



Newtown St Boswells Melrose TD6 0SA

Tel: 01835 825251

Fax: 01835 825071

Email: itsystemadmin@scotborders.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000127674-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

Clarendon Planning and
Development Limited

Ref. Number:

First Name: *

David

Last Name: *

Howel

Telephone Number: *

07817295619

Extension Number:

Mobile Number:

Fax Number:

Email Address: *

dhowel@clarendonpd.co.uk

You must enter a Building Name or Number, or both:*

Building Name:

Building Number:

5A

Address 1 (Street): *

Castle Terrace

Address 2:

Town/City: *

Edinburgh

Country: *

UK

Postcode: *

EH1 2DP

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *

Ms

Other Title:

First Name: *

Paula

Last Name: *

Milanesi

Company/Organisation:

Telephone Number:

Extension Number:

Mobile Number:

Fax Number:

Email Address:

You must enter a Building Name or Number, or both:*

Building Name:

Building Number:

3

Address 1 (Street): *

Holydean Farm Cottages

Address 2:

Town/City: *

Meirose

Country: *

Scotland

Postcode: *

TD6 9HT

Site Address Details

Planning Authority:

Scottish Borders Council

Full postal address of the site (including postcode where available):

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

Please identify/describe the location of the site or sites.

Northing

648244

Easting

358530

Description of the Proposal

Please provide a description of the proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Erection of dwellinghouse

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time of expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to Notice of Review Supporting Statement

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made? *

Yes No

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Notice of Review Supporting Statement with Appendices 1-12 as listed on Page 2 of the Supporting Statement

Application Details

Please provide details of the application and decision.

What is the application reference number? *

15/00403/FUL

What date was the application submitted to the planning authority? *

10/04/15

What date was the decision issued by the planning authority? *

18/06/15

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be conducted by a combination of procedures.

Please select a further procedure *

Inspection of the land subject of the appeal. (Further details below are not required)

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? * (Max 500 characters)

Site Inspection to appreciate position of proposed house relative to existing building group, the minor tree removal (& replacement) and extent of proposed woodland retention

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist - Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and drawings) which are now the subject of this review? *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare - Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: David Howel

Declaration Date: 31/07/2015

Submission Date: 31/07/2015



Newtown St Boswells Melrose TD6 0SA

Tel: 01835 825251

Fax: 01835 825071

Email: itsystemadmin@scotborders.gov.uk

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Thank you for completing this application form:

ONLINE REFERENCE 000116642-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

We strongly recommend that you refer to the help text before you complete this section.

- Application for Planning Permission (including changes of use and surface mineral working)
- Application for Planning Permission in Principle
- Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

- Residential development
- Build a single three-bedroom house

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Have the works already been started or completed? *

- No Yes - Started Yes - Completed

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Taylor Architecture Practice
Ref. Number:	
First Name: *	Finlay
Last Name: *	Geddes
Telephone Number: *	01315553824
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address: *	finlay@t-a-p.uk.com

You must enter a Building Name or Number, or both:*

Building Name:	Second Floor, Admiral House
Building Number:	29-30
Address 1 (Street): *	Maritime Street
Address 2:	
Town/City: *	Edinburgh
Country: *	UK
Postcode: *	EH6 6SE

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	Mrs
Other Title:	
First Name: *	Paula
Last Name: *	Milanesi
Company/Organisation:	
Telephone Number:	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address:	

You must enter a Building Name or Number, or both:*

Building Name:	3
Building Number:	
Address 1 (Street): *	Holydean Farm Cottages
Address 2:	
Town/City: *	Melrose
Country: *	UK
Postcode: *	TD6 9HT

Site Address Details

Planning Authority:

Scottish Borders Council

Full postal address of the site (including postcode where available):

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

Please identify/describe the location of the site or sites.

Northing

648251

Easting

358528

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (Max 500 characters)

During pre-application consultations, concerns that the development of the site will lead to the erosion of an important landscape feature have been raised. During a lengthy design process every endeavour has been made to establish exact tree positions and develop a building form that will minimise the impact on the woodland.

Title:	Mr	Other title:	
First Name:	Stuart	Last Name:	Herkes
Correspondence Reference Number:		Date (dd/mm/yyyy):	21/10/14

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (Max 500 characters)

During pre-application discussions, there were concerns raised in relation to the following:

- How the proposed dwelling relates to and addresses the existing building group
- The appropriateness of the proposed dwellings aesthetic within the existing context
- How the proposed dwelling and landscaping relates to the existing site topography

All of these issues have been addressed during the design process so that the dwelling has minimum impact on the site and sits well in its context.

Title:	Mr	Other title:	
First Name:	Stewart	Last Name:	Herkes
Correspondence Reference Number:		Date (dd/mm/yyyy):	21/10/14

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (Max 500 characters)

During pre-application discussions, we consulted a member of the Flood Prevention Team. It was discussed that the proposed dwelling is around 2 - 3 metres above the level of Pyatshaw Burn. SEPA mapping shows that the flood level would not rise as high as this. Therefore no objections were made in terms of flood risk for the development.

Title:	Mr	Other title:	
First Name:	Ian	Last Name:	Chalmers
Correspondence Reference Number:		Date (dd/mm/yyyy):	23/10/14

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

2429.44

Please state the measurement type used:

Hectares (ha)

Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: (Max 500 characters)

Empty, area of forest and meadow

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
- No – proposing to make private drainage arrangements
- Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) *

Yes No

Note: -

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
- No, using a private water supply
- No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details:(Max 500 characters)

Sufficient space is provided for the storage of general waste and recycling bins on the site (as indicated on proposed site plan)

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land ? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding.

Signed: Finlay Geddes

On behalf of: Mrs Paula Milanesi

Date: 09/04/2015

Please tick here to certify this Certificate. *

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan. *

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Tree Survey

Declare - For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are provided as a part of this application .

Declaration Name: Finlay Geddes

Declaration Date: 09/04/2015

Submission Date: 09/04/2015

Payment Details

Online payment: XM0100000517

Created: 09/04/2015 13:29

Notice of Review Supporting Statement

Land South West of Pyatshaw Schoolhouse, Lauder, Scottish Borders

Erection of dwellinghouse

Ref. 15/00403/FUL

On behalf of

Ms Paula Milanesi

July 2015



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EXECUTIVE SUMMMARY

This request for 'Review' is submitted on behalf of Mrs Paula Milanesi, following the decision of Scottish Borders Council, under delegated powers to the Service Director of Regulatory Services and based upon the Case Officer's recommendation, to refuse planning permission for the erection of a dwellinghouse (application ref. 15/00403/FUL) at land south-west of Pyatshaw Schoolhouse, by Lauder on the 18th June 2015.

The application subjects are located within the established building group of Pyatshaw, north of the A697 and on the south-western edge of the former Spottiswoode Estate. Whilst **the principle of development is accepted by the Council**, the Case Officer suggests that the proposal will lead to short term and long term damage to existing woodland resource and that the proposed layout and design are not appropriate for the woodland character of the location. Of note, the Council's own Landscape Officer does not recommend refusal.

This Statement sets out the opposing Case for the applicant and will demonstrate that:-

- The proposal would meet with the aims and objectives of national planning policy in terms of encouraging high quality rural development and investment and distinctive design which can ensure a sense of place and identity – the siting of the house relates directly to the established historic pattern and scale, form and materials are all supported by best practice
- The proposal has demonstrated a thorough and practical approach to replacement of existing poor quality woodland within the site to allow for **zero net tree loss** and actual betterment through short term management of identified overcrowding and long term retention of an area of woodland that is integral to the character of the Pyatshaw area
- The proposed layout and building positioning relate well to the existing pattern (as acknowledged by the Council's landscape architect) which emphasises a relationship between house, street and trees rather than just an isolated 'house in woods' approach personally preferred by the Case Officer, whilst the proposed design provides for a distinctive response to the rural/woodland setting as opposed to either a standardised suburban or neo-traditional approach
- Examples of both contemporary houses within woodland settings and tree replacement approaches are identified within the Borders

It is asked that the Local Review Body, whilst considering matters, simultaneously appraise the enclosed documentation which accompanied the original application. It is respectfully requested that the Local Review Body reconsider the Service Director's recommendation and find favour in the applicant's proposal for which it is contended meets Planning Policy aims and objectives, subject to conditions, as deemed appropriate.

1.0 BACKGROUND TO THE APPLICATION

1.1 Location, Description and History

- 1.1.1 The application site, extending to 0.25 hectare, is located within the building group of Pyatshaw, north of the A697, approximately 4.5 miles east of Lauder in the Scottish Borders. The site itself comprises scrub land and partial woodland within the centre of the building group and is bound on the east and south by the public minor road (leading from the A697 towards Spottiswoode), to the north by Pyatshaw Burn and west by agricultural land. Established dwellinghouses are located immediately to the north, east and south of the site boundaries.
- 1.1.2 Given the woodland setting, the applicant specifically commissioned architects, Taylor Architecture Practice (T.A.P.), to develop plans for a suitable house in terms of the rural/woodland setting within the established building group with a scale/footprint relative to the established building pattern at Pyatshaw. In this regard, T.A.P. engaged with Scottish Borders Council planning department at an early stage to establish the principle of development and thereafter the elements that would require particular attention if a suitable design was to be achieved. This is detailed within the summary of pre-application discussion noted in Section 4 below.
- 1.1.3 The application was received and validated by Scottish Borders Council on 10th April 2015 and was subsequently, to the disappointment of the applicant given the comprehensive extent of site design submissions, refused under delegated powers to the Service Director of Regulatory Services on 18th June 2015, on the basis of the appointed Case Officer's subjective recommendation.

1.2 The Development Proposal

- 1.2.1 The proposal which was the subject of the aforementioned application for planning permission and this 'Notice of Review' Statement comprises the erection of a new dwellinghouse. The proposed drawings detailing the proposal, accompany this Statement within **Appendix 1**.
- 1.2.2 The proposed design is elaborated upon within both **Appendix 1** and the Design Statement contained within **Appendix 2**. Whilst the principles of the design and site context are addressed hereafter, the proposal provides for a 2-storey, 3 bedroom house with associated private parking and tree planting/landscaping, all set within the existing plot which is retained as private garden/woodland.

1.3 Planning History

- 1.3.1 Other than the application to which this Notice of Review pertains, the applicant is not aware of any other planning history on the site.

1.4 Reason for Refusal

- 1.4.1 The Decision Notice (contained within **Appendix 3**) recommended refusal on the basis of the following reasons:

1. *"The proposed development is contrary to Adopted Local Plan Policies D2, G1 and NE4, and the advice of Supplementary Planning Guidance – New Housing In the Borders Countryside (December 2008) and Supplementary Planning Guidance – Placemaking and Design (January 2010), in that the proposal would in the short-term cause serious damage to, and promote the long-term loss of, the existing woodland resource at the site, which it is considered should be substantially retained due to its high landscape value and significant contribution to the character, sense of place and setting of the building group at Pyatshaw."*
2. *"The proposed development is contrary to Adopted Local Plan Policies D2 and G1, and the advice of Supplementary Planning Guidance – New Housing In the Borders Countryside (December 2008) and Supplementary Planning Guidance – Placemaking and Design (January 2010), in that the proposed design and layout of the residential property are not sympathetic to the woodland character of the site or to the sense of place and setting of the building group at Pyatshaw, in that (i) the site's existing woodland character would be overwhelmed by a prominently located and highly visible dwellinghouse, which as a consequence of its siting would be overly-dominant within views from the public road, and (ii) the front-and-centre positioning of the associated car parking area would be liable to project a particularly unsympathetic urban or suburban character in views from the public road."*

2.0 GROUNDS FOR REVIEW OF THE PLANNING DECISION

2.1 National Planning Policy Context

- 2.1.1 The applicant, contrary to the Decision Notice remains of the view that proposals do indeed accord with planning policy at both a national and local level. In particular, following review of the Case Officer's Report (**Appendix 4**), the applicant would take this opportunity of addressing the above reasons for refusal. However, it is also important to **firstly set the national context** in relation to the proposed design in order to inform the review of the planning decision.

Scottish Planning Policy (June 2014)

- 2.1.2 Scottish Planning Policy (SPP) has introduced a presumption in favour of development that contributes to sustainable development. In particular, **Paragraph 28** states that the planning system should *"support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits*

of a proposal over the longer term". It is considered that approval of the proposed, sensitively designed house in this location (acceptable in principle by virtue of being sited within an identified building group), with associated conditions, would comprise sustainable development by **positively securing short term management of woodland resource and long-term retention of woodland** to the benefit of the wider Pyatshaw building group, as detailed below.

- 2.1.3 **Paragraph 29** of SPP outlines the key related principles which include, *"supporting good design and the six qualities of successful places"*. These design policy principles are elaborated upon within **Paragraphs 41-46**, which outline that development should be *distinctive* (including building forms and materials to create a sense of identity), *safe and pleasant* (distinction between public and private space with natural surveillance of street), *welcoming* (by creating legible streetscapes), *adaptable* (capable of accommodating future changes through design), *resource efficient* (maximising efficient use of existing resources and denser development that shares infrastructure and siting of development to take shelter from prevailing wind and maximise solar gain) and *easy to move around and beyond* (considering place and people ahead of vehicle movement). As elaborated upon further below, the proposal meets these requirements by way of the following: distinctive, 'agricultural' derived built form and materials; suitable transition between public street, semi-private entrance/parking space and private dwelling/garden; creation of a highly distinctive legible built form to enhance the streetscape; flexible internal layout to allow for future requirements; retaining key woodland resource which provides structure for group plus suitable siting benefitting from solar gain and wind protection; and, well connected to existing public road network.
- 2.1.4 **Paragraph 75** states that the planning system should *"encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality"*. In this respect, the proposed house is within an accepted building group at Pyatshaw and not only does the house add to local character in terms of a distinctive and contextual built form but there is clear scope to 'protect and enhance' environmental quality through management of retained (currently overcrowded) woodland which the Local Review Body now has the opportunity to secure.

Creating Places (July 2013)

- 2.1.5 The Scottish Government's policy on architecture and place sets out a strong emphasis on place and good design in new development which can have physical, functional, social and environmental value (Page 8). The proposal addresses these core values through enhancing the Pyatshaw building group with a distinctive design, creating a flexible internal layout, adding to the existing community and relating to its rural context and ensuring long-term management of the immediate environment.
- 2.1.6 As stated on Page 12: *"Good buildings and places can have personal value to us as individuals. They give us a sense of belonging, a sense of identity, a sense of community, and offer us the amenities to meet our daily needs."* The proposal creates a personalised and distinctive response to the creation of a new housing within this established building group. Furthermore, Page 34 states that, *"landscapes, by their*

very nature are constantly evolving and changing and this can be a change for good when well planned and correctly managed". This is the case at Pyatshaw.

Designing Streets (March 2010)

- 2.1.7 The Scottish Government's policy on street design emphasises the importance of place over movement. It is considered that the proposed boundary/transition treatment between the public road and the plot, allowing for public/private definition, is appropriate to its context at Pyatshaw.

Planning Advice Note (PAN) No.72 – Housing in the Countryside (February 2005)

- 2.1.8 PAN72 comprises Scottish Government advice on creating high quality housing in rural areas which can make a positive contribution and augments policy support for encouraging suitable rural development as set out within SPP. With regard to **location**, PAN72 sets out **key principles in terms of suitable landscape, layout and access** and states that, ***"a well designed house must reflect the landscape in which it is set – it must be informed by and respond to it, rather than being a house which is designed without regard to the context and placed within a site"*** (Page 10). The proposed house has been designed specifically to suit this particular woodland/rural landscape and as noted on Page 11, ***"setting a building against a backdrop of trees is one of the most successful means by which new development can blend with the landscape"***.
- 2.1.9 With regard to **layout**, Page 12 outlines key advice and in terms of **topography**, the proposed design accords with guidance to ***"give an opportunity to use the difference in levels to create an interesting and fitting building"*** with the floor level stepping up from south to north, as demonstrated within plan and section drawings within Appendix 1.
- 2.1.10 In terms of **orientation**, the building is positioned to reflect existing building lines of established houses within the Pyatshaw building group, as elaborated below. The design also avoids overlooking of adjoining properties and allows for a predominantly west/south-west aspect for main living areas.
- 2.1.11 The design also accords with advice on **shelter** (***"should avoid unnecessary exposure to the elements...and generally be positioned to take account of the prevailing wind direction and to create a good microclimate"***), solar gain (***"views to and from the site should be maximised"***) and movement (***"easily accessible links should be made for pedestrian and vehicular movement"***).
- 2.1.12 In terms of **design**, it is strongly considered that the proposed house accords with the core message of PAN72 (Page 15), which states that, ***"Traditionally, local climate and available materials have had a profound influence on the design of houses and have helped to create local characteristics. Likewise, features and finishes can help connect, or disconnect, a house to its surroundings. Increasingly however, design has been standardised across the countryside. The challenge therefore lies in encouraging designs which are distinctive and responsive to their setting"***.

- 2.1.13 PAN72 separates the key design elements as being scale, materials and details. In this respect, with regard to **scale**, Page 16 notes that, *“there is a sturdy quality to much of the scale and shape of Scotland’s domestic rural architecture...derived largely from the simplicity of the form and proportion and in the arrangement of doors and windows”*. The proposed design addresses this element through the simple ‘agricultural’ building style and scale which roots the building in its rural location.
- 2.1.14 With regard to **materials**, PAN72 states that, *“more use of timber cladding needs to be encouraged”* and the staining of timber to allow for integration with the immediate environment is also encouraged. The proposal allows for a predominant timber finish with dark stained timber rainscreen cladding plus elements of zinc cladding reflecting the ‘agricultural’ style building form.
- 2.1.15 In terms of **details**, the proposed design is contemporary but reflects traditional rural design with the generally vertical emphasis of window design plus pitched roof elements.

2.2 Local Planning Policy: First Reason for Refusal (Woodland)

- 2.2.1 Whilst the Adopted (Consolidated) Scottish Borders Local Plan 2011 is currently under review, and the Proposed Local Development Plan is presently at examination stage, the Case Officer has utilised adopted Local Plan policy in the refusal reasons alongside Supplementary Planning Guidance. In this respect, the specific reasons for refusal can be addressed in this context. The first refusal reason is repeated below for ease of reference:

“The proposed development is contrary to Adopted Local Plan Policies D2, G1 and NE4, and the advice of Supplementary Planning Guidance – New Housing in the Borders Countryside (December 2008) and Supplementary Planning Guidance – Placemaking and Design (January 2010), in that the proposal would in the short-term cause serious damage to, and promote the long-term loss of, the existing woodland resource at the site, which it is considered should be substantially retained due to its high landscape value and significant contribution to the character, sense of place and setting of the building group at Pyatshaw.”

- 2.2.2 **Adopted Local Plan Policy D2** (Housing in the Countryside), in permitting new dwellings within established building groups, requires that cumulative impact upon character, landscape and amenity is taken into account. **Adopted Local Plan Policy G1** (Quality Standards for New Development) requires that important physical or natural features can be retained and development is compatible with the character of the surrounding area. **Adopted Local Plan Policy NE4** (Trees, Woodlands and Hedgerows) supports the maintenance and management of trees, woodlands and hedgerow and requires that developers incorporate, wherever feasible, the existing woodland resource. The overall aim of this latter policy is to *“give protection to the woodland resource and in turn give protection to the character of settlements and the countryside, maintain habitats and provide an important recreational asset”*. It is noted and appreciated that this approach is reflected within Supplementary Planning Guidance on New Housing in the Borders Countryside (Page 18 – Woodlands and Hedgerows) and Placemaking and Design.

2.2.3 Firstly, it should be noted that pre-application discussion between the applicant's architect (T.A.P.) and Scottish Borders Council, as detailed in Section 4 below, undertaken during 2014 led to the commission of an Arboricultural Assessment (Appendix 5) to inform the developable area of the site. This surveyed 29 of the trees within the site – this focused on the west-central area of the site and did not include the northern and eastern areas of the site which were deemed unsuitable as a likely house location due to site constraints including topography, existing wetland, proximity to the Pyatshaw Burn and importance of retaining a woodland edge. Therefore, **whilst the survey includes 29 trees, there are actually 45 trees in total within the site's red-line boundary**, which with respect, has been overlooked by the Case Officer in his appraisal. The **site constraints** which led to this area of focus were detailed within the application Design Statement (Appendix 2) and are reflected in Figure 1 and 2 below.



Figure 1 – Site Constraints Plan – Building Group Context.



Figure 2 – Site Constraints Plan – Site Context Principle

- 2.2.4 This assessment of positioning within the site was also informed by discussions between T.A.P. and the Case Officer in relation to retention of the key character of the building group. This focused on the importance of the perception of the **'avenue through woodland'** as noted in the Case Officer's report and the agreed premise that the building group is characterised by stands of trees and inter-connected woodland with interspersed buildings radiating out from the centre, as opposed to the more common situation where building groups may be contained by trees. In this respect, **retention of the mature trees on the western boundary, along with connecting woodland along the northern and eastern parts of the site would allow for this core quality to be maintained.**
- 2.2.5 The extent of the perceived short term woodland loss can therefore be further examined within this context. Of the 29 surveyed trees, there are 3 No. 'A' (high quality) specimens, 9 No. 'B' (moderate quality) specimens, 16 No. 'C' (low quality) specimens and 1 No. 'U' (for removal) specimen. It should be noted that **20 of the 29 surveyed trees are highlighted as having 'restricted' or 'biased' crown growth due to competition, i.e. overcrowding with a necessity for thinning out to maintain the best specimens.** The proposal requires the removal of 11 trees, being 7 deciduous types and 4 Scots Pine (38% of those trees surveyed and 24% of the total 45 trees on the site) which include 2 No. 'B' (moderate quality) and 9 No. 'C' (low quality) specimens. The two 'B' specimens are Number 1 and 3 within the Arboricultural Assessment, with No.3 noted as having limited life expectancy. **Therefore, of the 11 trees to be removed, only 1 is of 'moderate' value with 10 either of 'low' value or with limited life expectancy. To reiterate, the 16 trees outwith the survey but within the site boundary are to be retained.**
- 2.2.6 The proposals allow for the **replacement of removed trees with 11 new specimens**, as identified within both the Design Statement and Landscape Plan (**Appendix 6**). The type of tree is to be agreed with the Council and can be dealt with via planning condition but **essentially, the proposal would allow for replacement of 10 deficient trees (and 1 moderate specimen) with 11 new, healthy specimens, constituting a net gain.**
- 2.2.7 Additionally, the proposal will require the removal of a small (2m) section of beech hedge on the southern boundary. Again, **replacement hedge planting** will be provided at the site entrance, as denoted within Appendix 7.
- 2.2.8 There are also 2 No. 'A' (high value) trees in close proximity to the proposed house, where **acceptable root protection measures** are proposed (as outlined within the Design Statement and noted as acceptable in the Landscape Architect's consultation response – **Appendix 7**).
- 2.2.9 In terms of the specific comments relating to woodland contained within the **Council's Landscape Architect's consultation response**, the applicant would confirm the following:
- The applicant supports the view that ***"the development allows for the retention of sufficient numbers of trees to retain a sense of enclosure and some continuity with tree belts and tree groups surrounding adjacent***

properties” and “the visual amenity of the beech hedge will be retained as part of the proposal”

- The applicant does not consider that removal of a 2m section of hedge at the site entrance will result in a material change in the overall ‘avenue through woodland’ character; the landscape architect contends that the roadside view would be considerably broken by the ‘openness’ of the 2m hedge gap but as illustrated within View 1 on Page 3 of the Design Statement, this approach is characterised mainly by trees outwith the application site. This is further evidenced by **Figure 3** below which provides an over-marked version of View 1.



