

Comments for Planning Application 20/00453/FUL

Application Summary

Application Number: 20/00453/FUL

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

Proposal: Demolition of garage and erection of dwellinghouse

Case Officer: Euan Calvert

Customer Details

Name: Mr Kenny McLaren

Address: Craggystanes, High Street, Kirk Yetholm, Scottish Borders TD5 8PH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Designated Conservation Area
- Detrimental to environment
- Height of
- Listed Building
- Loss of light
- Loss of view
- Overlooking
- Trees/landscape affected

Comment: The plot is across from Craggystanes, of which I was stayed at for six years, just moved out a few weeks ago. The impact would be dramatic to the beautiful village of Kirk Yetholm, with the views towards the English border impacted. The village is the end of the pennineway, and this large build will impact the perception the of a lovely village, with mainly cottages the new build is out of character. Looking at other comments, they are stating that this will be good for the village due to mess of the plot - which is strange considering the a applicant owns the garage of land!!!

Craggystanes was not notified of this at all, considering the outlook from the front would be impacted.

Kirk Yetholm is a conservation village and should be strongly protected from this proposal at first opportunity. I strongly believe that this land should continue to be used for natural beauty, natural growth and the natural environment

Kristoffer Smith
East View
High Street
Kirk Yetholm
Roxburghshire
TD5 8PH

Dear Mr Calvert,

I write in connection with the planning application 20/00453/FUL. Whilst I entirely understand and appreciate the applicant's reasoning for bringing this Planning Application forward, I feel I must object to it. As the custodian of my family's two allotment plots within the Greenspace referred to in the application, I feel it is incumbent on me to preserve and maintain this important aspect of the village for current and future generations. The basis for my objection is:

1. Conservation Area

The aim of policy EP9 of the LDP is to *"preserve or enhance the character or appearance of Conservation Areas"* due to their *"unique and irreplaceable contribution"*. The LDP Settlement Profile for Yetholm states, *"Yetholm benefits from many views within and out of the settlement."*

The High Street is of great significance to the story of Kirk Yetholm. It is here the initial settlement was put down and from which the village has evolved ever since. The layout, streetscape and greenspace of the High Street are therefore of vital importance to the history, character, and appearance of the Village.

The proposed development would see the destruction of an area of green, open, undeveloped land which has survived since the time of the first settlers and which has become part of the character and appearance of the Village. The proposal would irreversibly change what is a historic undeveloped space, which acts to bring the countryside and village together, into a developed site which has the potential to set a dangerous precedent of development. As such the proposal goes against policy EP9 of the LDP.

One of the principal and most iconic views from the Village is from the Village Green uphill to Staerough, a view which has remained almost unchanged for well over a hundred years. The exceptions being the erection of Numbers 9 and 11 High Street and a few small, basic garages resulting from more relaxed planning regulations in the mid-late 20thC. Nevertheless, the view is one that would still be recognised by generations who have gone before us, even those earliest settlers

The Village is famous for being the start / end point of the Pennine Way. For these important walking tourists, the view up the High Street from the Green is not just pretty but, in a single snap, symbolises the long, steep struggle ahead or the long arduous route just completed – a unique and irreplaceable image. This particular view from the village, outward to the hill-scape, is therefore of great importance to the Village's character through its history of being and its iconic nature.

The proposed development site is central within this special view and as such would serve to change it forever. Owing to the orientation and elevation of the proposed plot in relation to the Village Green, the long and massive proposed north elevation would cause a significant interference in the view and Greenspace, negatively altering the character and appearance of the Conservation Area in the process

In addition, policy ED9 states proposed development should accord with the scale, proportions, alignment, density, materials and boundary treatment of nearby buildings, open spaces, vistas, gardens and landscapes. Whilst not wanting to appear too critical of the plans, its clear a lot of time and effort has been expended in their development, in my opinion the proposal does not accord with any of the required ED9 criteria.

