewable heat."*
- 13.2.14 The NPF details at paragraph 3.8 that by 2020, the Government aims to reduce total final energy demand by 12%. To achieve this, and maintain secure energy supplies, improved energy efficiency and further diversification of supplies will be required. We want to meet at least 30% of overall energy demand from renewables by 2020 – this includes generating the equivalent of at least 100% of gross electricity consumption from renewables, with an interim target of 50% by 2015. Heat accounts for a significant share of our energy consumption, and by 2020 we are aiming to source 11% of heat demand and 10% of transport fuels from renewable sources.
- 13.2.15 **Rural communities will benefit from well-planned renewable energy development**
- 13.2.16 Paragraph 3.26 of the NPF states: *"Given the relatively high energy costs for households in rural Scotland, there will be particular benefits from improving the energy efficiency of homes and businesses. The lower density of development in much of the rural area will need new approaches to heating including microgeneration – individual small-scale heat projects can collectively help to reduce fuel costs for homes and businesses. Planning of rural towns and their surrounding areas must support low carbon living, decarbonisation of heat and transportation."*
- 13.2.17 **A natural, resilient place**
- 13.2.18 The NPF states that Scotland's environment needs to be protected, recognising that it is a dynamic resource rather than a fixed asset. To better reflect this, more proactive and innovative environmental stewardship is required. A planned approach to development helps to strike the right balance between safeguarding assets which are irreplaceable and facilitating change in a sustainable way.

### **13.3 Scottish Planning Policy**

13.3.1 The Scottish Planning Policy (SPP) sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP sits alongside the National Planning Framework.

#### **13.3.2 Promoting Rural Development**

13.3.3 NPF3 sets out a vision for vibrant rural, coastal and island areas with growing, sustainable communities supported by new opportunities for employment and education. The character of rural and island areas and the challenges they face vary greatly across the country, from pressurised areas of countryside around towns and cities to more remote and sparsely populated areas.

13.3.4 The planning system should;

- in all rural and island areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces
- encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality; and
- support an integrated approach to coastal planning

#### **13.3.5 Enabling Delivery of New Homes**

13.3.6 NPF3 aims to facilitate new housing development, particularly in areas within our cities network where there is continuing pressure for growth, and through innovative approaches to rural housing provision. House building makes an important contribution to the economy. Planning can help to address the challenges facing the housing sector by providing a positive and flexible approach to development. In particular, provision for new homes should be made in areas where economic investment is planned or there is a need for regeneration or to support population retention in rural and island areas.

13.3.7 The planning system should:

- identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times
- enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places; and
- have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

### **13.4 Strategic Development Plan**

13.4.1 The strategic development plan (SDP) sets out the long-term vision for development of the south east of Scotland area. The plan is produced by SESplan and covers the Scottish Borders, East Lothian, the City of Edinburgh, Midlothian, West Lothian and southern Fife.

13.4.2 The current SDP covers the period to 2032 and was approved by Scottish Ministers in June 2013. The Scottish Ministers made various modifications to the SDP, including an increase in the overall number of new houses to be delivered.

13.4.3 Scottish Borders Council is an SESplan member authority and there are a number of strategic policies which are relevant to this application:

13.4.4 **Placemaking**

13.4.5 The SDP2 sets out a series of placemaking principles that are important considerations for local planning authorities;

13.4.6 **Distinctive**

- Areas important for maintaining the character, landscape setting and distinctive identity of existing and proposed settlements should be protected and enhanced, particularly where they are needed to avoid the coalescence of settlements
- The contribution of the natural and historic environment to making distinctive places should be maximised. Key views of the surrounding landscape should be integrated into developments to provide a sense of place and identity
- Views of the Southern Uplands, the Lammermuir Hills, the Firth of Forth, the Pentland Hills, the Lomond Hills, the Bathgate Hills and the key landmarks of Edinburgh are particularly important in supporting a sense of place and making settlements distinctive

13.4.7 **Safe and Pleasant**

- Public spaces should be free from excessive traffic noise and air pollution and the needs of people should be considered before the movement of motor vehicles
- Public spaces should be overlooked by housing, so that the people who use them feel safe, and the people who live nearby feel a sense of ownership
- It should be easy for people to access green/ open space, including places where they can enjoy nature
- Developments should be located within a network of green and blue infrastructure that provides a pleasant outlook for the people living and working there

