



**APPEAL STATEMENT**  
**REF: 20/00343/FUL**

**SITING OF 3 NO. GLAMPING PODS  
AND ASSOCIATED WORKS**

**LAND SOUTH WEST OF STOUSLIE  
FARMHOUSE, HAWICK, SCOTTISH BORDERS**

**ON BEHALF OF: MRS CARLY ANDERSON**

**AUGUST 2020**

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## **EXECUTIVE SUMMARY**

This Statement is submitted on behalf of Mrs Carly Anderson “the Appellant” against the decision of Scottish Borders Council to refuse Planning Permission for the siting of 3 no. glamping pods and associated works on land to the south-west of Stouslie Farmhouse, Hawick on 2nd July 2020 (reference 20/00343/PPP).

The proposed development comprises the erection of glamping pods (small timber cabins) on land within the Appellant’s ownership to the south-west of the principal farmhouse and yard of Stouslie Farm. The glamping pods will be served by a new vehicle access to the highway, hot tubs (one per pod/unit), screening planting, and a small hardstanding carpark which includes a consolidated bin collection point.

The proposed development has been prepared to enable the diversification of Stouslie Farm. The Appellant and her family are committed to the future of the farm and are attempting to secure modest diversification which makes efficient use of as little land as possible to secure the greatest returns.

It is agreed between the Planning Authority and the Appellant that the appeal proposal represents tourism development, the principal of which is consistent with Policy ED7 (the key determining policy). Specifically the appeal proposal is directly compatible with the strategic targets of the Scottish Borders Tourism Strategy 2013-2020, to: ensure overnight accommodation directly relates to consumer expectations and demands and, where possible, act as an attractor of visitors in itself; increase the volume of visitors staying overnight; and to increase overnight visitor spend. Disagreement between the Planning Authority and the Appellant centres on the potential visual impact of the proposed development.

### **Reason for Refusal**

One reason was cited for the refusal of the Application.

The stated reason claimed that the proposed development contradicts Policy ED7 of the LDP as “the site occupies an isolated and exposed location”. The appointed Planning Officer considered that the proposed development “would fail to sympathetically integrate with the character, appearance and sense of place of the surrounding rural area”.

The Appellant does not accept that conflict exists between the design of the proposed development and the rural character of the surrounding area. It is important to note that the

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proposed glamping pods comprise timber construction and would be mostly screened by proposed hedge planting. Neither the Decision Notice or the Report of Handling establish what harmful impact would be created by a view of timber cabins, mostly screened by native hedging, in the countryside. It is also material that the highway access, and the small carpark which fronts onto it, would be fully bounded by new hedging and would not be visible from the surrounding countryside.

The Appellant is encouraged by the consultation response of the Landscape Architect which did not object to the proposed development and did not identify a harmful visual impact.

The Local Review Body, having considered the detail contained within the Planning Application package, together with the information set out herein, will be respectfully requested to allow the Appeal and grant Planning Permission.

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## 1.0 INTRODUCTION AND PROPOSAL SUMMARY

- 1.1 This Statement in support of Local Review is submitted to Scottish Borders Council on behalf of the Appellant, Mrs C Anderson, against the delegated decision to refuse to grant Planning Permission for the siting of 3 no. glamping pods and associated works on land to the south-west of Stouslie Farmhouse, Hawick.
- 1.2 The appeal site lies within the agricultural holding of Stouslie Farm, a short distance to the south-west of the farmhouse and rest of the farmyard. Stouslie Farm lies a short distance beyond the north-west extent of Hawick. The Appellant and her family are seeking to diversify Stouslie Farm in order to secure a sustainable footing for the agricultural enterprise and provide continuity for future generations of the family. In pursuing agricultural diversification, the Appellant wants to safeguard continued agricultural production and uphold the existing environmental and ecological good practice within the holding, while also sharing the unique qualities of the site and character of the surrounding area with visitors to the local area.
- 1.3 The site comprises a broadly rectangular part of an existing field which sits along the existing north-west boundary. The site is generally flat although sits at a slightly lower level than the adjacent highway and falls away moderately from north-east to south-west. An existing stone wall encloses the site along the boundary with the highway.
- 1.4 The appeal proposal is for the erection of 3 no. new glamping pods on-site. The glamping pods (small timber cabins) will be served by a new vehicle access to the highway, hot tubs (one per pod/unit), new hedging, and a small hardstanding carpark which includes a consolidated bin collection point. Other works include small gravel aprons from the south-west of each cabin, amenity planting within the site, and 2 no. new soakaways handling foul waste and hot tub water (respectively).
- 1.5 The proposed pods are to be sourced prefabricated from an established supplier before being transported to the site and lifted into place. Construction will involve very little on-site assembly and relatively little works altogether for a new tourist accommodation development.

