

F E R G U S O N  
P L A N N I N G



Delivered by Email

27<sup>th</sup> May 2020

Euan Calvert  
Development Management  
Scottish Borders Council

Your Ref. 20/00453/FUL

Dear Euan

**Demolition of garage and erection of dwellinghouse: Garden Ground of Clifton Cottage High Street Kirk Yetholm Scottish Borders**

We write in relation to statutory and third party consultations received to date on the above application and seek to respond to certain matters raised.

It is not our intention to focus on individual comments or repeat the position within our Planning Statement which still stands (as does the supporting evidence provided with it). But rather group them under subject headings and provide key points of response setting out why we consider that the information before you provides the justification or reasoning as to why the proposal can be supported in planning terms.

We also seek to make you aware of certain comments made which are not wholly accurate and why they should be set aside when coming to a determination on the application.

**Statutory Consultees**

It is understood that most if not all the statutory consultee comments have been made without aid of a site visit. While it is appreciated given the current lockdown we do think that a site visit would provide greater clarity and perhaps may change some observations made.

**Roads Planning Service**

We note the Roads Service comments on the application. We do not agree or accept the conclusions reached primarily because most of the comments do not relate to the application in question.

The parking arrangement for Clifton Cottage has again historically been to park outside and on the street as each of the neighbouring dwellings have and currently continuing to do along High Street. The subject site was used historically for cutting turf or keeping a small level of livestock and where a garage and parking did not exist pre the 1960s. Clifton Cottage again has further dedicated amenity area to the rear of the property.

There are no restrictions that prohibit the applicant's returning to the parking arrangement the occurred prior to the purchase of the subject site. Indeed, they currently use the on-street parking presently. A picture of which is shown below.

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This is the case in many similar villages throughout the Scottish Borders with no detriment to road movements beyond that which currently exists.

The conclusions outlined by the roads consultation is therefore largely unfounded, in our opinion, and because it does not relate to the acceptability of the subject site/proposal in question.

This proposal does not give rise to any significant impacts regarding the existing road in question nor current parking arrangements which allow for on-street parking. This proposal is not going to significantly impact on the current status quo. Clifton Cottage has ample parking space out front and as shown by the photograph.

#### **Built Heritage & Design**

First and foremost, it must be clear that there is no planning guidance or policy that places an embargo on new development or housing within Conservation Areas. Indeed, there are numerous examples elsewhere within Kirk Yetholm.

The Heritage Officer makes a number of general observations within the consultation. It was noted or considered that the associated views eastward from the High Street to the landscape beyond contribute to both the characteristic historic layout of Kirk Yetholm as well as its distinctive close visual and spatial relationship with the surrounding landscape.

This is not accepted. There are no views to the East of the landscape beyond from the High street from anywhere between the Border Hotel and the subject site nor further up High Street due to the houses south of the site.

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Garages again break up visuals between those areas on the High Street and are not considered to relate heavily to the reasoning for the overall village conservation area status. It very much is on the periphery of the core setting.

Again, the subject site has little to no impact on the setting of listed buildings along the High Street. One must put into context what exists on and adjoining the subject site. That being three garages of all varying scales and style none of which of any great architectural merit.

They deter from the streetscape in terms of the local context. The proposal will sit behind the largest garage and 30 ft high trees when viewed up the hill from the Village Green and further screened by the high existing/retained hedgerow. When viewed from the north side of the village green the site is also screened by 30ft high trees that are growing along the side of the garage to the north. **Refer to the pictures below.**



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Ultimately the proposal will not alter significantly the built form that already exists. The façade facing the street has been designed again to replicate that of Clifton Cottage and others located opposite to provide a form of synergy and thus, in design terms, cannot be considered out of keeping from the public receptor (public road).

The grassed area between the road and hedge will remain and a form of synergy with the village green. The iron water pump referenced again will remain and agreed to be of heritable value.

The subject site sits and steps drops down in the streetscape and between existing houses. Those located up the hill again are recent additions to the streetscape as are many others within the village. For example, the 'Yett' estate which sits below the Border Hotel and face to the east.

The Category C listing of the high street has limited bearing and is due to historical interest rather than Architectural interest as these are the houses that were at one time gifted to the Kirk Yetholm gypsies. In 1965 a gypsy named Young saved the life of Captain David Bennet at the Siege of Namur. In an unexpected gesture of generosity, the grateful officer gave the cottages to them.

All of the houses that now form the High Street we believe were originally one storey and had turf roads so those themselves have been adapted and changed the streetscape over time.

