



PLANNING STATEMENT

ERECTION OF DWELLING WITHIN WALLED GARDEN, USE OF EXISTING ACCESS & ASSOCIATED INFRASTRUCTURE

LAND WITH WALLED GARDEN SOUTH WEST OF ASHIESTIEL HOUSE, ASHIESTIEL

APPLICANT: MR S. BROWN

NOVEMBER 2019

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1.0 INTRODUCTION

- 1.1 This Planning Statement, prepared by Ferguson Planning, is submitted to Scottish Borders Council on behalf of our client, Mr S Brown (the applicant), for a development proposal for one dwelling built within an existing walled garden. The site is located within the wider grounds and building group related to Ashiestiel House.
- 1.2 The application is for planning permission in principle and thus seeking the acceptance to the principle of one house on the lands with all other design detail reserved for the next stage in the planning process. That said an indicative site plan and elevation details have been provided to aid the overall context.
- 1.3 The new dwelling will be created through part conversion and new build. The first element comprises conversion of a unique, but dilapidated, number of small outbuildings which forms part of the north-western boundary wall of the walled garden, with the new build set inside this section of the wall. The new build element has been located where it is believed further shed like structures existed. The markings on the internal wall are still present to see.
- 1.4 The walled garden is not listed but one which has a historic relationship with the wider Ashiestiel Estate. This proposal seeks to safeguard the walled garden from falling into further disrepair and ensure its upkeep and maintenance well into the future.
- 1.5 Overall, the proposal seeks to rejuvenate the walled garden and associated outbuildings through significant upgrading works to the existing built form. The house will be located within the walled garden and thus not be visible from public receptor points. As such it will have little to no landscape impact.
- 1.8 The remainder of this statement considers the site context and relevant planning policy, before explaining the development proposal's compliance with the development plan and related material considerations.

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2.0 SITE CONTEXT AND KEY PLANNING HISTORY

- 2.1 The development proposes the erection of a single high quality and uniquely designed dwelling appended internally to the existing walled garden at Ashiestiel. The site in question is now significantly over grown and has been neglected over the years.
- 2.2 The walled garden is not listed and is surrounded by woodland that would remain largely untouched. The site is confined on all boundaries by fencing/hedging and with a low drystone wall along the road.
- 2.3 A minor public road runs along the north eastern boundaries and a grouping of four dwellings associated historically with Ashiestiel House. The Walled Garden speaks to that context. Neighbouring this Peel farmhouse forms a fifth property in close proximity to the site. A little further down the road is a large grouping of houses that once formed part of the old Peel Hospital.
- 2.4 A review of 1843-1882 historic maps via the National Library of Scotland demonstrates the walled garden was once maintained and well cared for having once been associated with the Ashiestiel House. A visual of the historical map that outlines the walled garden can be viewed below.

Source National Library of Scotland (Selkirkshire, Sheet VII (includes: Caddonfoot; Innerleithen; Selkirk; Traquair; Yarrow) Survey date: 1858 Publication date: 1863)





- 2.5 The Estate has, over time, been broken up into smaller and more manageable parts. The ownership of the subject site is no longer part of Ashiestiel House.
- 2.6 The site is located within the Tweed, Ettrick and Yarrow Confluences Special Landscape Area. Boundaries are formed by the ridges which contain the valleys to east, south and north-west, with the settlement of Galashiels forming the north-east edge.
- 2.7 To the east of the site are two Category A listed buildings:
- Ashiestiel House
 - Description: Home of Sir Walter Scott from 1804 to 1812. Original house said to date from 1660; recast and enlarged; present appearance with crowstepped gables and dormers is mid-19th century.
 - Peel Hospital
 - Description: John Kinross & Harold Tarbolton architects, circa 1904-07 Baronial style mansion and formerly Peel Hospital prior to redevelopment for private residences.

Planning History

- 2.8 There are no previous planning applications related to the subject site.

3.0 THE PROPOSAL

- 3.1 The development is proposed as a one-storey dwelling situated towards the northern but critically within the inner walled garden. It is positioned lower than the height of the wall and is therefore not visible when viewed from the outside of the wall or public receptor points. The development does not propose the removal or damage of the confining drystone wall containing the garden but to maintain and future proof it for many years to come.
- 3.2 There are two external but dilapidated external wings appended to the walled garden most likely used for produce/storage in the past. The proposed dwelling again seeks to safeguard these ruined structures and bring them back to life. Ultimately, they form the proposed entrance to the property and would correlate with existing openings on the inner side of the wall where the greenhouse once stood and which can be seen in the images below. From both inside the garden walls and from an aerial view demonstrating the positioning of both stone sheds to the north externally demarks the area to which the dwelling is concentrated.