Figure 3 – Over-marked View 1 from Application Design Statement (also included as **Appendix 8**)

- Additional hedgerow planting west of the proposed site entrance (behind the rebuilt section of low-level wall) could also assist with addressing the above point and could be dealt with by planning condition.
- The applicant notes the preference to retain tree No.7 (a Silver Birch specimen to the west of the proposed house) due to its amenity value. In responding to this consultation response (received only shortly before application determination – noted on SBC planning portal dated 12th June with decision on 18th June), **Appendix 9 and 10** demonstrate the proposal with tree No.7 retained (along with additional replacement hedgerow to counter any perception of a gap in the woodland).
- **The potential for specific tree retention or boundary treatment can be dealt with by planning condition, which is within the Local Review Body’s remit to impose.** To illustrate possible landscape treatment, Figures 4 and 5 below depict Boundary Treatment visualisation with and without tree No.7 (and further

replacement hedgerow). Drawings are also contained within **Appendices 1 and 11**.



Figure 4 – Boundary Treatment visualisation (without tree No.7)



Figure 5 – Boundary Treatment visualisation (retaining tree No.7 and with further replacement hedgerow – also included separately as Appendix 11)

- The landscape architect states that *“more than 50%”* of the existing woodland trees will be removed but this is incorrect – as noted above, there would be removal of 38% of those trees surveyed but just 24% of overall trees on the site. Additionally, with 100% replacement with new, healthy specimens, there would be **zero numerical loss of trees and actually a betterment through appropriate re-planting of healthy, long-term specimens.**
- Any pressure on further tree removal due to overshadowing (as also raised as a concern by the Case Officer) is lessened by the fact that the majority of trees in closer proximity are to the north and east of the proposed house and there will be at least a partial open aspect to the south – reservations could potentially be further addressed through a requirement for an **appropriate woodland management plan** to ensure long-term tree cover. The Case Officer questions, without corroboration from the Council’s own Landscape Officer, whether the site is of sufficient scale to implement a management plan but given the site is 2,429m² (0.6 acre) and the building footprint only 126m², there is clearly scope for the woodland ‘garden’ of the new house to be subject to appropriate management to allow for short term ‘thinning’ and longer term protection of key trees/woodland associated with the building group.
- In conclusion, the Council’s Landscape section does not actually object to the application and notes that determination is *“difficult to judge”* as there are **precedents for similar development within the area** (as detailed further below). As noted above, it is considered that **there are practical, manageable conditions which could address the concerns raised** to take a positive approach as required by SPP rather than the adoption of a ‘blanket’ negative policy interpretation. The Case Officer has provided additional commentary in relation to the wider landscape and visual impact including reference to previously consented houses and loss of woodland. However, it is respectfully suggested that each case should be assessed on its own merits in planning policy terms and not the Officer’s own views on landscape.

2.2.10 As noted on Page 5 of the Case Officer report, the **existing woodland on the application site is not protected by any specific planning designations and “subject only to ecological considerations being appropriately addressed, they might therefore at present, be removed or reduced as the land owner sees fit and without referral to the Planning Authority”**. The retention of this part of woodland and its long-term contribution to the character of the Pyatshaw building group is therefore not guaranteed and **the proposal actually provides long-term certainty through appropriate short term management and long-term retention of the woodland resource** aligned with the new house.

2.2.11 Overall, with regard to the first reason for refusal, it is **strongly contended that he applicant has taken a responsible and sensitive approach to the impact of the development upon existing woodland resulting in no objection from the Council’s own Landscape Architect**. By undertaking a survey of existing tree quality and identifying a building location that minimises impact, the applicant has demonstrably

worked with planning requirements to come up with a wholly practical solution. The fundamental points are that, a) the **existing woodland resource is not protected** by planning controls, b) the **proposal removes 10 sub-standard trees (low quality or limited lifespan) and one moderate specimen and replaces them with 11 new, healthy tree specimens, i.e. zero net loss**, c) the **proposal can actually be enhanced** through retention of silver birch tree recommended by SBC landscape architect and additional replacement hedgerow (all capable of being addressed via planning condition), and, d) the **long-term protection of woodland resource can be secured** through suitable conditions and/or management plan which offers far greater security than exists presently.

2.3 Local Planning Policy: Second Reason for Refusal (Impact on Character)

2.3.1 The second refusal reason is repeated below for ease of reference:

"The proposed development is contrary to Adopted Local Plan Policies D2 and G1, and the advice of Supplementary Planning Guidance – New Housing in the Borders Countryside (December 2008) and Supplementary Planning Guidance – Placemaking and Design (January 2010), in that the proposed design and layout of the residential property are not sympathetic to the woodland character of the site or to the sense of place and setting of the building group at Pyatshaw, in that (i) the site's existing woodland character would be overwhelmed by a prominently located and highly visible dwellinghouse, which as a consequence of its siting would be overly-dominant within views from the public road, and (ii) the front-and-centre positioning of the associated car parking area would be liable to project a particularly unsympathetic urban or suburban character in views from the public road."

2.3.2 As with the first reason for refusal, the proposal is deemed not to comply with **Adopted Local Plan Policy D2** (Housing in the Countryside) in terms of cumulative impact upon character, landscape and amenity, **Adopted Local Plan Policy G1** (Quality Standards for New Development) in terms of development being compatible with the character of the surrounding area, as well as supporting guidance.

2.3.3 As noted above, the principle of development in terms of the site's location within the centre of Pyatshaw building group is accepted as is the core 'avenue through woodland' character. The development of houses within the woodland setting at Pyatshaw is a long-established pattern where new development has been integrated with the 'woodland character'. As illustrated on **Figure 6** below, Pyatshaw sits on the south-western edge of the former Spottiswoode Estate with the public road which adjoins the site leading from the A697 to Spottiswoode and onwards to Westruther. This route was characterised by groupings of buildings set within woodlands from Pyatshaw, to Gateside (centre of map) and onwards to the edge of Spottiswoode. **Figure 7** illustrates the woodland around Pyatshaw in the 1860's with the existing Schoolhouse and former blacksmiths having been added to by new dwellings and ancillary buildings since this period. The new plots are predominantly set within former woodland and have been incorporated within the woodland setting.



Figure 6 – Pyatshaw Context in relation to Spottiswoode Estate 1860's (NLS Map Extract)

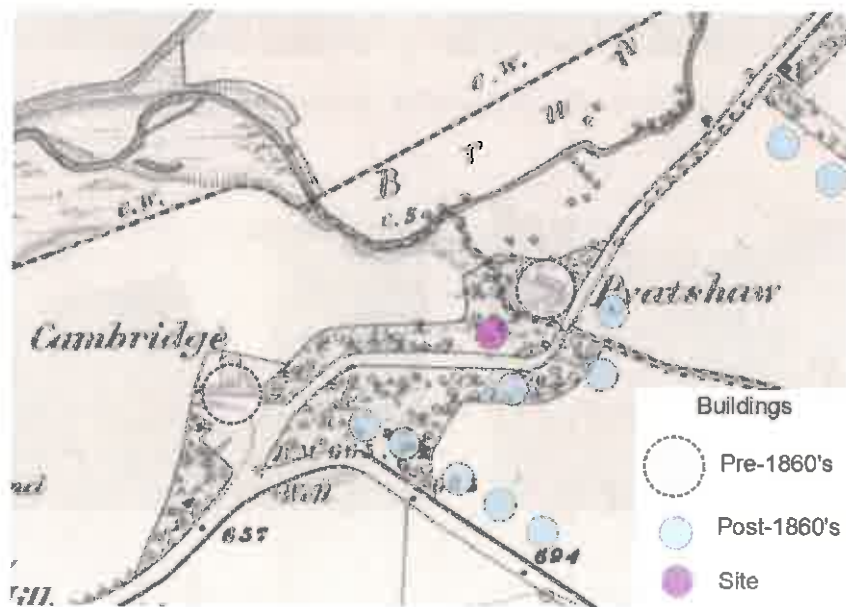


Figure 7 – Pyatshaw Historic Context (1860's NLS Extract) with location of post-1860's buildings

2.3.4 As also illustrated within the Design Statement, the positioning of established buildings in relation to the public road support the positioning of the proposed house. The majority of these buildings have a gable-end facing the road, as highlighted in red on the diagram (Figure 8) and illustrated in images within Figures 9 and 10.



Figure 8 – Pyatshaw existing buildings: gable-end/street relationship



Figure 9 (left) – Beechwood (south of proposed site) with gable to street



Figure 10 (right) – Former school site (north-east of proposed site) with gable to street

- 2.3.5 Part (i) of the refusal reason suggests that the site's existing woodland character would be *"overwhelmed by a prominently located and highly visible dwellinghouse"* and yet, this 'prominent' siting in relation to the road is the predominant built form at Pyatshaw from the earliest examples (the Schoolhouse and former blacksmiths are both generally sites perpendicular and clearly visible to the road) to more recent examples illustrated above.
- 2.3.6 Indeed, the Council's landscape architect notes that, *"the house has been sited perpendicular to the road to accord with other properties in this location and is sufficiently distant from adjacent houses to contribute to a balanced development within the building group of Pyatshaw. The development allows for the retention of sufficient numbers of trees to retain a sense of enclosure and some continuity with tree belts and tree groups surrounding adjacent properties"* (Appendix 7).
- 2.3.7 The Council's Supplementary Planning Guidance on New Housing in the Countryside notes that, with regard to siting, *"by observing the way in which traditional buildings have been set into a particular landscape a great deal can be learned on how new buildings can contribute to maintaining a sense of place and identity and at the same time integrate with the surrounding landscape"* (Page 17). The proposal seeks to relate to traditional approaches in the vicinity and indeed, the accepted **core 'character' of the building group** in terms of a spine or avenue through the woodland enroute to Spottiswoode. The positioning of the house creates a distinctive stepping stone (or minor landmark) as you progress through this section of the woodland route and allows for the public side of the dwelling to be viewed through the process of 'serial vision'; the approach from the west would be framed, firstly, by the denser woodland and then vision would be drawn towards the gaps within the woodland which accommodate the house (and existing house to the south) before returning to the denser woodland as the road turns northwards towards the Schoolhouse. **This pattern of enclosure-break-enclosure forms the basis of the core character and sense of place at Pyatshaw and is illustrated on Figure 11 on the following page.** The Case Officer's exaggerated assertion, again not shared by the Council's own landscape expert, that the proposal would result in the loss of the dense avenue of trees is not supported by the fact that openings have already been created in this woodland, including the Beechwood house to the south of the site, i.e. the 'avenue' has already been broken. The proposal follows past precedent (historic and modern) and also demonstrates that houses do not have to be 'hidden' to contribute to the character of rural, woodland areas.



Figure 11 – View Sequence through Pyatshaw (enclosure-break-enclosure) Also included within Appendix 12

- 2.3.8 The proposed **boundary treatment** would support this visual experience with retained and rebuilt stone walls softened by existing and replacement hedgerow behind and then existing and new woodland planting. The house elevation would create a visual contrast to this semi-natural boundary. Again, this approach is encouraged within the Council's Supplementary Planning Guidance.
- 2.3.9 The house is sited to allow for retention of the woodland character of the site and as noted above, there is zero net loss of trees on the site. It is therefore strongly contested that the site's woodland character would be 'overwhelmed' as suggested in the refusal reason. To further illustrate, in terms of **scale**, the applicant's architects have calculated the footprints and plot sizes of existing houses at Pyatshaw to assess the extent of built footprint in relation to plot size. In this respect, Beechwood (a modern house which sits immediately to the south of the application site) is calculated as having a 150m² built footprint on a plot of approximately 2000m², i.e. 7.5% built area, and Greenwood (a modern house south of Beechwood) is calculated as having a 125m² footprint and 1500m² plot, i.e. just over 8% built area. As comparison, the application proposal has a footprint of 126m² on a plot of 2429m², i.e. just over 5% built area and less than existing recent house developments in the locality. The house is also a relatively modest 3 bedroom dwelling with the main massing to the rear as the living space opens up, i.e. presence to the front of the site has been minimised.

- 2.3.10 The Case Officer notes that pre-application advice supported a **house positioning** 'within' the woodland on site, set back from the road. However, as highlighted in the constraints plans on Page 9, the position of the house is the **only feasible location due to topography and other physical restrictions**. As noted above, **the perpendicular positioning to the road is also typical of the locality** and allows for a suitably distinctive feature which relates to the public domain (and 'street') so as to avoid 'nowhere' urban design with a house located in isolation further within the site. This is assisted by the rise in level from south to north which allows for a distinctive design response utilising the site's existing topography whilst the backdrop of woodland behind the proposed house and general south/west orientation also accords with guidance set out within PAN72 and the Council's Supplementary Planning Guidance. The positioning is considered the natural place for a new house in terms of existing relationship between trees and houses and no other houses at Pyatshaw are sited as a 'house in the woods' but rather have a form of relationship with the road.
- 2.3.11 The Case Officer's wishes in terms of **form and materials** have been followed through in terms of a contemporary house whose presence could be decreased through use of materials. This has been achieved through the 'agricultural' style and form of the proposed building and the stained timber cladding material. As encouraged in Creating Places, PAN72 and the Council's Supplementary Planning Guidance, the design avoids a suburban, standardised approach and allows for a connection between built form and its setting with a simple form that echoes the rural buildings utilised in farming the former Spottiswoode Estate in the past. Whilst design is always a subjective manner, it is considered that the style and form of the proposed house is highly appropriate for its location and the largely timber-clad elevations (supported by a materials palette which is more functional/industrial than suburban residential) are a distinct but contextual response. The Case Officer's personal view that the building would have an "institutional or civic character" cannot be supported – this would indicate that all new rural houses should be neo-traditional which is not an approach supported at either national or local planning level.
- 2.3.12 With regard to part (ii) of the second refusal reason, the Case Officer is of a view that the proposed 'front-and-centre' positioning of the car parking area would lead to an unsympathetic urban or suburban character in views from the public road. This proposed parking arrangement is reflected in all of the existing houses at Pyatshaw to some extent; the nineteenth century Schoolhouse and former blacksmiths cottage have parking to front, the former school (now house) also has a clearly visible parking area, whilst the twenty-first century Beechwood (south of site) and Greenwood (further south of site) both have parking to the front of the plot as illustrated in **Figures 12 and 13**.

- 2.3.13 As illustrated within **Appendices 2, 9, 10 & 11**, the proposal allows for screening of the parking area which will be a combination of existing and rebuilt stone dyke and existing and replacement hedgerow. The specific nature of boundary treatment would be subject to planning condition but it is considered that a suitable treatment could allow for screening of car parking to a far greater extent than exists at existing houses at Pyatshaw. Essentially, the positioning of parking to the front of the plot is considered a traditional approach in rural areas and this location in particular (unlike the design emphasis on removing vehicles from the front curtilage in urban areas) can be mitigated with suitable boundary treatment.
- 2.3.14 Overall, with regard to the second reason for refusal, it is contended that **the design contributes positively to the woodland rural character at Pyatshaw**. The pattern of development is well established with the woodland landscape accommodating change over time without losing its core characteristics. The siting and positioning of the proposed house is fully justified in relation to the existing pattern of gable-end relating to street found at Pyatshaw. Significantly, there would be no loss of the 'avenue through woodland' character with the proposal enhancing the visual experience and reflecting existing pattern of enclosure-break-enclosure along this route. The scale, positioning, form, materials and parking arrangement are all considered highly appropriate for this location with the end result being a distinctive but connected design within the existing woodland setting.
- 2.4.0 In summary, taking into account all policy provisions, it is the applicant's position that the development proposal can be supported when appraised properly against both national and local planning policy.

3.0 PRECEDENTS IN DECISION MAKING

- 3.1 Attention is respectfully drawn to recent planning approvals which are relevant to this Review. Firstly, in terms of proximity and contemporary style, the approval of Greenwood House in 2007 (ref. 07/00540/FUL) at Pyatshaw demonstrates how a timber-clad building can be accommodated within the immediate woodland setting. **Figure 14 and 15** highlight site location and elevation treatment. It is considered that the application proposal can achieve a better solution in terms of design and integration with setting.



Figure 14 – Greenwood House, Pyatshaw: Location relative to Application Site



Figure 15 – Greenwood House, Pyatshaw: Timber-clad approach

- 3.2 Secondly, in terms of woodland impact as well as contemporary design, approval of a house at Quarter House, Broughton in 2013 (ref. 12/01417/PPP) with AMC approval in 2015 (ref. 15/00181/AMC) is directly relevant. In this case, the site was within woodland, forming part of a wider stand of trees and the Council's Landscape Section did not originally support the proposal on basis of loss of trees (Local Plan Policy NE4). Following further assessment, approval was granted which would result in the loss of 'moderate' quality trees, as also the case with the application site. Essentially, a suitably practical approach to tree management was taken by the Council in this instance. Figures 16, 17 and 18 illustrate the existing site and proposed design.

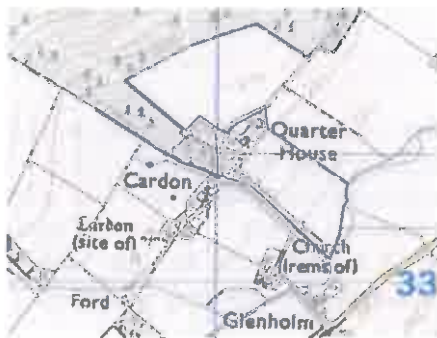


Figure 16 & Figure 17 – Woodland site at Quarter House, Broughton

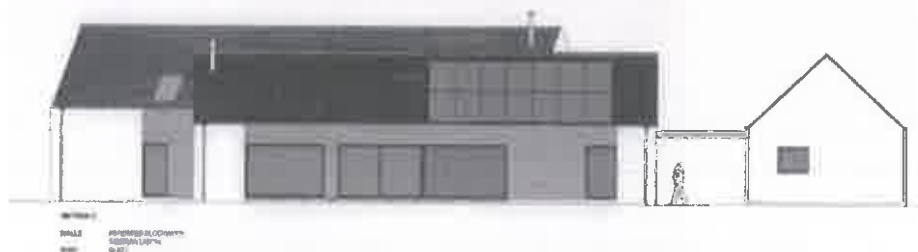


Figure 18 – Contemporary housetype at Quarter House, Broughton

4.0 PRE-APPLICATION DIALOGUE WITH SBC

- 4.1 Pre-application discussions were conducted by Taylor Architecture Practice (T.A.P.) in September 2014 which sought advice on the possible location of a house within the plot. A response from the Case Officer in October 2014 confirmed that the development of land currently occupied by trees would not be objectionable in principle but the question was over the acceptability of the impact. It was advised that a Tree Survey would be required to support the proposal and inform the position of the house with any proposed site layout to demonstrate appropriate mitigation to ensure conservation of the most valuable trees. This would inform whether the balance between development and its impact would be considered acceptable. Further advice was also noted including no concern with contemporary design on basis it was not overly artificial or contrived relative to the surrounding topography.
- 4.2 Thereafter, T.A.P. arranged for the tree survey to be undertaken and further developed the proposal in terms of positioning within the plot (avoiding the best quality tree specimens and ensuring the 'structural' elements of the tree belt on the western, northern and eastern parts of the site were retained) and the contemporary but simple design. It is therefore considered that the fundamental issues raised via pre-application discussion were addressed and incorporated into the final proposal.

5.0 STATUTORY CONSULTEES & THIRD PARTY REPRESENTATIONS

- 5.1 In terms of **statutory and local Consultations**, notwithstanding the Case Officer reasoning, **no objections were received.** In particular:
- The Community Council raised no objection
 - Roads Planning Service raised no objection (subject to an informative noted by the applicant)
 - Environmental Health raised no objection (subject to an informative noted by the applicant)
 - Flood Prevention raised no objection
 - Education and Lifelong Learning require financial contributions towards Earliston High School and Lauder Primary School which is noted by the applicant
 - Ecology raised no objection having assessed the submitted badger survey (subject to an informative noted by the applicant)
 - Landscape Section raised no objection but concerns are covered within the response to refusal reasons
 - No local objections and two letters of support from neighbours within Pyatshaw

6.0 CONCLUSION

6.1 The preceding Statement, in conjunction with the appended supporting documentation, demonstrates the deliverability of the proposals within the context of a practical approach to local planning policy with further support derived at a national level. In particular:-

- National planning policy outlined within SPP, Creating Places, Designing Streets and PAN72 support and encourage appropriate rural development and investment. The proposal can be assessed positively against policy provisions including the need to create distinctive design with a sense of place and identity and site new housing within a suitable landscape structure with scale, design, form and materials relative to its local context
- The first reason for refusal is refuted as it is contended that a suitably sensitive approach has been taken to impact on existing woodland resource. Arboricultural assessment of the site along with physical constraints have informed the positioning of the house to minimise impact and a practical solution has been provided. There will be zero net loss of trees on the site and the trees to be removed comprise of 10 sub-standard specimens (low quality or limited lifespan) and 1 moderate specimen, which will all be replaced with 11 new, healthy trees to the agreed specification of the Council. Amendments can also be incorporated (via conditions) to retain tree No.7 identified within the survey, as preferred by the Council's landscape architect, and additional replacement hedgerow can be provided. It should be noted that the landscape consultation response is dated 12th June with the decision dated 18th June, i.e. there was little scope for the applicant to respond and alternative tree/hedgerow proposals are a legitimate response which can be addressed via condition. Therefore, there will be no short term damage to woodland resource and there will actually be an enhancement of the current situation given the identified overcrowding and poor quality of many of the specimens. The Council's own Landscape Architect did not specifically object to the application.
- Given the woodland has no existing planning protection the proposal provides for a clear opportunity to positively secure both short term management of the woodland resource and long-term woodland retention. This can be secured via suitable planning conditions and/or an appropriate and relatively simple tree management plan over the remainder of the plot to ensure long-term benefit.
- The second reason for refusal is also refuted in terms of the subjective views with regard to the proposed design and layout. The proposal is continuing an historic and established pattern of building within the woodland setting in the Pyatshaw vicinity and positioning of the house relates to those nearby which relate to the street rather than being isolated 'houses in woods'. The existing core qualities and character of Pyatshaw which include a sense of passing through a sequence of enclosure-break-enclosure (as shown in **Appendix 12**) will be maintained and the scale, form, materials and parking arrangement/boundary treatment accord with national and local policy with a highly contextual and distinctive design achieved.
- Local examples of both contemporary houses within woodland settings and practical approaches to replacement of woodland can be identified within the Scottish Borders.

- There were no statutory or local objections to the application.
- 6.2 In closing, on the basis of the evidence provided in this Statement, the applicant considers that through pre-application and application processes, the aims and objectives of both national and local policy have been practically applied to achieve a design quality that will contribute positively to the Scottish Borders. There are practical measures available in terms of suitable conditions and detail to address concerns in terms of boundary treatment and tree management and a positive approach should be taken in accordance with Scottish Planning Policy and Creating Places to deliver a high quality design proposal. It is contended that the planning decision should have been premised upon planning policy and fact and not, with respect, via imposition of personal opinion.
- 6.3 On the basis of the foregoing, it is respectfully requested that the submitted planning application be viewed positively by the Local Review Board of SBC with the applicants agreeable to the imposing of appropriate planning conditions, as necessary.



PROJECT:
Preston Burn House
CLIENT:
Paula Milanese
DRAWING:
Existing Site Plan
ISSUED:
Planning

Job No: 14-089
Site No: 100/101
Scale: 1:500
Drawn: SH
Rev:



- Trees removed:**
- 1 - Silver Birch (B)
 - 2 - Rowan (C)
 - 3 - Ash (B)
 - 4 - Ash (C)
 - 5 - Birch (C)
 - 6 - English oak (C)
 - 7 - Silver Birch (C)
- Scale: 1:500
Group 1 - Ash, Silver Birch

15/00403 / FUL
Scottish Borders Council,
Town & Country Planning (Scotland) Act
REFUSED
18 Jun 2015
Planning & Economic
Development Department



GENERAL NOTES
Do not scale from drawing. Contractor to verify all dimensions on site prior to commencement of any works. Any discrepancies to be notified to the designer immediately. All kerbstones & specifications to be confirmed with the building project manager. All works to be completed prior to start of winter weather.