- The proposed building has a significant footprint and mass compared to plot size;
- The proposal is for a significantly sized detached dwelling - such are not commonplace nor a characteristic of the conservation area;
- The proposed building extends deeply into the plot whereby the proportions of the local vernacular is long and shallow dwellings;
- The proposed building is tall in comparison to the local vernacular – typically 1.5 storey. Despite having dormers to the front, going off the proposed ceiling heights, in all intents and purposes this is a 1 ¾ storey / 2 storey building;
- The proposed dwelling sits back from the edge of the plot whereby the local vernacular is for the dwelling to be at the front, roadside edge with gardens behind;
- The proposed development shares no alignment with the dwellings on the east of the Green.

2. Principle of Development / Land Use

How the land east of High Street has evolved into current usage is like many other land uses and ownerships in the village, an unknown quirk. In the earliest OS map of the area (1859) the land now referred to as Greenspace GSYETH003 appears to have been an extension of the Village Green with a path crossing it to the field beyond and a ditch or water course running through. Subsequent revisions to mapping demonstrate the loanings further up and this extension to the Village Green becoming larger parcels of land transferred into individual ownership. As can be seen on the 1920 revision, the land referred to as GSYETH003 formed a single, large parcel of land stretching up to what is now 9 and 11 High Street. Our deeds indicate this larger parcel of land was sold as strips around the late 1930's / early 40's – perhaps as a result of demand for land on which people could grow their own as part of the war effort.

Post war the land remained as “allotment” strips and owing to more relaxed planning regulation, the placement of garages and the development of Nr's 9 and 11 was permitted. The result is the mix of gardens often with small garages on the street side that we see now.

Whilst the Greenspace GSYETH003 has been identified as Yetholm allotments in the Settlement Profile of the local plan, realistically the area of land has not been allotments in the truest sense, “*a plot of land rented by an individual for growing vegetables or flowers*” for almost a century. It is my belief the term “allotment” has been assigned to this area of land by the open space audit to reflect its historic and largely current use, the growing of vegetables and flowers, and not tenure. Of all the strips within the designated greenspace, the proposed site is the only one being used as a recreational garden. The proposed site is nestled amongst “allotments” so it would appear to make sense to term the overall parcel of greenspace land as “allotments” – the predominant land use.

The time at which the proposed development site moved from a space for the growing of vegetables and flowers is unknown but it's certainly relatively recent. Photographs from as late as the 60's show the area being open, cultivated land. However, just because the proposed site is a “recreational garden”, nestled amongst a series of allotments, does not mean it cannot be designated Greenspace. LDP policy EP11 states its aim as giving protection to a wide range of defined types of greenspace (also

known as open space). It continues to state the types covered by this policy are based on those in PAN65.

PAN65 describes an open space as “greenspace consisting of any vegetated land or structure, water, path or geological feature within and on the edges of settlements”. It continues “All spaces, regardless of ownership and accessibility (i.e. public and private spaces) contribute to the amenity and character of an area and can be taken into account by councils when undertaking their open space audits and strategies.”

Table 1 of the same document specifically lists Private Gardens or Grounds as being a type of open space.

Whilst there are some nuances between definition and actual use for this area of Greenspace in which the development is proposed, the material fact is that the proposed development site clearly lies within the bounds of a longstanding Greenspace that is integral to the story of Kirk Yetholm.

The above demonstrates that policy EP11 is applicable to the proposed development site and it should not be supported because:

- It would mean the loss of Greenspace;
- There is no social, economic or community justification;
- The need for development does not outweigh the loss of greenspace – there are ample brownfield sites in the village and;
- There is no proposal to provide compensatory greenspace.

3. Drainage capacity

The settlement profile for Yetholm makes mention of limited wastewater capacity. Presumably Building Standards and Scottish Water would resist anything other than foul water connection to the existing mains drainage.

From the site plan, the plot does not look sufficiently large enough to accommodate the proposed building and a rainwater soakaway, bearing in mind a soakaway should be a minimum of 5m from a boundary or building.

In addition, just a point to note, there is a significantly sized concrete tube cundy going under the proposed site which takes wastewater from the dwellings uphill and storm water runoff from Staerough. Inevitable there will be work needed to the cundy at some point in time, concrete tubes do not have an infinite life. The development raises the prospect for significant impact on the effectiveness of the storm water removal system, not to mention the proposed dwelling should access to the cundy be required at any time.

