



## PLANNING STATEMENT

### SITE ADDRESS

**LAND EAST OF THE NORLANDS, BROUGHTON, ML12 6HH**

### PROPOSAL

**ERECTION OF SINGLE DWELLING AND OUTBUILDINGS  
TOGETHER WITH ACCESS, LANDSCAPING AND ASSOCIATED  
WORKS**

### APPLICANT

**MR J WARNOCK**

**JANUARY 2021**

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**RTPI**

Chartered Town Planner



## 1. INTRODUCTION AND PROPOSAL DESCRIPTION

- 1.1 This Planning Statement, prepared by Ferguson Planning, is submitted to Scottish Borders Council on behalf of the Applicant Mr J Warnock. The Statement supports an application for Planning Permission in Principle for the erection of a dwelling and outbuildings together with access, landscaping, associated works on land to the east of the Norlands.
- 1.2 The purpose of this Statement is to provide a good level of understanding of the application site and the context within which it lies, before providing background to the proposed development and its accordance with planning policy.
- 1.3 The new dwelling is proposed to enable the Applicant and his wife to retire from the nearby Rachan Home Farm, allowing the next generation to lead the farm into the future, but remain in the local area which has been their home for many years now.
- 1.4 The Applicant is now 63 years old and has farmed at Rachan Home Farm with his wife since their marriage 35 years ago. The Applicant is the second generation of his family to farm the land after his parents took possession of the agricultural enterprise in 1948. In that time no new dwellings have been erected within the agricultural holding of Rachan Home Farm.
- 1.5 The site sits to the east of an existing private way running north-west from the B712, which itself runs eastward from the A701 providing connectivity with the A72. The D54-1 adopted highway encloses the field within which the application site sits to the south-east.
- 1.6 In total 12 no. existing dwellings lie in the 'in step' between the B712 and the D54-1. Each existing dwelling is enclosed by the "Tomb Plantation" (coniferous forest) and smaller bodies of tree cover which have coalesced around it.
- 1.7 The site lies in a grazing field which is bounded by forest to the north and south-west. 'The Norlands' an existing dwelling sits opposite the site to the north-west of the private way, another three existing dwellings contained within a courtyard sit adjacent to the north of 'The Norlands'.
- 1.8 The site comprises part of a grazing field which fits between forest to the north and south-west and the minor public road to the south-east. The site is dominated by pasture grass with little in the way of other vegetation or landscaping. An existing field access exists in the south-west of the larger grazing field containing the site.
- 1.9 The extract below indicates the application site in red together with other land within the Applicant's control in blue. The existing dwellings nearby and other buildings are also indicated.

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**Fig 1:** Extract from 20038-PPP-001-C Location Plan, the proposed drive would provide access to the adopted highway visible to the south-east (Source: David Jane Architects).

### Proposal

- 1.10 The layout and access arrangements of the proposed dwelling are conceptually illustrated on 20038-PPP-002-C Indicative Site Plan. The proposal is for the erection of a single dwelling on the site together with access, landscaping, and associated works.

