

development, the applicant provided an indicative house design and a supporting statement. The submissions demonstrate that a single house could be accommodated on the site, albeit that would be modest due to the relatively constrained nature of the site.

PLANNING HISTORY

There is no planning history relating to this site.

REPRESENTATION SUMMARY

The application was advertised and neighbours notified. In total, 10 material representations (in the form of written objections) were received from 7 individual households. It should be borne in mind that it is not the number of representations received which is important, rather it is the materiality of the grounds of representation. The material grounds contained in those representations can be summarised as follows: road safety; increased traffic; loss of tree; impact on conservation area; parking; loss of boundary wall; loss of amenity; over development; lack of bin storage; loss of light; design; road safety; loss of trees. Members can view copies of all representations in full on *Public Access*.

APPLICANTS' SUPPORTING INFORMATION

- Planning supporting statement and design statement
- Streetscape analysis
- Indicative plans and elevations
- Photographs of surroundings

DEVELOPMENT PLAN POLICIES:

Local Development Plan 2016

PMD1 – Sustainability
PMD2 – Quality standards
PMD5 – Infill development
HD3 – Residential amenity
EP7 – Listed buildings
EP8 – Archaeology
EP9 – Conservation areas
EP13 – Trees, woodlands and hedgerows
IS2 – Developer contributions
IS7 – Parking provision and standards
IS9 – Waste water treatment standards and sustainable urban drainage

The site is not strategic, therefore the policies contained within SESplan are not considered.

OTHER PLANNING CONSIDERATIONS:

The following are material considerations:
SPG – Development contributions 2015;
SPG – Placemaking and design 2010;
SPG – Privacy and sunlight guide 2006;
SPG – Trees and development 2008

SPG – Waste management 2015.

CONSULTATION RESPONSES:

The following were consulted on the application. Their comments are summarised below.

Scottish Borders Council Consultees

Roads Planning Service: Initial objection due to the constrained nature of the private road. Revised to no objection, subject to conditions, in light of a site visit and submission of additional information.

The private road adjacent to the site is narrow and acts as a shared surface between pedestrians, cyclists, and vehicles. This encourages vehicle speeds to be low and drivers to be more aware of pedestrians/cyclists. There is an existing access directly opposite the site and a recent planning application (17/00397/FUL) has allowed another access to the west. Therefore, in the opinion of Roads, it is unlikely that the additional traffic movements created by a proposal such as this will negatively impact the safety of the surrounding road network.

Although this application is to establish the principle of development on the site, plans showing an indicative layout have been submitted. These plans show there to be only one parking space within the site. That was deemed unacceptable as there is very little on-street parking available in the area surrounding the site. Any subsequent detailed application should allow for two parking spaces within the curtilage of the site.

The visibility splays which can be achieved by a driver exiting the site will likely be restricted by the adjacent boundary walls and the proposed dwelling walls. This has been somewhat mitigated in the indicative plans by indicating that the boundary wall would be removed in the vicinity of the access. Roads would expect that any subsequent application which takes into account the above parking comments, also remove sections of the boundary wall in the immediate vicinity of the access.

The recommendation given in the Roads consultation was a marginal decision and was based on the factors discussed above. As the site in question is currently garden ground for the property known as Burnside and not unallocated land, it was felt that any proposal should look to mitigate its impact as far as possible using the methods detailed above. On balance, Roads did not object to the development, subject to a condition requiring parking (excluding garages) for two vehicles within the curtilage of the plot.

Archaeology Officer: No objection, subject to conditions. The key issue is the impact on the archaeological potential of the site.

The site is shown as open ground in all the editions of the Ordnance Survey mapping of the area since the mid-19th century. However the history of West Linton is much older and there are potential implications if the construction of the proposed house is to be followed through.