13.4.8 **Welcoming**

- Gateways into settlements and extensions to existing settlements should be interesting, memorable and contribute to local distinctiveness
- A wide range of public spaces of different types and character, accessible to all, should be provided that appeal to people of different ages and with different interests
- Neighbourhood centres should include attractive and safe indoor and outdoor spaces where people can interact

13.4.9 **Adaptable**

- Development should be located where a wide range of densities, tenures and uses can be supported to meet the changing needs of the community into the future

- Green networks should be multi-functional. They should comprise infrastructure that provides a range of benefits and can be adapted and enhanced depending on the local need for growing spaces, play spaces, natural spaces, public parks, sustainable drainage and the need to adapt to climate change

#### 13.4.10 **Resource Efficient**

- New development should be near existing public transport hubs, or in locations where there are planned infrastructure projects to enable easy access to the public transport network
- The re-use or re-development of brownfield land should be considered before new development takes place on greenfield land, including Prime Agricultural Land and other land important for food production
- Development should be located and orientated to maximise passive solar heating and opportunities for solar power generation
- Heat mapping and other approaches should be used to identify opportunities to co-locate sources of high heat demand (e.g. housing) with sources of heat supply (e.g. biomass power plants)
- Development should be located away from functional flood plains and areas of medium to high flood risk
- Development should be designed to minimise the area of impermeable surface and incorporate sustainable drainage systems as appropriate

#### 13.4.11 **Easy to Move Around**

- There should be good walking and cycling networks close to where people live, providing safe and convenient access to local facilities and to public transport stops
- Development should integrate with, and contribute to, the enhancement of walking and cycling networks

#### 13.4.12 **Rural Economy**

13.4.13 Paragraph 4.12 of SDP2 states that: "SESplan member authorities will therefore support the continued operation, diversification and expansion of rural businesses."

#### 13.4.14 **A Low Carbon Economy**

13.4.15 Paragraph 4.25 states that: "Local Development Plans will identify, as appropriate, opportunities to co-locate sources of high heat demand (e.g. housing) with sources of heat supply (e.g. biomass power plants), and to locate new development where passive solar heating and solar power generation can be maximised."

### 13.5 **Scottish Borders Local Development Plan**

13.5.1 The Development Plan for the Scottish Borders Council will consist of the aforementioned SESplan Strategic Development Plan (SDP) and the Local Development Plan (LDP). The Scottish Borders LDP was adopted on 12<sup>th</sup> of May 2016 and sets out the Council's policies on development and land use within the Scottish Borders.

### 13.5.2 **PMD1 Sustainability**

13.5.3 In determining planning applications and preparing development briefs, the Council will have regard to the following sustainability principles which underpin all the Plan's policies and which developers will be expected to incorporate into their developments;

- a. the long term sustainable use and management of land
- b. the preservation of air and water quality
- c. the protection of natural resources, landscapes, habitats, and species
- d. the protection of built and cultural resources
- e. the efficient use of energy and resources, particularly non-renewable resources
- f. the minimisation of waste, including waste water and encouragement to its sustainable management
- g. the encouragement of walking, cycling, and public transport in preference to the private car
- h. the minimisation of light pollution
- i. the protection of public health and safety
- j. the support to community services and facilities
- k. the provision of new jobs and support to the local economy
- l. the involvement of the local community in the design, management and improvement of their environment

### 13.5.4 **PMD2 Quality Standards**

13.5.5 All new development will be expected to be of high quality in accordance with sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings.

13.5.6 Developers are required to provide design and access statements, design briefs and landscape plans as appropriate.

### 13.5.7 **HD2 Housing in the Countryside**

13.5.8 The Council wishes to promote appropriate rural housing development:

- a. in village locations in preference to the open countryside where permission will only be granted in special circumstances on appropriate sites
- b. associated with existing building groups where this does not adversely affect their character or that of the surrounding area, and
- c. in dispersed communities in the Southern Borders housing marker area.

13.5.9 These general principles in addition to the requirement for suitable roads access will be the starting point for the consideration of applications for housing in the countryside, which will be supplemented by Supplementary Planning Guidance/ Supplementary Guidance on New Housing in the Borders Countryside and on Placemaking and Design.