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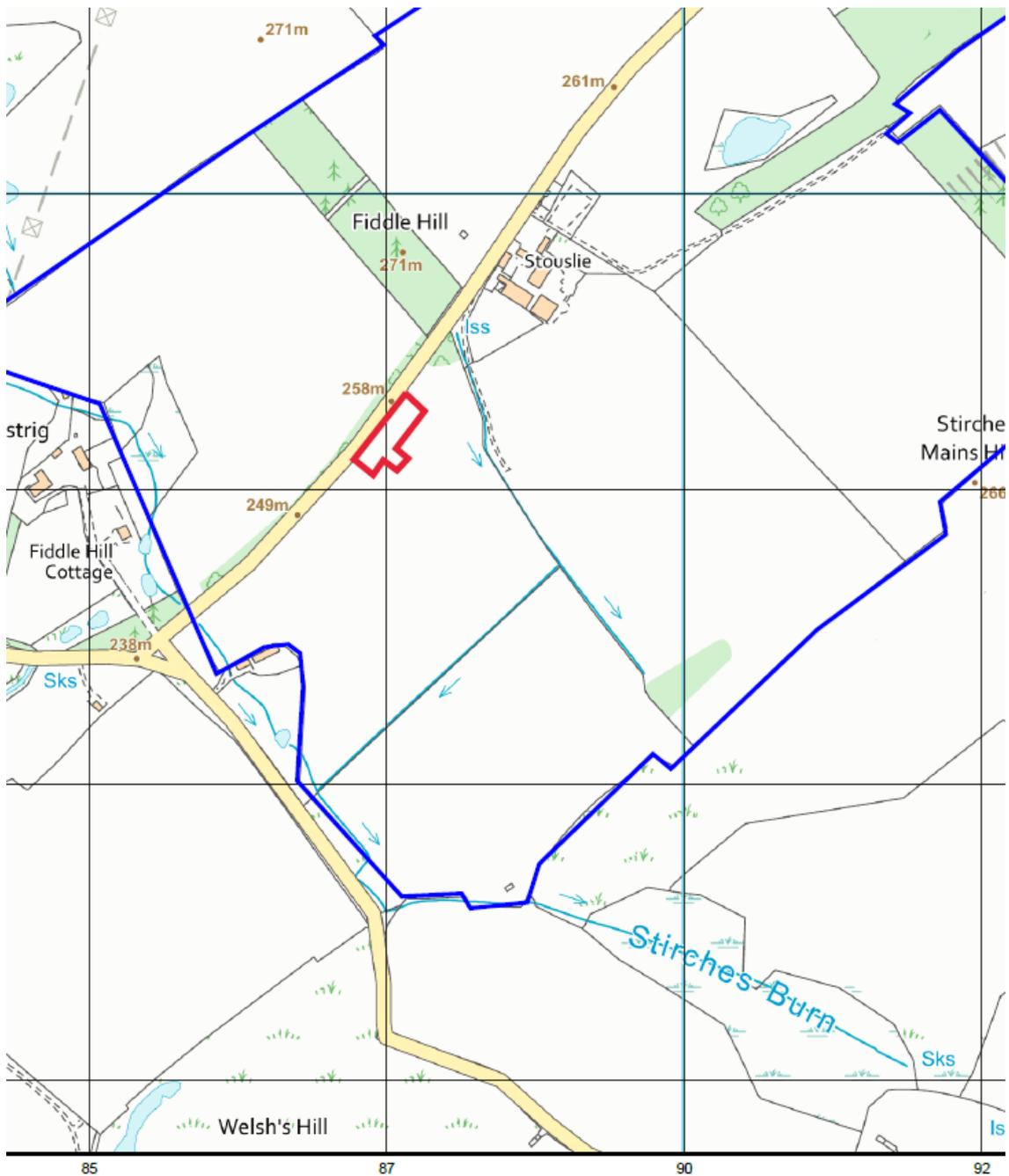
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Fig 1: Extract from the Site Location Plan (Source: Glampitect).