West Linton is first mentioned in the 12th century as the site of a church (further south than the present application) connected with Kelso Abbey. It is likely that there was an accompanying settlement to this church but it first appears as a mapped settlement by the latter part of the 16th century on historic maps. The approximate layout of the village is shown on William Roy's Lowlands map of the mid-18th century as

corresponding to the present high street, though the current site is not particularly clear on that map.

The extent and remains of the medieval village and later town are unknown in their full details. Previous applications in the surroundings have had archaeological commentary with a recommendation for a watching brief. It is possible that the application site may have also formed part of the medieval backlands of the village. These areas can contain significant archaeology pertaining to the life and development of the settlement over time, such as craft or industrial activities, as well as rubbish disposal and land management more generally. There is a low to moderate potential for such archaeological remains to be present in this area also and a watching brief condition is recommended.

Heritage and Design Officer: Initial request for more information. On submission of that information, an objection was made. The key considerations from a heritage perspective are: Whether the proposed works would preserve or enhance the historic character and appearance of the conservation area; whether the proposed works would preserve or enhance the special interest of the listed St Andrew's New Church Hall building, including any contribution made by its setting and; whether there is sufficient information to understand the heritage impact of the proposals.

While the view could be taken that historic open space should be conserved as such, given the spatial and architectural character of Main Street we are of the view that there is some potential for a new modest dwelling on the site. However, the acceptability of such a development is highly dependent on the degree to which it conserves and enhances the character and appearance of the conservation area - in particular the modest scale and character of back-of-route buildings to Main Street and conservation of historic views identified above.

Scale, size and visibility

The HDO raised concern over the scale of the proposed development. The statement provided is correct in stating that the maximum height considered would be 1.5 storeys, this was (as stated previously) dependent on other factors such as design and footprint. The raised ground floor further emphasises the issue with a 1.5 storey building in this location. Given the large footprint and architectural form of the building, the eaves and ridge height of the proposed building would be visually harmful to the scale and backland character of its context. This has a harmful impact on the character and appearance of the conservation area and would likely have a similar impact on views previously raised.

Architectural form and design

The need to preserve and enhance the character and appearance of the conservation area through contextual architecture was also raised in previous advice. New design interventions offer the opportunity to add a layer of interest to a historic place. Conversely, new design interventions which do not respond to the unique character of a heritage asset ultimately harms its special interest contra to legislation and policy requirements.

Very broadly speaking, there are two positive approaches that can be taken in 'acknowledging the old'. The 'Traditional' approach: using detailed knowledge of the conservation area and its special interest to effectively 'copy' the historic style in a very accurate and detailed way. A '21st century contextual' approach. A design that is clearly 21st century and entirely bespoke to the very particular architecture of the conservation area – taking clear precedent from its height, hierarchy, massing,

pattern/location/proportion of windows, detailing, materiality etc. – creatively adapting this in a legible and bespoke manner.

The HDO did not consider that the proposed designs reflect the architectural character of the conservation area at present, and as a result would cause harm to its special interest. The HDO advises that, should the application be taken further, the proposed designs are developed in line with one of these two approaches above.

As previously indicated, in order to properly clarify the designs proposed in line with the statutory duties outlined above, the HDO stated that the proposal would benefit from being a detailed application rather than an outline application in this case.

The HDO stated that they could not support the current proposals.

Landscape Architect: No objection, subject to conditions. The key issue is whether the amenity of the conservation area and this part of West Linton would be impacted negatively by this proposal.

The proposal is to build a two-storey house in part of the garden ground of Burnside, incorporating it into the existing stone wall along Main Street. This part of Main Street has a particular character – with high masonry garden walls and at least one outbuilding right on the land. The Landscape Architect does not think the introduction of another building incorporated sensitively into the wall to reflect the building opposite would be out of keeping with this part of Main Street. Careful consideration should be given to the scale of any building proposed along this section of Main Street and suggest that a 1½ storey building might avoid this intervention being over-dominant in the streetscape.