### **A. BUILDING GROUPS**

- 13.5.10 Housing of up to a total of 2 additional dwellings or a 30% increase of the building group, whichever is the greater, associated with existing building groups may be approved provided that:
- a. The council is satisfied that the site is well related to an existing group of at least three houses or building(s) currently in residential use or capable of conversion to residential use. Where conversion is required to establish a cohesive group of at least three houses, no additional housing will be approved until such conversion has been implemented.
  - b. The cumulative impact of new development on the character of the building group, and on the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts.
  - c. Any consents for new build granted under this part of this policy should not exceed two housing dwellings or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.
- 13.5.11 In addition, where a proposal for new development is to be supported, the proposal should be appropriate in scale, siting, design, access, and materials, and should be sympathetic to the character of the group.
- 13.5.12 The calculations on building group size are based on the existing number of housing units within the group as at the start of the Local Development Plan period. This will include those units under construction or nearing completion at that point.

### **B. DISPERSED BUILDING GROUPS**

- 13.5.13 In the Southern Housing Market area there are few building groups comprising 3 houses or more, and a more dispersed pattern is the norm. In this area a lower threshold may be appropriate, particularly where this would result in tangible community, economic or environmental benefits. In these cases the existence of a sense of place will be the primary consideration.
- 13.5.14 Housing of up to 2 additional dwellings associated with dispersed building groups that meet the above criteria may be approved provided that:
- a. The Council is satisfied that the site lies within a recognised dispersed community in the Southern Borders housing market area.
  - b. Any consents for new build granted under this part of this policy should not exceed two housing dwellings in addition to the group during the Plan period. No further development above this threshold will be permitted.
  - c. The design of housing will be subject to the same considerations as other types of housing in the countryside proposals.

### **C. CONVERSIONS OF BUILDINGS TO A HOUSE**

- 13.5.15 Development that is a change of use of a building to a house may be acceptable provided that:

- a. The council is satisfied that the building has architectural or historic merit, is capable of conversion and is physically suited for residential use
- b. The building stands substantially intact and the existing structure requires no significant demolition. A structural survey will be required where in the opinion of the Council it appears that the building may not be capable of conversion, and
- c. The conversion and any proposed extension or alteration is in keeping with the scale and architectural character of the existing building.

13.5.16 In ALL instances in considering proposals relative to each of the policy sections above, there shall be compliance with the Council's Supplementary Planning Guidance where it meets the terms of this policy and development must not negatively impact on landscape and existing communities. The cumulative effect of applications under this policy will be taken into account when determining impact.

#### 13.5.17 **HD3 Protection of Residential Amenity**

13.5.18 Development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted.

#### 13.5.19 **EP3 Local Biodiversity**

13.5.20 Development that would have an unacceptable adverse effect on Borders Notable Species and Habitats of Conservation Concern will be refused unless it can be demonstrated that the public benefits clearly outweigh the value of the habitat for biodiversity conservation.

#### 13.5.21 **EP5 Special Landscape Area**

13.5.22 In assessing proposals for development that may affect Special Landscape Areas, the Council will seek to safeguard landscape quality and will have particular regard to the landscape impact of the proposed development, including the visual impact.

#### 13.5.23 **EP8 Archaeology**

13.5.24 Development proposals which will adversely affect an archaeological asset of regional or local significance will only be permitted if it can be demonstrated that the benefits of the proposal will clearly outweigh the heritage value of the asset.

#### 13.5.25 **EP13 Trees, Woodlands and Hedgerows**

13.5.26 The Council will refuse development that would cause the loss or serious damage to the woodland resource unless the public benefits of the development clearly outweigh the loss of landscape, ecological, recreational, historical or shelter value.

#### 13.5.27 **IS2 Developer Contributions**

13.5.28 Where a site is otherwise acceptable in terms of planning policy, but cannot proceed due to deficiencies in infrastructure and services or to environmental impacts, any or all of which will be created or exacerbated as a result of the development, the Council will require developers to make a full or partial contribution towards the cost of addressing such deficiencies.

### 13.6 **New Housing in the Borders Countryside SPG**

13.6.1 This Supplementary Planning Guidance provides advice and assistance with regard to the siting and design of new housing in the Scottish Borders countryside.



### 13.6.2 **Siting and Design**

13.6.3 The Council will encourage a full planning application in preference to an outline application for any housing in the countryside proposal – including rebuilding, conversions and mansion houses.

13.6.4 It is particularly important to establish the relationship that the proposed housing will have with existing buildings, and with the wider countryside. It is also important to identify the cumulative impact of housing in the countryside has on the area.

