

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
CHIEF PLANNING OFFICER**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 20/00235/PPP

APPLICANT : Dr N Miller

AGENT : Ferguson Planning

DEVELOPMENT : Erection of dwellinghouse and formation of access, landscaping and associated works

LOCATION: Land North West Of Ramsacre
Thickside
Jedburgh
Scottish Borders

TYPE : PPP Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
LP01	Location Plan	Refused
SP01	Proposed Site Plan	Refused

NUMBER OF REPRESENTATIONS: 1
SUMMARY OF REPRESENTATIONS:

Four neighbours were notified and an advert placed in the Southern Reporter and on tellmescotland.gov.uk for neighbours not known and potential departure from the Local Plan. One representation was received. The respondent supports development but highlights concerns regarding:

- The siting of the septic tank and it's effect on the existing network of septic tanks and pipe work and the overflow capability.
- A single storey building is more preferable than a 2 storey building.
- The access drive is shared among 3 existing properties. Future maintenance of this drive is questioned.

Consultations:

Roads Planning Service: No objection subject to visibility improvements at the public road junction with Oxnam Road. Two conditions are required, regarding visibility splays and parking.

No responses have been received from Scottish Water, the Community Council, Education or the Access Officer.

PLANNING CONSIDERATIONS AND POLICIES:

SCOTTISH BORDERS LOCAL DEVELOPMENT PLAN (2016)

PMD1: Sustainability
PMD2: Quality Standards
HD2: Housing in the Countryside
HD3: Protection of Residential Amenity
EP3: Local Biodiversity
EP13: Trees, Woodlands and Hedgerows
IS2: Developer Contributions
IS7: Parking Provision and Standards
IS9: Waste Water Treatment and Sustainable Urban Drainage

SUPPLEMENTARY PLANNING GUIDANCE

Placemaking and Design (2010)
Development Contributions (Revised 2018)
New Housing in the Borders Countryside (2008)
Trees and Development (2008)
Landscape and Development (2008)
Householder Development (incorporating Privacy and Sunlight Guide) (2006)

Recommendation by - Euan Calvert (Assistant Planning Officer) on 22nd April 2020

Planning Permission in Principle is sought for a dwellinghouse at Thickside Farm Jedburgh.

SITE DESCRIPTION

This site is located 1.5 miles south east of Jedburgh. Thickside Farm is located at the end of a 300m long surfaced drive. There is a thick tall beech hedgerow running the length of the north western verge. On approach, the first house is Ramsacre, R080/89, which was a dwelling constructed with an occupancy restriction which was later relaxed, 01/01411/FUL, (removal of condition 2). Ramsacre occupies a ~35m square site on the south eastern verge. The house is beginning to settle in to its maturing landscape grounds. Beyond this, 60m north east, is Nagscourt, 99/00273/COU, which is a residential dwelling constructed as a conversion. It was formerly part of the traditional agricultural range, 00/01541/FUL.

A new agricultural/ equine complex (5-bay steel portal framed shed) has been developed on the lower lying ground 60m to the south east of Nagscourt. Thickside Farmhouse sits in a large wooded private curtilage overlooking the former steading range and the new shed/ agricultural complex. This siting, orientation and landscaping is manorial and this is important in respect of this application. There is a thick mature wooded cleuch (Wells Burn) which currently defines the western extent of Thickside. Ramsacre was located to the south of this woodland to both ensure a future close relationship to the group and to avoid Wells Burn. It does this successfully while avoiding impact to the outlook of Thickside Farmhouse.

The site for consideration is situated on the opposite side of the road from Ramsacre. It would share a 60m long mutual north east boundary with the mature wooded cleuch (above). This land is improved grassland. It now a relatively small field enclosure with a gated entrance in the hedge at its southern corner. The roadside frontage measures 70m. There is a field shelter (opposite Ramsacre) and vehicular track both tucked behind the hedge. Most notably, the site rises to the north west and a platform has been created using cut and fill to overcome this rise. The platform is grass and appears to be a riding menage. It is on the upper part of the field measuring 25m x 50m and runs parallel with the road. A steeper embankment feature now appears central to this formerly gently rising hillside.

PROPOSED DEVELOPMENT

The site plan demonstrates a dwellinghouse to be positioned central to the northern half of the construction platform on a site measuring 30m in width x 60m in depth. In effect the field (both the platform and lower hillside) would be severed in two. A vehicular access would be retained from the existing gate and parking and turning would be formed between the field shelter and the embankment for 4 vehicles in-curtilage.