- 3.3 The dwelling would seek to repair the outer appearance of the wall and bring the walled garden back into life. It seeks to design a house that fits respectfully within what is already there. The proposal does not seek to extend or bring new built form into the external structure beyond what already exists.
- 3.4 The proposal seeks to use an existing access and driveway and if deemed necessary the applicant would accept a condition to lay further tree root protection geosynthetic matting prior to any further or new top layer of hardstanding.
- 3.5 The walled garden is not listed. Despite this, consideration has still been given to ensure the design is sympathetic and sensitive to the character of the SLA and regarding the close proximity to two Category A listed buildings. The proposal will largely go unnoticed when viewed from the road and will remain heavily screened by the existing woodland.
- 3.6 The proposal would not therefore impact nearby properties and would not cause any detrimental impacts to residential amenity.

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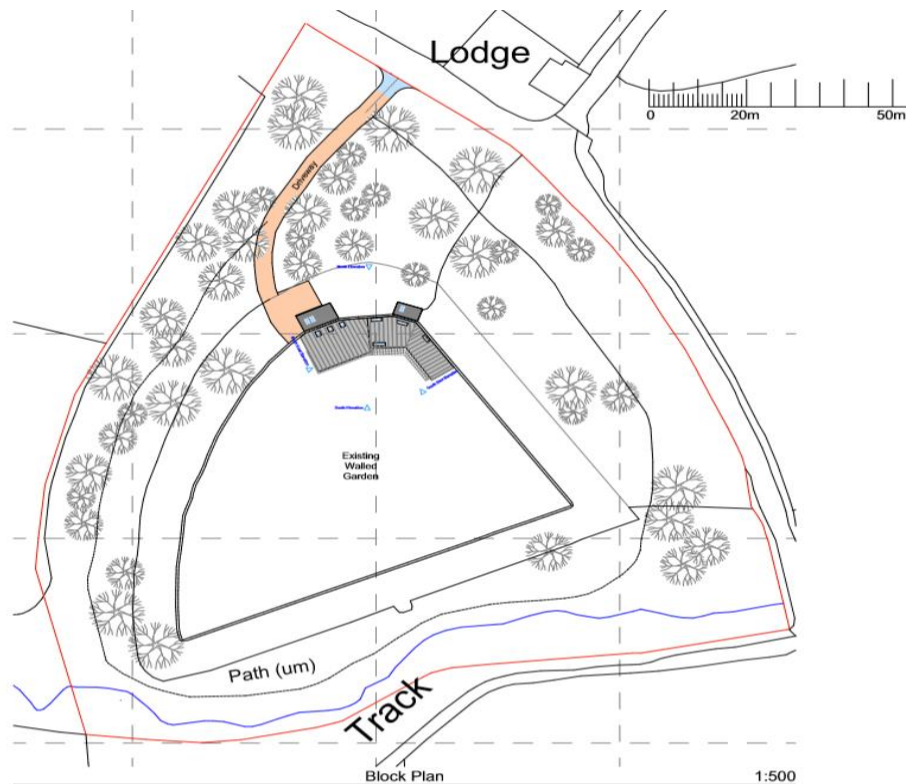
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- 3.7 A number of supporting architectural drawings have been attached to this submission. The indicative site plan has been replicated below and elevational context. The lands either side of the existing access point is again owned by the applicant and thus if any related works are needed they can be undertaken.



Flooding

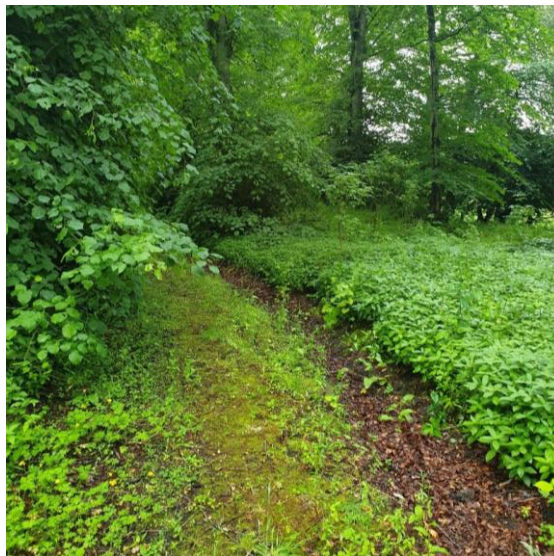
- 3.8 A review of the Indicative River & Coastal Flood Map (Scotland) prepared by SEPA indicates that a portion of the proposed development site lies within an area assessed as having medium flood risk from surface water runoff. However, the area where the house placed would fall out with and beyond any 1:200 year flood event.

Trees and woodland

- 3.9 The site sits out with the woodland areas designated as ancient or semi-ancient forest and the woodland is also not under any Tree Preservation Order. It is acknowledged that both of these designations exist in close proximity to the site around the Peel Estate to the east, but they do not spread to the trees on the proposed site. Guidance within Policy EP13 Trees, Woodlands and Hedgerows will be complied with.