13.6.5 As a consequence, the main criticisms of new housing in the countryside have been;

- the selection of obtrusive rather than sheltered sites;
- the failure to integrate new housing with the surrounding landscape;
- the introduction of suburban house types which are out of character with traditional rural building styles
- the use of excessive underbuilding, particularly on sloping sites, resulting in buildings which are unrelated to the existing landform
- the use of incongruous materials

### 13.6.6 **Siting**

13.6.7 Advice on siting is primarily concerned with ensuring that, by respecting the local landform, the pattern of fields and the distribution of tree and hedgerow cover, new housing is in harmony with its immediate and wider surroundings. If a site is selected which is unduly prominent on a ridge or in a skyline position, then the task of designing a house which does not look out of place is made extremely difficult. In order to allow a proper assessment of the suitability of countryside sites, applicants will be encouraged to submit indicative plans of site layout, house type, means of access, servicing and landscape proposals even at outline application stage.

### 13.6.8 **Design**

13.6.9 Of particular concern, in recent years, has been the considerable increase in the use of standard suburban designs which tend to ignore local building traditions. Irrespective of style, a house requires to be designed for its setting and the importation of standard suburban designs or the cosmetic modification of standard types, is never successful in a rural setting.

13.6.10 For a new house to be successful, the designer should draw on the widely appreciated and accepted traditions of Border house design rather than models more suited to a suburban context or from designs which derive from other regions. It is therefore important to be aware of the key elements of building design which characterise the indigenous architectural form.

13.6.11 This guidance should not, however, be applied unthinkingly nor across the board, as there will be circumstances where, with sound reasoned justification, a different solution, in terms of building form, proportion and materials, can legitimately be pursued. Innovative designs, therefore, which are sympathetic to their setting and to the general principles in respect of siting set out above, will also be encouraged.

### **13.7 Local Landscape Designations SPG**

- 13.7.1 The site is located within Special Landscape Area 5: Teviot Valleys. The Local Landscape Designations SPG provides a Statement of Importance for each of the Special Landscape Areas (SLAs). The Statement of Importance for the Teviot Valleys Special Landscape Area reads as follows;
- 13.7.2 **Location and boundaries**
- 13.7.3 This area covers sections of the Teviot, Jed and Rule valleys as they converge to the north-east of Hawick. It is located between Hawick and Jedburgh, with boundaries formed by ridges which contain the valleys, and by the A6088 to the south.
- 13.7.4 To the south the boundary forms an A road, and to the south-east a forest edge. The eastern boundary is formed by minor roads and forest edges above the Jed, and by the settlement boundary of Jedburgh. The boundary follows the A68 north of Jedburgh, and then mirrors the Monteviot designed landscape boundary to the north-east. The north and north-west boundary follows roads and tracks and a disused railway to Hawick, which forms the western edge. These boundaries were selected as they visually contain the valleys and their settings in this area.
- 13.7.5 **Designation statement**
- 13.7.6 This area has been defined to draw together a number of landmark features with their pastoral and woodland settings. Visually prominent hills include Minto Crag, Peniel Heugh, Dunion Hill, Minto Hills and Rubers Law, each of which has a strong relationship with the adjacent valleys and the wider landscape. The three valleys each have their own distinctive character and scale.
- 13.7.7 Minto Crag is a dramatic feature contrasting strongly with the gentle farmed valley Teviot below. Long views along the Teviot valley are terminated by the monument on Peniel Heugh. The romantic setting of Fatlips Castle is a reminder of a historic past, when the landscape was dominated by wealthy landowning and military classes, and extensive designed landscapes make a positive contribution. The smooth, rounded grassy Minto Hills contrast with the rugged, wooded Minto Crag.
- 13.7.8 Rubers Law has a distinctive craggy summit, dissected and rocky. Bonchester Hill is almost a reduced version of the same, while Dunion Hill is a landmark above Jedburgh.
- 13.7.9 The Jed valley is important as a key gateway into the Borders along the A68, including the sense of sudden arrival at Jedburgh after the scenic drive through the wooded valley. Rocky cliff features of red sandstone along the Jed are particularly attractive against spring green of trees.
- 13.7.10 The Rule Water is smaller in scale than the Jed valley, and is densely wooded with beech trees along the road. It is an intimate, picturesque valley with traditional stone buildings and bridges, and intriguing gateways into estates. There is evidence of management which suggests a well-established and well-loved landscape.
- 13.7.11 **Forces for change**
- Changes in agricultural practices, crops and methods
  - Farm diversification
  - Changes in management of hedges and hedgerow trees

- Introduction of new woodlands
- Potential for visual impact of development on hills outside the SLA
- Development of wind farms and wind turbines, and associated works