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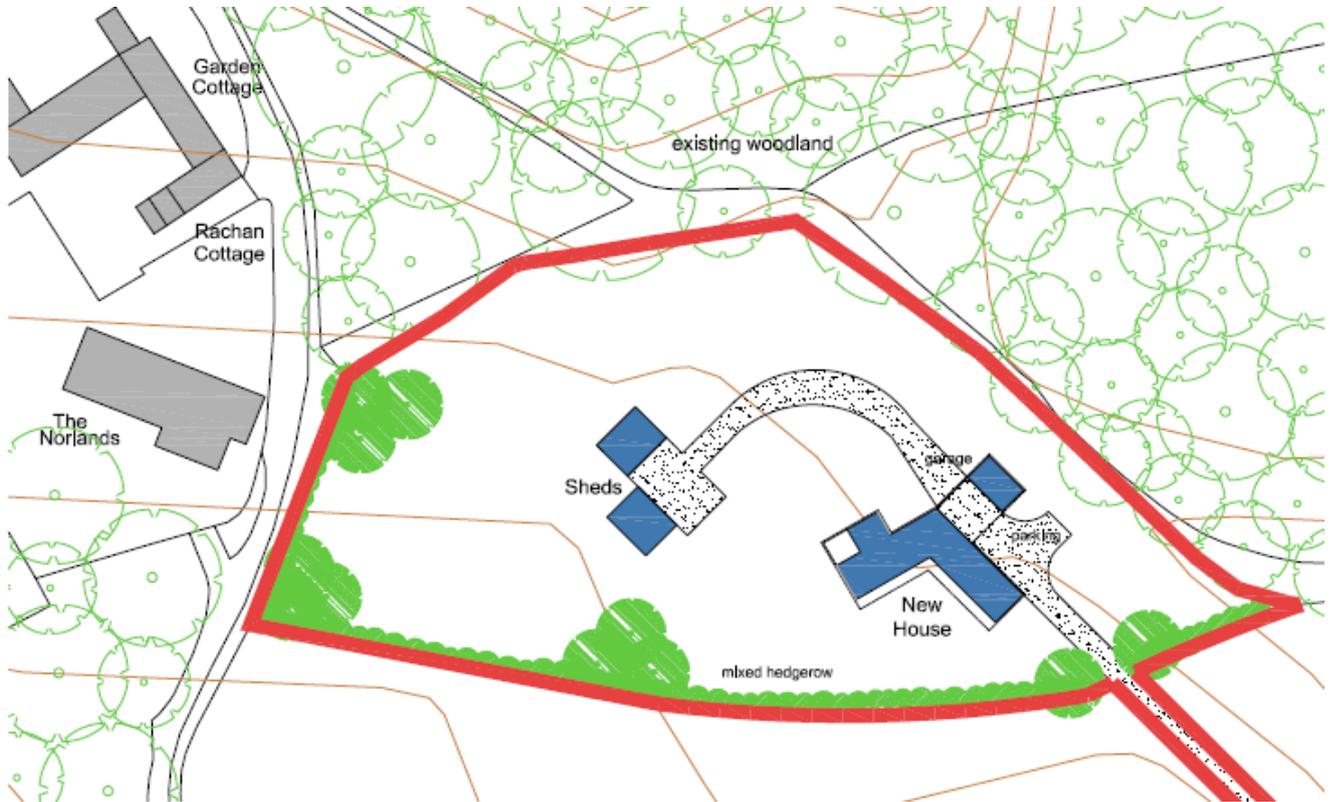
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**Fig 2:** Extract from 20038- PPP-002-C Indicative Site Plan, the proposed drive would provide access to the adopted highway visible to the south-east (Source: David Jane Architects).

- 1.11 The proposed dwelling is intended to provide a retirement home for the Applicant and his wife who are currently the proprietors of Rachan Home Farm. The Applicant has been successful in passing the farm onto his children and is attempting to vacate the principal farmhouse and complete the transition. However, the Applicant needs a new home to move into before the transition can be completed.
- 1.12 The application is for Planning Permission in Principle with matters of detailed design deferred for subsequent consideration. It is proposed to construct a new drive from the D54-1 and making use of the existing field access to provide access to the site.
- 1.13 Should planning permission be granted for the proposed development then the Applicant will provide a detailed design informed by and in accordance with adopted policy for the further consideration of the Planning Authority.

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- 1.14 The proposed dwelling will be serviced by connection to a privately held septic tank and soakaways within the Applicant's control. The Applicant proposes to connect to the mains water network which serves the existing dwellings in Rachan.
- 1.15 The conceptual site layout places the proposed built form relatively centrally within the site. The new dwelling is envisaged as single storey building in 'L-plan' form. The Applicant intends the appearance of the new dwelling to be contemporary but sensitive to the rural character of the local area.
- 1.16 The remainder of this Statement considers relevant planning policy and thereafter provides a reasoned justification within the policy context. Together with this Statement the following drawings and documents have been submitted to support the application:
- 20038-PPP-001-C Location Plan, prepared by David Jane Architects;
  - 20038-PPP-002-C Indicative Site Plan, prepared by David Jane Architects; and
  - 20038-PPP-201-A Indicative Plan and Elevations, prepared by David Jane Architects.

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## 2. POLICY CONTEXT

2.1 This section provides an overview of key planning policies relevant to the proposed development. Scottish Planning Policy (SPP) sets out national planning policies and is a key material consideration in the determination of planning applications. The Development Plan is made up of the Strategic Development Plan for South East Scotland (SESPlan) and the Scottish Borders Local Development Plan (2016).

### Scottish Planning Policy (SPP) 2014

2.2 SPP supports the creation and protection of successful, sustainable places which support sustainable economic growth and regeneration, and the creation of well-designed, sustainable places. This outcome sits side-by-side with the other three outcomes which target the delivery of low carbon places which reduce carbon emissions and adapt to the changing climate, natural and resilient places which protect and make use of natural and cultural assets, and better connected places which support and capitalises on transport and digital infrastructure.