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- 1.6 The proposed highway access and carpark provide sufficient space on-site for turning and parking of four private cars as well as a refuse collection vehicle at any single time. The Roads Planning Officer has not objected to the proposal.
- 1.7 It is proposed that the development would be served by private foul and surface water drainage arrangements and water supply. The Appellant is content to secure servicing details via condition.
- 1.8 The remainder of this Statement considers the site context and relevant planning policy, before evaluating the accordence of the appeal proposal with the Local Development Plan and other material considerations.

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## 2.0 REFUSAL OF APPLICATION BY SCOTTISH BORDERS COUNCIL AND PLANNING POLICY CONTEXT

2.1 Planning Application 20/00343/PPP was refused on 2nd July 2020. The Decision Notice cited one reason for refusal, set out below:

**“1. The development is contrary to Policy ED7 and criterion h), k) and m) of Policy PMD2 of the Local Development Plan 2016 in that the site occupies an isolated and exposed location where the landscape and visual impacts of the proposals would fail to sympathetically integrate with the character, appearance and sense of place of the surrounding rural area and the proposed landscaping does not provide sufficient mitigation of the resulting landscape and visual impacts. Other material considerations do not outweigh this conflict.”**

2.2 Policy ED7 permits business, tourism, and leisure development in the countryside and is copied below.

2.3 The Appellant’s submission is that the Application was made in accordance with Policy ED7 in that the appeal proposal represents new tourism development at Stouslie Farm, enabling the diversification of the existing agricultural enterprise.

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**Fig 2:** Policy ED7 of the Local Development Plan (2016).

**POLICY ED7: BUSINESS, TOURISM AND LEISURE IN THE COUNTRYSIDE**

**BUSINESS, TOURISM AND LEISURE**

Proposals for business, tourism or leisure development in the countryside will be approved and rural diversification initiatives will be encouraged provided that:

- a) the development is to be used directly for agricultural, horticultural or forestry operations, or for uses which by their nature are appropriate to the rural character of the area; or
- b) the development is to be used directly for leisure, recreation or tourism appropriate to a countryside location and, where relevant, it is in accordance with the Scottish Borders Tourism Strategy and Action Plan;
- c) the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the particular countryside location, and that it cannot be reasonably be accommodated within the Development Boundary of a settlement.

In addition the following criteria will also be considered:

- a) the development must respect the amenity and character of the surrounding area,
- b) the development must have no significant adverse impact on nearby uses, particularly housing,
- c) where a new building is proposed, the developer will be required to provide evidence that no appropriate existing building or brownfield site is available, and where conversion of an existing building of architectural merit is proposed, evidence that the building is capable of conversion without substantial demolition and rebuilding,
- d) the impact of the expansion or intensification of uses, where the use and scale of development are appropriate to the rural character of the area,
- e) the development meets all other siting, and design criteria in accordance with Policy PMD2, and
- f) the development must take account of accessibility considerations in accordance with Policy IS4.

Where a proposal comes forward for the creation of a new business including that of a tourism proposal, a business case that supports the proposal will be required to be submitted as part of the application process.

- 2.4 Paragraph 1.2 of the supporting text to Policy ED7 establishes that *“the aim of the policy is to allow for appropriate employment generating development in the countryside whilst protecting the environment and to ensure that business, tourism, and leisure related developments are appropriate to their location.”*
- 2.5 The Application is submitted pursuant to criteria b) and c) and following that the wider set of criteria contained further within Policy ED7.



### 3.0 GROUNDS FOR APPEAL AND CASE FOR THE APPELLANT

- 3.1 The decision of the Planning Authority to refuse the Application is challenged on the basis of the Ground of Appeal set out below. It is the submission of the Appellant that the proposal accords with the relevant adopted policy of the Local Development Plan and Supplementary Guidance and that there are no material considerations which justify the refusal of the Application.
- 3.2 During the course of the Application’s determination, the following consultee responses were received from Council Officers and partners:
- Roads Planning team – No objection.
  - Economic Development – No objection.
  - Landscape Architecture – No objection.