Taylor Architects Practice
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444 131 534 2643
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info@ta-p.co.uk
29-39 Marjorie Street
Edinburgh, E16 6SE





PROJECT:
House at Pyatshov Burn

CLIENT:
Paula Milanese

DRAWING:
Proposed Site Plan

ISSUED:
For Information

Ed. No. 4.005
DRAWING No. 002
Scale of 1:1250
Drawing: SM
Rev. A



- Trees to be planted in conjunction with ecological tree department



GENERAL NOTES:
Do not scale from drawings. Contractor to verify all dimensions on site prior to commencement of any works. Any discrepancies to be notified to the architect immediately. All drawings to be approved in accordance with the Planning & Economic Development Department of T.A.P. Ltd and are not to be reproduced for any or whole without prior written consent.

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tapp@t-a-p.co.uk

15 / 00 / 03 / FUI

Scottish Borders Council
Town & County Planning (Scotland)
REFUSED
18 JUN 2015
Planning & Economic
Development Department



15 / 0.04.03 / E111

T
AP

PROJECT:
House at Pyntahaw Barn
CLIENT:
Paula Milanese
DRAWING:
Proposed Ground Floor Plan
ISSUED:
Planning

As No. 1488
DWG No. 100
Scale as A1:100
Drawn: SM
Rev. B

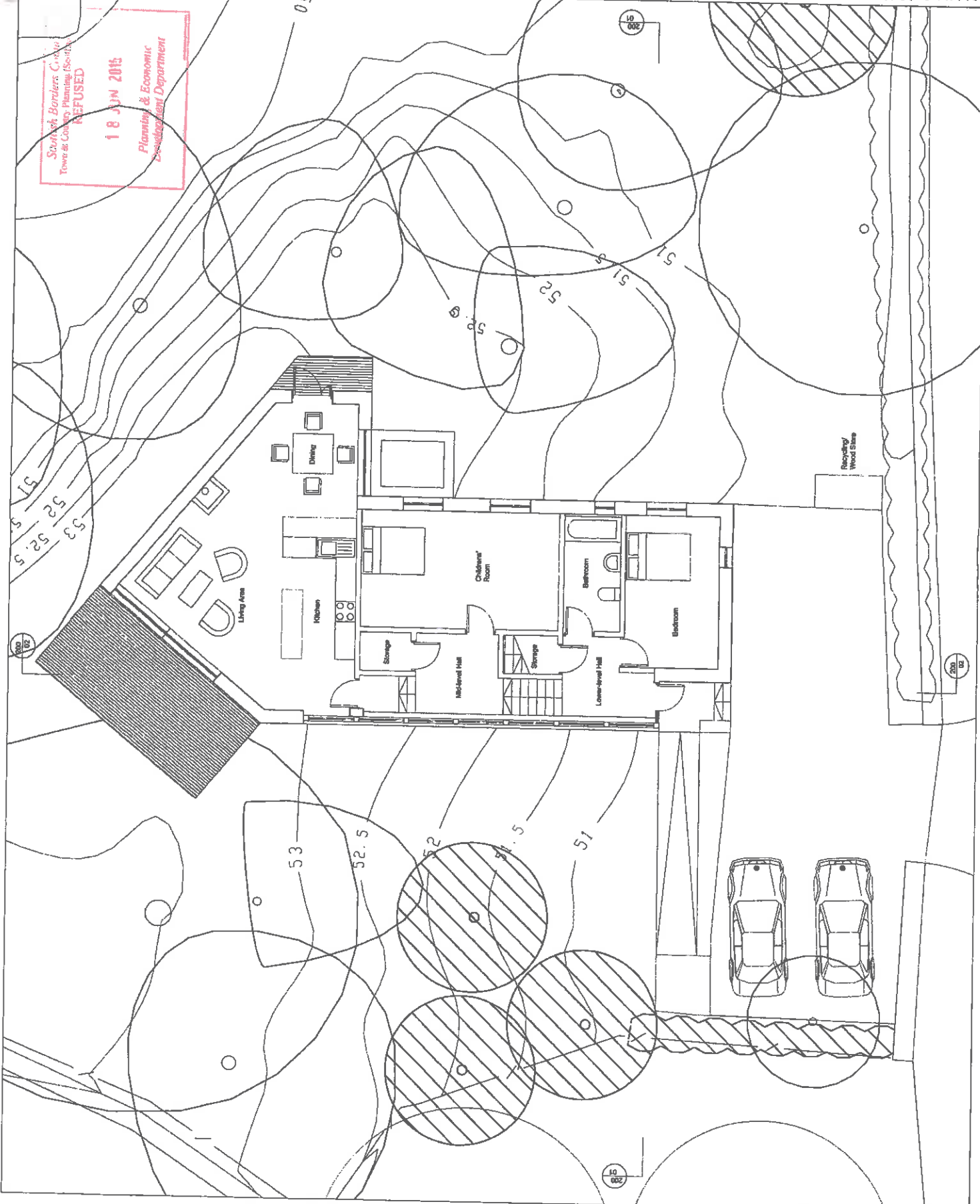
All areas amended
1 23/2/12
2 Layout amended: see survey added 12/01/12



- 15m. Area tree placed in consultation with ecologist's report

GENERAL NOTES
Do not scale from drawings. Contractor to verify all dimensions on site prior to commencement of work. Any discrepancies to be notified to the designer immediately. All drawings & specifications of T.A.P. Ltd and are not to be considered in part or whole without prior written consent.
Taylor Architecture Practice
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Aberystwyth, Ceredigion, SA71 1SE
+44 (0) 153 53 8234
+44 (0) 153 534 7665
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info@tap-uk.com

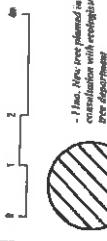
South Borders Council
Town & Country Planning (Scottish)
REFUSED
18 JUN 2015
Planning & Economic
Development Department



T
AP

PROJECT:
House at Pyvashaw Burn
CLIENT:
Paula Milanese
DRAWING:
Proposed First Floor Plan
ISSUED:
Planning

Job No: 1409
DWG No: 111
Scale: as shown
Drawn: SM
Rev:



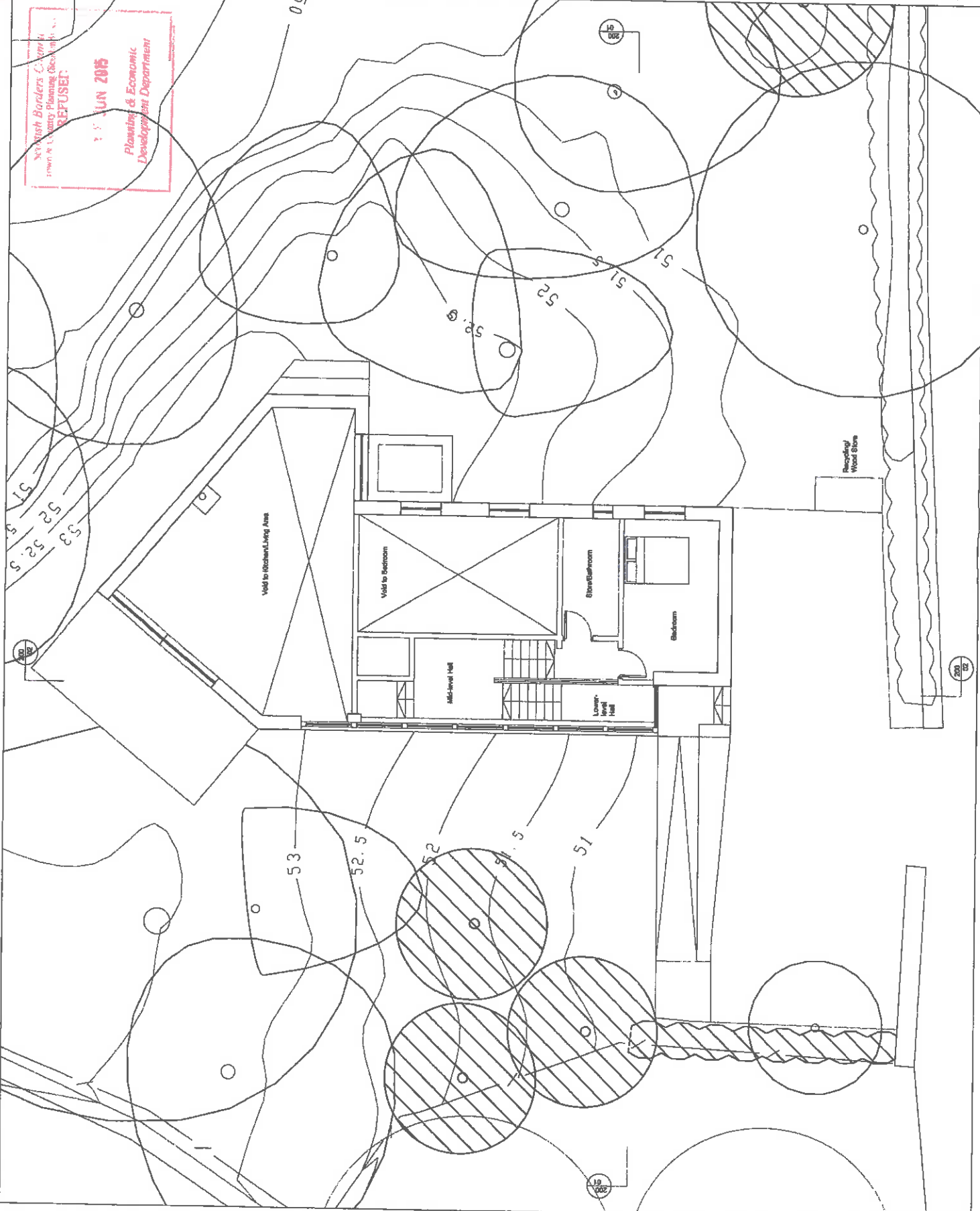
- 1 m. Area planned in consultation with ecological area department



GENERAL NOTES:
Do not scale from drawings. Compare to verify all dimensions in situ prior to commencement of any works. Any alterations to be notified to the architect in writing. All drawings of specification related to this building are to be reproduced in part or whole without prior written consent.

Taylor Architecture Practice
44 131 533 3074
www.tapep.com
Edinburgh EH6 6SE

New Wash Borders Council
Planning Department
REFUSED
13 JUN 2015
Planning & Economic
Development Department



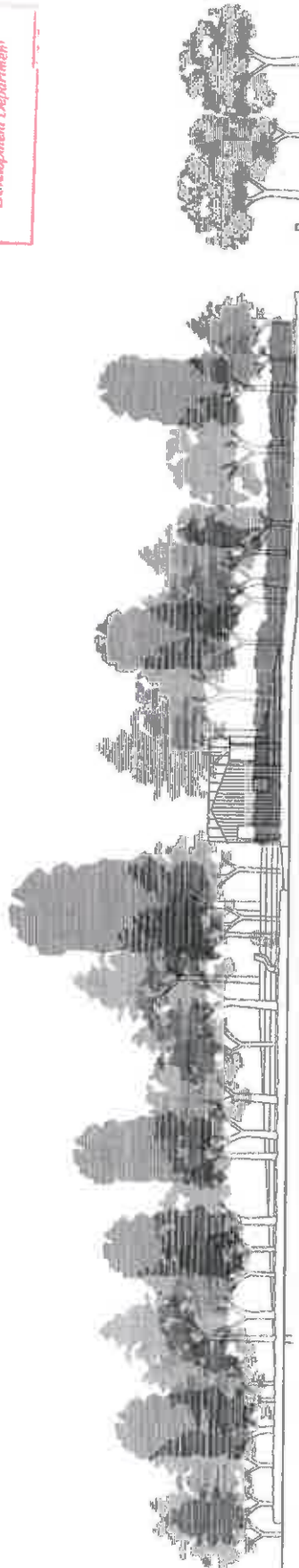
T
AP

PROJECT:
Pyasthane Burn House
CLIENT:
Paula Milanese
DRAWING:
Proposed Elevations
ISSUED:
Planning

1st Issue
DWG No. 100
Scale as 1:1/200
Drawn: NT
Rev. 4

1	2/10/14	3/10/14
A. Elevations Updated		3/10/14

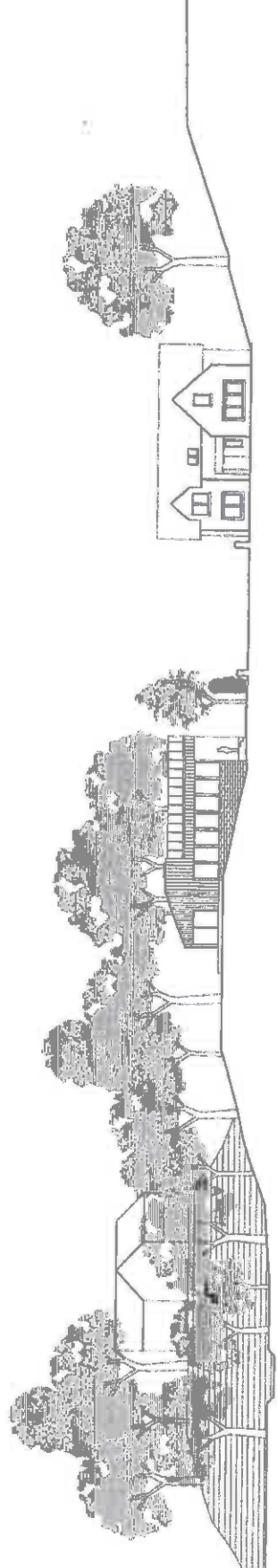
Scottish Borders Council
Town & Country Planning (Scottish Borders)
REFUSED
18 JUN 2015
Planning & Economic
Development Department



ROAD

APPLICATION SITE

SOUTH ELEVATION



ROAD

APPLICATION SITE

WEST ELEVATION

GENERAL NOTES:
Do not scale from drawings. Contractor to verify all dimensions on site prior to commencement of any works. Any discrepancies to be notified to the architect immediately. All drawings & specifications related to this building are contained in the T-C-P. All work shall be in accordance with the current whole of building regulations.

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info@t-a-p.co.uk



PROJECT:
Pyshtav Barn House
CLIENT:
Paula Milanese
DRAWING:
Proposed Elevations
ISSUED:
Planning

Job No: 14 005
Date: 15/06/15
Scale: 1:50
Drawn: NT
Rev: A

All Services Listed
31/07/15
20/07/15

NOTICE
Town & Country Planning Scotland
18 JUN 2015
Planning & Economic
Development Department
REFUSED

Clear double glazed
panels in dark grey
aluminium frame

Timber slaps

White painted brick path

Ramp & steps in random
red brick masonry

SOUTH ELEVATION

Rooflight

Flue

Dark stained timber
reinscreen cladding

Clear double glazed
panels in dark grey
aluminium frame

Fire cladding

Dark stained timber
reinscreen cladding

White painted brick path

Timber slaps

NORTH ELEVATION

GENERAL NOTE
Do not scale drawings. Consult us to verify all
dimensions on site prior to commencement of work.
Works may differ from those shown on drawings if
designers amendments. All drawings & specifications
are subject to change without notice in part or
whole without prior written consent.

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15100403 F111

T
A
P

PROJECT:
Pyaashaw Burn House
CLIENT:
Paula Milanesse
DRAWING:
Proposed Elevations
ISSUED:
Planning

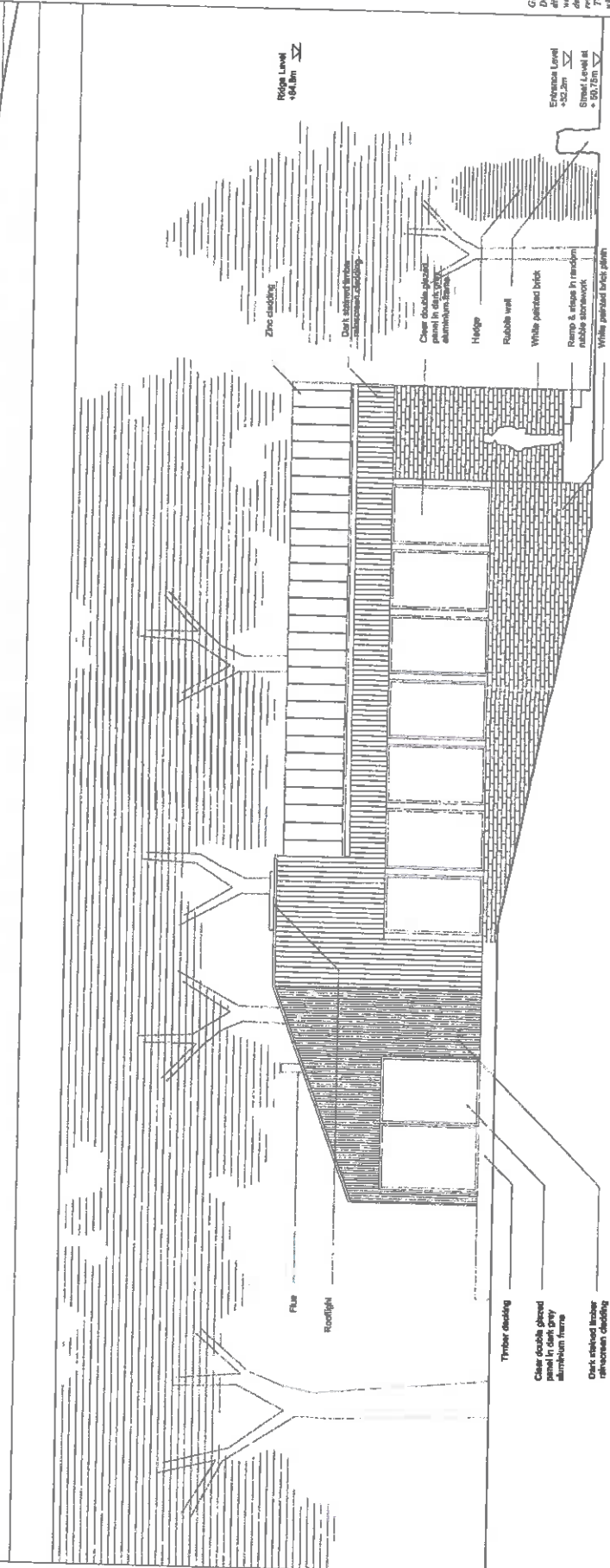
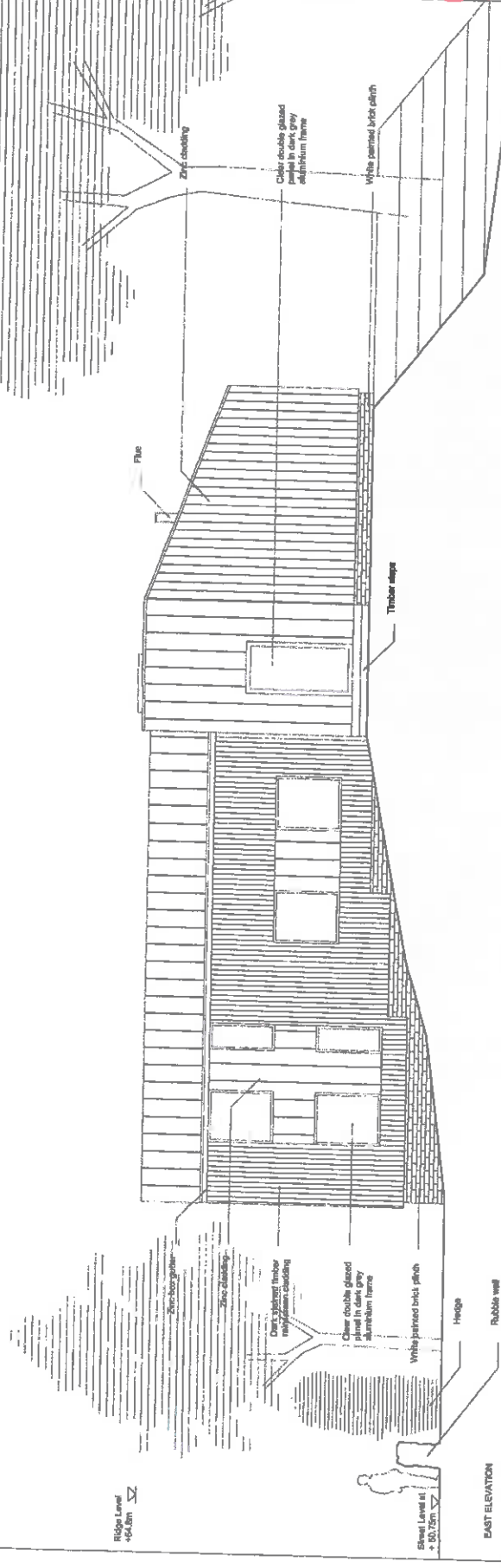
Job No: 14 001
DRWG No: 02
Scale: as 1:100
Drawn: JKT
Rev: 1

23/07/25	20/07/25
A1 Sections Updated	

Scottish Borders Council,
Town & Country Planning (Scotland) ...
REFUSED
Planning & Economic
Development Department

GENERAL NOTES:
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EAST ELEVATION

WEST ELEVATION

T
AP

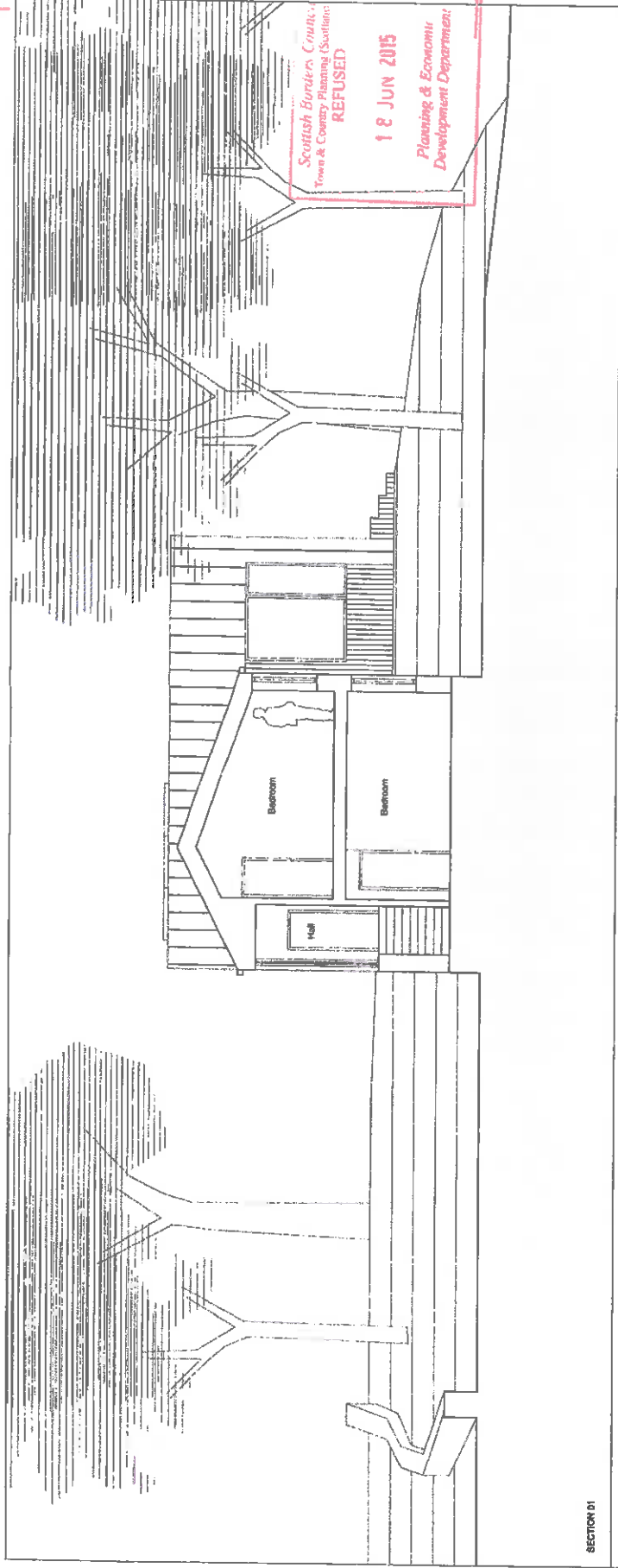
PROJECT:
Pyratshaw Burn House
CLIENT:
Paula Milanese
DRAWING:
Proposed Site Sections
ISSUED:
Planning