4. Overlooking & Overshadowing

Whilst there is no automatic right to light, the slightly elevated nature of the proposed plot and the sheer scale and height will inevitably result in an unacceptable loss of daylight and more significantly sunlight, to the most immediate plot and garage building the north. Point 3.6 in the Privacy and Sunlight Guide states “Overlooking and overshadowing of adjoining garden ground can also impact on people’s privacy and undermine their amenity and general enjoyment of their property”. Point 4.1 of the same guidance states “If the new building will cause a significant loss of sunlight to an existing building then it is unlikely to be supported.”

The proposal would result in significant overshadowing of the plots to the north and overlooking from what would be the kitchen and master bedroom windows. In addition, the building on the plot immediately north of the proposed site (admittedly a garage) as well as the garden itself, will be robbed of almost every minute of sunlight of which it currently enjoys. The proposal would therefore result in an unacceptable loss of amenity and enjoyment of land by adjacent landowners.

5. Irregularity

Until recently, either 2018 or 19, there was a significantly sized broadleaf tree on the proposed plot. The tree has since been removed and roots dug out. I understand works to trees within a conservation area need to be notified to the local authority. There is no online record of this.

I should be grateful if you can confirm receipt of this letter.

With kind regards.

Yours sincerely

Kristoffer Smith

Euan,

Whilst I do not want to enter into a tit for tat, having viewed the numerous responses to this application, I'd just like to clarify a couple of important points:

I have not spoken to any of the other objectors, however, from the comments made I think the underlying tone is not one of an anti-development perspective. In fact, I'd say we as a community are very much the opposite, I think the community is very supportive of development in general, providing it is appropriate and adds to the character of the village. What is clear from the objection comments is that the local community feel the proposed development is not appropriate and would have a significant adverse impact on conservation area and village.

Much has been made by supporters about the development tidying up this part of Kirk Yetholm. It is credit to the applicant that their garden is by far the tidiest on the street! Therefore, removing a tidy garden and replacing it with a building will do nothing to tidy up the gardens either side of the proposed plot. The applicant has no control over neighbouring plots; thus the areas of untidiness will remain regardless of what happens on the proposed site.

The dilapidated buildings referred to by some supporters are not on the proposed site but are owned by others on different plots of land in and out with the Greenspace. The applicant has no control over these so they will remain, in their current dilapidated state!

There are several mentions of the development being screened by various bits of soft landscape. The only bits of screening provided by the applicant is the already established hedge to the front, street side elevation. None of the large trees referred to in the documents are on the applicant's land and are therefore not within their control. Given this, they cannot be considered as "screening". Additionally, the street side hedge screen is not a feature seen elsewhere in the conservation area so cannot be said to be in keeping.

The proposed building may sit "behind" the garage to the north but the garage to the north does nothing to screen the proposed building. The high street slopes steeply downward south to north, thus the garage sits low in relation to the proposed site and will leave the massively deep side elevation on full display to the village green. The impact of the gradient, height and mass of the proposal is highlighted by the shadow cast plan which shows the neighbouring plot being devoid of sunlight as a result of the proposal.

There are not 4 garages between the allotments and Burnsyde. There are 3 garages within the Greenspace and 1 out with, to the north of the proposed site. The garages referred to in the proposal do not bring a lot in the way of architectural merit I agree, but they are utility buildings, small in scale, spaced out and surrounded by vegetation and as a result do not detract from the conservation area either. Compare this to the solid mass of the proposed 12m long 2 storey gable end/ side elevation which will always be visible, particularly from the key vista – from the village green up to Staerough.

I'm not qualified in road safety, but I feel the roads department make very valid comments. Having only recently discovered the High Street is a recognised timber extraction route, I feel there is clear and valid safety concerns – particularly with the size of vehicles used not only in forestry but in modern day agriculture too. The picture provided showing the vehicle parked outside Clifton Cottage is not an image familiar to me.

Reference has been made to various other consents through the years in Kirk Yetholm. These do not in my opinion set a precedent for the proposed development. None of the developments shown are within the core of the village; none can be seen from the village green for example. They do not

impose on the conservation area or intrude on important visual aspects of the village. They have been constructed on recognised infill sites or brownfield land, they are not within an allocated Greenspace and none have received objections from the community in which they have been constructed.