**GROUND 1: THE PROPOSED DEVELOPMENT REPRESENTS RURAL TOURISM DEVELOPMENT WHICH RELATES WELL TO THE APPEAL SITE AND THE SURROUNDING RURAL AREA, CONTRIBUTING POSITIVELY TO THE LOCAL SENSE OF PLACE.**

- 3.3 It is common ground between the Planning Authority and the Appellant that the appeal site lies outside a defined Development Boundary and is in the countryside. It is also agreed by both parties that the appeal proposal accords with criteria b) of the primary considerations listed in Policy ED7. Further it is agreed that glamping both requires a countryside location and represents an appropriate vehicle for farm diversification. The Appellant is also mindful of the Scottish Borders Tourism Strategy 2013-2020. The proposed development is considered to be particularly conducive in implementing the strategic targets: to ensure tourist accommodation directly relates to consumer expectations and demands and, where possible, acts as an attractor of visitors in itself; to increase the volume of visitors staying overnight; and to increase overnight visitor spend.
- 3.4 Disagreement centres on possible landscape impact associated with the proposed development. The appointed Planning Officer clarifies that his concerns relate primarily to views of the proposed development “when viewing from the south”. However, this must be understood in the context of the common ground that “there are no existing buildings which could be converted to provide holiday accommodation at this stage and there appears are no suitable brownfield sites on the farm.”



- 3.5 The Appellant has invested substantial time and effort in selecting an appropriate site and is grateful for the acknowledgement of the appointed Planning Officer that the sequential site selection process is valid and has identified the most appropriate site.
- 3.6 It is of primary importance to understand that the Council’s Landscape Architect, who has responsibility for assessing landscape and visual impacts, did not object to the proposed development. The consultation response of the Landscape Architect stated that the proposed development would give rise to a “modest level of visual intrusion, given the remote location and limit number of roads or locations where it will be visible from”. However, the response also advised “I consider that some more robust planting proposals would better settle the pods into the immediate landscape”.
- 3.7 Pursuant to the consultation response, a revised planting proposal was prepared by the Appellant and submitted to the Council on 8th June. However, the appointed Planning Officer did not see fit to accept the consultee advice. Rather Report of Handling 20/00343/FUL states that “there is no existing landscaping at the site which the proposals can attempt to tie into. In this context the site appears to be set out on its own in the landscape and this is a concern.”

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**Fig 3:** Photograph taken on-site showing land falling away sharply along with the south boundary.



- 3.8 Firstly, we are mindful that neither Policy ED7 or Policy PMD2 allows for the refusal of a planning application on the basis that the application site is “isolated”. While Policy PMD2 does briefly discuss isolation, the text establishes only that development proposals should “*minimise the need for turning heads and isolated footpaths*”; it does not establish that development proposals may be refused if an application site can be understood to be isolated. Secondly, at closest point, the appeal site lies approximately 100 metres south-west of Stouslie Farm. Another two existing dwellings – Priestrig and Priestrig Bungalow – in addition to a holiday cottage also lie within 200 metres to the west of the appeal site. It is the Appellant’s position that it is incorrect to ignore the relatively substantial developed parcels to the east and west in any understanding of the site and its surroundings. Within this context, it is considered that it would be unreasonable to understand the appeal site as being “isolated”.



- 3.9 It is factually incorrect to state that “there is no existing landscaping at the site”. The appeal site mainly consists of a single level adjacent to the south-east of the public road. As can be seen in the following images, land falls away sharply on the three sides not bounded by the public road. This landform creates a distinct parcel beyond which the Planning Authority can easily resist further development. Views of the site from the south are profiled by a field boundary of mature trees which lie on the other side of the road, as visible below. With regards to the comment about further visual impact associated with future expansion, the Appellant is happy to disclose that she has no plans for subsequent expansion of the proposed development on-site.

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**Fig 4:** Photograph taken from the south-west looking north towards the site. The steep gradient of land falling away to the west of the site is circled in orange.