Arch No: 14-095
DWG No: 200
Scale at A1: 1:500
Draughtsman: NT
Rev: B

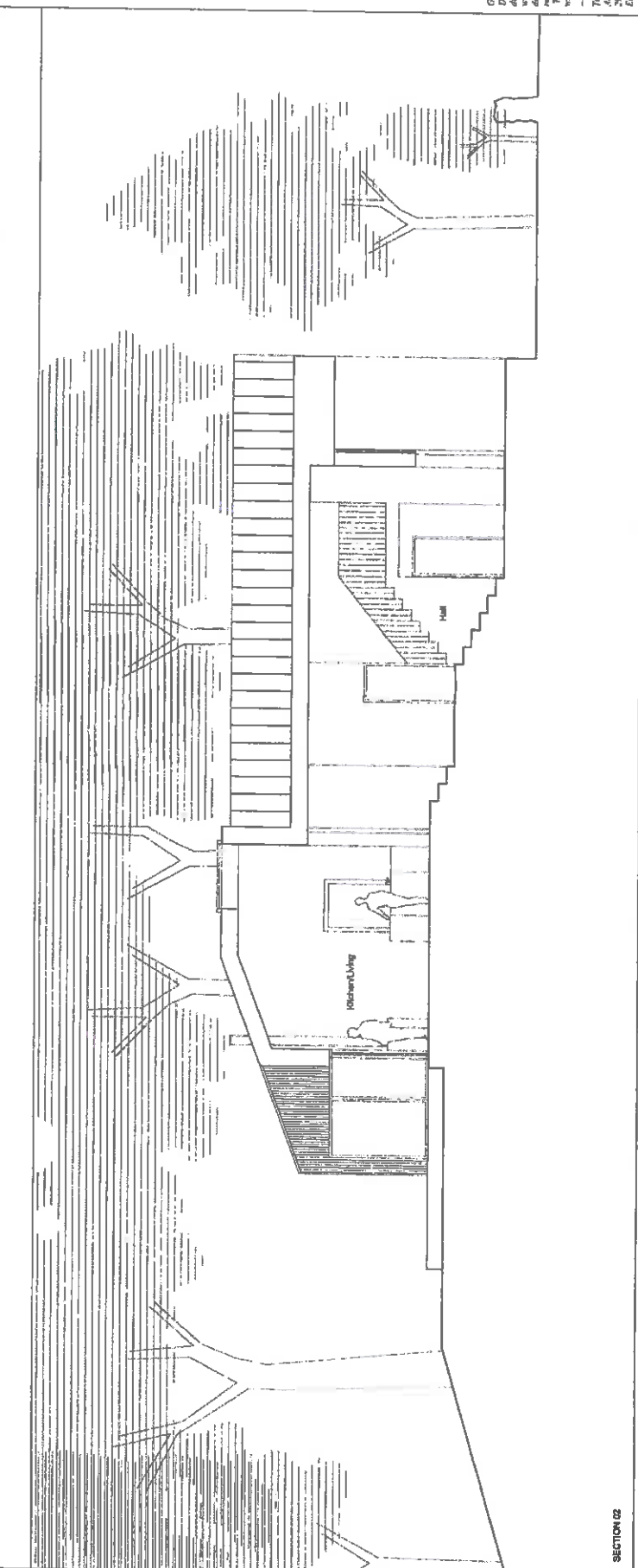
A	Sections Updated	22/10/14
B	Sections Updated	20/07/15
		05-08/15



Scottish Borders, Council:
Town & Country Planning (Sections)
REFUSED
18 JUN 2015
Planning & Economic
Development Department



SECTION 01



SECTION 02

GENERAL NOTES
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The drawings are for information only and are not to be used for construction without the written consent of the architect.
T.A.P. Ltd and are not to be reworked in part or whole without prior written consent.

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Pyatshaw Burn House
Planning Design Statement
April 2015



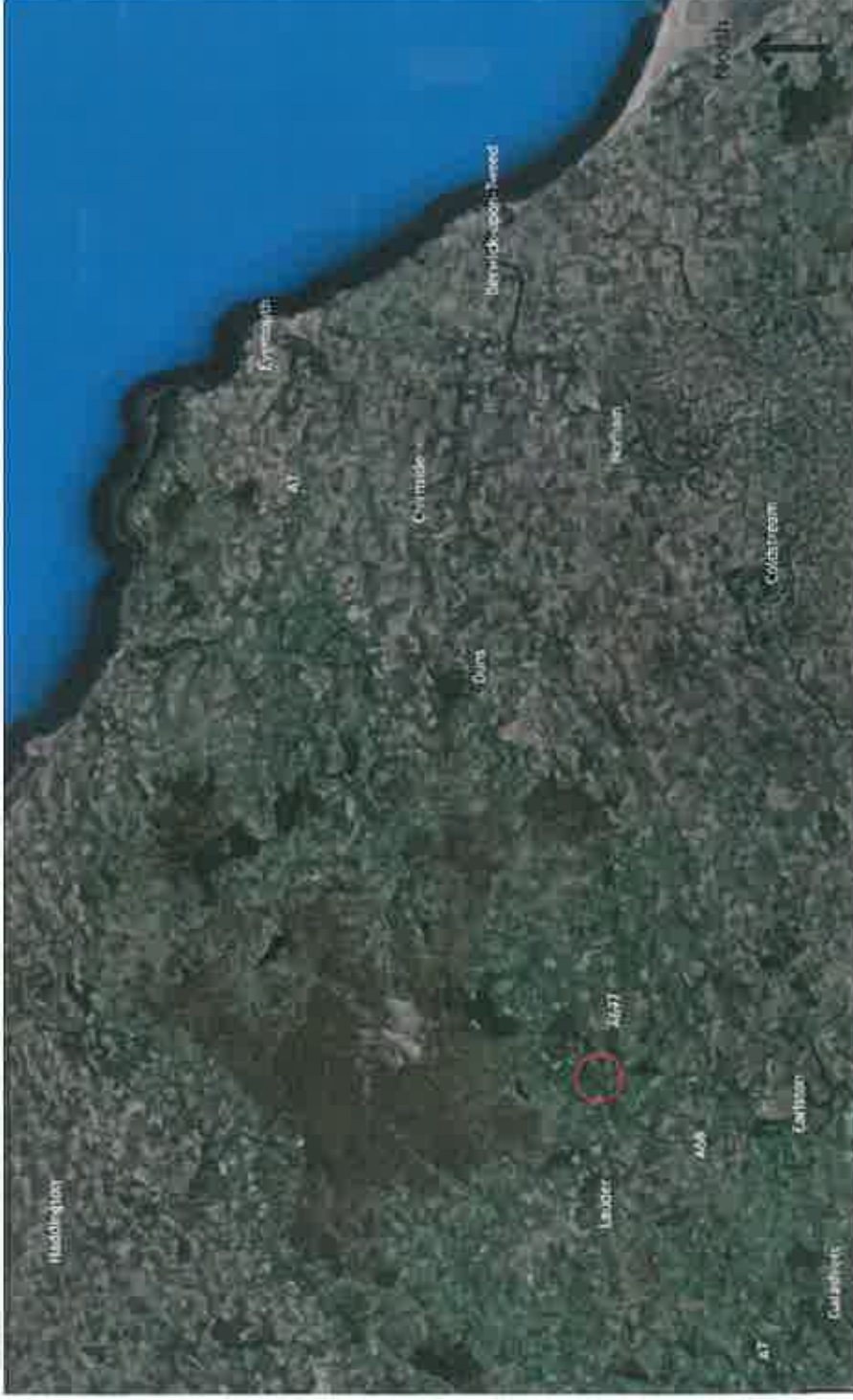
INTRODUCTION

This document is the Planning Design Statement for a proposed new detached residential property at Pyatshaw Burn in the Scottish Borders. The nearest town is Lauder which is approximately 4.5 miles from the site.

There are a number of existing dwellings within the vicinity of the proposed new house and together form a small but well defined settlement around Pyatshaw Burn.

CLIENT BRIEF

The client brief is for a new detached dwelling house that should sit within the woodland setting and have generous public rooms addressing the south and westerly aspects. The accommodation should consist of three bedrooms and appropriate bathroom and amenity accommodation. Off street parking should be incorporated.



Location Plan

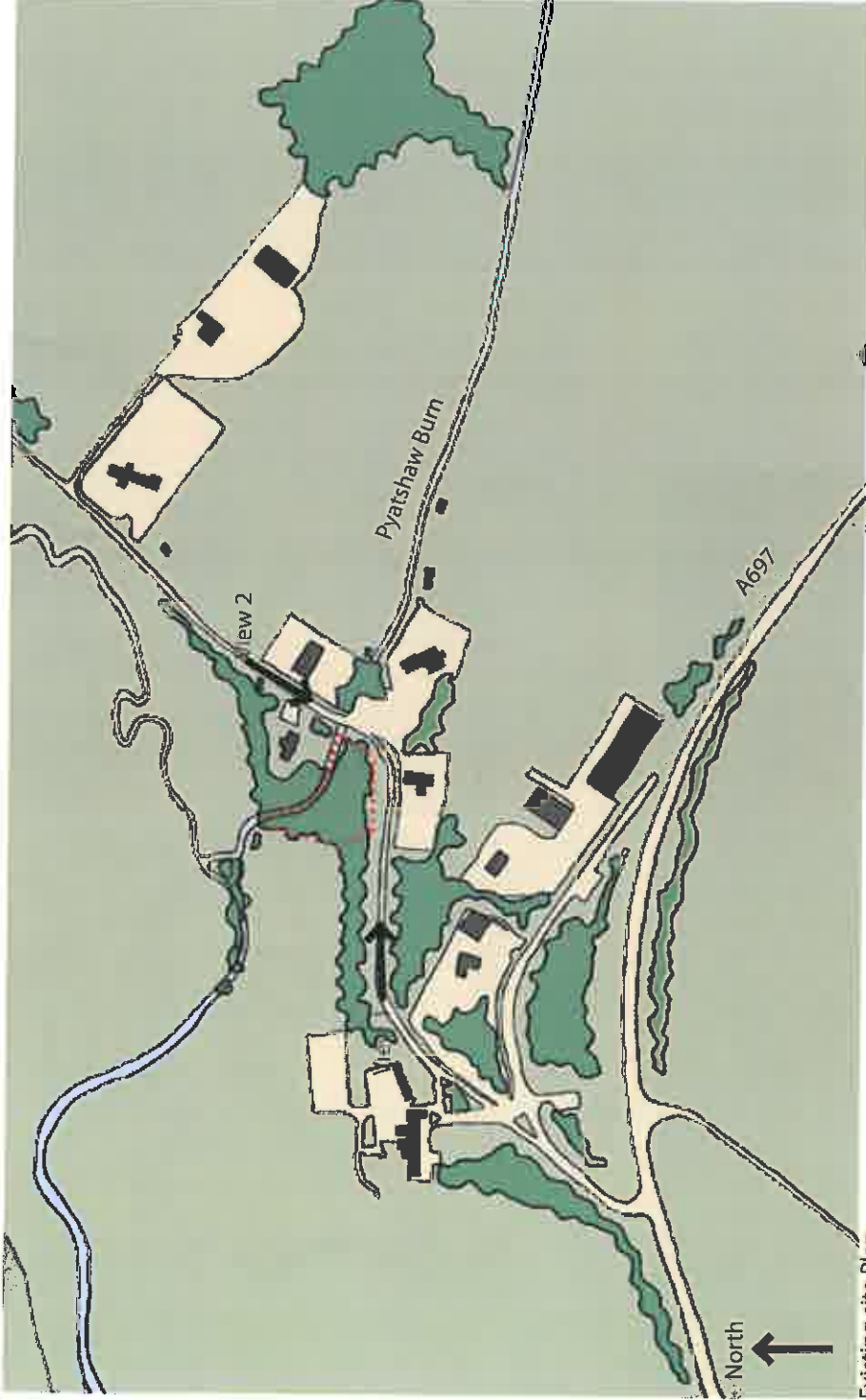


View 1 - Winter

SITE LOCATION

The site is bounded on the East and the South by the road, which runs through the existing Pyatshaw settlement and to the North by Pyatshaw Burn itself. To the West of the site is open agricultural land.

The area is characterised by various detached houses and collections of agricultural buildings, the majority of which are in a traditional style. There are also several 'one-off' contemporary houses in the vicinity.



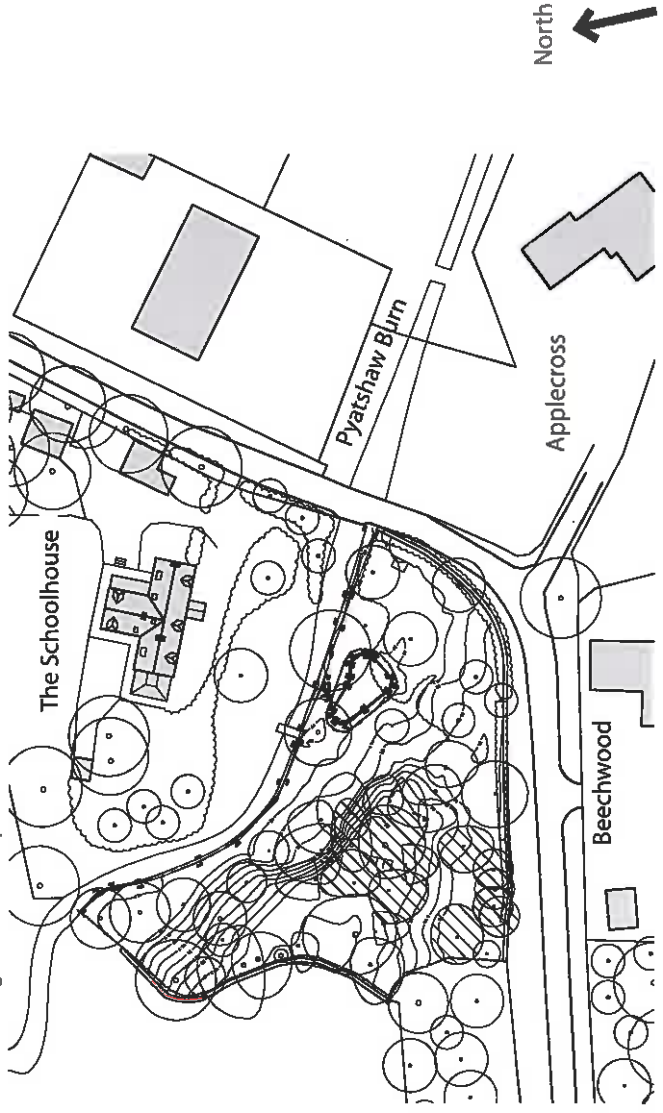
View 2



View 1 - Summer



View looking South from 'plateau' on the site



Existing Site Plan- hatched trees are to be removed

SITE CHARACTERISTICS

- The site is currently home to a diverse collection of trees and bushes. The Western and Northern sides of the site have the most mature trees that form a strip that connects to trees on adjacent plots. Taken together this forms a belt of woodland running along those edges. In the middle of the site and on the road edge the trees are thinner and are generally less mature. The Eastern edge of the site is heavily overgrown.
- The sites slopes upwards from the road to a flat 'plateau'. From here the ground drops quite steeply down to the river level.
- To the North, on the other side of the burn is a separate property; 'The old Schoolhouse'.
- An old stone wall and beech hedge form the boundary to the road on the South of the site. A property, 'Beechwood', is located opposite this.
- The woodland, the burn running along the site boundary and the expanse of open fields beyond combine to give the site a quiet and private character.

DESIGN RESPONSE

There have been three principal aspects that have been considered when developing the design approach for this site. Firstly, the relationship of a new house to the existing building group, secondly the positions and importance of the trees that would be affected by any development and thirdly the topography of the site.

The existing building group is coherent enough to constitute a recognisable settlement, with most houses sitting adjacent to the main access road. Most have a forecourt used for parking and several present a gable end to the street. We have adopted this arrangement in our proposals, with the body of the house set perpendicular to the street. In terms of scale the new house is similar to the adjacent houses.

The maps of the area show that a strip of woodland has been in existence on this site for many years and that this is a landscape feature that is important in terms of providing a boundary to the building group. It is our intention - shown in the diagrams opposite - that this woodland strip remains intact on the Western and Northern sides of the site and that only a small clearing is required to provide space for the new dwelling house. The tree belt will remain as a continuous feature when viewed from the West and North and will not be significantly altered in character. Further details as to how this is achieved are on the following pages.

An area of higher, flat ground sits in the middle of the site. In order to benefit from the westerly aspect from this point the living spaces have been placed here. The section of the house has been organised to follow the slope of the ground, with an entrance level at the lowest point nearest the road and a mid-level half-way up the slope.

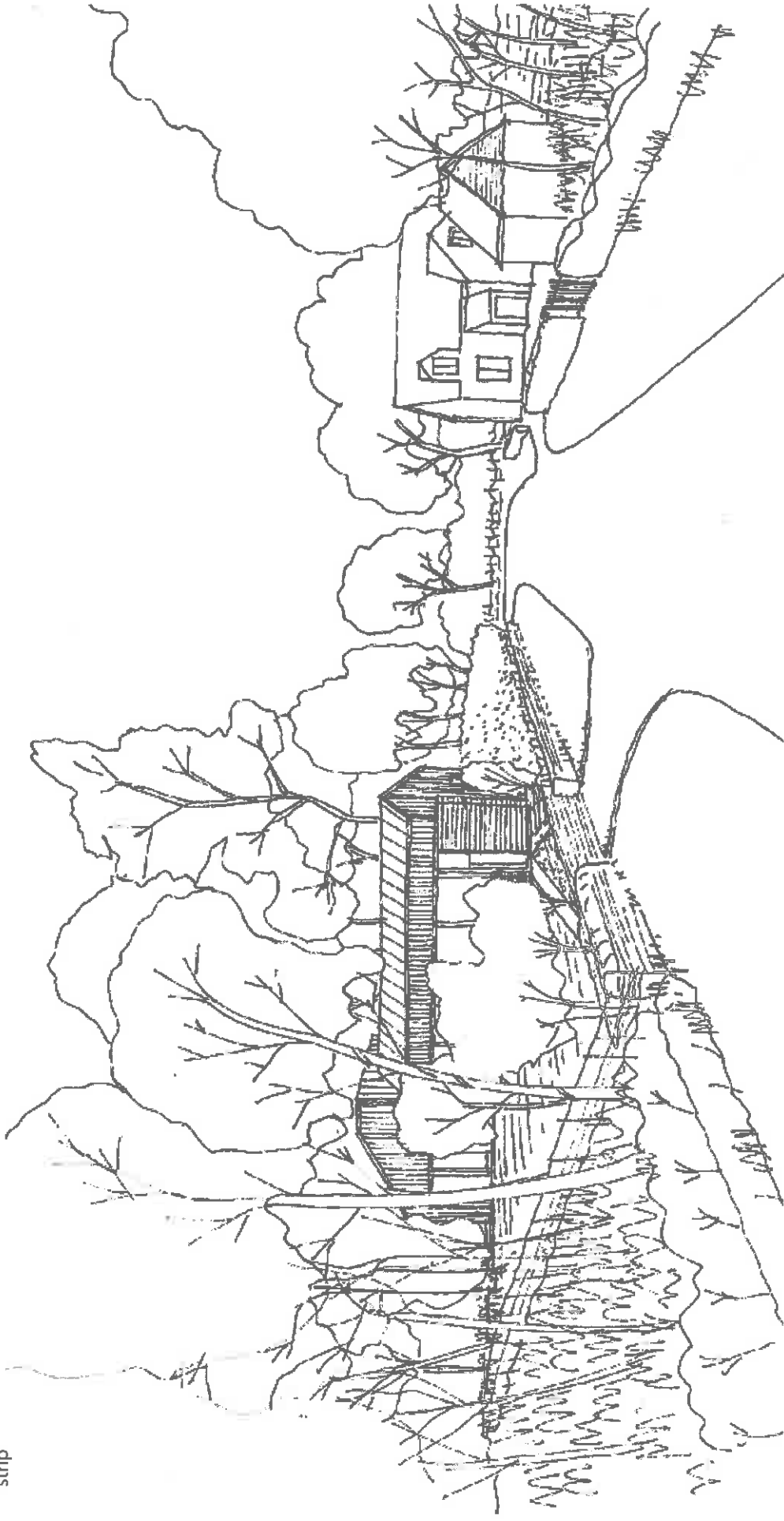


Site plan showing building group gable-ended houses addressing street



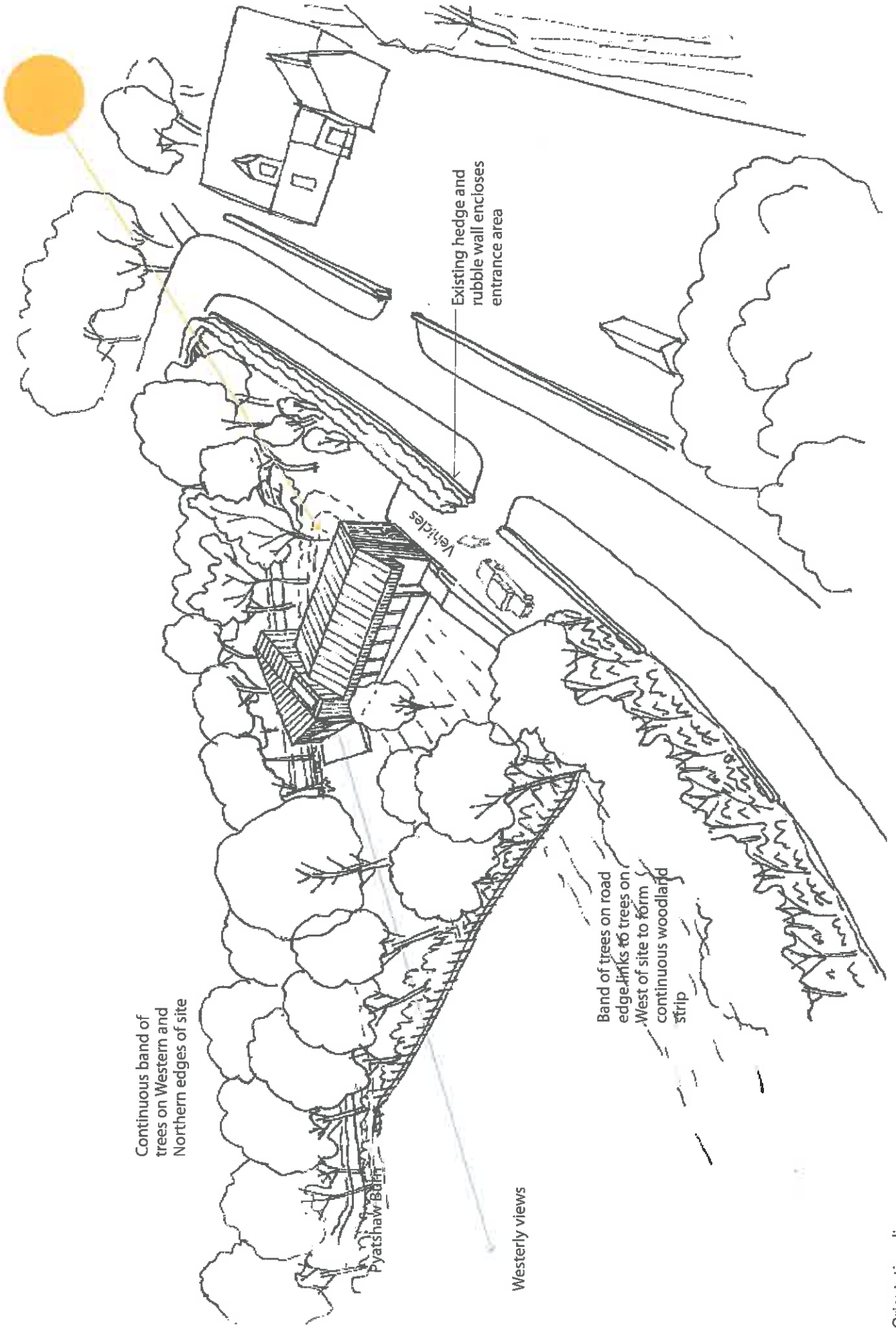
Site plan showing tree groups after removals with proposed footprint