You will note all the objections for the proposed development stem from members of the local community, all concerned about the impact this development will have on the character of our village. Whilst they are entitled to make comment, you will note all but one of the support comments come from out with the immediate, affected community.

I think we all recognise the need for housing in the Borders, but I for one would certainly argue there needs to be an emphasis on affordability in that supply – there is ample supply of mid-upper market type property locally. The community of Yetholm has already contributed to the need for additional housing through the allocation of new build sites in the LDP. Additionally, there are ample brownfield sites in and around the village that are ripe and appropriate for development.

Having checked back the planning history for the passed 5 years in Bowden I can see no record of a “similar” new build proposal. There have been a couple of small garden building type structures passed and some extensions but nothing to the size and scale of the proposed. Importantly none of the construction in Bowden have encroached on an allocated Greenspace. The site mentioned in Newstead is only similar in that it is a new build in a conservation area! It is located on the very peripheries of the village and on a significantly larger site than the proposed, which allows for a larger garden to help soften the impact. The site at Newstead does not form part of a significant vista from the village and the site cannot be seen from any key greenspace – it is in all ways hidden other than from the small number of houses adjacent to the site. Crucially however, the site is not within a designated Greenspace.

It’s clear those on both side of the fence on this debate are at polar opposites regarding the appropriateness of design and impact on the conservation area. The professional charged with making that decision on behalf of the authority and us the public, has provided their judgement and settled the debate. However, I think it is worth reiterating the objection comments highlight the strength of feeling locally – specifically the adverse impact we believe it will have on a key and fundamental part of our conservation area. This part of the conservation area is not only key to the visual streetscape of the village today but is also important historically, having been part of the green and the Gypsy’s commons. These key characteristics make it worth protecting, as it rightfully is through the Greenspace allocation.

As mentioned previously, whilst it is unfortunate the description of this key Greenspace in the LDP is a bit woolly, the proposed site nevertheless is within the Greenspace boundary. Just because it is a private garden makes it no less capable of being Greenspace. I do not believe there is a land allocation issue, PAN 65 is quite clear of what can be considered as Greenspace. My family’s two plots are owned by us and are our garden too. This is the case for all of the plots within the Greenspace – they are all owned and used as gardens. Some are used for growing of vegetables and fruit, some parking, some part recreational, some set aside! The point being we accept them as being within the Greenspace and the restrictions that entails. Should this development proceed I and many others in and out with this community will see it as a dangerous precedent. There is little point in allocating Greenspace for protection if the land use can be overturned and built upon anyway.

Yours

Kris

Comments for Planning Application 20/00453/FUL

Application Summary

Application Number: 20/00453/FUL

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

Proposal: Demolition of garage and erection of dwellinghouse

Case Officer: Euan Calvert

Customer Details

Name: Mr Piers Holmes-Smith

Address: Lintonrig, High Street, Kirk Yetholm, Scottish Borders TD5 8PH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Designated Conservation Area
- Height of
- Inadequate drainage
- Loss of light
- Overlooking

Comment:1.Conservation Area.

The view up High Street is an iconic one for many tourist to the village starting or finishing the Pennine Way and those visiting The Gypsy Palace just up from the proposed development. The mostly undeveloped side of the road creates a gradual flow between the village & open country. However, the proposed developments sheer size and elevation would irreversibly & hugely impact that special view for all visitors & residents in & around Kirk Yetholm.

2.Destroy the Green Space.

3.Drainage.

I would question the waste water capacity & what the potential effect of rain water run off on to my plot would be.

4.Notification.

I am the neighbour to the north of the proposed development and was never notified.

5.Loss of Light and Overlooking.

My property to the north of the proposed development will be negatively impacted as it would tower above my property and would overshadow it in every respect resulting in me losing a lot of sunlight for most of the day. My property would also be overlooked by the Kitchen, Stair & Master

Bedroom windows which would negatively impact my enjoyment of the garden space & outbuildings on my land.

Comments for Planning Application 20/00453/FUL

Application Summary

Application Number: 20/00453/FUL

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

Proposal: Demolition of garage and erection of dwellinghouse

Case Officer: Euan Calvert

Customer Details

Name: Miss Amanda Douglas

Address: Rathgar, 4 High Street, Kirk Yetholm, Scottish Borders TD5 8PH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I have read and considered the pro planning document.