The size of the plot and the proposed building location will require the removal of one established tree towards the northern boundary and the established beech hedge. The root protection area (RPA) of the remaining tree on site and adjacent trees in neighbouring properties should be established and no development should occur within these RPAs without establishing any potential impact. If the scale of the house was reconsidered and conditions imposed requiring the retention of the single tree on site and no damage to any adjacent trees and a landscaping scheme including at least one replacement tree and a new (beech) hedge to south and west boundaries, The Landscape Architect would have no further concerns about this application.

Education and Lifelong Learning: No objection. Contributions required.

Statutory Consultees

Community Council: Objects to the application. The community council (CC) noted some of the indicative images provided were taken before building of the new property (16/01090/FUL) on the Lower Green commenced, which may suggest a higher level of line of sight from some angles and a degree of openness which does not now exist. Additionally, the Google Maps images showing the lane were captured in March 2009, some 11 years ago, when fewer cars parked on it.

The CC received a number of emails from neighbours and comments at their online meeting on this application expressing concern at the possibility of another property on this narrow lane, these comments mostly echoed those of the CC, specifically: The lane is narrow and frequently used by walkers including mothers with prams and children as a safe, off-road route. On the occasions when a vehicle is using the lane at the same time as pedestrians it is a worrisome experience due to parked cars, the

narrowness and uneven nature of the surface which causes vehicles to lurch from side-to-side. The increase in traffic caused by an additional property would add to the possibility of traffic and pedestrians meeting.

Necessary commercial access to existing properties is currently difficult due to the narrowness of the lane, sharp bends and indiscriminate parking. Residents have been advised by some suppliers that they may not be able to complete deliveries to their properties if access is further compromised.

The construction phase of a property on the boundary of the lane would almost certainly cause considerable disruption to traffic flow and potentially do so on completion, particularly given that there is only provision for one off-street parking space in this application.

The CC is also of the opinion that a building on this site would not add value to the area and would detract from the amenity due to the current open aspect, with mature hedge and tree on the site. The size and scale of this application and its location on the boundary of the lane is such that it would dominate the area. This as backland development and over development.

With regard to the parking space for this application; the CC noted the presumed approval for the parking space as it was previously approved for an earlier development, 17/00397/FUL, however they consider this should be examined alongside the current application as sightlines and other possible restrictions will have changed and is a source of traffic which, as discussed above, is of concern. The CC also noted the approved parking space for Burnside, but could not find such approval for this on the application (17/00397/FUL), which if correct and this application approved, would leave Burnside without off-street parking.

The CC considered that this application fails when considered against LDP policy HD3 and should be refused.

KEY PLANNING ISSUES:

Whether, in principle, a dwellinghouse could be accommodated on the proposed site without conflicting unacceptably with planning policies relating to (a) infill development; (b) placemaking; (c) residential amenity; (d) the historic environment (e) trees and; (f) road safety.

Whether there are material considerations that would justify a departure from the provisions of the development plan and material considerations.

ASSESSMENT OF APPLICATION:

Principle

The site is located within the settlement envelope and conservation area of West Linton as defined by the Scottish Borders Local Development Plan 2016 (LDP). It is an unallocated infill site and the principle of the development proposal does not conflict with the terms of the LDP.

Planning policy – infill development

The council is generally supportive to suitable infill development provided it meets certain criteria. Such development will however usually be unplanned and policy

PMD5 is intended to ensure its careful assessment. The policy applies to all areas within development boundaries, not just areas where the predominant use is residential. It may apply to areas of mixed use, town centres or areas of established industrial use, or utilities and their landholdings which, due to changes to technology and new practices may become surplus to requirements. There are six general principles which are the starting point for the consideration of new houses on infill sites. Those are:

- a) it does not conflict with the established land use of the area;
- b) it does not detract from the character and amenity of the surrounding area;
- c) the individual and cumulative effects of the development can be sustained by the social and economic infrastructure and it does not lead to over-development or 'town and village cramming';
- d) it respects the scale, form, design, materials and density in context of its surroundings;
- e) adequate access and servicing can be achieved, particularly taking account of water and drainage and schools capacity;
- f) it does not result in any significant loss of daylight, sunlight or privacy to adjoining properties as a result of overshadowing or overlooking.