Band of trees on road
edge links to trees on
West of site to form
continuous woodland
strip



Sketch of Approach to house

Southerly sun



Orientation diagram

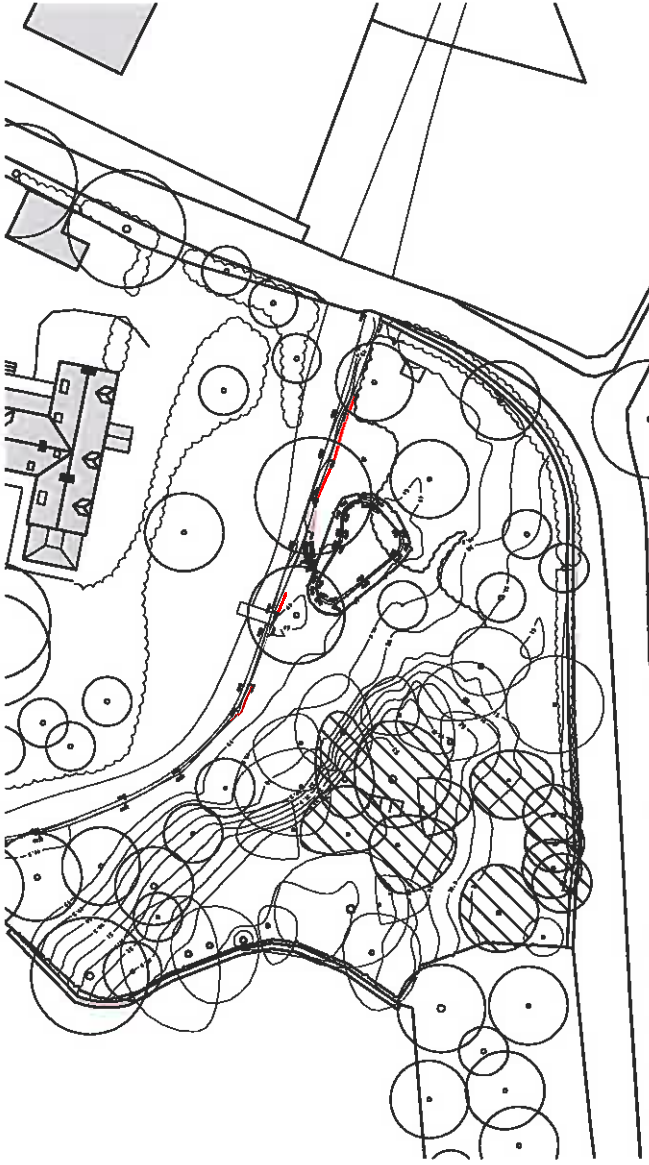
TREES

During pre-application consultation with the planning department, concerns that the development of the site will lead to the erosion of an important landscape feature have been raised. During a lengthy design process every endeavour has been made to establish exact tree positions and develop a building form that will minimise the impact on the woodland. We can make the following statement on this subject:

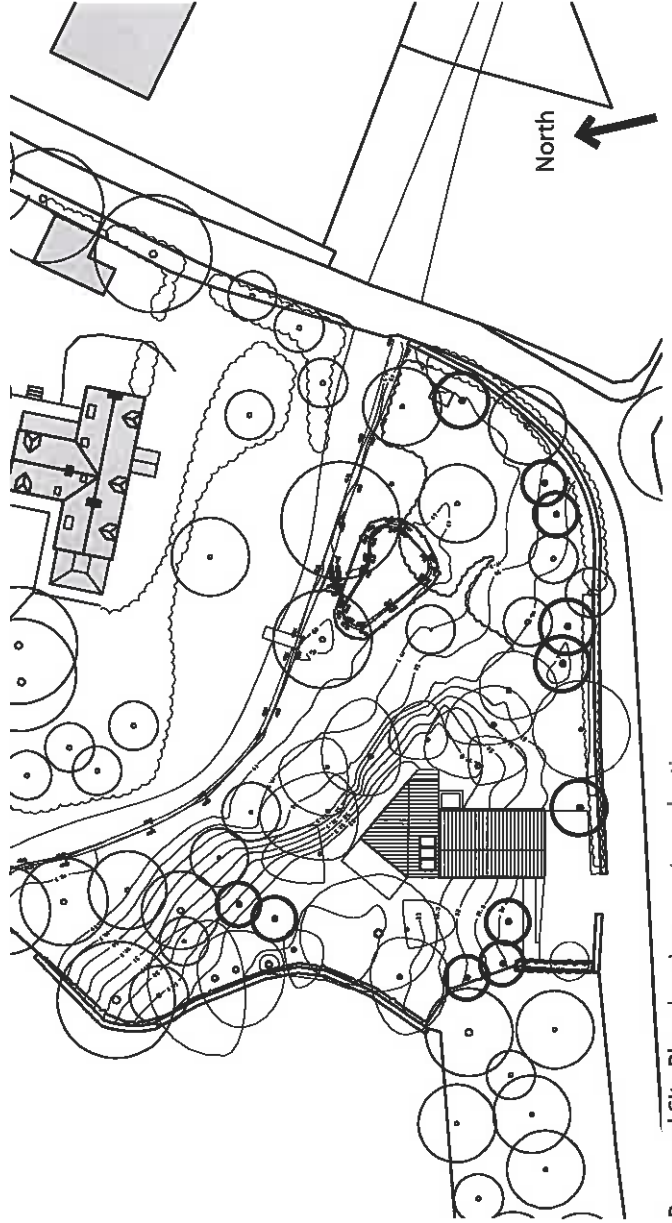
-There will be no effect on the trees that run around the West of the site or along the river valley. These will remain as a continuous unbroken feature, defining the outer limits of the settlement, when viewed from the surrounding countryside. The new house sits within a small cleared area, in the same way as do several other houses within the settlement;

-A detailed tree survey was carried out on the site. Of the 11 no. trees that are proposed to be removed 9 are 'Category C' and 2 are 'Category B'. It is proposed that 11 new trees are planted around the site to enhance and strengthen the existing woodland belt on the perimeter of the site.

-Concerns have been raised regarding future clearing of the site. This is not the intention of the client, who would welcome a conditional approval or tree protection measures, that placed clear limits on felling or further development.



Existing Site Plan- hatched trees are to be removed

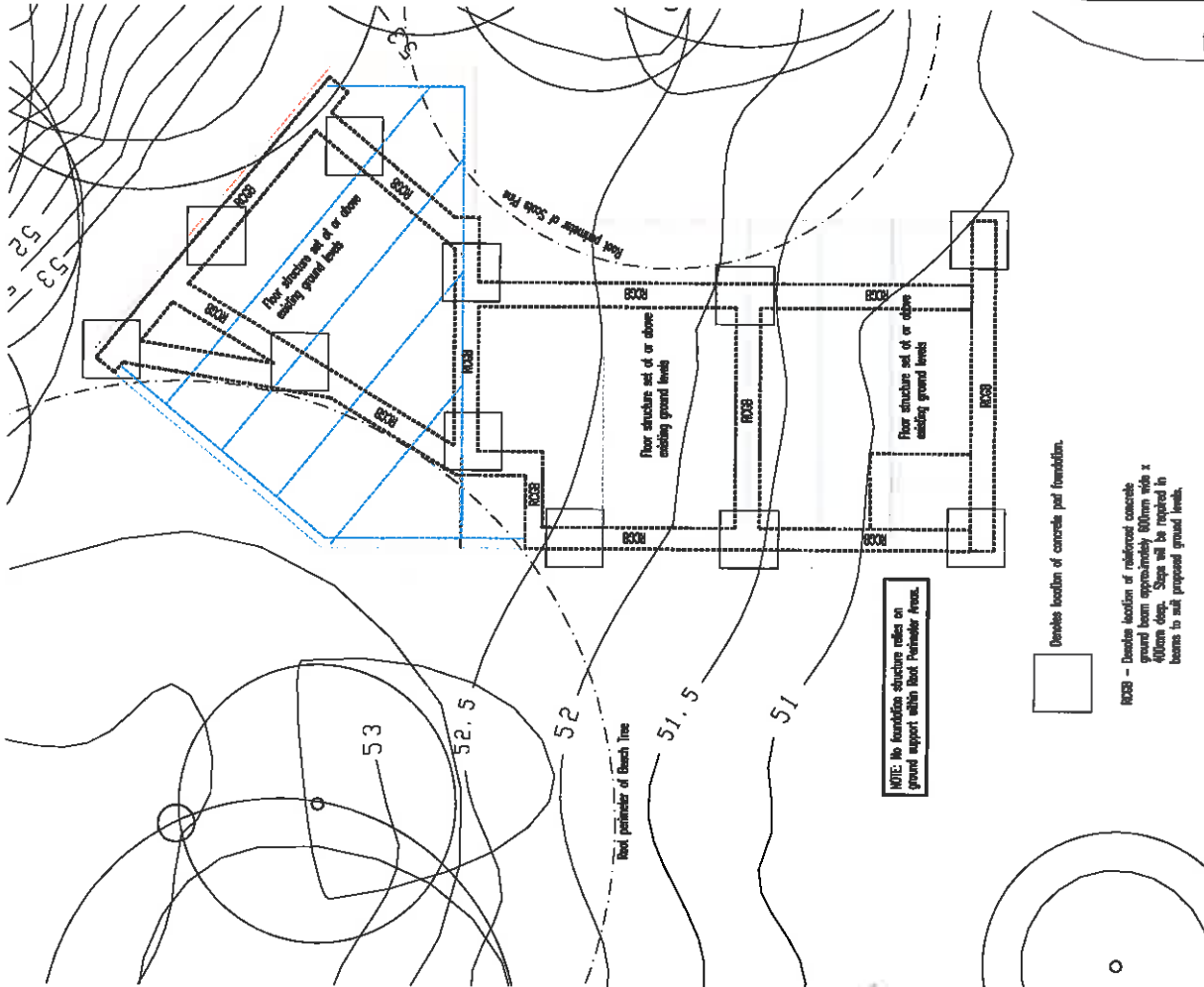


Proposed Site Plan showing new tree planting

TREES continued:

-2 no. 'Category A' trees (a beech and a scots pine) are in reasonably close proximity to the proposed house and if the house was built using standard, perimeter strip foundations then a proportion of the root bowls of these trees would be encroached upon.

A structural solution has been developed in conjunction with structural engineers, McCoil Associates, that will keep all new sub-structure out of the root areas of these two trees, as illustrated here.



NOTE: No foundation structure takes on ground support within Root Perimeter Areas.

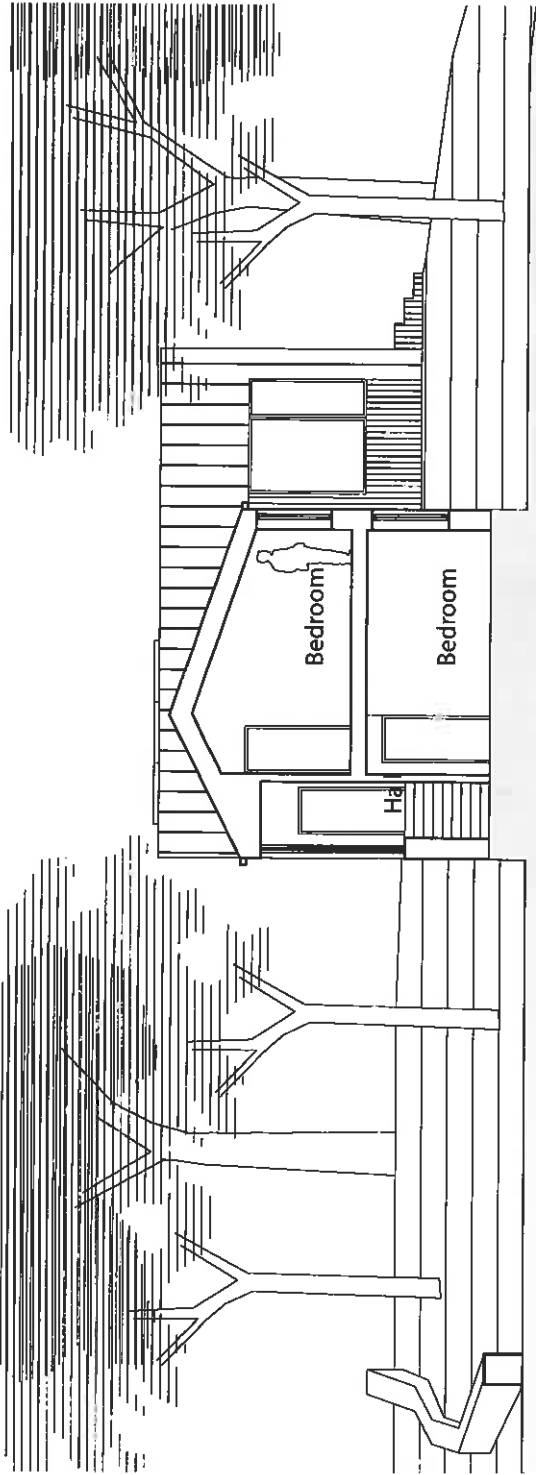
NOTE: - Deduce location of reinforced concrete ground beam approximately 800mm wide x 400mm deep. Slugs will be required in beams to suit proposed ground levels.

□ Deduce location of concrete perf foundation.

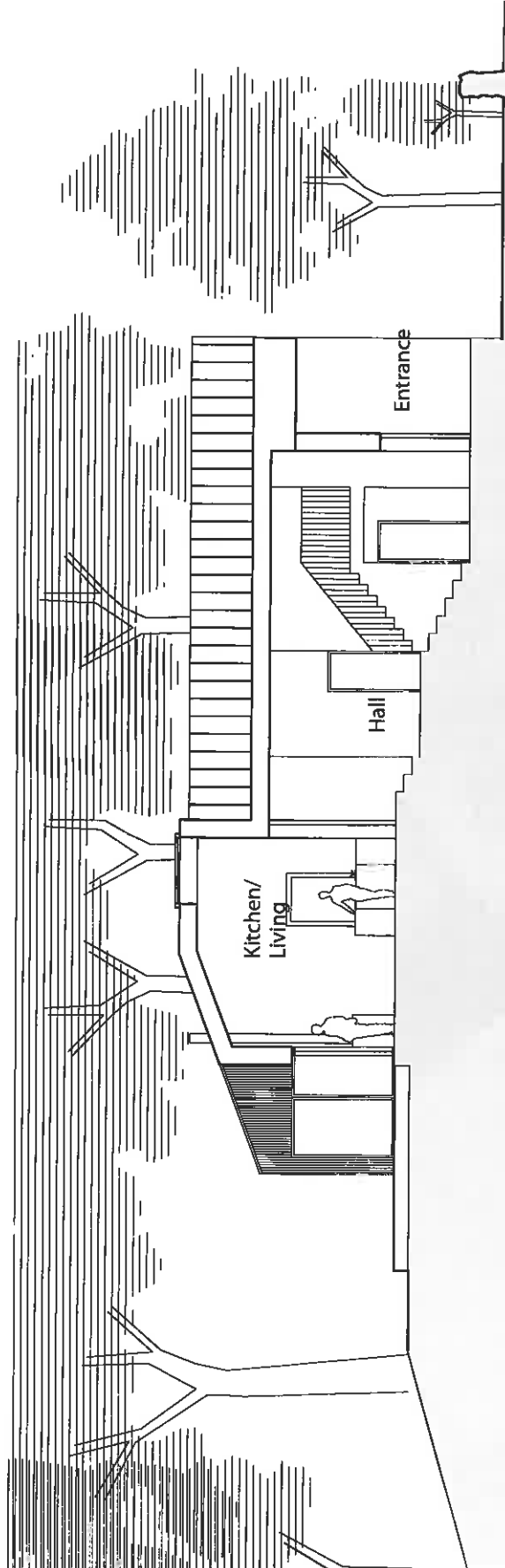
REVISION:

DATE/DRAWN BY:

McCOLL ASSOCIATES, CONSULTING CIVIL & STRUCTURAL ENGINEERS <small>McColl Associates is a trading name of McColl Associates (Consulting Engineers) Limited</small>			
Client	McColl Associates (Consulting Engineers) Ltd		
Project	Pysatshaw		
Drawing Title	Prelim Foundation Plan		
Scale	1:100	Drawing Number	0000010 / TR-01
Drawn	08/04/2015	Drawn	MC
		Checked	Checked
		Revision	
1 Meadowbank Place Edinburgh EH8 7AW TEL: 0131 555 0721 e-mail: mccollassoc.co.uk			



