From:Calvert, Euan

Sent:25 May 2020 19:37:57 +0100 To:Planning & Regulatory Services

Subject:FW: Community Council Consultation for application 20/00453/FUL

Please upload to dms and acknowledge cc response.

Many thanks

Euan Calvert

Assistant Planning Officer (Development Management)

Regulatory Services,

Scottish Borders Council, Council Headquarters, Newtown St Boswells, MELROSE, TD6 0SA

Tel: 01835 826513 | ecalvert@scotborders.gov.uk

From: Shane Black [

Sent: 25 May 2020 18:52

To: Calvert, Euan < ECalvert@scotborders.gov.uk>

Subject: RE: Community Council Consultation for application 20/00453/FUL

CAUTION: External Email

Over all it would be neutral as. 3 against and 3 for and 3 no response hope that helps Shane Yetholm Cc

On 25 May 2020 at 10:50 "Calvert, Euan" < < ECalvert@scotborders.gov.uk > wrote:

Can you confirm objection or no objection from Yetholm Community council??

Euan Calvert

Assistant Planning Officer (Development Management)

Regulatory Services,

Tel: 01835 826513 | ecalvert@scotborders.gov.uk

From: Shane Black

Sent: 24 May 2020 13:00

To: Calvert, Euan < ECalvert@scotborders.gov.uk>

Subject: Re: Community Council Consultation for application 20/00453/FUL

CAUTION: External Email

Hi we have 3 cc agreeing with the letter from Kristofer Smith the remaining cc are stating it looks ok as it would tidy up that side of Kirk Yetholm I think it is no diffarent to some of the other biulds that have happened in both villiges .thank you Shane Yetholm CC

On 30 April 2020 at 09:15 ecalvert@scotborders.gov.uk wrote:

Please see attached document

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Council's incoming and outgoing email is subject to regular monitoring and any email may require to be disclosed by the Council under the provisions of the Freedom of Information (Scotland) Act 2002.

To: Archaeology Officer

From: Development Management Date: 30th April 2020

Contact: Euan Calvert 20/00453/FUL Ref: 20/00453/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 21st May 2020. If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 21st May 2020, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr & Mrs D & C Morrison

Agent: Ferguson Planning

Nature of Proposal: Demolition of garage and erection of dwellinghouse

Site: Garden Ground Of Clifton Cottage High Street Kirk Yetholm Scottish Borders



Comments provided	Officer Name and Post:	Contact e-mail/number:	
by	Keith Elliott	Keith.Elliott@scotborders.gov.uk	
	Archaeology Officer	01835 824 000 ext 8886	
Date of reply	02.06.2020	Consultee reference:	
Planning Application Reference	20/00453/FUL	Case Officer: Euan Calvert	
Applicant	Mr & Mrs D & C Morrison	Luan Calven	
Agent	Ferguson Planning		
Proposed	Demolition of garage and erection of	dwellinghouse	
Development	Bernominer of garage and erection of	awamigilaas	
Site Location	Garden Ground Of Clifton Cottage, H	igh Street, Kirk Yetholm, Scottish Borders	
as they relate to the a	rea of expertise of that consultee. A	e consultee on the submitted application decision on the application can only be ultations and material considerations.	
Background and Site description	This application seeks the demolition of an existing garage and its replacement with the construction of a new house, associated landscaping to improve vehicular access, in the garden ground of Clifton Cottage on the eastern side of High Street, Kirk Yetholm.		
	This archaeological consultation has been prompted by the site lying immediately opposite a number of historic buildings of the village which have been recorded by the Scottish Borders Historic Environment Record (HER). It is thought a moderate to high potential that there may be some archaeological remains of Medieval or early Post-Medieval date that would need recording here.		
Key Issues (Bullet points)	Impact upon the potential archaeology of the site.		
Assessment		nst what is recorded in the Scottish Borders (HER). I have also consulted historic editions ne area.	
	The site of this application can be identified in the various Ordnance Survey map editions since the first edition surveyed and published in the mid-19 th century. Whilst the garden plots on the eastern side of the street – then called Tinker's Row – are largely featureless apart from divisions into the plots and paths, their regular layout may suggest the former presence of buildings prior to the survey. The presence of a small stream or burn is also shown by the first edition. By the Ordnance Survey second edition mapping of later 19 th century date the stream appears to have been culverted.		
	This application is composed of two p	arts.	
	confirming the location with the subm It is not thought to be of particular arc	the existing garage building. Through photographs of the existing garage, and itted application details, this can be identified. haeological importance for any historic ake was made to check that it had not been	