In this case, the site is within the centre of West Linton and the established land use is principally residential. The development of a house, subject to an appropriate design being achieved, is unlikely to detract from the character and amenity of the surrounding area. A single house is unlikely to lead, either singularly or cumulatively, to over-development although it is acknowledged that the site is relatively constrained and care needs to be taken to avoid town cramming. The application aims to establish the principle of development and, although drawings have been supplied (and amended) in support of the proposed development, those are indicative and it is entirely possible to introduce a house which would respect the prevailing context of the site. The precise details of the house will be assessed through any subsequent AMC or FUL application that may be submitted, should Members be minded to support this application.

The site would be accessed from the private road to the north of the site and, although the Roads Planning Service (RPS) noted the constrained nature of the minor private road, they raised no objections despite concerns from third parties. The applicant states that the site will be serviced by connection to the public water and foul drainage network. There would be no impact on school provision although development contributions would be required towards deficiencies in Education provision.

Finally, the development of a house on the site is unlikely to result in overshadowing or loss of amenity of existing properties. The applicant has submitted a study to demonstrate that the indicative house shown would not result in a loss of privacy or amenity. These aspects would have to be examined again with the submission of a detailed design should the principle be agreed.

Given the proposed development would appear to comply with the above criteria, the principle of a single house on the site is accepted and considered to be in accordance with the principal aims of Policy PMD5. That acceptance is subject to conditions aimed at achieving a satisfactory design and layout of the site.

Layout and design

Although drawings have been submitted which demonstrate that it may be possible to locate a house on the site, the layout is indicative and does not form part of the suite of drawings which will accompany the decision notice. Members should be

aware that limited weight should be attached to these layouts, however they should help guide and inform Members consideration of the acceptability, or otherwise, of the proposed development. What can be said from the indicative layout is that the space appears tight and the position of the house as shown would mean that the requirement for 2 parking spaces would not be achievable. This is reflected in third party representations. However, that is not to say that a smaller footprint and amended layout would allow for sufficient space to accommodate the required number of off-street parking spaces. Should Members consider the principle to be acceptable and in accordance with policy, then this can be covered by suitably worded planning condition.

Looking at the submitted drawings and accepting that the design is indicative, the building shown is quite tall when compared to the outbuilding on the boundary of Trinity House to the north. That building has a pitched roof. Were the height to be reduced and the roof changed to match that on the Trinity House outbuilding, the appearance in terms of massing could be improved. The selection of materials is also important given the location of the house in the heart of the Conservation Area. Members will note that the drawings refer to a slate roof and sandstone walling which would be acceptable in the location. Approval of external materials would be required by condition in order to ensure a better fit of the development into the streetscape.

Impact on conservation area

The proposal would be located adjacent to a mix of styles of properties, mostly traditional but with the notable exception of the modern building under construction to the south. The indicative drawings show the design to be traditionally proportioned and detailed. Whilst improvements could be made in terms of the roof pitch and style and the height of the building, the overall principle of a modest house on the site is acceptable.

It is noted that the Heritage & Design Officer (HDO) could not support the proposals – the points raised about height, architectural form and design are noted – but it must be borne in mind that the drawings submitted are of an indicative building rather than a formal proposal. The fact that an area is designated as a conservation area does not mean that no development should be allowed to take place and that design must replicate what is present in the surroundings. This latter point is set out in the HDO's response. The concerns raised by the HDO could be addressed in further submissions and, in any event, it is unlikely that the development of a modest single house on the site would be detrimental to the character and appearance of this part of the conservation area given the mix and density of existing properties in the immediate vicinity. The proposals, subject to approval of final design and materials would have a neutral effect on the conservation and would ensure compliance with Policy EP9 of the LDP.