Access

- 3.10 There is currently an existing, albeit overgrown, access and track leading up to the proposed dwelling. It is intended to retain and follow the existing path to respect and minimise the impact on any woodland. There is considered no need to remove or indeed alter the positioning of the existing track and thus it would be simply making good what already exists. An image of the track is shown below.



- 3.11 The minor public road used to access the site is straight and provides a good level of visibility. Some minor access works maybe required to assist entering and exiting the site all of which is achievable given any land needed falls within the applicant's ownership. It is expected that the roads department would condition any such requirements regarding visibility.

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Services

- 3.12 The applicant owns adjoining lands and related rights with regard to power and water supply. In terms of sewerage it is expected that a private septic tank arrangement would be put in place.

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4.0 PLANNING POLICY COMPLIANCE

Scottish Borders Local Development Plan

- 4.1 The key policy under which the proposal must be assessed is the Scottish Borders Local Development Plan (2016) policy HD2 – Housing in the Countryside. This policy allows existing buildings groups to expand within a Plan period by 30% or 2 units, whichever is the greater, where suitable sites exist.
- 4.2 The policy requires that the proposed site should be well related to the existing building group and have no detrimental impact upon the character of the group, the landscape or the amenity of the surrounding area. Any development proposal should also be appropriate in terms of scale, siting, design, access and use of materials.
- 4.3 Supplementary Guidance ‘New Housing in the Borders Countryside’ provides additional detail in support of the above policy, setting out requirements where a new house is proposed in association with an existing building group. Requirements which are relevant to the development proposal include:
- The scale and siting should reflect and respect the character and amenity of the existing group and the individual houses within the group;
 - The new house should be situated in the area contained by the “sense of place”.
 - The new house should be located within a reasonable distance of the existing properties within the group, with the distance between existing properties and the new house being guided by the spacing between existing properties in the group;
 - Sites should not break into undeveloped agricultural fields or require the removal of trees which are in good condition.
- 4.4 The Guidance specifically notes that new housing within walled gardens will be supported where the walled garden itself is located within a building group.

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Building Group

- 4.5 The application site does not fall within an identified settlement and thus seeks to comply with Planning Policy HD2 Housing in the Countryside. As noted previously the proposal seeks to regenerate and preserve existing built form. In terms of the building group three lodges together with Ashiestiel House are all situated close to the subject site and which formerly interrelated as part of the Estate.
- 4.6 The East Lodge is situated at the principal entrance to Ashiestiel House. The West Lodge is situated at the entrance to the west drive to Ashiestiel House. A further cottage is located within the grounds of the house known as the Gardener's Cottage. Ashiestiel House is then located to the north east and then the Peel farmhouse next to this.
- 4.7 The pre-application feedback acknowledged the relationship with the Estates building group but considered it not to be intervisible and thus questioned the existence of the group. We would disagree with such conclusions there is a form of intervisibility and beyond that policy guidance seeks to acknowledge existing spacing within a building group and that if the proposal relates in kind to that then one should look upon it positively.
- 4.8 In this case there is a containment of the Estate buildings by the woodland that surrounds them and then there being uniformity in the spacing between each of the residential dwellings in question. Any dwelling within the existing walled garden would replicate that arrangement and spacing.
- 4.9 The walled garden in question, in terms of place, has a direct and integral relationship with Ashiestiel House as do the nearby cottages. Therefore, the subject site relates well to the existing buildings in that particular grouping and thus in accordance with Policy HD 2.
- 4.10 Context of the built form in the area, landscape containment and the existing building group has been detailed within the dotted line in the image below.

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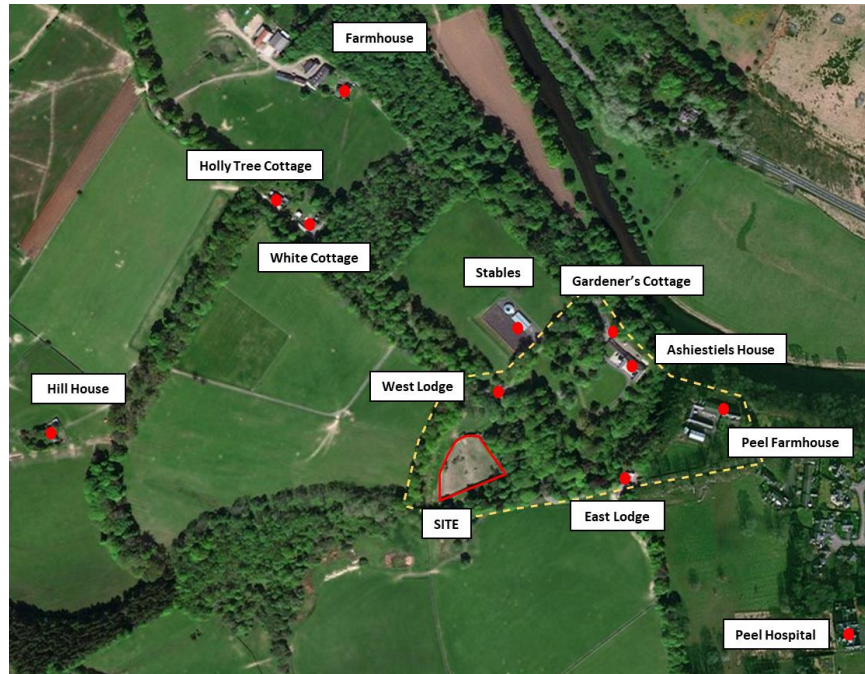
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Other Policies