	_			
	constructed out of an old police force telephone box.			
	The second part of the application is the construction of the new house as a whole. This will involve groundworks for foundation and service trenches. Given the location of the proposed property on one of the main roads into the village which is of some age it is suggested that an evaluation be carried out prior to the determination of this application. It is anticipated that there may have been some Medieval or early Post-Medieval buildings present at this location and that any archaeological remains, features or finds should be identified and recorded. Given how little we know of the archaeological origins of the smaller villages of the Scottish Borders it is felt that the level of this work is an appropriate response. Should the evaluation be carried out, the application pursued and be granted planning permission further archaeological conditions should be expected, if not more of an objection raised at that time. This archaeological work may also have the benefit of establishing the course of the culverted stream given the location of the proposed house and useful for the			
Recommendation	∐ Object	☐ Do not object	□ Do not object, subject to conditions	Further information required
Recommended Conditions Recommended				
Informatives				

To: Education & Lifelong Learning (Neil Hastie)

From: Development Management Date: 30th April 2020

Contact: Euan Calvert 20/00453/FUL Ref: 20/00453/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 21st May 2020, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 21st May 2020, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr & Mrs D & C Morrison

Agent: Ferguson Planning

Nature of Proposal: Demolition of garage and erection of dwellinghouse

Site: Garden Ground Of Clifton Cottage High Street Kirk Yetholm Scottish

Borders



Comments provided	Officer Name	and Post:	Contact e-mail/ne	umber:
by	Education 9 I	ifelong Learning (Ne	sil	
	Hastie)	Lifelong Learning (IN	511	
		in own name)		
Date of reply	11 May 2020	<u>,</u>	Consultee refere	nce:
Planning Application	20/00453/FUI		Case Officer:	
Reference			Euan Calvert	
Applicant	Mr & Mrs D &	C Morrison	•	
Agent	Ferguson Pla	nning		
Proposed	Demolition of	garage and erection	of dwellinghouse	
Development			-	
Site Location	Garden Grou	nd Of Clifton Cottage	High Street Kirk Yetho	Im Scottish Borders
The following observa as they relate to the a made after considerat	rea of expertis	se of that consultee	. A decision on the ap	
Background and Site description				
Var lagues				
Key Issues (Bullet points)				
Assessment	I refer to your request for Educations view on the impact of this proposed development which is within the catchment area for Yetholm Primary School and Kelso High School.			
	A contribution of £2,978 x 1 is sought for the High School, making a total contribution of £2,978.			
	Contributions are sought to raise capital to extend or improve schools or where deemed necessary to provide new schools in order to ensure that over capacity issues are managed and no reduction in standards is attributed to this within the Borders area.			
	This contribution should be paid upon receipt of detailed planning consent but may be phased subject to an agreed schedule.			
	Please note that the level of contributions for all developments will be reviewed at the end of each financial year and may be changed to reflect changes in the BCIS index, therefore, we reserve the right to vary the level of contributions.			
	If you require any further information please do not hesitate to contact me by emailing estatemanagement@scotborders.gov.uk			
Recommendation	Object	Do not object	Do not object,	Further information
			subject to conditions	required

Recommended Conditions	
Recommended	
Informatives	

To: Forward Planning Section

From: Development Management Date: 27th May 2020

Contact: Euan Calvert 20/00453/FUL Ref: 20/00453/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 17th June 2020, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 17th June 2020, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr & Mrs D & C Morrison