Impact on listed building

The site is located to the north west of the category C listed St Andrew's New Church Hall. It is noted that the HDO did not raise a particular concern about the impact of the proposed development on the setting of this listed building. The true effect on the setting can be assessed only with the submission of detailed plans rather than the indicative drawings included in this proposal. As with the impact on the conservation area, a modest single house with an acceptable design and external finish is unlikely to be detrimental to the setting of the listed building ensuring compliance with EP7.

Impact on residential amenity

As the application has been made for permission in principle only at this stage, the impacts on residential amenity cannot reasonably be assessed and would be a matter for consideration in further applications. The concerns raised in representations regarding residential amenity are noted but these matters will be considered in full following the submission of detailed applications. In those applications, the applicant will be required to demonstrate that any proposed design would not have an unacceptable adverse impact on residential amenity by way of overlooking, loss of privacy, loss of sunlight or daylight. That could take the form of, for example, diagrams to show what shadow would be cast over neighbouring properties and the relative distance and offset to nearby windows to habitable rooms. The Council's approved supplementary planning guidance note on Privacy and Sunlight would be used to ensure compliance with relevant LDP policies covering the protection of residential amenity.

Archaeology

Members will note that the Council's Archaeology Officer has not objected to the proposed development, however, it is acknowledged that the site is within an area of low to moderate archaeological potential and a condition requiring a written scheme of investigation outline a watching brief is suggested. This will ensure compliance with Policy EP8 of the LDP.

Impact on trees

There are semi-mature trees and hedging within the site and these add to the private amenity of the garden and this part of the conservation area. The indicative plans show the removal of one established tree and the established beech hedge. One tree is to be retained. The comments submitted by third parties are noted but it is contended that the loss of this established tree and hedge will not have a significant adverse effect on local amenity. The Landscape Architect is content with the proposal, subject to conditions requiring root protection areas to be established around trees identified for retention, both within the site and out with.

Development contributions

The proposals, if granted, will require the payment of developer contributions towards education provision. This would ensure compliance with Policy IS2 of the LDP and would be secured by means of a legal agreement.

Road safety, access and parking

The Roads Planning Service (RPS) initially objected to the proposal however the applicant has submitted additional supporting information which has allowed RPS, to take a balanced view that the development would be acceptable, subject to a condition requiring the provision of two parking spaces within the curtilage of the plot.

The third party representations submitted in relation to this application raise concerns about road safety, increase in traffic and parking. As noted above, the site is relatively constrained and the indicative drawings show a house position which would not allow for the provision of two parking spaces within the application site boundary. However - and bearing in mind the RPS has no objections in principle to the proposed application - as this application seeks planning permission in principle only at this stage, the indicative layout and house can be adjusted to account for 2 off-street

parking spaces within the application site. This may include alterations to the height of the boundary wall to ensure appropriate visibility, but again, these matters can be addressed through a details application.

Services

The application form indicates that the site will be connected to the public water mains and foul drainage network. The precise details of water supply and of both surface water and foul water drainage can be secured by condition and the building warrant process.

Bin Storage

The precise location of refuse and recycling bin storage is not shown on the indicative site plan but there appears to be sufficient space within the site to accommodate waste and recycling containers away from the street elevation.