#### 13.7.12 **Management and recommendations**

- Continue to promote sustainable land management to balance the needs of biodiversity, recreation and tourism
- Encourage the sustainable management of hedges, and where possible seek the reinstatement of hedges and hedgerow trees
- Promote the restructuring of forests, and the use of forest design plans for new areas of afforestation
- Consider the effects of development on hilltops, such as masts or windfarms, which may be visible within the valleys

### 13.8 **Landscape and Development SPG**

13.8.1 The landscape information provided in support of applications should include where appropriate;

- Survey information on a separate drawing showing details of existing and proposed boundary treatments, including materials, height and location.
- Existing and proposed levels, including information on any surplus materials to be taken off site, or fill material to be imported.
- Existing trees including their species and condition and other soft landscape features to be removed and those to be retained, and methods of protection during construction.
- Details of all existing and proposed hard landscape materials, and their location.
- Species, numbers (or planting density), distribution and sizes of proposed new planting and mixes for grass and wildflower seeding.
- The location of any existing or proposed underground or overhead services which could affect existing or proposed planting including power, communications, water, sewerage and lighting proposals.
- Any areas which are required for adoption by the Council. Developers should refer to other planning guidelines for standards of public open space provision in new housing schemes.

#### 13.8.2 **Design Statements**

13.8.3 A Design Statement for more complex sites, should include a site analysis and should set out the design principles, justify the design solution, and show how it responds to the wider context as well as the characteristics of the site. The format and level of detail required will depend on the scale and likely impact of the development, but written material would not normally exceed two sides of A4. Plans and diagrams can be included where helpful. Preparation of a Design Statement may help to reduce delays in processing applications.

#### 13.8.4 **Sustainable Landscapes**

13.8.5 The Council welcomes landscape design which incorporates principles of sustainability such as an ecological concept of design, use of local materials, low energy consumption for construction and maintenance, composting, and good pedestrian links/ cycle facilities to reduce car use. Sustainable urban drainage systems (SUDS) should be incorporated as part of any large built development to provide surface water treatment and to attenuate rapid surface water run-off. They should be considered at the same stage and integrated into the overall landscape proposal for the site. The extent of hard surface should be minimised and porous concrete block paving is preferred where hard surfaces are required. SUDS ponds and wetlands must be incorporated where required and should be designed to complement the surrounding landscape context.

#### 13.9 **Trees and Development SPG**

13.9.1 Before submitting planning applications for land in close proximity to trees, or on which trees are growing, a developer should commission detailed tree and land surveys, the requirements of which are outlined below;

- In the case of a full planning application, all sites with trees on or near them should first be evaluated prior to trees being identified for removal or final layouts decided.
- Where woodland is within a site, the woodland should be accurately plotted with all boundary trees shown indicating tree position and crown spread. If development is proposed within the woodland area, it will be necessary to plot all the trees.
- If woodlands are outside the site boundary, then the woodland edge (including the four principal points of crown spread) should be shown. Hedgerows should also be accurately plotted. Certain shrubs may be of sufficient interest as to merit plotting where they provide valuable shelter, interest, colour or wildlife habitat.
- An accurate land and tree survey with any topographical survey to allow the production of an Arboricultural Implication Assessment, (AIA) should be produced. This document must be produced in conjunction with the development proposals and after consultation (including a possible site visit) with the local planning authority.

#### 13.10 **Placemaking and Design SPG**

13.10.1 Good design is at the heart of sustainable communities. They are places that acknowledge;

- the social function of the built environment
- the cultural context of our communities
- the need to be long-lasting and adaptable in our ever changing environment
- the importance of local distinctiveness to creating places that will be valued and cared for
- the most efficient way to use our resources

13.10.2 The Council requires that development proposals demonstrate how the following criteria have been addressed;

- Impact of the development on the wider area context in terms of;

- Landscape character
- Views
- Settlement pattern
- Infrastructure
- Impact of the development on the local area context in terms of;
  - Built character
  - Siting of development
  - Sustainable development
  - Density and use
  - Open space
  - Layout and legibility
- Building design;
  - Energy efficient design
  - Relating to the site
  - Relating to the townscape
  - Scale, massing and form
  - Proportion
  - Materials and colour
  - Details

## 14. Case for the development

### 14.1 Introduction

- 14.1.1 The application for planning permission is accompanied by the supporting information believed to be required by the local planning authority in order to consider and consent to the proposed development.
- 14.1.2 The design of the scheme and scope of the submitted proposals has been conceived with the ambition of satisfying all of the relevant national and local planning policies.
- 14.1.3 This section demonstrates how the proposal, the subject of this application, complies with the statutory development plan for Scottish Borders Council and as such should be supported.