- 3.10 It is not accepted that the proposed landscaping “offers little ... to assimilate the development into the surrounding landscape”. Rather the proposed landscaping has been designed to complement the local landscape character. As the Site Location Plan (at Fig.1.) shows, the minor public road identified lies south of the appeal site, at more of a parallel angle than a perpendicular angle. In this context, the layout of the hedges proposed between the pods is particularly beneficial as each hedge protrudes outward in a curtain, serving to semi-screen each pod from inward views.
- 3.11 Clearly semi-screening will not fully obscure the proposed development from view. However it will make perspectives of the pods more difficult to gain, and those which are visible will essentially represent log cabins partly visible through native hedge planting. At this point it is material to note that the local landscape character is defined by its verdant greenery, visible in large panoramas, together with a small number of farms and houses dispersed throughout the area. It is not and does not have the appearance of an un-developed or un-populated wilderness. Given the timber construction of the proposed glamping pods and their secondary nature – a means to diversify an established agricultural enterprise – semi-screened by native hedging, the proposed development is considered to be acceptable in landscape terms.

**Fig 5:** Extract from 200104-11-01 Proposed Landscaping Plan (Source: Glampitect)





- 3.12 Report of Handling 20/00343/FUL states “the linear position of the development across the summit of the field will draw attention and land engineering works could exacerbate its visual impact by not tying in sympathetically with the natural landform.” It is not accepted that the appeal site occupies a summit position. Ordnance Survey have detailed their map (extract at Fig.1.) local to the area with spot heights along the highway. These clearly demonstrate that land falls away from north-east to south-west. The spot height furthest to the north-east reads 261m (above sea level), the (middle) spot height adjacent to the west boundary of the site reads 258m, while the spot height furthest south-west reads 249m. Additionally, the site can be seen to lie in the portion of land which slopes downward between Fiddle Hill (271m) to the north-east and Stirches Mains Hill (266m) to the south-east.
- 3.13 Clearly the appeal site cannot be accurately understood to occupy a summit position; given that there are three identified spot heights nearby which are all higher than the one adjacent to the site. Indeed the shorter of the two named hills stands 8 metres (c. 26 feet) taller than the highest land within the appeal site. Incidentally, this hill also happens to stand directly between the site and the Borders Abbeys Way.
- 3.14 It is a matter of fact that there is no visibility from the Borders Abbeys Way through onto the appeal site. The route itself runs to the east of the site, at closest coming just within 900 metres. Any would-be views from the south are totally obscured by Stirches Mains Hill which stands 38 metres (c. 125 feet) above vantage points on the Borders Abbeys Way (266m to 228m). Views are similarly obscured from the north. Fiddle Hill stands 23 metres (c. 75 feet) above would-be vantage points (271m to 248m). Additionally a field boundary of mature trees sits between the site and Fiddle Hill (shown in Fig.’s 4. & 6.). Behind these substantial and distinct landscape features the slight form of the proposed log cabins (2.8m tall by 3.2m wide) would not be visible at any time of year. N.B. the majority of spot heights referred to in this paragraph are not visible on Fig.1. but are available on the Site Location Plan submitted.
- 3.15 It is noted that the appointed Planning Officer considered that the “scale and design of the pods are not necessarily challenging however there will also be visibility of the associated hardstanding’s, hot tubs, and parked cars in the site” which the appointed Planning Officer considers to be harmful. However, the small hardstanding carpark is to be enclosed to the south and east with new hedging (Fig.5.). The Appellant intends to maintain the new hedge at a height sufficient to preclude inward views from the

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surrounding countryside. Similarly the on-site hot tubs will benefit from proposed screening together with the rest of the site, as described in paragraph 3.10.

- 3.16 The justification which supports the reason for refusal also identifies the harmful impact on the landscape which the appointed Planning Officer believes “land engineering works” would create. For the sake of clarity, the proposed development does not include or require the creation of soil heaps or bunds. Furthermore the proposed development comprises a modest quantity of new hardstanding, which is extensively screened with new hedging.
- 3.17 It is the position of the Appellant that the proposed development is acceptable in landscape terms. However should members not accept this position; the Appellant is prepared to accept a condition requiring the boundary of the land level upon which the glamping pods are proposed, which looks out towards Welsh’s Hill, to be planted with a hedgerow of native plant species (beech or similar). Should it be considered necessary, then the hedge can be maintained at a maximum height of 1.25 metres.

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**Fig 6:** Photograph taken from the slopes of Welsh's Hill (south of the site) looking north. The flat level upon which development is proposed is circled in orange.