Agent: Ferguson Planning

Nature of Proposal: Demolition of garage and erection of dwellinghouse

Site: Garden Ground Of Clifton Cottage High Street Kirk Yetholm Scottish

Borders



Comments provided	Officer Name and Post:	Contact e-mail/number:		
by	F 181 : 0 ::			
	Forward Planning Section	sharon.renwick@scotborders.gov.uk		
	Sharon Renwick			
D. C. C. C.	Assistant Planning Officer			
Date of reply	11/06/2020	Consultee reference:		
Planning Application	20/00453/FUL	Case Officer:		
Reference		Euan Calvert		
Applicant	Mr & Mrs D & C Morrison			
Agent	Ferguson Planning			
Proposed	Demolition of garage and erection of o	dwellinghouse		
Development		· ·		
Site Location	Garden Ground Of Clifton Cottage Hig	gh Street Kirk Yetholm Scottish Borders		
as they relate to the a	rea of expertise of that consultee. A vion of all relevant information, consu	e consultee on the submitted application decision on the application can only be ultations and material considerations.		
Background and Site description	This application seeks consent for the demolition of a garage and the erection of a dwellinghouse at the garden ground of Clifton Cottage, High Street, Kirk Yetholm. It is noted that the proposed development is on an area of Key Greenspace as safeguarded within the Scottish Borders Local Development Plan (LDP) 2016.			
Key Issues	. , ,			
(Bullet points)	Loss of Greenspace Development in a conservation area			
(Builet points)	 Development in a conservation area Character and amenity of the surrounding area 			
Assessment	- Character and amenity of the Surrounding area			
	The application footprint is within the Development Boundary of Kirk Yetholm. The application is on allocated Greenspace GSYETH003 Kirk Yetholm Allotments and the application is also within the Conservation Area of Yetholm. The application site is located on part of a Key Greenspace as identified within the LDP and is therefore protected under Policy EP11: Protection of Greenspace. That Policy states: "Key Greenspaces as identified on Proposal Maps will be protected from development that will result in their loss. Development that protects and enhances the quality of Key Greenspaces will be supported. development that would result in the loss of greenspace, including outdoor sports facilities, will only be permitted if it can be satisfactorily demonstrated that, based on consultation with user groups and advice from relevant agencies: d) there is social, economic and community justification for the loss of the open space; or e) the need for the development is judged to outweigh the need to retain the open			
	space; and f) where appropriate, comparable ope space may be provided and/or paid fo within or immediately adjacent to the s and acceptable replacement for the of In some cases, recreational provision	In space or enhancement of existing open or by the developer at an alternative location settlement where this will provide adequate pen space lost as a result of the development, in the form of indoor sports facilities may be a ally accessible and is judged to compensate		

The Planning Statement submitted with the application states that: "The application site lies within the designated "Key Greenspace" GSYETH003. GSYETH003 is identified as "Kirk Yetholm Allotments" within the Yetholm Settlement Profile. Unfortunately, the designation represents a major error of fact. The application site sits entirely within the sole ownership of the Applicants and has always been in use as private garden. While the village allotments are kept nearby on land to the south of the site, they are fully beyond the ownership of the Applicants and are both functionally and visibly distinct from the application site. For the purposes of clarity neither the application site or any constituent land is in lawful use as an allotment garden; the site is not available for the purposes of allotmenting and never will be."

It is highly unusual to depart from policy on greenspace however the area in question is not used for community purposes and there does not seem to be of much social, economic or community loss in allowing development on the site. It's also noted at time of writing Neighbourhood Services have not commented. It's not unusual for some greenspace (also known as open space) to be in private ownership. It is understood that this area has not been used as allotments, at least in quite a considerable amount of time. It is therefore considered that the land has little amenity/public open space values and in the circumstances it is not considered the loss of this part of the designated key greenspace is a major issue.

It is also noted that the site is located within the Yetholm Conservation Area and therefore any application will require to be assessed against Local Development Plan Policy EP9: Conservation Areas. The aim of that policy is to preserve or enhance the character or appearance of conservation areas. The policy states: "The Council will support development proposals within or adjacent to a Conservation Area which are located and designed to preserve or enhance the special architectural or historic character and appearance of the Conservation Area. This should accord with the scale, proportions, alignment, density, materials, and boundary treatment of nearby buildings, open spaces, vistas, gardens and landscapes".

It is therefore recommended that the views of the Heritage and Design Officer are sought and considered and the criteria test identified above within Policy ED9 are fully scrutinised.

The application is within the Development Boundary of Kirk Yetholm therefore Policy PMD5: infill policy applies. Within this policy and in this instance consideration should be given to:-

"Development on non-allocated, infill or windfall, sites, including the re-use of buildings within Development Boundaries as shown on proposal maps will be approved where the following criteria are satisfied:

.... b) it does not detract from the character and amenity of the surrounding area; c) the individual and cumulative effects of the development can be sustained by the social and economic infrastructure and does not lead to over-development or 'town and village cramming; and d) it respects the scale, form, design, materials and density in context of its surroundings..."

The Forward Planning team are supportive of housing within the Development Boundary where appropriate. Kirk Yetholm itself does not have any housing allocations although in close neighbouring Town Yetholm there are two housing allocations RY1B Deanfield Court and RY4B Morebattle Road.