### 14.2 Compliance with national planning policies

- 14.2.1 Scottish Planning Policy (SPP) is Scottish Government policy on how nationally important land use planning matters should be addressed across the country. As a statement of Ministers' priorities, it is expected to carry significant weight in the preparation of development plans and to be a material consideration in planning decisions.
- 14.2.2 The National Planning Framework (NPF) is a long-term strategy for Scotland. It is the spatial expression of the Government Economic Strategy, and of the Government's plans for development and investment in infrastructure.
- 14.2.3 Together, NPF and SPP, applied at the national, strategic and local levels, will help the planning system to deliver the Government's vision and outcomes for Scotland, and will contribute to the Scottish Government's central purpose.
- 14.2.4 The Scottish Government's central purpose is outlined in paragraph 1.1. of the NPF: *"to create a more successful country, with opportunities for all of Scotland to flourish, through increasing sustainable economic growth. To achieve this, the Government Economic Strategy aims to share the benefits of growth by encouraging economic activity and investment across all of Scotland's communities, whilst protecting our natural and cultural assets."*
- 14.2.5 The proposed development would deliver an innovative, high-quality dwelling within a location where the principle of new housing development has been established by virtue of planning permission ref: 15/01113/PPP.
- 14.2.6 The proposed development would encourage economic activity (i.e. the creation of employment opportunities during the construction phase and would enable the applicant to manage his land more effectively). The scheme has been designed to conserve and enhance natural and cultural assets, including the Teviot Valleys Special Landscape Area.
- 14.2.7 The NPF sets out a vision for Scotland which is:
- a successful sustainable place.
  - a low carbon place.
  - a natural, resilient place.
  - a connected place.
- 14.2.8 The proposed development would positively contribute to the delivery of this vision.

- 14.2.9 **A successful, sustainable place.** The proposed development is of a high-quality, innovative design with renewable energy fully integrated into the design. The use of renewable technologies for energy generation and consumption will ensure the proposed dwelling contributes to the realisation of a low carbon economy, and the innovative integration of technologies in the design of the dwelling can help to raise standards of architecture more widely, in terms of the relationship between buildings and renewables and contribute to the delivery of a successful, sustainable place.
- 14.2.10 **A low carbon place.** The proposed development takes a fully integrated approach to the utilisation of renewable technologies in the design of the dwelling. This could perhaps raise the standard of architecture more widely in terms of how domestic buildings can be designed to be more energy efficient and contribute to the delivery of a low carbon place.
- 14.2.11 **A natural, resilient place.** The proposed development is based on a thorough appraisal of the landscape character of the site and surroundings, to ensure that the special qualities and features of the Teviot Valleys Special Landscape Area are conserved and, wherever possible, enhanced by the proposed development. The integration of renewables in the design will ensure the proposed development is resilient to climate change. The proposed development would therefore contribute to the delivery of a natural, resilient place.
- 14.2.12 **A successful, sustainable place**
- 14.2.13 Chapter 2 of the NPF sets out the Government's policies to "*create high quality, diverse and sustainable places that promote wellbeing and attract investment.*"
- 14.2.14 Paragraph 2.7 states that development should facilitate adaptation to climate change, reduce resource consumption and lower greenhouse gas emissions.
- 14.2.15 The proposed development has been designed to fully utilise renewable technologies in the heat and power generation requirements of the new dwelling. It is considered that the proposed development can drive up the standards for new development in the Scottish Borders, particularly in rural areas in terms of fully integrating renewable technologies in the design of new housing.
- 14.2.16 The site of the proposed dwelling and associated outbuildings has been established as suitable for new housing development, as confirmed by planning permission ref: 15/01113/PPP.
- 14.2.17 The applicant is a local business owner, and the new dwelling would enable him to live and further invest in the local area.
- 14.2.18 Based upon the established principle of a new dwelling on the site, and that the proposed scheme would fully integrate renewables in the design of the dwelling, it is considered that the proposed development would positively contribute to the delivery of a successful, sustainable place.
- 14.2.19 **A vibrant rural area**
- 14.2.20 It is acknowledged that the site is within a rural area, but forms part of a building group as confirmed by the local planning authority in their assessment of application ref: 15/01113/PPP. The design of the scheme has been based on a thorough understanding and appraisal of the unique characteristics and special qualities of the site, to sensitively respond to the site's location within the Teviot Valleys Special Landscape Area.