The applicant took the photos himself featured on the pro planning document, seen by myself taking them at the desired angles to show a positive spin on the outlooks and effects on the views, both from the green upwards and from the diagonal up the high street. The untidy aspect of the high street on the left hand side is due to other building work over the last two years, the garages and the cars parked at these two addresses in front of the garages does not indeed add to the beauty of the natural outlook. Infact the photos concerning parking are not the norm as it was put for clifton cottage. The access to the garden and garage are not a personal parking space. They are part of the highway. The photos do not reflect a true picture of how the views or the green would be impacted. And since the applicant has ready cut down a beautiful large tree, I'm very concerned about the conservation of this site. There was no mention of this tree, with regards to the objections, from planning. Neither has it been established if this tree had a preservation order, which I have been told Mr Calvert as representative of planning, and tree preservation being part of it, you can supply this information.

Comments for Planning Application 20/00453/FUL

Application Summary

Application Number: 20/00453/FUL

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

Proposal: Demolition of garage and erection of dwellinghouse

Case Officer: Euan Calvert

Customer Details

Name: Miss Amanda Douglas

Address: Rathgar, 4 High Street, Kirk Yetholm, Scottish Borders TD5 8PH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Designated Conservation Area
- Loss of view
- Trees/landscape affected

Comment: I am a tenant /neighbour residing opposite proposed site, the site intended in no way needs to be developed, it's a natural area, having been a garden and allotment area set aside many years ago for this purpose, this is a green belt area of land. The loanings themselves are steeped in history and care should be taken on any development here Containing an ancient hedgerow , in part of a conservation area, I'm concerned that the building work will damage the hedgerows. Already a tree has been removed from this plot of land.

Comments for Planning Application 20/00453/FUL

Application Summary

Application Number: 20/00453/FUL

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

Proposal: Demolition of garage and erection of dwellinghouse

Case Officer: Euan Calvert

Customer Details

Name: Mr Geoff Stenhouse

Address: Burnsyde, The Green, Kirk Yetholm Kelso, Scottish Borders TD5 8PQ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Designated Conservation Area

Comment: I have a very old map of Kirk Yetholm showing many of the boundaries, extending up to the full length of 'The Loanings' on the Halterburn road.

In my honest opinion, I question the ownership of the designated area marked as the 'Garden Ground Of Clifton Cottage'. To my knowledge the area is part of the historic 'The loaning' allotment land allocated to houses of Kirk Yetholm, for growing their own food \ vegetables during hard times, many years ago. Boundaries set; land allocated for each house.

I have witnessed the removal of an old large tree from this site in recent months.

The proposed building is perpendicular to the rest of the buildings in the area and will look completely out of place, as you enter from the South.

The height of the proposed building will look completely out of place, as the land starts to make an increasing incline, restricting current neighbours beautiful views down the Bowmont Valley.

Kirk Yetholm is a conservation village and should be strongly protected from this proposal at first opportunity. I strongly believe that this land should continue to be used for natural beauty, natural growth and the natural environment.

Comments for Planning Application 20/00453/FUL

Application Summary

Application Number: 20/00453/FUL

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

Proposal: Demolition of garage and erection of dwellinghouse

Case Officer: Euan Calvert

Customer Details

Name: Mr John Woods

Address: Glenview, 5 High Street, Kirk Yetholm Kelso, Scottish Borders TD5 8PH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Designated Conservation Area
- Height of
- Inadequate screening
- Increased traffic
- Land affected
- Listed Building
- Loss of view
- No sufficient parking space
- Overlooking
- Privacy of neighbouring properties affected
- Road safety
- Trees/landscape affected
- Value of property

Comment: Due to the continued lock down restrictions, we are still unable to travel from England to Scotland to fully access this application. However, in reviewing the latest information, we feel we must now object to the application. It would appear that the view that we and our customers have previously enjoyed, to the east of my holiday rental property, aptly named "GLENVIEW", will no longer be available to them, if the planned building is erected.

We feel that building and the inevitable building work required, can only have a negative and detrimental effect on our business in general, returning trade, our customers enjoyment of the property and the tradition and vistas of the village and surrounding area in general.