4.11 The following policies of the Local Development Plan would be taken into consideration in the determination of this application:

- **PMD1 - Sustainability**
- **PMD2 - Quality Standards**
- **HD2 - Housing in the Countryside**
- **HD3 - Protection of Residential Amenity**
- **EP5 - Special Landscape Areas**
- **EP8 - Archaeology**
- **EP2 - National Nature Conservation and Protected Species**
- **EP3 - Local Biodiversity**
- **EP13 - Trees, Woodlands and Hedgerows**

4.12 The design of the dwelling is also sympathetic to the surrounding area and its location within a Special Landscape Area complying with policy PMD2 Quality standards and EP5 Special Landscape Areas. Furthermore, the site is not visible from the road and would not have any visibility or landscape impacts from public receptor points or have any residential amenity impact complying with Policy HD3 Residential Amenity.

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- 4.13 An important aspect of this development is to bring the walled garden back into a use so that it can secure its long-term future and to ensure it does not end up falling away naturally or being demolished due to potential health and safety concerns.
- 4.14 The development of a dwelling on a small northern and internal portion of the walled garden would bring with it preservation and care for the rest of the walled garden. Therefore, complying with policy PMD1 Sustainability and related heritage guidance.
- 4.15 The walled garden dates from approximately 1840 when substantial building works were carried out at Ashiestiel. The garden is roughly triangular in shape and the walls are of random rubble construction capped with stone and slate. The present owners have carried out considerable work within the garden to preserve the walls but there now needs to be further work to prevent water ingress which, in combination with frost heave in cold weather will cause a rapid deterioration of the structure.
- 4.16 As part of the building works associated with the construction of a new dwelling within the garden on the site of the former greenhouses, the walls of the walled garden will be re pointed where necessary and will be re-capped in order to prevent further water ingress which will preserve them for future generations to appreciate and enjoy.
- 4.17 The proposal seeks to use an existing access and intends retaining all woodland. No new physical development is taking place within close proximity to any trees. The new build aspect falls within the walled garden and again would act as a buffer between that built form and existing woodland. The proposal seeks to comply with all related environmental policies and, where relevant, is happy to be conditioned as such.
- 4.18 Ferguson Planning received planning permission for a similar proposal recently at Bonjedward (18/00317/FUL) and indeed there are many examples in existence in the Borders (eg. Linthill Estate) where sensitive care has been taken to enable a dwelling to be built within walled gardens and preserving their future.

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5.0 CONCLUSIONS

- 5.1 Ferguson Planning has been appointed by Mr Simon Brown (the applicant) to submit this planning permission in principle (outline) application for the development of a single dwelling within the walled garden at Ashiestiel.
- 5.2 The walled garden is not listed. Parts of the wall are in a state of disrepair and there is a genuine risk of the built form deteriorating further and reducing in heritage value unless investment is made in its restoration.
- 5.3 A single dwelling is to be created through alteration and conversion of the unique structures which form part of the boundary wall of the walled garden and the erection of a new dwelling inside the wall. The dwelling restores, and incorporates, part of the boundary wall, avoiding the need for any wall demolition.
- 5.4 The walled garden and the proposal is well related to the existing building group of at least 3 dwellings and shares a sense of place with these properties. It again is contained by existing woodland planted and forming part of the wider Ashiestiel Estate.
- 5.5 The proposal will have no detrimental impact upon character of the existing building group, particularly as the new build elements of the proposal are contained within the boundary wall and are subservient in height.
- 5.6 The proposal will have no impact upon the local landscape and the immediate setting of the Estate grounds will largely remain as they are today.
- 5.7 There is an existing access and path which is to be retained and brought back in use. Any improvements sought by the roads department can be accommodated.
- 5.8 The Planning Authority is respectfully requested to approve this application which will safeguard the walled garden and providing it with a long term sustainable active use that will safeguard it well into the future.

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