POLICY PRINCIPLE

The principle of development is assessed against policy HD2 of the Local Development Plan 2016 and the Supplementary Planning Guidance on New Housing in the Borders Countryside, 2008. This policy allows for new housing associated with existing building groups, conversion of suitable buildings, and in cases where economic justification is present.

PLANNING HISTORY

There is no history on this site.

PLANNING STATEMENT

The Agent finds the site ideally suited. They state it would replicate the existing pattern of development at Thickside by corresponding to the position of Ramsacre in relation to the primary farmhouse and the other buildings in the cluster. They state it does not pursue a new pattern of development or seek to extend a linear developed ribbon into the open countryside. They note the development would create a distinct boundary to the Building Group, which with the addition of landscaping, would enhance the present arrangement. Visually it is contested that this proposal would not create any "unacceptable adverse impact". In terms of residential amenity, the front elevation of the proposal would be set back approximately 35 metres from the access track creating a setback distance of approximately 50/55 metres from Ramsacre, negating privacy concerns such as overlooking.

POLICY PRINCIPLE / BUILDING GROUP

The application requires to be assessed principally against policy HD2 of the Local Development Plan on housing in the countryside unless material considerations indicate otherwise.

ASSESSMENT

PRINCIPLE AND PLACEMAKING ISSUES

Policy HD2 (A) allows new housing in the countryside provided that the site is well related to an existing building group of at least three houses or buildings capable of conversion to residential use. Any consents for new build granted under the building group part of the policy should not exceed two houses or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted. Calculations on building group size are based on the existing number of housing units within the group at the start of the Local Development Plan period. This will include those units under construction or nearing completion at that point. The cumulative impact of the new development on the character of the building group, landscape and amenity of the surrounding area will be taken into account in determining applications.

The Council's Supplementary Planning Guidance: New Housing in the Borders Countryside December 2008 states that the existence of a group will be identifiable by a sense of place which will be contributed to by natural and man-made boundaries. Sites should not normally break into undeveloped fields particularly where there exists a definable natural boundary between the building group and the field and the new development should be limited to the area contained by that sense of place. Any new development should be within a reasonable distance of the existing properties within the building group and this distance should be guided by the spacing between the existing properties in the building group. The scale and siting of new development should reflect and respect the character and amenity of the existing building group. Existing groups may be complete and may not be suitable for further additions.

Whilst I can acknowledge the presence of a building group at this location the current planning application site does not form part of it, and is not well related to it. The proposed site of the new dwelling would not respect or reflect the character and amenity of the group. It would be located outwith the area contained by the sense of place, defined by the strong natural woodland boundary which clearly demarks the extent of Thickside. Ramsacre has been a marginally acceptable addition in terms of sense of place. It does not feel divorced from the host built environment and it is not visually prominent or physically separated by landcover (in any event, it was considered under a different Local plan supported by economic justification policy some time ago.) My point is that Ramsacres layout and setting does not justify this chosen site.

This chosen site has been engineered/ levelled presumably for equine use but the advent of an available large platformed site is not itself an end to being an appropriate site for a dwellinghouse. Policy HD2 and Placemaking and Design SPG require a "sense of place."

It is being argued by the Agent that this peripheral site is a positive addition. It would ensure neighbouring residential amenity and would also mirror the spacing of the other three dwellinghouses. However, focusing only on orientation/ornamentation and separation distance to other dwellings is an arbitrary assessment. To understand placemaking I must consider landform and vegetation cover and the historical pattern of the built environment. In this instance, both landform and vegetation cover contribute significantly to order of appearance to this group. Development of this site would ignore historical sense of place and setting of Thickside. Thickside Farmhouse is manorial and occupies a well enclosed and elevated site, overlooking the former ranges and lands. Residential development of this site would not share or acknowledge that sense of place. Instead it would compete with this primacy. Visually, a house in this location would appear from Oxnam Road as an arbitrary choice of siting and an outlier to the natural setting of Thickside. There is no meaningful way to mitigate this impact. Restricting the future scale of development would not address the fundamental issue that this site is in an elevated location in a field back-dropped by the significant landscape/ natural boundary of Thickside. The Agent suggests that a new landscaped boundary would actually enhance the setting of Thickside but again this overlooks the fact that the addition will appear as an arbitrary outlier, beyond the natural sense of place, in the first instance. This is contrary to the guidance: "sites should not normally break into previously undeveloped fields".