2.3 SPP creates a presumption in favour of development that contributes to sustainable development and establishes 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. The aim is to achieve the right development in the right place; it is not to allow development at any cost. Specifically, policies and decisions should be guided by key principles, including:

- giving due weight to net economic benefit;
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting climate change mitigation and adaptation including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and

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- avoiding over-development, protecting the amenity of new and existing development and
- considering the implications of development for water, air and soil quality.

2.4 SPP sets out how successful, sustainable places includes protecting and enhancing the vibrancy of rural, coastal, and island areas, with growing, sustainable communities supported by new opportunities for employment and education. The character of rural and island areas and the challenges they face vary greatly across the country, from pressurised areas of countryside around towns and cities to more remote and sparsely populated areas.

2.5 In rural areas the Government intends the planning system to:

- in all rural and island areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces;
- encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality; and
- support an integrated approach to coastal planning.

#### **Scottish Borders Local Development Plan**

2.6 Local planning policy relevant to the proposal is contained within the Scottish Borders Local Development Plan (2016). Key policies include:

- **Policy PMD1: Sustainability**
- **Policy PMD2: Quality Standards**
- **Policy HD2: Housing in the Countryside**
- **Policy HD3: Protection of Residential Amenity**
- **Policy EP5: Special Landscape Areas**

#### **Policy PMD1: Sustainability**

2.7 The preparation of the Local Development Plan was heavily informed by the acknowledged “*need for action on climate change*” and the Council’s Environmental Strategy, which sit behind the ‘support and encouragement of sustainable development’ across the Borders. Policy PMD1 sets out the “*sustainability principles which underpin all the Plan’s policies*” and that the Council expects to inform development proposals and planning decisions:

- a) the long term sustainable use and management of land
- b) the preservation of air and water quality
- c) the protection of natural resources, landscapes, habitats, and species
- d) the protection of built and cultural resources
- e) the efficient use of energy and resources, particularly non-renewable resources

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- f) the minimisation of waste, including waste water and encouragement to its sustainable management
- g) the encouragement of walking, cycling, and public transport in preference to the private car
- h) the minimisation of light pollution
- i) the protection public health and safety
- j) the support of community services and facilities
- k) the provision of new jobs and support to the local economy
- l) the involvement of the local community in the design, management, and improvement of their environment.

**Policy PMD2: Quality Standards**

2.8 The Policy sets out a range of sustainability, placemaking and design, accessibility and open space/ biodiversity requirements, whereby the proposal must:

- Take appropriate measures to maximise the efficient use of energy and resources, in terms of layout, orientation, construction and energy supply;
- Make provision for sustainable drainage;
- Incorporate appropriate measures for separate storage of waste and recycling;
- Incorporate appropriate landscaping to help integration with the surroundings;
- Create a sense of place, based on a clear understanding of context;
- Be of a scale, massing and height appropriate to the surroundings;
- Be finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality;
- Be compatible with, and respect, the character of the surrounding area, neighbouring uses and neighbouring built form;
- Be able to be satisfactorily accommodated within the site;
- Provide for appropriate boundary treatments to ensure attractive edges, and to help integration with the surroundings;
- Incorporate access for those with mobility difficulties;
- Not have an adverse impact on road safety in terms of the site access;
- Incorporate adequate access and turning space for vehicles including those used for waste collection purposes.
- Retain physical or natural features which are important to the amenity or biodiversity of the area.

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## **Policy HD2: Housing in the Countryside**

- 2.9 Section A of Policy HD2 addresses development proposals for housing related to existing Building Groups. The adopted text of section A has been copied below:

### *“(A) Building Groups*

*Housing of up to a total of 2 additional dwellings or a 30% increase of the building group, whichever is the greater, associated with existing building groups may be approved provided that:*

- a) the Council is satisfied that the site is well related to an existing group of at least three houses or building(s) currently in residential use or capable of conversion to residential use. Where conversion is required to establish a cohesive group of at least three houses, no additional housing will be approved until such a conversion has been implemented,*
- b) the cumulative impact of new development on the character of the building group, and on the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts,*
- c) any consents for new build granted under this part of this policy should not exceed two housing dwellings or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.*

*In addition, where a proposal for new development is to be supported, the proposal should be appropriate in scale, siting, design, access, and materials, and should be sympathetic to the character of the group.”*