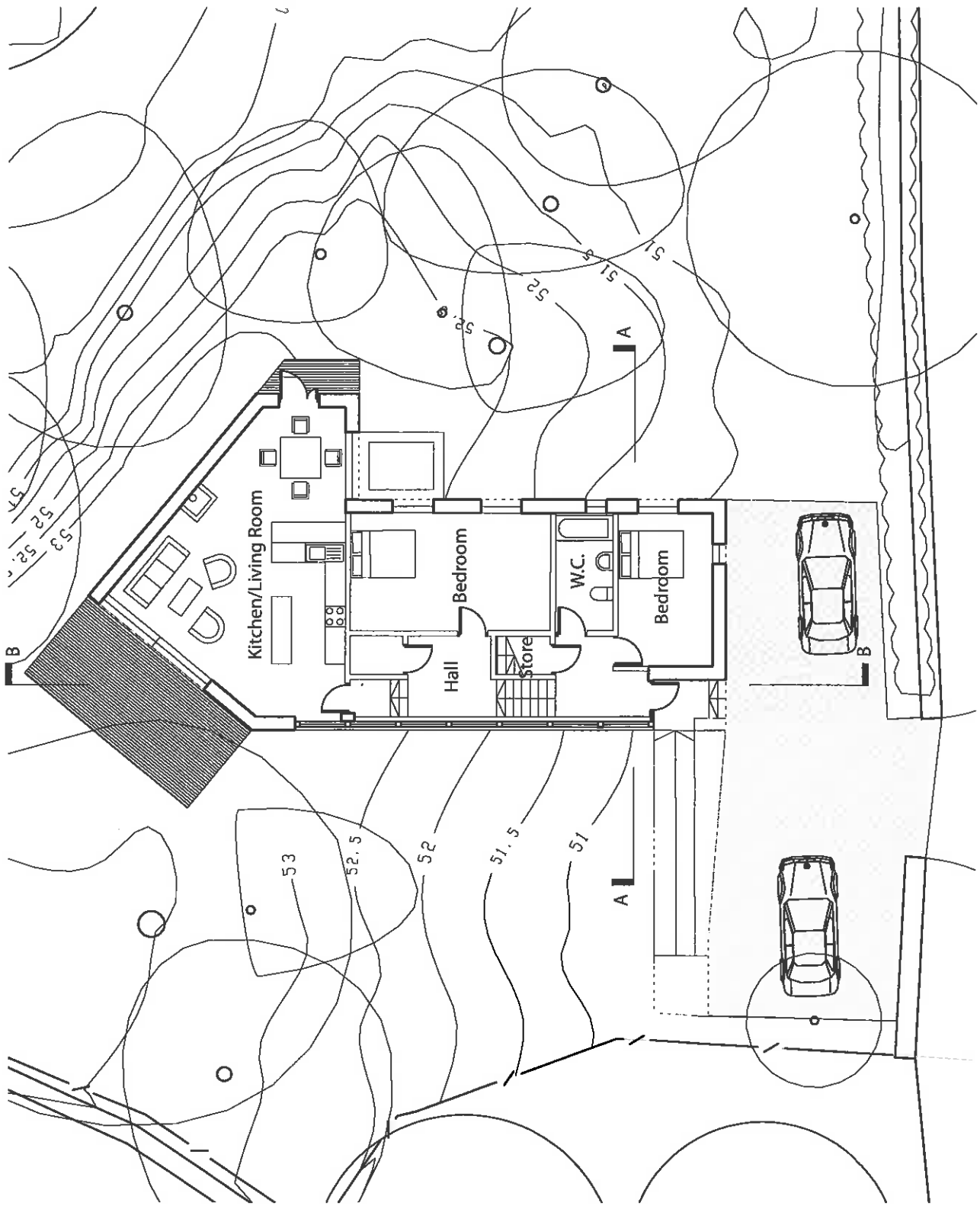
Section AA



Section BB

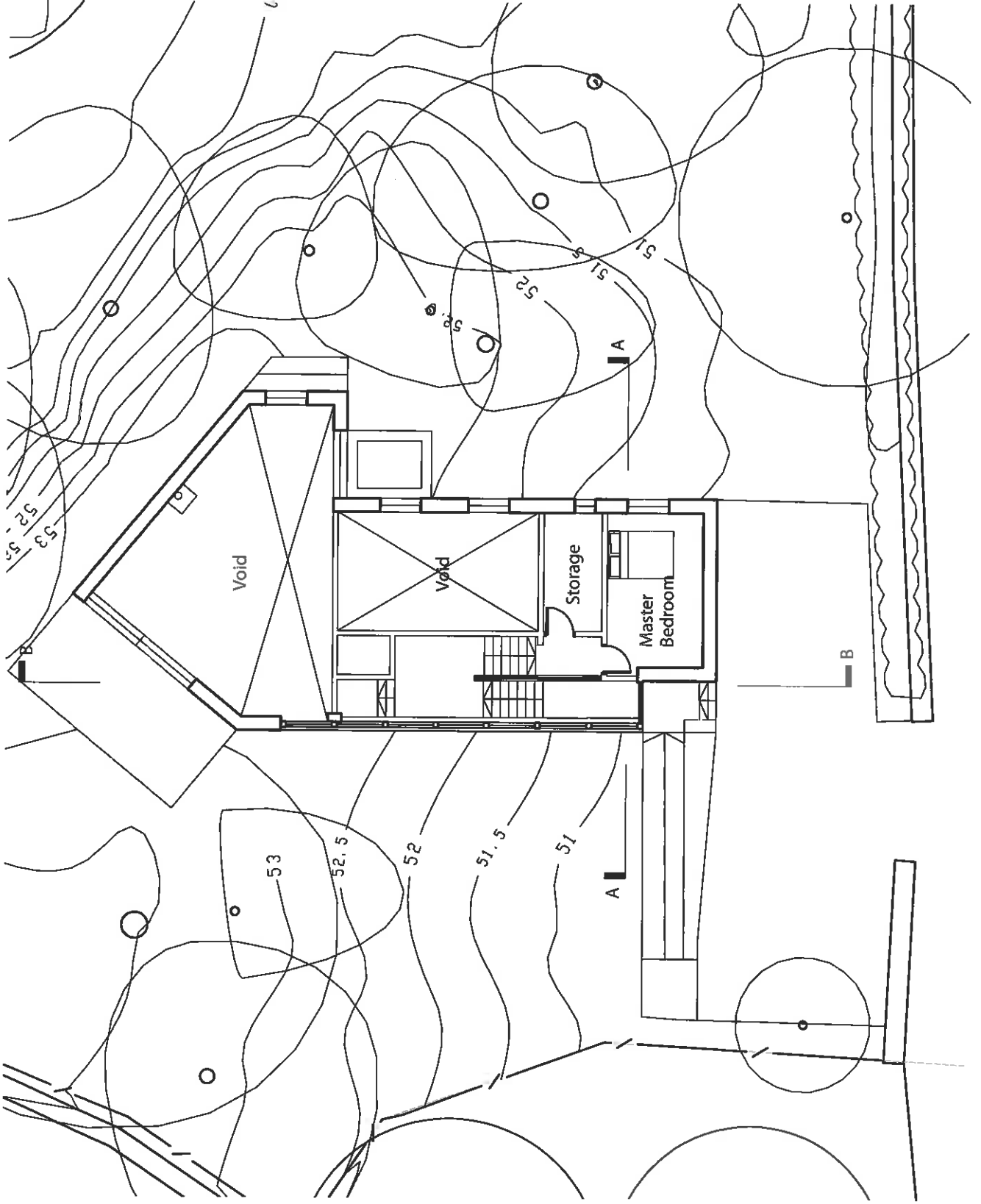
Proposed Sections

North 



Proposed Ground Floor Plan

North 



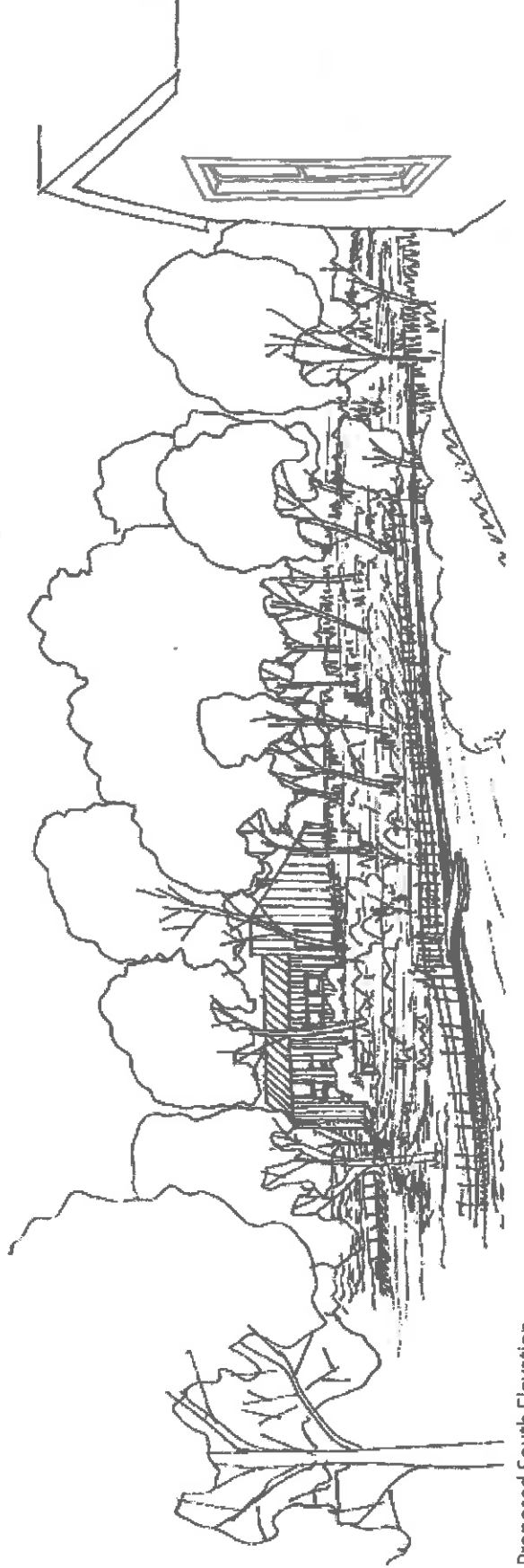
Proposed 1st Floor Plan

EXTERNAL TREATMENT

The building form relates to the traditional pitched roof barns and houses of the locality. Zinc is proposed for the majority of the roof planes, which will patinate to give variety and texture, but can also be sharply detailed where wall and roof edges meet. Walls are predominantly clad in a dark stained timber rainscreen that will allow the building to sit discreetly within the trees.

A white painted brick plinth and entrance porch provides a visually solid base for the building to sit on the slope of the site. On the West facade a horizontal glass strip provides light into the stepped hallway.

The upper level of the building takes on a wedge shape in plan to follow the alignment of the edge of the plateau and is also taller to create a higher and brighter living space. A large sliding glass door provides views under the tree canopy to the West and will open to an area of decking outside.



Proposed South Elevation



Proposed view from Ravelston Dykes Lane looking South-East

Material Palette



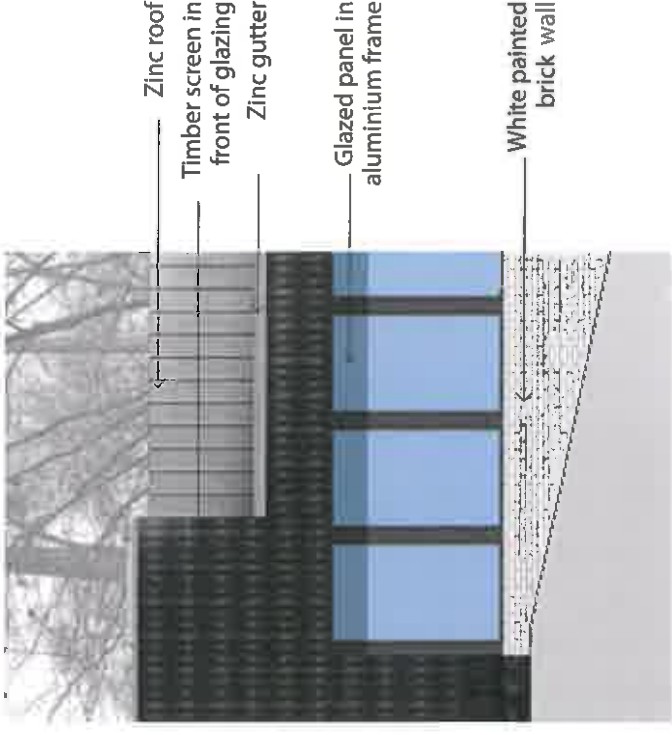
Timber Screen



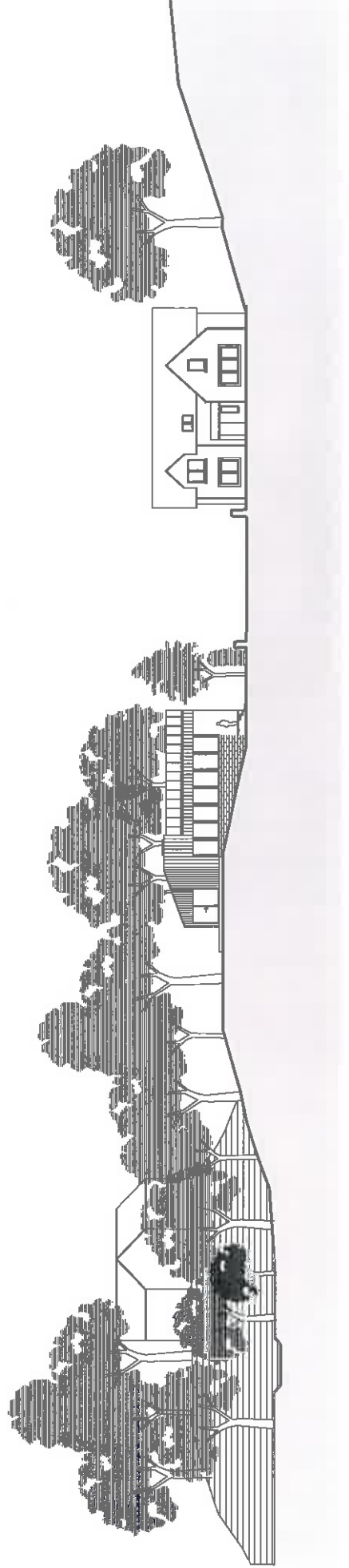
Zinc Cladding
Material Palette: Roofs



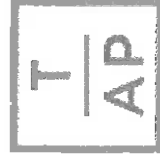
White Painted Brick



Detail of West Elevation



Proposed West Elevation



Admiral House
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Edinburgh
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E: info@t-a-p.uk

www.t-a-p.uk

APPLICATION REFERENCE : 15/00403/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
103	Location Plan	Refused
110	Roof Plan	Refused
111	Floor Plans	Refused
200	Floor Plans	Refused
101	Sections	Refused
102	Existing Layout	Refused
300	Site Plan	Refused
301	Sections	Refused
302	Elevations	Refused
302	Elevations	Refused

REASON FOR REFUSAL

- 1 The proposed development is contrary to Adopted Local Plan Policies D2, G1 and NE4, and the advice of Supplementary Planning Guidance - New Housing in the Borders Countryside (December 2008) and Supplementary Planning Guidance - Place-Making and Design (January 2010), in that the proposal would in the short-term cause serious damage to, and promote the long-term loss of, the existing woodland resource at the site, which it is considered should be substantially retained due to its high landscape value and significant contribution to the character, sense of place and setting of the building group at Pyatshaw.
- 2 The proposed development is contrary to Adopted Local Plan Policies D2 and G1, and the advice of Supplementary Planning Guidance - New Housing in the Borders Countryside (December 2008) and Supplementary Planning Guidance - Place-Making and Design (January 2010), in that the proposed design and layout of the residential property are not sympathetic to the woodland character of the site or to the sense of place and setting of the building group at Pyatshaw, in that (i) the site's existing woodland character would be overwhelmed by a prominently located and highly visible dwellinghouse, which as a consequence of its siting would be overly-dominant within views from the public road and (ii) the front-and-centre positioning of the associated car parking area would be liable to project a particularly unsympathetic urban or suburban character in views from the public road.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that

INFORMATIVE NOTE 1.

In the event of any subsequent proposal being made for the accommodation of a dwellinghouse on this site, please note that although the Roads Planning Section was otherwise supportive, it has advised that it would still have required the vehicular access to the site to be constructed with a bituminous surface (tar), preferably to the following standard (or similar):

One layer of 75mm thick (40mm size) bitumen blinded with grit to BS 4987 laid on 375mm of 75mm broken stone bottoming blinded with Type 1 sub-base.

Work carried out within the road and verge would have to be carried out by an SBC approved contractor.

Visit <http://eplanning.scotborders.gov.uk/online-applications/>



Regulatory Services

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997.

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SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
SERVICE DIRECTOR REGULATORY SERVICES**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 15/00403/FUL
APPLICANT : Mrs Paula Milanesi
AGENT : Taylor Architecture Practice
DEVELOPMENT : Erection of dwellinghouse
LOCATION: Land South West Pyatshaw Schoolhouse
Lauder
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
	Location Plan	Refused
103	Roof Plan	Refused
110	Floor Plans	Refused
111	Floor Plans	Refused
200	Sections	Refused
101	Existing Layout	Refused
102	Site Plan	Refused
300	Sections	Refused
301	Elevations	Refused
302	Elevations	Refused

NUMBER OF REPRESENTATIONS: 2

SUMMARY OF REPRESENTATIONS:

REPRESENTATIONS:

Two representations have been received in support of the proposal. One considers the proposed design to be unobtrusive and welcomes its contribution to the building group at Pyatshaw. The other appears to advise with respect to the Applicant's personal circumstances, but does not see why the proposed dwelling would not fit in with its surroundings.

ROADS PLANNING SECTION:

No objections in principle. There is ample parking and turning provision within the site, and the visibility sightlines are good. The speed of traffic is relatively slow due to the general winding topography of the road. The only roads issue is the construction detail of the access from the public road, over the verge, and into the site. An appropriate specification is identified.

ENVIRONMENTAL HEALTH SECTION:

The papers lodged for this Application indicate the provision of solid fuel heating. These installations can cause smoke and odour problems if not properly installed and operated. To this end, an informative is proposed to advise the Applicant with respect to the potential for smoke and odour nuisance concerns and how these might be avoided or resolved.

FLOOD PREVENTION SECTION:

The site may be at risk from a flood event with a return period of 1 in 200 years. However, only the east side of the site is considered to be at risk of flooding. The proposed dwellinghouse is located in the southwest of the site and is out with the flood plain. The associated drawings show that the levels of the house are sufficiently higher than the burn (around three metres higher) and there are no objections to this proposal on the grounds of flood risk. However, it is advised that standard advice be relayed to the Applicant in the event of approval to help minimise susceptibility to a flood event.

EDUCATION AND LIFELONG LEARNING:

Has been consulted but has not responded to the public consultation. However, as a new dwellinghouse, it is known that contributions towards local education provision, would require to be collected; in this case towards Earlston High School and Lauder Primary School.

ECOLOGY OFFICER:

Has reviewed the submitted badger survey (Nocturne Environmental Surveyors December 2014) and bat survey (Nocturne Environmental Surveyors December 2014). No evidence of badger activity was recorded. The trees proposed for felling are identified as Category 3 (trees with no potential to support bats). The site is used by breeding birds including rook. Site clearance of trees and vegetation should be carried out outside of the bird breeding season. The Pyatshaw burn runs through the site and connects with the Brunta burn (part of the River Tweed SAC) just to the north-west of the development site. Precautionary measures are required to protect the waterbody from potential sediment run-off and pollutants. It is recommended that site clearance only occur outwith the breeding bird season with the express written permission of the Planning Authority and that a proportionate Construction Method Statement for Works be required and implemented to ensure that development would accord with SEPA's Pollution Prevention Guidelines.

LANDSCAPE SECTION:

The house has been sited perpendicular to the road to accord with other properties in this location, and is sufficiently distant from adjacent houses to contribute to a balanced development within the building group of Pyatshaw. The development allows for the retention of sufficient numbers of trees to retain a sense of enclosure and some continuity with tree belts and tree groups surrounding adjacent properties. The visual amenity of the beech hedge will be retained as part of the proposal. However, the roadside view will be considerably broken by the 'openness' of the proposed access and parking area where 2m of hedge will be removed in addition to the trees.

A tree survey carried out by Tree Consultancy Group is included in the application. Of the 29 trees surveyed the proposals allow for the removal of 7no. deciduous trees of which 2no are classed as Category B and the 5no. Category C as well as a group of 4no. Scots Pines Category C. A section of Beech hedging is to be removed for driveway access. It is proposed that 11no. trees are planted to replace those removed. The Root Protection Area of 2no. Category A listed trees fall within the building line of the house. A proposal for the foundation construction that appears to accommodate the RPA of these trees has been included.

It is considered that tree no 7, Silver Birch (multi stemmed) should be retained as it would have amenity value in the view from the west facing windows and will be of value in retaining the connection between the existing tree belt and the trees surrounding the house particularly when viewed from the road side. However it appears that changes in level may not allow for this.

It is recognised that account has been taken of the existing woodland, trees and hedgerows within this application however the Landscape Section is concerned that in constructing a house in such a

densely treed area, not only will more than 50% of the existing woodland trees be removed, but the low light levels for occupants of the proposed house will put pressure on the remaining trees for heavy pruning or removal particularly in the future.

The determination of this application is difficult to judge for although there is a precedent of similar development within the area, the site is shown in mapping records as woodland since 1843 and the Borders Council policy NE4 seeks to protect the woodland resource of the Scottish Borders, in turn protecting the character of settlements, the countryside and maintaining habitats.

COMMUNITY COUNCIL:

Has been consulted, but has not responded to the public consultation.

PLANNING CONSIDERATIONS AND POLICIES:

Adopted Scottish Borders Local Plan Policy D2 - Housing in the Countryside
Adopted Scottish Borders Local Plan Policy G1 - Quality Standards For New Development
Adopted Scottish Borders Local Plan Policy G4 - Flooding
Adopted Scottish Borders Local Plan Policy G5 - Developer Contributions
Adopted Scottish Borders Local Plan Policy H2 - Protection of Residential Amenity
Adopted Scottish Borders Local Plan Policy Inf4 - Parking Provisions and Standards
Adopted Scottish Borders Local Plan Policy Inf5 - Waste Water Treatment Standards
Adopted Scottish Borders Local Plan Policy Inf6 - Sustainable Urban Drainage
Adopted Scottish Borders Local Plan Policy NE3 - Local Biodiversity
Adopted Scottish Borders Local Plan Policy NE4 - Trees, Woodlands and Hedgerows
Adopted Scottish Borders Local Plan Policy NE5 - Development affecting the Water Environment

Supplementary Planning Guidance on New Housing in the Scottish Borders Countryside (December 2008)

Supplementary Planning Guidance on Placemaking and Design (January 2010)

Recommendation by - Stuart Herkes (Planning Officer) on 11th June 2015

SITE DESCRIPTION

The site is both part of an established woodland, and land within the curtilage of an established residential property, 'The Schoolhouse', within the building group at Pyatshaw, near Lauder. The land more specifically lies between the public road (which delimits the site to the south and east) and by the Pyatshaw Burn (to the north). The northern sections of the western edge of the site are delimited by agricultural land. The southwestern edge is largely undefined on the ground, being an adjacent area of the same woodland. The woodland extends to the north of the site, onto the opposite (northern) bank of the Burn, which is also the location of the dwellinghouse, and indeed all ancillary buildings relating to the residential property at 'The Schoolhouse'. Within the site, most mature trees occupy a pronounced banking that occupies the central and northern portions of the site, lying between the burn and the public road. Within the site, there is a thinning of the tree cover towards the east, although this is less obvious from the public road, due to a high beech hedge and traditional stone boundary wall, which delimit the edges of the site.

More generally, Pyatshaw as a building group, is perhaps somewhat unusual in there being a strong impression of it being articulated and interconnected by stands of mature trees and woodland areas, rather than - as more normally occurs - trees and woodland denoting the margins and boundaries of the group. Mature trees, sometimes within dense woodland and sometimes within grassed 'parkland' areas, occupy land both within and between the boundaries of established residential properties at the centre of the building group. Indeed, there is a pronounced sense of the building group actually being centred on an 'avenue' through a woodland (now the public road, though at one time a gateway to Spottiswoode House and a ford of the Pyatshaw Burn; which the Applicant identifies as 'Ravelston Dykes Lane' on the photomontage). Residential properties and other buildings radiate out from, and around this centre. The prevailing impression is less of buildings being accommodated within 'clearings' inside a woodland, and more of these being accommodated at, and around, the edges of a woodland; generally within marginal or transitional areas, which, with distance from the centre, recede (gradually or abruptly) into more open areas

of land, usually farmland, pasture or roads. The sense of place of the building group is therefore the converse of the normal relationship between building groups and woodlands, with the woodlands and trees in this case, being physically central, rather than peripheral, to the articulation of the building group's sense of place.

It is understood that the woodland on the site and in the surrounding area dates from at least the earlier part of the nineteenth century.

PROPOSED DEVELOPMENT

This application proposes a new dwellinghouse on land within the centre of an established building group. The supporting information describes a detailed proposal for the site, including a non-traditional and partially timber-clad dwellinghouse. It would have a pitched roof but otherwise be of non-traditional massing. Finished materials would include white-painted brick.

A split-level design is used to negotiate the pronounced banking in the area between the public road and the burn. Accommodation includes three bedrooms. A green car parking area, utilising porous paving, would be accommodated to the front of the property, adjacent to the public road.

The proposal requires to achieve appropriate finished floor levels, and makes use of this higher area of ground nearest the burn to achieve this.

The proposal has been informed by a tree survey, and it is clarified that the removal of 11 out of the 29 deciduous trees surveyed, would require to be removed, along with a 2m long section of beech hedging adjacent to the public road. There are however proposals that each of the trees removed should be replaced, such that there would be no net loss of trees from the site. However, the proposed new planting would accord with a proposed reconfiguration of the tree cover on the site. In particular, there are proposals that the southern side of the site should be opened up, such that the dwellinghouse would then have a southern aspect and be clearly visible in views from the public road, from the southwest. It is advised that the retained and reinforced woodland would be strongest to the north and west, with the existing strength being reinforced by new planting. It is considered that this would be sufficient to retain the sense of a continuous tree cover through the site to link to areas to the west and north, and it is advised that the Applicant, who is supportive of retaining this level of tree cover, would be content for planning conditions to be imposed to protect existing trees; even limitations on future felling or future developments, if these were to be considered necessary.

While the proposal would intersect the Root Protection Areas of two Category A trees, it is advised that a structural solution would be implemented, which would allow for the retention of both trees in situ.

PLANNING PRINCIPLE

Given what is essentially a central location within the building group at Pyatshaw, and given that the land occurs within the curtilage of a residential property, it is considered that the site is demonstrably well-related to the building group.

Further, there is currently provision for one new dwellinghouse within this particular building group during the current development plan period. The proposal is therefore capable of being well-related to a building group in which there is capacity for a new dwellinghouse.

However, beyond the above noted requirements, Adopted Local Plan Policy D2 also requires that the cumulative impact of new development on the character of the building group, and on the landscape and amenity of the surrounding area, should also be taken into account when determining new applications. Further, compliance with the requirements of the Council's Supplementary Planning Guidance notes is also explicitly required. In summary, and beyond the acceptability of the principle of a new dwellinghouse being accommodated on the site, it needs to be considered whether or not the specific proposal would otherwise have any unacceptable impacts upon the specific environment and/or amenity of the site and its surroundings, including whether or not it would contribute sympathetically to the established sense of place at Pyatshaw; that is, whether or not it would make an appropriate contribution to the prevailing character and setting of the building group.

In this respect, critical concerns are firstly, whether or not there would be any unacceptable impacts upon the site, and principally the established woodland; and whether or not the proposed design and layout of the proposed residential property, would have any other unacceptable impacts upon the environment and amenity of the surrounding area, including the sense of place of the building group at Pyatshaw.

CONSERVATION OF THE EXISTING WOODLAND

It is considered that the site, as an area of woodland constituting part of the avenue of woodlands either side of what was the Spottiswoode Estate access road, contributes strongly to the established sense of place of the building group at Pyatshaw. It is therefore appropriate that the site should retain its woodland character. However, the specific trees, including mature deciduous trees, are not protected by any designations. Subject only to ecological considerations being appropriately addressed, they might therefore at present, be removed or reduced as the land owner sees fit and without referral to the Planning Authority. The principle of the site being retained as a woodland cannot be directly required or enforced through the planning system. It is therefore not reasonable that the principle of the trees and woodland being impacted, should in itself be considered objectionable. However, conversely, the potential for the land to be cleared of trees without planning consent, is not in itself a reason to accept uncritically the principle of a new dwellinghouse being accommodated at the site and very directly at the expense of existing mature trees; not even as an 'enabling development' to secure and safeguard as much of the existing woodland as possible in return for planning consent being granted for a new dwellinghouse. (For clarity, the Applicant does not explicitly identify the development as a potential enabling development, but the view that a residential use might be neutral or beneficial in terms of its impacts upon the existing landscape character appears implicit).

With respect to the latter point, consideration needs to be given to what the long-term implications would be for any retained area of woodland, were a new dwellinghouse to be sited and operated there. The siting and operation of a residential property at the site is not reasonably characterised as having a neutral impact, since it would in fact be liable to promote a much greater recession of trees from the site (or at least from within the areas adjacent to the dwellinghouse) than would otherwise occur were the site simply retained as a naturally regenerating area of deciduous woodland. It is at least reasonable that as a direct consequence of the dwellinghouse being sited and operated at the site, the future removal and reduction of trees on surrounding areas in response to future occupiers' legitimate concerns to achieve or improve the safety and/or amenity of their dwelling, would be liable to result over time at least, in a much wider, if perhaps incrementally realised, reduction in any retained area of woodland. At least it needs to be considered with respect to the long-term management of trees in closer proximity to a dwellinghouse that might impact safety and/or amenity, that this is only reasonably a matter left to the discretion of the occupiers of the property. Accordingly, this potential for long-term change needs to be addressed within the determination of this application. Since the concerns and preferences of future occupiers cannot reasonably be predicted, it is only reasonable to assume that the siting of a dwellinghouse at the site, would be liable to promote a wider recession of the woodland over time within the areas closest to the dwellinghouse.