14.2.21 The provision of a high-quality, sustainable dwellinghouse on the site would enable the applicant to manage his agricultural estate more effectively, which would have social, environmental and economic benefits in terms of enabling the applicant to contribute to and play an active part in the local community, reducing the need to travel to the site from further afield, and better management of the agricultural estate could create local employment opportunities.

#### 14.2.22 **A low carbon place**

14.2.23 It is the applicant's aspiration for the scheme to fully utilise renewable resources, with photovoltaics to be installed on the existing agricultural buildings to the west of the site supplying electricity to the dwellinghouse and powering a ground source heat pump. The ground source heat pump will be used to generate the heat requirements of the house. This innovative use of renewables will ensure the scheme helps to deliver the Government's ambition to reduce greenhouse gas emissions.

### 14.3 **Scottish Planning Policy**

14.3.1 The Scottish Planning Policy (SPP) sets out national planning policies which reflect Scottish Ministers' priorities for operation of the planning system and for the development and use of land. The SPP sits alongside the National Planning Framework.

#### 14.3.2 **Promoting Rural Development**

14.3.3 The proposed development would follow a pattern of development that is appropriate to the character of this rural area, as confirmed by the approval of application ref: 15/01113/PPP.

14.3.4 The applicant is the owner of a vast agricultural estate and a local business owner. The proposed development will enable the applicant to live on-site, thereby encouraging further investment in the local area and helping to deliver prosperous and sustainable communities through the creation of local employment opportunities and providing a residence on-site to enable the applicant to better manage his estate.

#### 14.3.5 **Enabling Delivery of New Homes**

14.3.6 The delivery of a dwellinghouse on this site where residential development has previously been approved, and therefore the principle of residential development has been established, would assist in the delivery of new homes in this rural location. The SPP encourages innovative approaches to rural housing; the high-quality, sustainable design of the proposed dwellinghouse would be an "innovative approach" to rural housing development, and should therefore be supported.

### 14.4 **Strategic Development Plan**

14.4.1 The strategic development plan (SDP) sets out the long-term vision for development of the south east of Scotland area. The plan is produced by SESplan and covers the Scottish Borders, East Lothian, the City of Edinburgh, Midlothian, West Lothian and southern Fife.

#### 14.4.2 **Placemaking**

14.4.3 The design of the scheme takes due cognisance of the distinctiveness of the site and its surroundings, ensuring the scheme in terms of scale, massing, form, materials and height appears as an appropriate intervention into the landscape. The proposed development



would make a positive contribution to the local area, and the innovative design would help to serve as an exemplar to drive up the standards of new build housing in rural areas.

#### 14.4.4 **Rural Economy**

14.4.5 The application proposes the creation of a dwellinghouse for the applicant (and owner of the agricultural estate) to live on the land in order to manage his estate more effectively and proactively. This would thereby support the growth and expansion of the applicant's business, helping to encourage the growth of the rural economy.

### 14.5 **Scottish Borders Local Development Plan**

14.5.1 The Development Plan for the Scottish Borders Council will consist of the aforementioned SESplan Strategic Development Plan (SDP) and the Local Development Plan (LDP). The Scottish Borders LDP was adopted on 12<sup>th</sup> of May 2016 and sets out the Council's policies on development and land use within the Scottish Borders.

#### 14.5.2 **PMD1 Sustainability**

14.5.3 The proposed development would encourage the long-term sustainable use and management of the site, and the wider estate. The proposed development would enhance the landscape of the site, thereby creating improved habitats for wildlife and nesting opportunities for birds. The scheme would make innovative use of renewable technologies, and thereby serve as an exemplar for renewable energy generation and consumption systems in the domestic designs.

#### 14.5.4 **HD2 Housing in the Countryside**

14.5.5 The proposed development is located on a site which has previously been accepted by the local planning authority as appropriate for residential development, as per the previous approval (ref: 15/01113/PPP). It has been established by the previous approval that the local planning authority is satisfied that the site is well related to an existing group of houses or buildings currently in residential use or capable of conversion to residential use.

14.5.6 The proposed dwellinghouse has been designed to be sensitive to the site and surroundings in terms of its scale, siting, design, access and materials, and is therefore sympathetic to the character of the building group.