- 2.10 Section B of the Policy addresses development proposals for housing related to Dispersed Building Groups in the Southern Housing Market Area. The adopted text has been copied below:

### *“(B) Dispersed Building Groups*

*In the Southern Housing Market Area there are few building groups comprising 3 houses or more, and a more dispersed pattern is the norm. In this area a lower threshold may be appropriate, particularly where this would result in tangible community, economic, or environmental benefits. In these cases the existence of a sense of place will be the primary consideration.*

*Housing of up to 2 additional dwellings associated with dispersed building groups that meet the above criteria may be approved provided that:*

- a) the Council is satisfied that the site lies within a recognised dispersed community in the Southern Borders Housing Market Area,*



- b) *any consents for new build granted under this part of this policy should not exceed two housing dwellings in addition to the group during the Plan period. No further development above this threshold will be permitted,*
- c) *the design of housing will be subject to the same considerations as other types of housing in the countryside proposals."*

**Policy HD3: Protection of Residential Amenity**

- 2.11 The Policy states that *"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:*
- a) *the principle of the development, including where relevant, any open space that would be lost; and*
  - 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,*
    - 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,*
    - iii. *the generation of traffic or noise,*
    - iv. *the level of visual impact."*

**Other Material Considerations**

- 2.12 The site lies in the Upper Tweeddale National Scenic Area. This is a national designation and requires cognisance to the visual impact of development.

**New Housing in the Borders Countryside SPG**

- 2.13 The Supplementary Planning Guidance provides "advice and assistance with the siting and design of new housing in the Borders countryside". Pertinent sections of the Guidance have been identified below.
- 2.14 The Guidance accepts that "the Borders area is not uniform in its landscape character" and that for "new housing to be absorbed successfully into a particular landscape it is important that the setting is selected by respecting the local landform, the field patterns and the tree and hedgerow cover".
- 2.15 The Guidance continues to establish that the development of "new housing in harmony with its immediate and wider surroundings" is possible by "respecting the local landform, the pattern of fields and the distribution of tree and hedgerow cover".

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2.16 The Guidance sets out that the existence of a Building Group “will be identifiable by a sense of place which will be contributed to by:

- natural boundaries such as water courses, trees or enclosing landform, or
- man-made boundaries such as existing buildings, roads, plantations or means of enclosure.”

2.17 The Council’s expectations for elements of the proposed design which relate to access are also included in the Guidance, “in the interests of public safety it is therefore important that any new houses in the countryside are served by a vehicular access of a safe standard and provided with adequate on site facilities for vehicle movement and parking.”

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### 3. ASSESSMENT OF DEVELOPMENT PROPOSAL