A central concern then, is whether or not there is any reasonable capacity at the site to accommodate the retention of a meaningful area of woodland at a sufficient distance from the dwellinghouse that would ensure that these trees would not inevitably be, or in time become, susceptible to removal at a later date as a consequence of future occupiers' legitimate amenity and/or safety concerns. In other words, support for the proposal would be reasonable where there is sufficient reassurance that the long-term conservation of a meaningful woodland resource at the site is both realistic and achievable, even when the potential for the long-term removal of trees in closer proximity to the dwellinghouse is factored in. However, in the case of a relatively small area of land such as the subject application site, it has to be considered whether or not there is in fact any reasonable capacity to retain an appropriately sized and stocked woodland area capable of conservation in the long-term. In spatial terms alone, it is questionable that such capacity even exists at the site. This is partly due to the relatively small size of the application site, and partly due to the relatively large footprint of the proposal. There would therefore be a concern that the siting and operation of this particular dwellinghouse on this particular site, would be liable to promote the long-term clearance of the woodland from the site, or at least the majority of the trees, even beyond the areas that would be directly impacted by the development works themselves. The Landscape Architect has explicitly drawn attention to the potential for the future loss of trees as a consequence of occupiers seeking to open up views, or admit greater daylight especially with respect to glazing facing westwards towards an open field. Even where trees might credibly be retained in the long-term, at the northern extremity of the site, these would be liable to be left as an isolated stand of several trees, incapable of sustaining any meaningful impression of the persistence of any continuous woodland cover on the site.

Given that the woodland on the site appears to have endured since the early nineteenth century, it is reasonable to consider the retention of the application site as a coherent area of deciduous woodland, capable of naturally regenerating itself, is much more likely to be in the best interests of the long-term conservation of the woodland character of the site, than permitting the occupation and operation of the proposed dwellinghouse. The latter would be liable to promote over time the severe erosion, if not complete destruction, of the woodland character of the site. Viewed in these terms, it is not considered that approval of the dwellinghouse is reasonably characterised as being tantamount to the long-term safeguarding of the woodland character of the site. The benefit of what might be 'enabled' by approval of the current application is highly questionable where it leaves the future of the woodland character of the site more precarious than it otherwise would have been, had the woodland simply been left undeveloped.

In the event of approval, planning conditions might reasonably be imposed to require the retention and protection of existing trees, and to require compensatory planting to replace any trees that would require to be removed to accommodate the dwellinghouse and its ancillary areas. However, beyond the short-term reconfiguration of the site, the extent to which it would be possible, or at least practical, to impose planning conditions to secure any long-term management of the woodland resource at the site, is highly questionable. It is not considered that the Planning Authority could reasonably require, let alone hope to enforce, a long-term woodland management scheme for the site, particularly where this would be so directly undermined by the presence and proximity of a dwellinghouse, particularly where the approval of the latter was able to take cognisance of the potential for the wider woodland character of the site to be directly impacted by the operation of that same residential property. Such a situation could not in any case, reasonably be regulated in the long-term, on a tree-by-tree basis. This means that it is only reasonable at this stage, to consider whether or not there would be any unacceptable long-term impacts upon the site as a consequence of this proposal. It is therefore legitimate to consider whether the proposal would compromise to any unacceptable degree the potential for a meaningful and sustainable woodland area to be retained on the site in the long-term. If the view, is that the prevalence of such a feature would become simply too precarious as a direct consequence of the siting and operation of the proposed development, then it is considered that the current application would be more reasonably refused, than supported subject to any planning conditions that seek to do anything other than manage the short-term reconfiguration of the woodland resource on the site.

Notwithstanding the potential for the Applicant to restock the site with an equivalent, or even greater number of trees than would be lost as a direct consequence of development works, it is considered that the site is simply too small and the proposed development is simply too large, as to indicate any reasonable potential for the retention of any meaningful woodland area at the site in the long-term. Approval of this proposal would effectively be sanctioning the gradual removal of the substantial part of the woodland resource from the site, which it is considered would have an unacceptable impact upon the character of the site and its setting, including the sense of place of the building group at Pyatshaw.

DESIGN AND SITE LAYOUT

Given that it is considered that the proposal would inevitably have an unacceptable impact upon the prevailing woodland character of the site, it follows that it is not considered that this impact is sufficiently mitigated by the proposed design and layout of the residential property. However, it is considered that some aspects of the proposed design and layout would be liable to exacerbate the landscape and visual impacts.

At the time of preapplication discussions, the Applicant was made aware of the concerns with respect to the retention of a woodland character at the site. It was advised at that time, that it was not anticipated that the Applicant would be able to overcome the identified concerns with respect to the existing trees, but that if any dwelling were capable of being supported, then this would most likely be one with the character of a 'house in the woods'; which is to say, a dwelling that was somehow able to inhabit, and be accommodated in a sustainable way within, the woodland character of the site. In practical terms it is anticipated that this would entail both the retention of a sufficient cincture of woodland, capable of long-term conservation, to screen or at least soften views of the property from the public road; and a 'low profile' dwelling, of modest size and appearance, most credibly of a contemporary rather than a traditional design, whose presence might be further de-emphasized through the use of dark and organic materials and finishes on its external surfaces. This however, is not what has been proposed.

With respect to the proposed layout, the Applicant was advised at the time of preapplication correspondence, that the suitability of the particular proposal would need to be demonstrated within a design

approach informed by a tree survey; the latter being required to show how the impacts of the specific development upon the existing woodland, and particularly mature trees, could be appropriately minimised and/or mitigated.

The Applicant has provided a tree survey, but the design approach adopted is less reflective of a direct concern to accommodate the dwelling as discreetly and sensitively as possible within a cincture of woodlands, and more about the potential to re-populate the site with new replacement trees, such that there would be no net loss in the numbers of trees from the site. However, what is proposed is essentially a reconfiguration of the area planted with trees, with the area nearest the public road being 'opened up' over a large section, not only to accommodate the proposed dwellinghouse and ancillary areas, but also to establish views into and out of the dwelling from the public road. It is not considered that the latter is reasonably characterised as a discreet and sensitive accommodation of a new-build property within a woodland setting. Rather, a large area of the woodland which currently defines the sense of place of the building group, and specifically the avenue of woodland on this side of the road, would be 'hollowed out' to make room for a house with a fairly substantial footprint. As a consequence of the proposed house's size, the woodland could simply not be reconstituted and recreated around this new-build element, even over time, with replanting. In effect, the sense of an avenue defined by dense woodland on either side of the road at the centre of the building group, would be immediately greatly diminished, if not in fact overwhelmed, by this proposal. It is considered that the damage to the existing trees and the permanent loss within views from the public road of the clear and strong sense of the site as part of an avenue of trees flanking the gateway to Spottiswoode House, is unacceptable, in that this impact would be unsympathetic to the established character of Pyatshaw as a building group around an area of established woodland, estate gateway and ford. The loss of a large area of that woodland would significantly undermine this established character, and should be resisted.

The Applicant's proposals may result in as many new trees being planted as would be lost on the site, but the proposed replanting is not tantamount to the recreation of the visual impression of the site substantially persisting as an area of woodland. Instead, the site would accommodate a substantial dwelling, both in height and footprint, which would be clearly visible within views from the public road. The house would become the dominant visual element at the site, occupying clear views from the public realm, while the trees, would at best, be relegated to a backdrop (which as noted above, may not itself, be sustainable in the long-term). The strong impression would be of the woodland having been displaced to allow for the accommodation of the dwelling.

In theory, the concern for trees to be retained along the boundary with the public road could be addressed by requiring more tree planting in this area, to provide greater screening of the house in views from the public realm. However, the layout of the specific proposal itself, is not sympathetic to this, partly as a consequence of the large footprint of the building proposed, but also as a consequence of the front-and-centre location of the car parking area, which would mean that there would simply be no appropriate opportunity to create any meaningful and coherent screen of trees along the roadside, and therefore the car parking area in particular, would be visually to the fore, and not accommodated as an ancillary area that might more appropriately have been accommodated more discreetly by being screened out in views from the public realm.

In terms of the proposed dwelling's design, what is proposed is a non-traditional building that would be constructed within full view of the public road, employing some light materials and finishes including white-painted brick. While it would have a pitched roof, it would not have a traditional massing, and would not otherwise have any traditional domestic architectural details. Rather than a domestic structure, its most visible section would if anything, have the profile of an agricultural building or shed, but with the addition of large windows and metallic cladding, would be liable to have an institutional or civic character. It would not be immediately obvious that this was a dwellinghouse. The impression would be further confused by the front-and-centre accommodation of the car parking area. The photoshopped image may not help matters, by suggesting a decidedly suburban, and incongruous image of the proposed building's setting: a foreground dominated by neat hedges and lawns behind dwarf-walls of neat rectangular blocks. In reality though, the foreground would if anything, be liable to be dominated by views of parked vehicles. All in all, the character of the building and hollowing out of the woods for its accommodation so prominently and in such a central location within the building group, would if anything be liable to suggest a new centrally and prominently-located village hall or community centre. In its character in other words, it is determinedly not a discreetly accommodated 'house-in-the-woods'.

There is a mixture of house designs at Pyatshaw, including some non-traditional approaches and elements. Accordingly, there are no concerns in principle that the proposed design would not be traditional. Attention to materials and finishes would potentially allow for the building to become more visually recessive against a backdrop of trees. However, even if it were to be clad in dark and organic materials and colours, it is still too substantially-sized and prominently-located a building, as to be capable of being discreetly accommodated within the established woodland character of the site. It is not a modest, low-profile, structure, and as noted above, there would be no prospect of it being contained within any meaningful screen of existing and/or new tree planting within views from the public road. Had there been some potential for it to have been set back from the public road and enclosed within a more robust woodland setting, then with attention to finished materials and landscaping, it might have been capable of being appropriately accommodated. However, this is simply not possible on this specific site with respect to this particular proposed design, where neither attention to landscaping nor finished materials would be sufficient to mitigate appropriately the accommodation of such a large dwelling on such a constrained site.

It is ultimately concluded that the proposed development is too large to allow for any meaningful and balanced coexistence between the proposed residential property and the prevalence of the existing woodland character at the site. Although its setting might reasonably be made less suburban and institutional than the photoshopped image describes, the Applicant is no doubt correct to represent the residential property as prominently replacing the woodland on this side of the avenue, and this appearance, and its impact upon the character and setting of the building group at Pyatshaw, is considered to be objectionable in itself. (It is an appearance that would only be exacerbated in the long-term, as a consequence of any future clearance of the trees that are shown to be retained to the north, east and west of the building).

LANDSCAPE AND VISUAL IMPACTS

Landscape and visual concerns with respect to impacts upon the existing woodland and what would be liable to result if the proposal went ahead, have already been covered above in the two previous sections. However, there is a need to address some additional concerns arising with respect to the assessment and conclusions of the Landscape Section.

Although the Landscape Section does not ultimately object to the proposals, it is considered that what is described in its consultation response does nevertheless, raise significant concerns in terms of the future management of the woodland on the site. In particular, the conclusion that the longer-term impacts of the proposal upon the woodland would be difficult to anticipate, in itself, raises significant concerns. If the proposal runs the serious risk of destroying the salient characteristics of the woodland character of the site, then it is considered this would be more reasonably refused than supported.

It is noted that the Landscape Section advises that there are precedents within the surrounding area for this type of development, which appears to be a justification for not recommending refusal. However, the current proposal should first and foremost be considered on its own planning merits. Having acknowledged this, it is not considered that what has occurred within the surrounding area is in any case reasonably compared to the current proposal; albeit that this is instructive.

'Brigadoon' lies to the southwest of the site, and south of the public road. On a positive note, the dwelling at this property is essentially accommodated in one corner of the site, and upslope of the public road, while the intervening space is dominated by mature trees. A less positive visual impact however, is that the residential use of the land, has meant that although mature trees have been retained, these now no longer occur within an unambiguous woodland context, but rather, prevail within a notably more 'domesticated' and managed, and principally lawned landscape setting. On the one hand, the persistence of as many mature trees continues to contribute positively to the overall woodland setting and character of the building group, but on the other, any substantial removal of the trees by the current or future occupants at 'Brigadoon', would be liable to transform this area (incrementally or immediately, depending on the speed of any action), into a large and expansive grassed slope. There is a sense that what currently persists of the woodland character on this land then, is, if not in recession, then certainly more fragile than it would otherwise would have been, had it not been absorbed into the curtilage of the residential property. Furthermore, it has also been reduced ecologically, compared to the significantly less managed environment, it once was. Given that there is some intervening distance on this site between the majority of the trees and the dwellinghouse to allow that the two might coexist in the long-term at least spatially, there is reasonably no obvious concern that 'Brigadoon' might be cleared off trees in the long-term, and to this end, it appears to be a more

sustainable relationship than that which would emerge if the current proposal were approved. However, the diminution in the woodland character of the land does underscore the inherent vulnerability in allowing woodlands to be absorbed into residential properties, even where a sustainable relationship appears readily achievable as it is in this case. Ultimately the persistence of a woodland area immediately adjacent to 'Brigadoon' means that the sense of an avenue of woodlands on either side of the road, is currently conserved, and would be substantially maintained regardless of the treatment of the trees at 'Brigadoon'; notwithstanding that the latter undoubtedly still makes a positive contribution to the sense of place of the building group.

The position with respect to 'Beechwood' to the immediate south of the site, is if anything even more salutary in that although the Report of Handling from the time of the determination of the application notes that this site was partially wooded, it no longer retains within its own boundaries any meaningful vestige of a pre-existing woodland character. The few isolated trees that have been retained do contribute positively to the impression of the public road being flanked by deciduous trees, although this is largely a consequence of this being a smaller site than both 'Brigadoon' and the application site, which by virtue of proximity alone, allows for some visual linkage to the woodland area to the immediate west. It would not however be reasonable to say that this development has conserved a woodland character on the site, even if it does contribute to a wider effect. In itself, it is currently a house with a garden containing a few retained trees. Given the relatively small size of the site, the potential to retain any significant contribution to the woodland character of the surrounding area, would have been understood to have been decidedly limited, but it is mitigated, currently at least, by the presence of two coherent areas of woodland to the west and north. However, this nonetheless underscores again, the almost inevitable dominance of the residential use of the site at the expense of the pre-existing woodland character.

Ultimately, the position with respect to the current proposal is not reasonably determined with respect to what has occurred on any nearby sites. If anything, what has occurred at 'Brigadoon' and 'Beechwood' makes it apparent how much of the prevailing woodland character of the site would likely be lost even within a relatively short period of time, since both are in fact approvals of the early twenty-first century. It is moreover, apparent that the strength of contribution of these properties to the woodland character of the setting at Pyatshaw remains subject to the whims of the current and future occupiers of these properties. Although the same might be argued of the adjacent areas of woodlands, including the application site, it is clear that in the cases of these two neighbouring properties, the accommodation of residential properties has significantly altered, and actually diminished, the woodland character of the sites concerned. While it is not considered that this has had any unacceptable impacts in any singular or cumulative sense upon the sites or surrounding area, an equivalent 'hollowing out' of the woodland on the application site would be liable to contribute to an undesirable cumulative landscape and visual impact. This would more strongly project a sense of a relatively coherent expanse of woodland being reduced to remnants around new residential properties, the maintenance of which would then be liable to see the further diminution of this woodland character even further in the long-term.

The Applicant advises that the new tree planting species would be decided in consultation with a local ecologist, but if the application were supported, the prior agreement of the Planning Authority would still reasonably be sought; along with appropriate conditions to require the planting and maintenance of the same, and the wider landscaping of the site.

OTHER CONCERNS

Due to the proximity of the proposed dwelling relative to other properties, there are no concerns with respect to the ability to maintain an appropriate level of residential amenity at neighbouring properties.

The roads concerns and the ecological concerns could be addressed in accordance with the recommendations of the relevant statutory consultees, and the advice of the Flood Prevention Section and Environmental Health Sections could be included as informatives.

As the Applicant notes, the potential for further ancillary developments in the long-term would also need to be considered. However, as the supporting statement acknowledges, this might be regulated through the removal of permitted development rights. While this would be perfectly viable and useful if the application were approved, it is, as noted above, not considered that control of any secondary developments would not in itself be enough to safeguard the future woodland character of the site.

If approved, a legal agreement would be required to secure development contributions towards the two new schools in the local catchment area.

CONCLUSION

It is not considered that what is specifically proposed by the Applicant is appropriate in terms of its impacts upon the woodland resource at the site, or upon the character and setting (and therefore sense of place) of the building group at Pyatshaw, either in the short-term or in the long-term. Notwithstanding the theoretical potential to impose planning conditions to regulate new planting and protect existing trees, it is considered that the size of building and specific layout proposed, would inevitably mean that approval of this proposal would result in too precarious a position going forward with respect to the retention and conservation of the woodland character of the site. With no realistic prospect of ensuring appropriate mitigation, or of monitoring the site in the long-term, it is considered that the proposal would be more reasonably refused.

What is proposed in any case, does not represent a particularly sympathetic attempt to safeguard the woodland character of the site, and the proposed dwellinghouse and associated ancillary areas, are altogether too substantial to be capable of characterisation as having a reasonable and minimal impact upon the established woodland. With no opportunity for the accommodation of a more considered landscaping treatment, to allow for the dwelling to be more sympathetically accommodated within the prevailing woodland character of the site, it is considered that the proposal should be refused.

For the above noted reasons, it is considered that the proposed development should be refused.

REASON FOR DECISION :

The proposed development is contrary to Adopted Local Plan Policies D2, G1 and NE4, and the advice of Supplementary Planning Guidance - New Housing in the Borders Countryside (December 2008) and Supplementary Planning Guidance - Place-Making and Design (January 2010), in that the proposal would in the short-term cause serious damage to, and promote the long-term loss of, the existing woodland resource at the site, which it is considered should be substantially retained due to its high landscape value and significant contribution to the character, sense of place and setting of the building group at Pyatshaw.

The proposed development is contrary to Adopted Local Plan Policies D2 and G1, and the advice of Supplementary Planning Guidance - New Housing in the Borders Countryside (December 2008) and Supplementary Planning Guidance - Place-Making and Design (January 2010), in that the proposed design and layout of the residential property are not sympathetic to the woodland character of the site or to the sense of place and setting of the building group at Pyatshaw, in that (i) the site's existing woodland character would be overwhelmed by a prominently located and highly visible dwellinghouse, which as a consequence of its siting would be overly-dominant within views from the public road, and (ii) the front-and-centre positioning of the associated car parking area would be liable to project a particularly unsympathetic urban or suburban character in views from the public road.

Recommendation: Refused with informatives

- 1 The proposed development is contrary to Adopted Local Plan Policies D2, G1 and NE4, and the advice of Supplementary Planning Guidance - New Housing in the Borders Countryside (December 2008) and Supplementary Planning Guidance - Place-Making and Design (January 2010), in that the proposal would in the short-term cause serious damage to, and promote the long-term loss of, the existing woodland resource at the site, which it is considered should be substantially retained due to its high landscape value and significant contribution to the character, sense of place and setting of the building group at Pyatshaw.
- 2 The proposed development is contrary to Adopted Local Plan Policies D2 and G1, and the advice of Supplementary Planning Guidance - New Housing in the Borders Countryside (December 2008) and Supplementary Planning Guidance - Place-Making and Design (January 2010), in that the proposed design and layout of the residential property are not sympathetic to the woodland character of the site or to the sense of place and setting of the building group at Pyatshaw, in that (i)

the site's existing woodland character would be overwhelmed by a prominently located and highly visible dwellinghouse, which as a consequence of its siting would be overly-dominant within views from the public road, and (ii) the front-and-centre positioning of the associated car parking area would be liable to project a particularly unsympathetic urban or suburban character in views from the public road.

Informatives

It should be noted that:

1 INFORMATIVE NOTE 1:

In the event of any subsequent proposal being made for the accommodation of a dwellinghouse on this site, please note that although the Roads Planning Section was otherwise supportive, it has advised that it would still have required the vehicular access to the site to be constructed with a bituminous surface (tar), preferably to the following standard (or similar):

One layer of 75mm thick (40mm size) bitumen blinded with grit to BS 4987 laid on 375mm of 75mm broken stone bottoming blinded with Type 1 sub-base.

Work carried out within the road and verge would have to be carried out by an SBC approved contractor.

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



TREE CONSULTANCY GROUP

ARBORICULTURE - URBAN FORESTRY - PLANNING

ARBORICULTURAL ASSESSMENT

**PYATSHAW BURN HOUSE
PYATSHAW
LAUDER
SCOTTISH BORDERS
TD2 6SH**

Client : Ms. Paula Megson

Date: 12th January 2015

Ref: PB/0115



**CROWNHEAD, STOBO, PEEBLES,
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**PRINCIPAL CONSULTANT:
KENNETH HARVEY, DIP. FOR.**

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APPENDIX 2	TREE SURVEY PLAN

1 INTRODUCTION

Instructions

- 1.1 We have been instructed by Taylor Architecture Practice, on behalf of Ms. Paula Megson, to carry out an assessment of the tree cover within a specified area of land at The Schoolhouse, Pyatshaw. A development of the site is under consideration and our observations on the condition of the trees is required to assist with the design and planning processes.

Documents Supplied

- 1.2 We have been supplied with the following documents:-
- a digital topographical survey plan for the area. The plan show the locations of the most significant individual trees.
 - a plan showing the boundaries of the specified survey area. The plan has been prepared by Taylor Architecture Practice and is numbered 101.

Site Visits

- 1.3 We carried out a ground level, visual inspection of the trees on 6th January 2015 when the weather was clear and dry. All arboricultural information contained in this report was gathered in the course of that visit.

2 GENERAL SITE DESCRIPTION

- 2.1 The specified survey area occupies a raised section of ground at the south-western corner of the residential property known as The Schoolhouse. It is a wooded piece of ground separated from the main property by Pyatshaw Burn and bounded by the public road to the south and a field to the west.
- 2.2 Tree cover consists of mature beech, sycamore, ash, Silver birch and oak with semi-mature Scots pines and various younger, planted trees of mixed species. Running along the roadside, and screening the site from the road, is a managed beech hedge with a height of approximately 2 metres. Taken as a group, the trees form a continuation of a woodland belt running along the northern side of the road which extends off-site to the west.

3 THE TREES

Scope of Tree Survey

- 3.1 All trees within the specified area with trunk diameters estimated as being 75mm or more were included in the survey, in accordance with the recommendations given at 4.2.4 b) of BS5837: 2012 "Trees in relation to demolition and construction - Recommendations". The approximate locations of trees which were not included in the supplied topographical survey plan were plotted as accurately as site conditions allowed.

Tree Assessment Methodology

- 3.2 The tree survey was carried out in accordance with the requirements of section 4 of BS5837: 2012. The trees were assessed to establish their general condition and their suitability for retention within any future development of the site. They were visually inspected and assessed from ground level as far as access and site conditions allowed. No climbing or specialist investigations were undertaken.