CONCLUSION

The principle of development of a single house on the site is acceptable, albeit the final design would have to be the subject of further applications. Subject to a legal agreement and compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

RECOMMENDATION BY CHIEF PLANNING AND HOUSING OFFICER:

I recommend the application is granted, subject to a legal agreement and the following conditions:

1. No development shall commence until precise details of: the layout, siting, design and external appearance of the building; the means of access thereto including two off-street parking spaces within the site; refuse and recycling bin storage and; the landscaping and boundary treatments of the site, have first been submitted to and approved in writing by the planning authority.
Reason: To achieve a satisfactory form of development and to comply with the requirements of section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
2. No development shall commence until all matters specified in conditions have, where required, been submitted to and approved in writing by the planning authority. Thereafter the development shall only take place except in strict accordance with the details so approved.
Reason: To achieve a satisfactory form of development and to comply with the requirements of section 59 of the Town and Country Planning (Scotland) Act 1997, as amended.
3. The layout details required by Condition 1 shall include an arboricultural impact assessment identifying trees within and adjacent to the site; their root protection areas; trees to be retained and trees to be removed; and a tree protection plan for those to be retained within the site and those to be protected out with, demonstrating that these can be safeguarded by the design of the development and protected during construction works in accordance with BS5837:12 "Trees in relation to design, demolition and construction". The development shall be implemented in accordance with the approved assessment and protection plan

and only those trees approved for removal shall be so removed, the remainder within the site shall be retained, unless otherwise agreed in writing with the planning authority.

Reason: To enable the sympathetic assimilation of the development into its wider surroundings and to ensure that existing trees, including protected and unprotected trees that represent an important visual feature are retained and given adequate protection during construction.

4. No development shall commence until precise details of water supply and of both surface water and foul water drainage have been submitted to and approved in writing by the planning authority and thereafter no development shall take place except in strict accordance with the approved scheme. The surface water drainage arrangements shall be based on sustainable drainage techniques.

Reason: To ensure an adequate water supply is available and that satisfactory arrangements are made for the disposal of surface and foul water.

5. No development shall take place until the applicant has secured a programme of archaeological work in accordance with a written scheme of investigation (WSI) outlining a watching brief. This will be formulated by a contracted archaeologist and approved in writing by the planning authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the planning authority. Access must be granted to allow the archaeologist(s) to observe relevant below ground excavation during development, investigate and record features of interest and recover finds and samples if necessary. Results will be submitted to the planning authority for review in the form of a data structure report. If significant archaeology is discovered below ground excavation should cease pending further consultation with the planning authority. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the planning authority.

Reason: The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains and it is therefore desirable to afford a reasonable opportunity to record the history of the site.

DRAWING NUMBERS

73/001 Location Plan

2 of 2 Site Plan

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning and Housing Officer	

The original version of this report has been signed by the Chief Planning and Housing Officer and the signed copy has been retained by the Council.

Author(s)

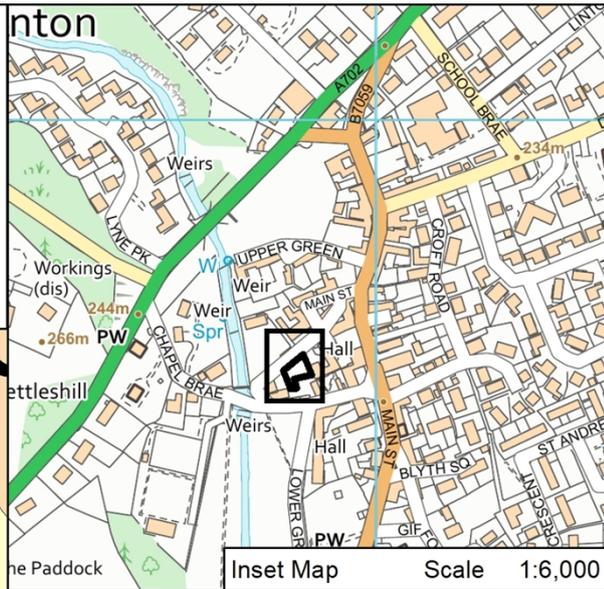
Name	Designation
Ranald Dods	Planning Officer