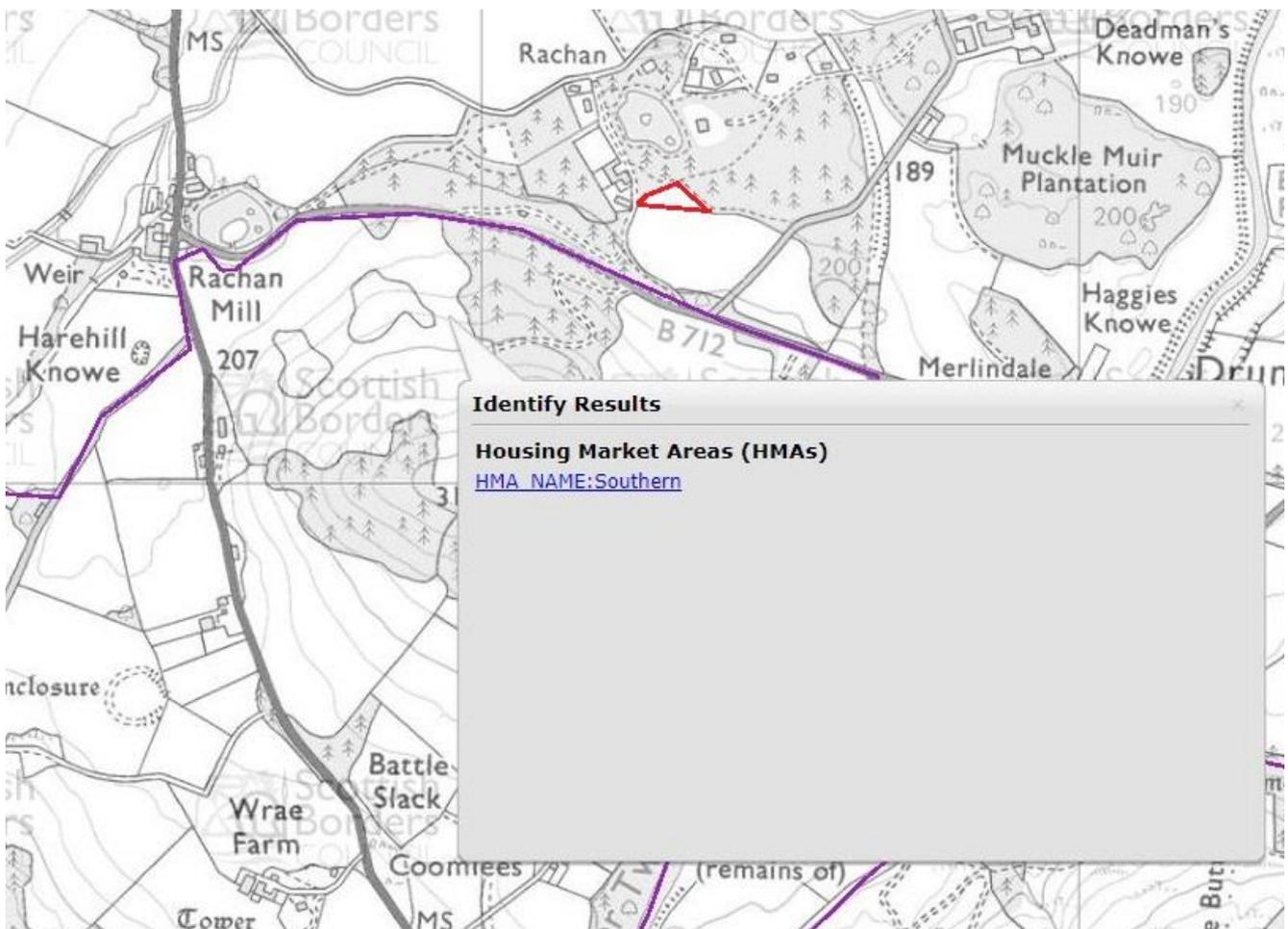
#### Principle of Development

##### Existing Building Group

- 3.1 The application site sits adjacent to the south-east of 4 no. existing dwellings which comprise a Building Group. The Building Group comprises the three existing dwellings sitting within the courtyard – Rachan Coach House, Stable Cottage, and Garden Cottage – together with the Norlands which is a bungalow of 20th Century origin. The Building Group lies in a small close clearing in the forest. The forest defines the setting and sense of place of the Building Group in addition to defining its boundaries.
- 3.2 The application site sits to the south of the existing dwellings within the Building Group on land which has not been forested in living memory. However, the forest also encloses the application site on two (of three) sides and defines both its character and setting. It is considered that tree and hedge planting along the south boundary of the site would provide a distinct landscape feature enclosing this portion of the Building Group. Given the position of the site in relation to the nearby existing dwellings and the natural enclosing landform, the site is considered to be well related to the existing Building Group at Rachan and to accord with criteria a) of section (A).
- 3.3 A review of the Council’s online planning records has indicated that no new or existing dwellings have been consented at Rachan within the current LDP period. The proposal is for the erection of a single dwelling within the setting and enlarging of an existing Building Group comprising four dwellings. While details of appearance, layout, and scale are deferred for future consideration, the type and form of development proposed are considered to be acceptable on the site.
- 3.4 Views of the site from both the south and east, including the D54-1 adopted highway, are defined by the established, mature forest in the backdrop. Established trees are of sufficient height to retain visual dominance over almost any height of new dwelling; however the difference in height over the proposed single storey dwelling will be plain and unmistakable. New tree and hedge planting along the site’s south boundary would almost wholly obscure views of the proposed dwelling from the south-east. Views of the site from the north and west are largely obscured by mature trees within the established forest. It is probable that views of the new dwelling would be visible from the private way outside the Norlands however multiple existing dwellings are already visible from this viewpoint, which sits within the setting of the existing Building Group. Therefore, any landscape impact created would be negligible. Given the limited landscape impacts associated with the proposed development, it is considered that

an “unacceptable adverse impact” would not be created and that the proposal accords with criteria b) of section (A).

- 3.5 As the Building Group at Rachan comprises four existing dwellings, extension by two additional dwellings is allowed for by the Policy. The proposal is considered to accord with criteria c) of section (A) as no new dwellings have been consented within the current LDP period and one new dwelling is proposed.
- 3.6 The principle of development of the erection of a dwelling together with access, landscaping, associated works is considered to be acceptable in accordance with section (A) of Policy HD2. The proposal represents the erection of a single dwelling expanding an existing Building Group in an appropriate fashion.