The east side of the High Street is not underdeveloped there are 3 houses to the North of the subject site and 2 to the south. There are again a total of 4 garages in the space between Burnside and the allotments.

One to the north of the subject site is a large prefab concrete garage now overgrown and under utilised, one on the site built in 1966 and next to this a modern double garage built last year. Then an old wooden garage that is so badly dilapidated that it has no roof this sits just to the north of the Allotments.

There are number of similar examples of new homes built near village greens or on the periphery and which largely go unnoticed. Bowden for example, has a number of properties that sit on the periphery of the village green and that proposed is deemed to be considered in a similar light. Again, more recently a new home has been permitted by the Planning Department in a fairly similar context at Newstead.

The proposal has considered its overall scale, proportions, alignment, density, materials, and fits within those confines and guidance contained with Policy EP 9. The Council have permitted a number of new homes in Kirk Yetholm and one considers the proposal has grounds for being considered in a similar light. Some pictures of the dwellings are again shown below.

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New development within Conservation Areas should not be about pastiche architecture. It is more about respecting the surroundings and coming forward with high quality designed buildings and with an appropriate palate of materials.

The appellant carefully considered the relevant aspects when placing a new home into the conservation area. It took into consideration matters such as:

- Context, layout, built form, design, density and materials;
- Open space and servicing;
- Landscape and ecological issues;
- Compatibility with surrounding land uses;
- Connectivity and character of place.

Conservation Areas, it is acknowledged, should protect and promote existing heritable assets and setting. It is not there, however, to place an embargo on development of modest and acceptable positioned/designed homes.

The subject site does not contain or adjoin any strong heritable asset and has considerable distance between it and those parts of the conservation area with strong heritable value. It is not set within the curtilage or setting of the Conservation Areas core assets nor will it have any impact upon them. Nor does it impinge on any core or protected viewpoints.

Each development nearby has its own appearance and character and it is felt that the proposal, while modern, is a welcomed addition to this particular area of the Conservation Area.

A variety of modern homes are located near the site and, in some instances, at a much greater scale and height to that proposed. These developments have been deemed acceptable locally.

The proposal is for a modest single dwelling and one set within existing landscaping and back from neighbouring properties. The proposal would not constitute overdevelopment and there would not be a significant adverse impact upon the Conservation Area.

The Local Development Plan proceeds with a presumption in favour of continuance of the built form and new development within the confines of existing settlements. There is a growing need to meet housing demand across the Borders.

Although conservation areas involve a higher level of control, this does not mean that development is necessarily opposed; preserving and enhancing the character and appearance of the area is the primary concern.

This is also true when considering proposals for new building, and extensions and alterations to existing buildings. Proposals must be of an appropriate character, scale and appearance to the area.

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Typically, traditional natural materials will be required; however, innovative well-designed contemporary buildings/ extensions may also be acceptable provided that the character, appearance and materials used complement the location (although such development will still have to be of a scale that is sensitive to the area). We believe that the proposal fits that general ethos or agenda set down within guidance.

As noted within Scottish Planning Policy if the effect is largely neutral then it should be deemed not to harm the Conservation Area. Again, related to SPP and other related policies the materials used are modern but ones considered high quality and acceptable within the Conservation Area (eg. timber, natural slate etc).

A proposed Condition can be applied to ensure all the associated finishes safeguard the character of the Conservation Area and this is deemed acceptable to the applicant.

### Objection Comments

Reviewing the objection comments received we have addressed a number of the points above and would simply add that:

- The subject site is private land not open or green space or allotment land for that matter. The land allocations are incorrect and require amendment as they are not a statement of legal fact and thus should have no related bearing.
- The subject site and built form sits behind an existing hedgerow it is not part of the Village Green. It will set back from it and between existing built form and where the frontage largely replicates that of the cottages opposite. It therefore cannot, in our opinion, be deemed to have significant impact when it relates well to the context of the gap site in between existing built form.
- We have provided detailed commentary regarding overshadowing/looking and the like within Paragraph 3.16 of the Planning Statement. A further plan has been provided by the Client's Architect which again shows no residential property would be affected.
- The proximity of the garages have limited bearing on the overall acceptability of the proposal. There is again suitable distance. Fences once stood between the site and the neighbouring garage whose windows now appear partially blocked up and used for storing garden items and the like. It is not habitable.
- In terms of utilities this is largely a separate matter and would form a standard condition. There is capacity in the local water supply and drainage network and service media again available locally. Any associated surface water again would be treated using standard sustainable urban drainage techniques.

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We trust you find the above comments useful and we kindly request they are taken into consideration prior to making a recommendation on the proposal.

Yours Sincerely



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