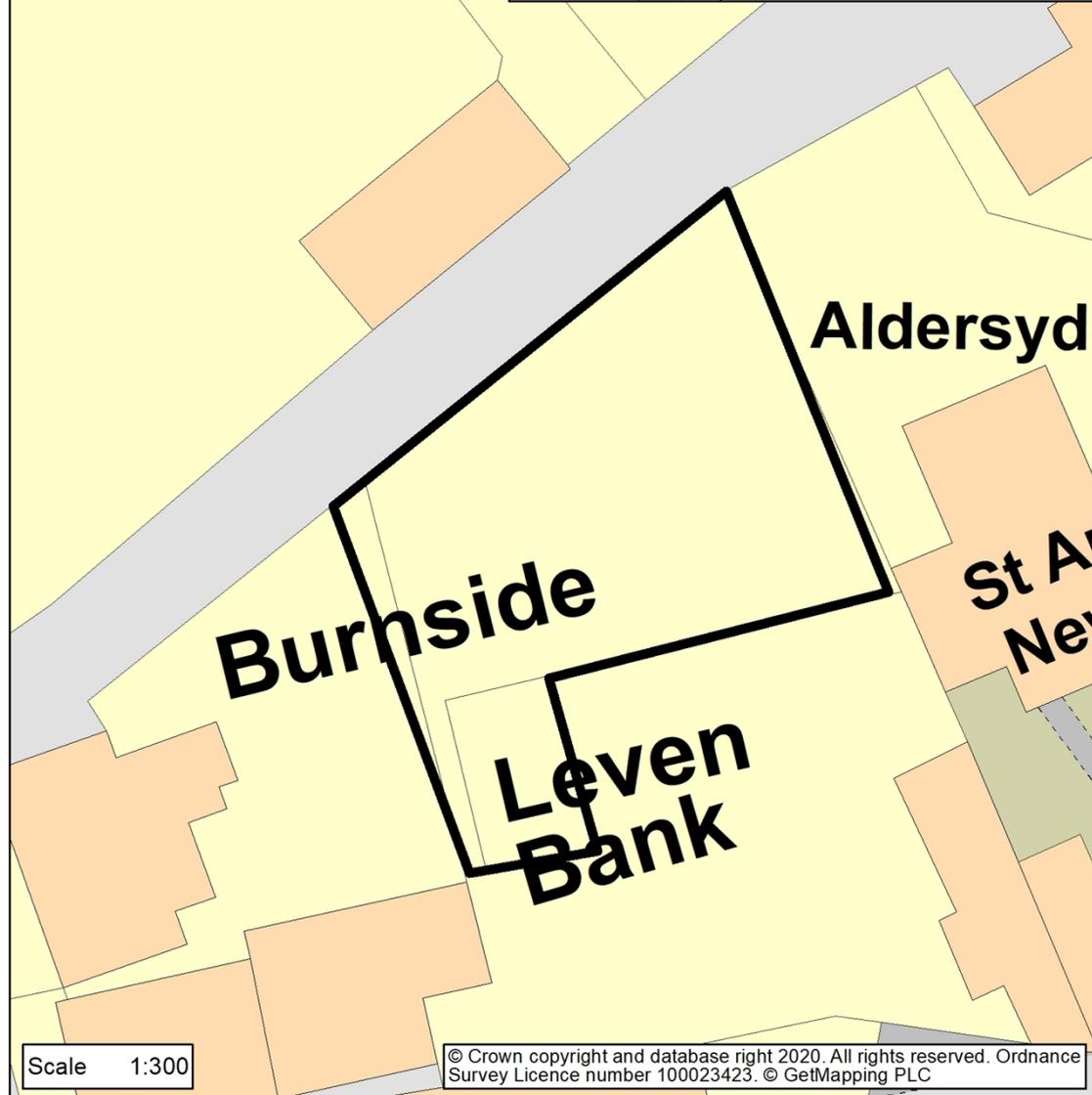
20/00378/PPP

Land North East Of Burnside
Lower Green
West Linton

Trinity
House



Inset Map Scale 1:6,000



Scale 1:300