Consideration should be given to surrounding property as stated Policy HD3: Protection of Residential Amenity. "Development that is judged to have an adverse

	impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against: b) the details of the development itself particularly in terms of: (i) the scale, form and type of development in terms of its fit within a residential area, (ii) the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking, loss of privacy and sunlight provisions. These considerations apply especially in relation to garden ground or 'backland' development, (iv) the level of visual impact." In conclusion, based on the above it will be important for the Development Management Section to consider the proposals against Local Development Plan Policies EP9: Conservation Areas and EP11: Greenspace, and Policy PMD5: infill policy, and Policy HD3: Protection of Residential Amenity.			
Recommendation	Object	□ Do not object	☐ Do not object, subject to conditions	Further information required
Recommended Conditions				
Recommended Informatives				



Comments provided by	Christina Sinclair	Contact e-mail/number:			
	Heritage & Design Officer	christina.sinclair@scotborders.gov.uk			
	Built Heritage & Design	Ext 6511			
Data of words	45 (05 (000)				
Date of reply	15/05/2020				
Planning Application	20/00453/FUL	Case Officer: EC			
Reference					
Proposed Development	Demolition of garage and erection of	<u> </u>			
Site Location	Garden Ground of Clifton Cottage, Ki	rk Yetholm			
relate to the area of experti application can only be mad considerations.	•	ee on the submitted application as they factoring the information provided. A decision on the formation, consultations and material			
Background and					
Site description		padly characterised for its two distinct areas –			
		s well as its historic layout, rural setting and			
	vernacular architecture.				
	Within this context, the site in questi	on forms part of the historically undeveloped			
	· · · · · · · · · · · · · · · · · · ·	eet. The associated views eastward from the			
	_	contribute to both the characteristic historic			
	layout of Kirk Yetholm as well as its distinctive close visual and spatial relationship				
	with the surrounding landscape. To a similar but lesser degree, this also contributes				
	to the setting of the Category C Listed Buildings along the High Street, including				
	Clifton Cottage.				
		Some very limited scale structures to a garages and sheds) have been introduced			
	•	Some very limited-scale structures (e.g. garages and sheds) have been introduced over the years to the east side of the High Street, however due to their small size			
	and secondary-structure character do not notably disrupt the characteristic				
	connection to the wider landscape and historic layout of the area noted above. The				
	garage currently on site makes no contribution to the special interest of associated				
	heritage assets.				
	Heritage assets.				
	What appears to be a historic cast ire	on water pump lies near to the site area – this			
	is a feature of local interest seen in t	is a feature of local interest seen in the Town and Kirk Yetholm area and is worthy			
	of conservation.	of conservation.			
		pasis of the information provided, and subject			
	to the provision of relevant further information.				
Principal Issues	The principal legislative and policy co	nsiderations from a heritage perspective in			
(not exhaustive)	The principal legislative and policy considerations from a heritage perspective in this case are;				
•	,				
	Section 64 of the Planning (Li	sted Buildings and Conservation Areas)			
		that local planning authorities ensure that,			
		"special attention shall be paid to the desirability of preserving or			
	enhancing the character or appearance" of any buildings or other land in				
	a conservation area in fulfilling	ng its planning functions.			

- Section 59 of the Town and Country Planning (Scotland) Act 1997
 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997
 requires the local planning authority to, "have special regard to the
 desirability of preserving the building or its setting or any features of
 special architectural interest which it possesses", in considering whether
 the grant planning permission affecting a listed building.
- One of the key outcomes for the planning system is to help protect and enhance our natural and cultural assets, and facilitating their sustainable use (Outcome 3, SPP).
- The siting and design of development should take account of all aspects of the historic environment (paragraph 140, SPP)
- Proposal for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area (paragraph 143, SPP)
- The Council will support development proposals within or adjacent to a
 Conservation Area which are located and designed to preserve or
 enhance the special architectural or historic character and appearance of
 the Conservation Area. This should accord with the scale, proportions,
 alignment, density, materials, and boundary treatment of nearby
 buildings, open spaces, vistas, gardens and landscapes (Policy EP9).

Therefore, the principal consideration(s) from a heritage perspective from this case are;

- Whether the proposed works would preserve or enhance the historic character and appearance of the Conservation Area
- Whether the proposed works would preserve or enhance the contribution made to the special interest of the Listed Building made by its setting

Assessment

The garage in question does not make a positive contribution to the character and appearance of the Conservation Area, nor the setting and special interest of the Listed Building. There is therefore no objection to its demolition.

As outlined above the largely undeveloped nature of the east side of the High Street makes a positive contribution to both the characteristic historic layout of Kirk Yetholm as well as its distinctive visual and spatial relationship with the surrounding landscape. There may be scope for the introduction of a small, modest structure similar to a garage, shed or possibly small garden studio form as this would not disrupt this established positive contribution to the Conservation Area. However, development on this site on the scale of a dwellinghouse would disrupt these positive characteristics, and therefore constitute harm to the character and appearance of the Conservation Area. We therefore cannot support the principle of introducing a dwelling on the site, in line with legislative and policy considerations outlined in the preceding section.