- 3.18 It should be noted that, due to the angled line of sight from the public road (visible below), a hedge standing 1 metre tall shall screen built form standing substantially higher. This natural credential enables on-site screening to 'punch above its weight' and achieve a greater degree of screening than would be possible on sites sitting on level gradients.



- 3.19 As stated above, it is considered that the proposed development is sympathetic to the character of the surrounding rural area and acceptable in landscape terms. Therefore it is the Appellant’s position that the appeal proposal accords with criteria a) of Policy ED7, listed under additional considerations, as well criteria h) and k) of Policy PMD2 as all three are materially similar. Criteria m) of Policy PMD2 requires the provision of “*appropriate boundary treatments*” – as paragraphs 3.10 & 3.11 set out the suitability of proposed boundary treatments the appeal proposal also accords with criteria m).
- 3.20 The proposed development is considered to accord with Policy ED7. It is agreed between the Planning Authority and the Appellant that the proposed development represents tourism development and satisfies criteria b) listed under the primary considerations within Policy ED7. The nature of the proposed development is considered to be sympathetic to the character of the rural area and not to give rise to adverse visual impacts. Moreover, a considerate landscaping plan has been proposed to provide screening for the proposed development and the Appellant is willing to accept a condition requiring a hedge to be planted, should this measure be considered essential. As described above, the proposed development is considered to represent good design and therefore to accord with Policy PMD2 which requires good design in development proposals.

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## 4.0 CONCLUSIONS

- 4.1 The Appeal, supported by this Statement, requests that the Council overturns the decision to refuse Planning Permission for Application 20/00343/PPP and grant consent for the siting of 3 no. glamping pods and associated works on land to the south-west of Stouslie Farmhouse, Hawick.
- 4.2 The proposal is for the erection of three glamping pods (small timber cabins) on a site lying approximately 100 metres south-west of the existing farmyard. The Council's Landscape Architect commented on the proposed development during the Application's determination and did not object. The proposed development represents good quality design which is sympathetic to the rural character of the local area. Extensive hedge planting has been proposed to assist with integrating the glamping pods into the surrounding area. The sight of timber cabins (or their roofs visible above bushes or a hedgerow) in the countryside is not a harmful one and is considered to be acceptable. Therefore the proposal is considered acceptable in both planning and landscape terms, in accordance with Policy ED7.
- 4.3 The proposed development is motivated by the desire of the Appellant to diversify the established agricultural enterprise at Stouslie Farm. This diversification is supported by the Scottish Borders Tourism Strategy and Action Plan 2013-2020 which encourages the establishment of new tourist accommodation.
- 4.4 Vehicle access to the adopted highway is proposed via a new access and parking is proposed on a new small hardstanding carpark on-site. A consultation response was received from the Roads Planning Officer who did not object to the proposal.
- 4.5 The Local Review Body is respectfully requested to allow the appeal for the siting of 3 no. glamping pods and associated works.

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## APPENDIX 1

### Core Documents

The following drawings, documents, and plans have been submitted to support the appeal:

- Appeal Form;
- CD1 Local Review Statement, prepared by Ferguson Planning;
- Application Form;
- CD2 Design and Access Statement, prepared by Glampitect;
- CD3 Location Plan, prepared by Glampitect;
- CD4 200104-1-01 Proposed Layout Plan, prepared by Glampitect;
- CD5 200104-2-01 Proposed Drainage Plan, prepared by Glampitect;
- CD6 200104-3-01 Proposed Road Plan, prepared by Glampitect;
- CD7 200104-4-01 Proposed Visibility Splay, prepared by Glampitect;
- CD8 200104-9-01 Floor Plans and Elevations, prepared by Glampitect;
- CD9 Stouslie Snugs Market Research, prepared by Glampitect;
- CD10 Stouslie Snugs Site Selection Report, prepared by Glampitect;
- CD11 Percolation test results, prepared by Jackie Johnston Ltd;
- CD12 Water Supply Details, prepared by Carly Anderson;
- CD13 Soft Landscaping Proposal, prepared by Carly Anderson;
- CD14 Representation Letter dated 2nd June, prepared by Carly Anderson;
- CD15 Letter of Support from Business Development Scottish Borders;
- CD16 Report of Handling 20/00343/FUL; and
- CD17 Decision Notice 20/00343/FUL.

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