14.5.7 The scheme has been designed having due regard to this policy, and to ensure compliance with the Council's Supplementary Planning Guidance, in terms of safeguarding the special qualities of the Teviot Valleys Special Landscape Area and ensuring that the scheme will make a positive contribution to the local area.

14.5.8 It is therefore considered that the scheme accords with this policy and should therefore be supported.

#### 14.5.9 **HD3 Protection of Residential Amenity**

14.5.10 The scheme has been designed to ensure that there is no detrimental impact on the occupiers of neighbouring properties in terms of loss of light or privacy.

14.5.11 The scheme has been designed to safeguard the amenity of neighbouring occupiers and should therefore be supported.

**14.5.12 EP3 Local Biodiversity**

14.5.13 The submitted Preliminary Ecological Appraisal details the proposed impact of the scheme on biodiversity, which is considered to not be significant.

14.5.14 The recommendations of the Preliminary Ecological Appraisal will be implemented to ensure the development does not adversely affect local biodiversity. The scheme should therefore be supported.

**14.5.15 EP5 Special Landscape Area**

14.5.16 The site is located within the Teviot Valleys Special Landscape Area. A thorough appraisal of the landscape has been undertaken and a landscape masterplan is submitted to demonstrate the sensitive improvements will be implemented to enhance the contribution of the site to the Special Landscape Area.

14.5.17 The scheme would therefore make a positive contribution to the Special Landscape Area and should therefore be supported.

**14.5.18 EP8 Archaeology**

14.5.19 The comments from the Council's Archaeology Officer regarding the previous approval at the site (application ref: 15/01113/PPP) confirmed that there are potential archaeological implications for development at the site. There is a medieval village or town which may, potentially, have been located on the site of Town O' Rule Farm. There is also a possible prehistoric settlement in the vicinity of Town O' Rule Farmhouse, though the comments from the Archaeology Officer states that nothing of this settlement now remains.

14.5.20 As with the previous application, and given the two potential archaeological sites, it is recommended that a condition is imposed on an approval for an archaeological watching brief to take place following all demolitions on site and during excavations for the new build. This will ensure the identification and mitigate the loss of archaeological deposits during development.

14.5.21 This would ensure that the proposed development would not adversely affect archaeological deposits and should therefore be supported.

**14.5.22 EP13 Trees, Woodlands and Hedgerows**

14.5.23 The submitted Arboricultural Impact Assessment details the proposed impact of the development on trees, which is considered to be negligible.

14.5.24 The scheme would necessitate the removal of 3 Category C trees, sensitive planting is proposed as part of the landscaping scheme and therefore there would be a net benefit in terms of the quality of trees at the site and their contribution to the setting of the Special Landscape Area.

14.5.25 The proposed development would therefore not adversely affect the woodland resource and should therefore be supported.

# 15. Conclusions

## 15.1 Introduction

15.1.1 This section brings together the information presented within this planning statement and provides a reasoned conclusion for the approval of this application.

## 15.2 Accordance with National and Local Planning Policies

15.2.1 This planning statement has demonstrated that the proposed development of the site, as set out in this planning statement and detailed within the other drawings and documents submitted in support of this planning application, would accord with the relevant national and local planning policies.

15.2.2 The scheme will deliver economic, social and environmental benefits and will encourage the delivery of a high-quality dwellinghouse, to enable the applicant to better manage his agricultural estate.

15.2.3 The scheme represents a sustainable development. Within national planning policy there is a presumption in favour of sustainable development.

15.2.4 It is requested that the scheme which is the subject of this planning application therefore be approved as submitted.

## 15.3 Planning permission

15.3.1 Section 25(1) of the Town and Country Planning (Scotland) Act 1997 requires local planning authorities to determine applications for planning permission in accordance with the statutory development plan unless material considerations indicate otherwise.

15.3.2 The applicants have provided evidence of the material considerations that pertain to the application. This has included demonstrating how the proposed development will accord with the relevant policies and legislation, and as such the local planning authority is requested to grant consent for the scheme as submitted.

15.3.3 This statement makes reference to the willingness of the applicants to engage in a dialogue to agree a conditional permission.

15.3.4 The application is for full planning permission, with full details being submitted. On this basis the applicant requests the council to grant permission for the proposed development with the minimum of pre-commencement conditions. The applicant is content for compliance and operational conditions to be imposed where these reflect the proposals.

## 15.4 Additional information

15.4.1 In the event that additional information, clarification or further details concerning the proposed development is required during the determination period the applicant is prepared to provide this on request.

**Document ends**