For this reason, we do not provide detailed comment on the design of the proposed house, but do note that it is not clear that its scale or design preserves or enhances the character and appearance of the Conservation Area. Should the principle of development be considered appropriate for wider planning reasons, further design development to appropriately reinforce local character in line with legislative and policy requirements would be necessary.

	The impact upon the historic water pump near the site boundary is unclear, and it should be noted generally that this historic local feature merits conservation insitu wherever possible.			
Recommendation	⊠ Object	☐Do not object	☐Do not object, subject to conditions	☐ Further information required
Recommended Conditions	N/A			
Recommended Informatives	N/A			

To: Neighbourhood Services

From: Development Management Date: 27th May 2020

Contact: Euan Calvert 20/00453/FUL Ref: 20/00453/FUL

PLANNING CONSULTATION

Your observations are requested on the under noted planning application. I shall be glad to have your reply not later than 17th June 2020, If further time will be required for a reply please let me know. If no extension of time is requested and no reply is received by 17th June 2020, it will be assumed that you have no observations and a decision may be taken on the application.

Please remember to e-mail the DCConsultees Mailbox when you have inserted your reply into Idox.

Name of Applicant: Mr & Mrs D & C Morrison

Agent: Ferguson Planning

Nature of Proposal: Demolition of garage and erection of dwellinghouse

Site: Garden Ground Of Clifton Cottage High Street Kirk Yetholm Scottish

Borders



Comments provided	Officer Name	e and Post:	Contact e-mail/n	umber:
by				
	Neighbourhoo Craig Blackie		CBlackie@scotb	orders.gov.uk
Date of reply	27/05/20		Consultee refere	ence:
Planning Application	20/00453/FUI		Case Officer:	
Reference			Euan Calvert	
Applicant	Mr & Mrs D &	C Morrison		
Agent	Ferguson Pla			
Proposed		garage and erection	of dwellinghouse	
Development		ganage and encourer	. o. ago	
Site Location	Garden Grou	nd Of Clifton Cottage	e High Street Kirk Yetho	olm Scottish Borders
The following observa as they relate to the an made after considerat	rea of expertis	se of that consultee	e. A decision on the ap	
Background and Site description				
Key Issues (Bullet points)	•			
Assessment				
Recommendation	Object	x⊡ Do not object	☐ Do not object, subject to conditions	Further information required
Recommended Conditions				

Recommended	
Informatives	



by	Roads Planning Service	Contact e-mail/number:	
Officer Name and	Craig Johnston	craig.johnston@scotborders.gov.uk	
Post:	Roads Planning Technician	01835826856	
Date of reply	18 th May 2020	Consultee reference:	
	,		
Planning Application	20/00453/FUL	Case Officer:	
Reference		Euan Calvert	
Applicant	Mr & Mrs D & C Morrison		
Agent	Ferguson Planning		
Proposed	Demolition of garage and erection of d	wellinghouse	
Development			
Site Location	Garden Ground Of Clifton Cottage Hig	h Street Kirk Yetholm Scottish Borders	
The following observa	tions represent the comments of the	consultee on the submitted application	
as they relate to the all	rea of expertise of that consultee. A c	lecision on the application can only be	
made after considerat	ion of all relevant information, consu	Itations and material considerations.	
Background and	The site was subject to a pre-application	on under 19/00406/PREAPP. Whilst there	
Site description	was no consultation with the Roads Planning Service, the Planning Officer's		
-	response makes reference to the likely need for two in-curtilage parking spaces		
	within the plot and accommodation for	the parking spaces which would be lost.	
Key Issues			
(Bullet points)			
(Danot pointo)			
A	The effective control of the beautiful to the control of the	dia anno and da anno lettro le altre attende at	
Assessment		d is accessed via a relatively short length of	
	·	ne capacity to park two vehicles out with the	
	adjacent public road. The current application would remove this existing parking without looking to accommodate the loss elsewhere. This would mean that the		
	· · · · · · · · · · · · · · · · · · ·		
	applicant's property would have no designed off-street parking and would be forced to park on street.		
	to park on street.		
	Given the above, I must object to this p	proposal	
	Civen the above, i made object to the	or op ocal.	
	It should be noted due to the restriction	ns on travel as a result of the Covid-19	
	pandemic at the time of writing, no site visit has been undertaken and the		
		ely on the information submitted with this	
	application and local knowledge.		
Recommendation	Object Do not object	Do not object, Further information	
		pject to conditions required	
Reason for	I object to this proposal as it does not	comply with the Council's Local Development	
Objection:	Plan Policy PMD2 which ensures that a development has no adverse impact on		
	road safety.		

AJS