Data Collected

- 3.3 Detail on the individual trees assessed is given in the survey schedule attached at Appendix 1. The schedule has been prepared to accord with sections 4.4, 4.5 and 4.6 of BS 5837: 2012 and gives the following information : -

- **Tree number** – The trees are numbered in accordance with the Tree Survey Plan No.PH0115 attached at Appendix 2. Some trees had been previously painted with consecutive numbers from 1 to 6, and these numbers were re-used to avoid potential confusion. No additional numbers were painted on any trees and no tags were affixed.
- **Species** – Given by the common name.
- **Height** – The estimated height, informed by clinometer readings where space and conditions allowed.
- **Crown radius** – Where the crowns are balanced, an average figure is given. Where crowns are asymmetrical, the estimated radii to the four compass points are given.
- **Stem diameter** – Measured using calibrated tape at approximately 1.5 metres above ground level where conditions allowed, otherwise they were estimated.
- **Height of crown development** – The height, above adjacent ground level, at which the crown develops (i.e. the height of the first major branches).
- **Age** - Trees are categorised as Y = Young, MA = Middle-Aged, EM = Early mature, M = Mature or OM = Over-mature (i.e. senescent and declining).
- **Physiological condition** – An assessment of the overall health and vitality of the tree, given as Good, Fair, Poor or Dead. It should be noted that the assessment was carried out in mid-winter, when only a general appraisal could be made.
- **Comments** – A brief description of the tree's form, along with details of any clearly visible decay, fungal infection or physical defects.
- **Preliminary management recommendations** – Description of any necessary or desirable surgery works which should be carried out prior to development.
- **Estimated remaining contribution** – The estimated future safe life expectancy in years. These are given as <10, 10 – 20, 20 – 40, and 40+.
- **Category** - To indicate the relative value of individual trees, they are placed in the categories suggested in British Standard 5837: 20012. These are: -
 - A - Trees of high quality and value** : Those in such a condition as to be able to make a substantial contribution (a minimum of 40 years is suggested).
 - B - Trees of moderate quality and value** : Those in such a condition as to be able to make a significant contribution (a minimum of 20 years is suggested).
 - C - Trees of low quality and value** : in adequate condition to remain until new planting could be established (a minimum of 10 years is suggested).
 - U - Trees for removal.** Trees which are unsuitable for retention within a development context as they are dead, dying, structurally compromised or otherwise have a future safe life expectancy of less than 10 years.

- **RPA and Radius**– The root protection area (RPA) as given in Annex D of BS5837:2012 calculated using the formulas given at 4.6.1 of BS 5837: 2012. This is the recommended area around the tree in m² within which no construction, excavation, soil stripping, levels changes or other potentially harmful activities should take place unless appropriate precautions or techniques are employed to avoid root damage. This area should be protected by fencing for the duration of any development works to avoid damage to the root system. For guidance, the corresponding radius of the RPA is also given.

Limitations of Survey

- 3.4 The descriptions of the trees given in the attached survey schedule reflects their visible condition on the dates the survey was undertaken. Trees are living organisms which can be subject to change in a relatively short period of time. It is therefore recommended that they are inspected on a regular basis for safety reasons, particularly after major storms.



Kenneth Harvey Dip. For.
for Tree Consultancy Group

12th January 2015

Appendix 1
Tree Survey Schedule

TREE SURVEY SCHEDULE

SITE : Pyatshaw Burn House, Pyatshaw

SURVEY DATE: 6th January 2015

Tree No.	Species	Height (m)	Crown Radius (m)	Stem Diameter (m)	Height of crown development (m)	Age class	Physiological condition	Comments	Preliminary management recommendations	Estimated remaining contribution (years)	Category	RPA (m ²) & Radius (m)
1	Silver birch <i>Betula pendula</i>	12	4n 3e 4.5s 4w	0.28	3	EM	Good	Single-stemmed with upright, open, spreading crown.	-	40+	B	41 3.6
2	Rowan <i>Sorbus aucuparia</i>	9	0n 3e 5s 3w	0.9, 0.1, 0.11, 0.12, 0.2 (= 0.29)	1.5	M	Fair	Multi-stemmed from ground level with upright, open, spreading crown entirely offset to south due to competition. Suppressed and of limited potential.	☞	10-20	C	41 3.6
3	Sycamore <i>Acer pseudoplatanus</i>	19	4n 6c 6s 5w	0.69	5	M	Fair	Single-stemmed with upright, open, spreading crown. Forked at 5m. Appears to be in acceptable condition but is of declining vitality with a limited future life expectancy.	☞	20-40	B	222 8.4
4	Ash <i>Fraxinus excelsior</i>	19	3n 7e 3s 4w	0.5	5	MA	Good	Single-stemmed to wide fork at 1.8m, and twin-stemmed above. Upright, open, spreading crown offset to north due to competition. Of poor form and becoming vulnerable to crown damage in storms.	☞	10-20	C	113 6.0
5	Beech <i>Fagus sylvatica</i>	16	5n 5c 4s 2w	0.31	1.6	Y	Good	Single-stemmed with narrow, drawn, upright crown offset slightly to north-east due to competition. Potentially weak tight fork developing at 2m.	☞	20-40	C	48 3.9
6	English oak <i>Quercus robur</i>	11	3n 3e 6s 5w	0.31	2.5	EM	Good	Single-stemmed and inclined to south with crown offset entirely to south due to competition. In acceptable condition but of poor form.	☞	40+	C	48 3.9

TREE SURVEY SCHEDULE

SITE : Pyatshaw Burn House, Pyatshaw

SURVEY DATE: 6th January 2015

Tree No.	Species	Height (m)	Crown Radius (m)	Stem Diameter (m)	Height of crown development (m)	Age class	Physiological condition	Comments	Preliminary management recommendations	Estimated remaining contribution (years)	Category	RPA (m ²) & Radius (m)
7	Silver birch	17	4n 5e 4s 4w	0.11, 0.13, 0.19, 0.20, 0.24 (= 0.38)	2	MA	Good	Multi-stemmed from ground level. Of upright, open, spreading form. May be several individuals.	-	20-40	C	72 4.8
8	Rowan	8	0n 3e 5s 2w	5 x 0.11av. (=0.24)	2	MA	Fair	Multi-stemmed from ground level with upright, open, spreading crown offset entirely to south due to competition. Suppressed and of limited potential.	-	10-20	C	28 3.0
9	Beech	17	3n 4e 5s 6w	0.42	2	EM	Good	Single-stemmed with narrow, drawn, upright crown offset slightly to south-west due to competition. In satisfactory condition with good potential.	-	40+	B	81 5.1
10	Beech	22	8n 7e 6s 6w	0.77	4	M	Good	Single-stemmed with upright, open, spreading crown slightly offset to north-east. Pruning wounds on north side at 2.5m and 4m occluding with minor decay. In satisfactory condition.	-	40+	A	272 9.3
11	Sycamore	11	1n 2e 3s 4w	0.36	2	MA	Poor	Single-stemmed and offset to west due to competition. Incipient decay in trunk wounds. In declining condition.	-	<10	U	-
12	English oak	8	1	0.62	0	M	Good	Trunk of tree cut off at 7m with dense epicormic growth. Acceptable condition as a screen component.	-	40+	C	177 7.5

TREE SURVEY SCHEDULE

SITE : Pyatshaw Burn House, Pyatshaw

SURVEY DATE: 6th January 2015

Tree No.	Species	Height (m)	Crown Radius (m)	Stem Diameter (m)	Height of crown development (m)	Age class	Physiological condition	Comments	Preliminary management recommendations	Estimated remaining contribution (years)	Category	RPA (m ²) & Radius (m)
13	Elm <i>Ulmus spp.</i>	8	4n 4e 5s 6w	0.54	3	M	Fair	Single-stemmed. Suppressed and heavily inclined and offset to west due to competition. Acceptable condition as a screen component.	-	20-40	C	137 6.6
14	Ash	20	7n 6e 3s 8w	0.57	7	M	Good	Formerly twin-stemmed from ground level with western stem removed. Remaining stem upright with open spreading crown slightly offset to north-west due to competition.		40+	B	150 6.9
15	Silver birch	10	6n 3e 0s 3w	0.23	2	Y	Good	Single-stemmed. Of narrow, drawn, upright form offset entirely to north due to competition. Grows on top edge of bank.	+	20-40	C	28 3.0
16	Beech	13	7n 4e 3s 5w	0.26	1.6	Y	Good	Single-stemmed. Grows out of bottom of bank. Slightly inclined to north with upright open, spreading, crown offset to north due to competition. In satisfactory condition.	-	40+	B	34 3.3
17	Red oak <i>Quercus rubra</i>	13	5n 3e 2s 5w	0.23	2	Y	Good	Single-stemmed with narrow, drawn, upright crown offset slightly to north due to competition. In satisfactory condition with good potential.	-	40+	B	28 3.0
18	Rowan	12	5n 6e 3s 4w	0.21 x3.5 x 0.1av. (= 0.42)	2	M	Fair	Grows out of steep bank. Multi-stemmed from ground level. Upright, open, spreading crown offset to north-east due to competition. In acceptable condition.	+	10-20	C	81 5.1

TREE SURVEY SCHEDULE

SITE : Pyatshaw Burn House, Pyatshaw

SURVEY DATE: 6th January 2015

Tree No.	Species	Height (m)	Crown Radius (m)	Stem Diameter (m)	Height of crown development (m)	Age class	Physiological condition	Comments	Preliminary management recommendations	Estimated remaining contribution (years)	Category	RPA (m ²) & Radius (m)
19	Rowan	11	4n 4e 2s 2w	7 x 0.11av. (= 0.29)	3	M	Fair	Multi-stemmed from ground level with upright, open, spreading crown offset to north-east due to competition. Basal decay in one stem.	Remove decayed stem.	10-20	C	41 3.6
20	Elm	14	4n 5e 2s 5w	0.24	3	EM	Good	Single-stemmed. Of narrow, drawn, upright form, offset slightly to north-east due to competition. In acceptable condition but possibly of limited long term potential due to Dutch Elm Disease.	-	20-40	C	28 3.0
21	Scots pine <i>Pinus sylvestris</i>	17	1n 3e 5s 2w	0.47	3	MA	Good	Single-stemmed. Of narrow, drawn, upright form, offset slightly to south due to competition. In satisfactory condition with good potential.	-	40+	A	102 5.7
22	Scots pine	17	5n 4e 4s 2w	0.43	7	MA	Fair	Single-stemmed with upright, open, spreading crown slightly offset to north and south due to competition. Scattered light deadwood in crown. Appears to be in acceptable condition but poorer than adjacent pines.	-	20-40	B	92 5.4
23	Scots pine	16	3n 4e 5s 3w	0.42	5	MA	Good	Single-stemmed with narrow, upright crown slightly offset to east, due to competition. Leading shoot broken out but secondary shoot taking over. In satisfactory condition with good potential.	-	40+	A	81 5.1

TREE SURVEY SCHEDULE

SITE : Pyatshaw Burn House, Pyatshaw

SURVEY DATE: 6th January 2015

Tree No.	Species	Height (m)	Crown Radius (m)	Stem Diameter (m)	Height of crown development (m)	Age class	Physiological condition	Comments	Preliminary management recommendations	Estimated remaining contribution (years)	Category	RPA (m ²) & Radius (m)
24	Wild cherry <i>Prunus avium</i>	13	5	0.26	1.6	EM	Good	Single-stemmed with upright, open, spreading crown very slightly offset to south due to competition. In satisfactory condition.	-	40+	B	34 3.3
25	Larch <i>Larix spp.</i>	13	2	0.23	1.5	Y	Good	Single-stemmed. Of narrow, drawn, upright form with good potential.	-	40+	B	28 3.0

Group No.	Species	Height (m)	Crown Radius (m)	Stem Diameter (m)	Height of crown development (m)	Age class	Physiological condition	Comments	Preliminary management recommendations	Estimated remaining contribution (years)	Category	RPA (m ²) & Radius (m)
G1	4 x Scots pines	< 9	3av.	<0.2	1	Y	Fair	All single-stemmed. One had been broken off at 4m, and one has lost leading shoot at 4m. Acceptable condition as short-term screen components but of limited long term potential.	Fell broken tree.	10-20	C	18 2.4

Appendix 2

Tree Location Plan



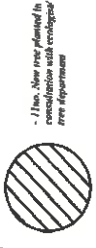
PROJECT:
House at Pyntslaw Burn

CLIENT:
Paula Milanesi

DRAWING:
Proposed Roof & Landscape Plan

ISSUED:
Planning

444 No 14-003
DWG No: 103
Scale as 1:1/1100
Drawn: SM
Rev:



GENERAL NOTES:
Do not scale from drawings. Contractor to verify all dimensions on site prior to commencement of any works. Any discrepancies to be notified to the architect immediately. All drawings of specifications relate to this building. All drawings of specifications T-A-P Ltd are not to be reproduced in part or whole without prior written consent.

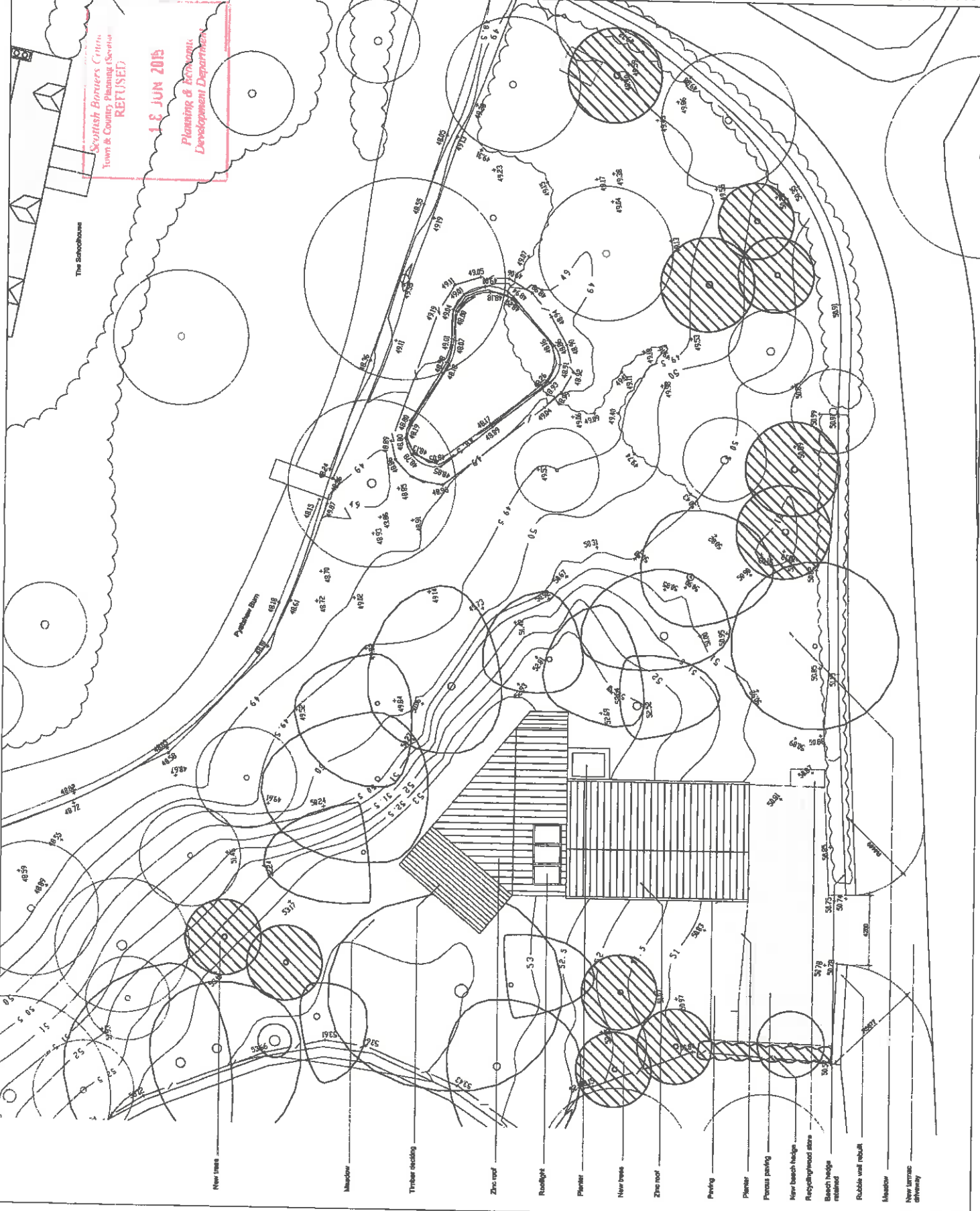
Taylor Architecture Practice
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Edinburgh EH4 6SE

The Schoolhouse

Scottish Borders Council
Town & Country Planning Section
REFUSED

18 JUN 2015

Planning & Economic
Development Department



- New mass
- Meadow
- Trailer facility
- Zinc roof
- Roadlight
- Plaster
- New peak
- Zinc roof
- Paving
- Plaster
- Percuss paving
- New bench height
- Rangeheighted stairs
- Beech hedge retained
- Rubble wall rebuilt
- Meadow
- New terrace driveway

PLANNING AND ECONOMIC DEVELOPMENT

To: Planning and Economic Development Attention: Stuart Herkes
From: LANDSCAPE SECTION Date: 2015
Contact: Catherine Andrews Ref: 15/00403/FUL

Subject: Residential property at Pyatshaw Burn, Lauder

It is recognised that a formal recommendation can only be made after consideration of all relevant information and material considerations. This consultation advice is provided to the Development Control service in respect of landscape related issues.

Description of the Site

The site is situated in the south west corner of the garden ground of the former Schoolhouse at Pyatshaw. Its northern boundary is the Pyatshaw Burn, with a tree lined fence and open fields to the west. A hedge and stone dyke contain the site on the south and eastern boundaries and the road follows the perimeter in this location. The site is within a cluster of detached traditional and modern houses and farm buildings in a well treed setting. The former garden site is a wooded piece of ground containing a number of mature deciduous and coniferous trees which form a continuation of existing tree belts running from the west on either side of the road towards the site and connecting with tree groups surrounding adjacent properties. The plot slopes up away from the road to a small knoll and down again towards the Pyatshaw Burn.

Nature of the Proposal

The proposal is for a detached house clad in dark stained timber with car park to the front of the property bordered by a low stone wall. The greater part of the existing stone wall and beech hedge to be retained and a number of mature trees from within the site to be removed.

Implications of the Proposal for the Landscape including any mitigation

The house has been sited perpendicular to the road to accord with other properties in this location and is sufficiently distant from adjacent houses to contribute to a balanced development within the building group of Pyatshaw. The development allows for the retention of sufficient numbers of trees to retain a sense of enclosure and some continuity with tree belts and tree groups surrounding adjacent properties. The visual amenity of the beech hedge will be retained as part of the proposal. However the roadside view will be considerably broken by the 'openness' of the proposed access and parking area where 2m of hedge will be removed in addition to the trees.

A tree survey carried out by Tree Consultancy Group is included in the application. Of the 29 trees surveyed the proposals allow for the removal of 7no. deciduous trees of which 2no are classed as Category B and the 5no. Category C as well as a group of 4no. Scots Pines Category C. A section of Beech hedging is to be removed for driveway access. It is proposed that 11no. trees are planted to replace those removed. The Root Protection Area of 2no. Category A listed trees fall within the building line of the house. A proposal for the foundation construction that appears to accommodate the RPA of these trees has been included.

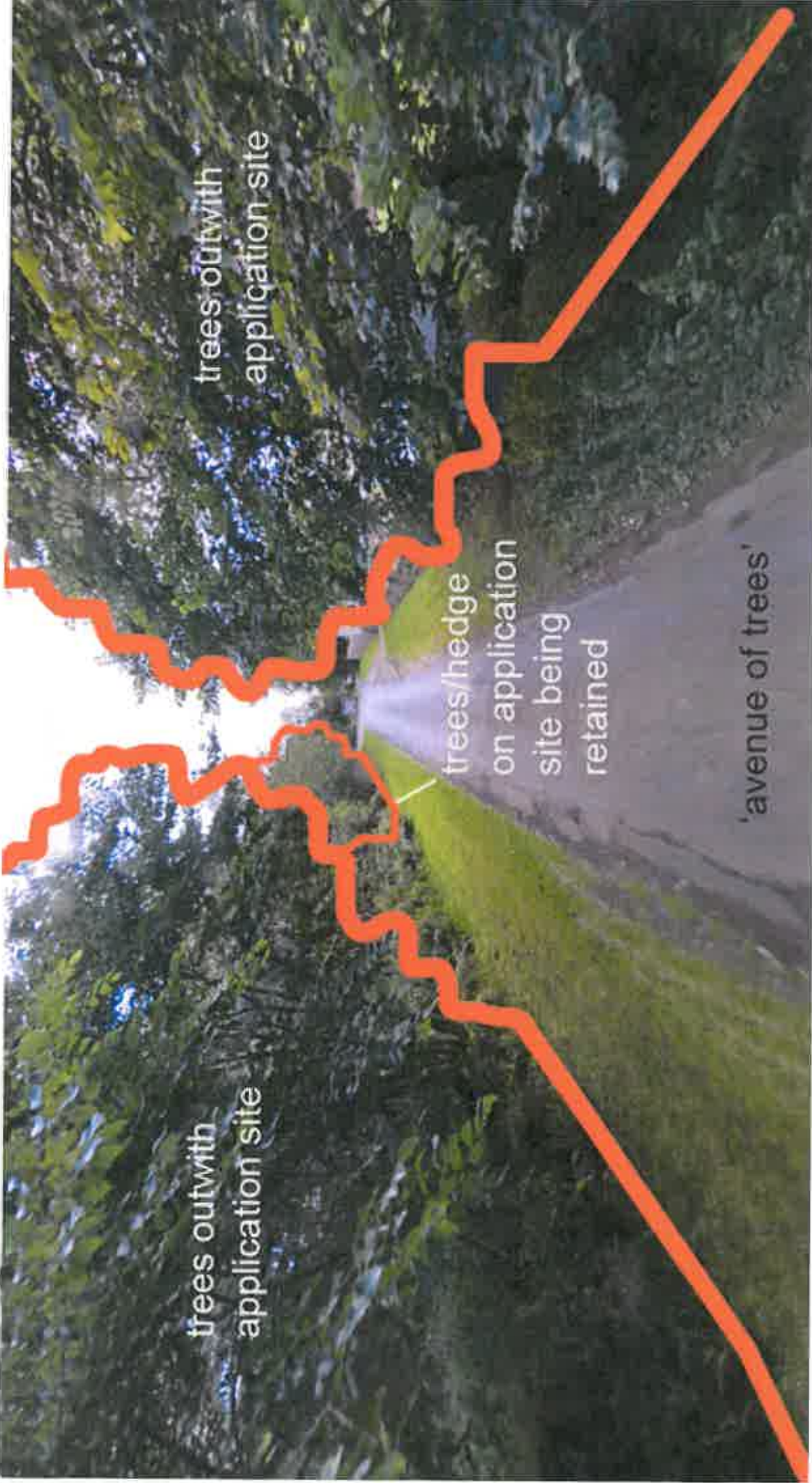
I consider that tree no 7, Silver Birch (multi stemmed) should be retained as it will have amenity value in the view from the west facing windows and will be of value in retaining the connection

between the existing tree belt and the trees surrounding the house particularly when viewed from the road side. However it appears that changes in level may not allow for this.

It is recognised that account has been taken of the existing woodland, trees and hedgerows within this application however I am concerned that in constructing a house in such a densely treed area, not only will more than 50% of the existing woodland trees will be removed but the low light levels for occupants of the proposed house will put pressure on the remaining trees for heavy pruning or removal particularly in the future.

Consultation Summary

The determination of this application is difficult to judge for although there is a precedent of similar development within the area the site is shown in mapping records as woodland since 1843 and the Borders Council policy NE4 seeks to protect the woodland resource of the Scottish Borders in turn protecting the character of settlements, the countryside and maintaining habitats.



trees outwith
application site

trees outwith
application site

trees/hedge
on application
site being
retained

'avenue of trees'