Policy HD2 (F) allows housing in the countryside provided that the development is a direct operational requirement of an enterprise appropriate to the countryside and is for a worker predominantly employed in the enterprise and the presence of that worker on-site is essential to the efficient operation of the enterprise. No appropriate site should exist within a building group and there should be no buildings capable of conversion for the required residential use.

I do not identify any justification for a dwellinghouse on this particular site. No direct operational requirement has been substantiated. Even if one had been presented the site is still at odds with Policy HD2 and PMD2 in that the choice makes little cognisance to sense of place of Thickside.

Supplementary Planning Guidance 'New Housing in the Borders Countryside' (2008) and 'Placemaking and Design' (2010) require a shared sense of place to exhibit in a coherent building group.

To conclude, line of sight and distances between properties and the presence of an elevated platform have defined this chosen site but ultimately it is not these features which solely define a building group. It is the extent to which these buildings constitute a group of houses with a shared sense of place; a character and setting that can be seen to include and apply to them all in a credible and coherent way. This site is physically separated by woodland and a burn. There is no natural boundary to the north and west of this field presently. Post and rail fences have been erected to surround this (what I presume to be) equine enclosure and separate it from the wider field system.

In presenting a case against this site I find it clear that Thickside historically developed around the northern side of this natural boundary (best shown on the 2nd epoch OS map). This proposal would be notably isolated from this layout and separated by the very natural feature which defines this countryside setting.

Precedent

Any support of this planning application would lead to other building groups being 'compiled' around such agrarian spaces. Policy HD2 promotes appropriate sites which do not affect character of a group or the surrounding area. A dwellinghouse on this site would not be well anchored leading to adverse impacts to the group and area.

EP13: TREE, WOODLAND AND HEDGEROWS

Existing trees, woodland and hedgerows are protected by policy EP13 of the LDP on Trees, Woodlands and Hedgerows. The Council has also adopted Supplementary Planning Guidance on Landscape and Development and on Trees and Development.

The proposed development makes no reference to the significance of the adjacent tree belt. Any acceptance to this proposal will require a tree survey and landscape plan to demonstrate root protection zones. Policy EP13 would also require landscape conditions to ensure a landscape plan was forthcoming and future establishment of a new natural boundary.

HD3: RESIDENTIAL AMENITY

Policy HD3 and Supplementary Planning Guidance on Householder Development, 2006 sets out standards for protection of neighbours. There are no significant amenity concerns given the poor spatial relationship of the site to any building group in terms of overlooking, privacy, overshadowing or loss of light.

IS7: ROAD SAFETY

Road safety has been considered by the Roads Planning Officer. They would require a planning condition to ensure visibility was improved at the junction with the Oxnam Road. The specifications for this is given. Policy IS7 can be met concerning safety and parking provision.

IS9: WATER SUPPLY AND DRAINAGE

This rural area is fortunate to have a readily available public water supply. Proposals for foul water to a septic/ treatment plant and soakaway have not been demonstrated and would require standard planning conditions to ensure details are considered in terms of protecting the water environment and public health. Scottish Water did not respond.

IS2: DEVELOPMENT CONTRIBUTIONS

Education

The property would be within catchment of Jedburgh High School. No contributions are required. There was no consultation response from Education.

Affordable Housing

As only a single dwelling is proposed in this application, no affordable housing contribution would be due.

CONCLUSION

I find that the proposals are contrary in principle to Planning Policy HD2. No material considerations are identified which outweigh requirement for the Planning Authority to make this the subject of any exceptional approval.

There was no response from the Community Council or the Access Officer. I have no record of a claimed right of way in this field. One neighbouring comment concerns potential civil issues of future road maintenance and septic tank capacity. The latter would be addressed by planning condition. The respondent wishes restrictions to single storey development; I have discussed the impacts of scale and principle above.

REASON FOR DECISION :

The proposed development is contrary to policy HD2 of the Scottish Borders Local Development Plan (2016), and contrary to the guidance within the adopted New Housing in the Borders Countryside Supplementary Planning Guidance Note (2008), in that the proposed development would not relate to an existing building group and there are no material considerations which would otherwise support development on this site.

Recommendation: Refused

- 1 The proposed development is contrary to policy HD2 of the Scottish Borders Local Development Plan (2016) and contrary to the guidance within the adopted New Housing in the Borders Countryside Supplementary Planning Guidance (2008) in that:
 - o The proposed development would not relate to an existing building group and would be located outwith both natural and man-made boundaries of the building group. This location fails to respect the character of the building group;
 - o It has not been demonstrated that there is an economic or operational need for a new dwellinghouses to be located at the site as a direct operational requirement of any agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside.

“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.