**Fig 3:** Extract from Local Development Plan Proposals Map. Application site (red edge) is visible a short distance beyond the boundary of the Southern Housing Market Area (purple edge).

### Dispersed Building Group

- 3.7 Section (B) of Policy HD2 applies within the Southern Housing Market Area (SHMA). The application site is located outside the SHMA but in very close proximity (illustrated on Fig.3). The proposed access to the public road network lies **c.60 metres beyond the boundary** of SHMA, while the footprint of the proposed dwelling lies **approximately 190 metres outside** SHMA.
- 3.8 The position of the site immediately outside (within 200 metres of) the Southern Housing Market Area is a **material consideration** in the determination of the application.
- 3.9 It is considered that the application site and its surroundings share many of the characteristics of the SHMA, in addition to lying less than 200 metres outside it. The site is considered to also form part of a “*Dispersed Building Group*” which numbers 12 no. existing dwellings in total. The Dispersed Building Group draws in all existing dwellings in the local area which are accessed from private ways strung between the A701, the B712, and the D54-1 (Fig.4). This community is known as “Rachan” (as shown by the OS label on Fig.3) and is largely enclosed by the established and mature woodland which defines the area but necessitates noticeable separation distances between most existing dwellings. Therefore, criteria a) of Section (B) is considered to be satisfied.



**Fig 4:** Aerial image of Rachan with natural boundary (in orange) established by woodland.

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- 3.10 No planning permissions for new dwellings have been granted within the current LDP period and a single new dwelling is proposed therefore it is considered that criteria b) of Section (B) is satisfied.
- 3.11 The application is for Planning Permission in Principle and detailed design is deferred for subsequent consideration, carrying the stipulations of criteria c) of Section (B) over to the subsequent stage of the planning process.
- 3.12 As Rachan forms a Dispersed Building Group and the application site lies within its natural boundary, section (B) of the Policy is considered to support the erection of the proposed dwelling on-site.

#### **Residential Amenity**

- 3.13 The proposal has been prepared to provide for good amenity for the occupiers of the proposed dwelling and surrounding dwellings. The type of development (a single detached dwelling) is considered to be appropriate to the site and the local area. Consideration of whether the scale of the proposed development is suitable, is deferred for future consideration. However, it is considered that the indicative form shown on 20038-PPP-002-C Indicative Site Plan is broadly representative of appropriate development on the site. The proposed dwelling is conceptually illustrated relatively centrally within the site.
- 3.14 The location of the site is generally conducive to good residential amenity with four existing dwellings essentially forming the adjoining Building Group. The Norlands would be the closest existing dwelling and lies a short distance away across the existing private way with land extending from both sides of the road remaining level to developed footprints and precluding any overlooking. It is conceptually envisaged that the boundaries of the site shall be planted with hedge to enhance the amenity of both the proposed dwelling and existing dwellings.
- 3.15 Views of the site from public vantage points are primarily from the public road to the south and east. Visual impact from these viewpoints are addressed in paragraph 3.3. Overall the visual impact of the proposal on the local area is considered to be slight in degree.
- 3.16 As the proposal provides for good amenity on-site and in the surrounding area it is considered to accord with Policy HD3.

#### **Access**

- 3.17 Vehicle and pedestrian access to the site is proposed via a new drive running south-east towards the D54-1 minor public road. The proposal makes use of the existing field gate to provide access to the site. These arrangements are considered to be acceptable to avoid the proliferation of accesses in the style of driveways which would cause the domestication of the local area and erosion of the rural character.

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### **Impact on Local Character and Other Matters of Detailed Design**

- 3.18 Matters of detailed design are deferred for future consideration. However, it is recognised that on-site development cannot start without submission and approval of final details of appearance, layout, scale, and landscaping. The new landscape boundary to contain the plot which is advised to be acceptable in the “New Housing in the Borders Countryside SPG” is included within those details.

### **Site Servicing**

- 3.19 The proposed dwelling will be serviced by connection to the nearby mains water network. Foul and surface water drainage will be managed by connection to private means. Satisfactory connection arrangements can be achieved, subject to further details to be provided at the next stage in the planning process.

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## 4. CONCLUSION

- 4.1 Ferguson Planning has been appointed by the Applicant to submit an application for Planning Permission in Principle for the erection of a dwelling and outbuildings together with access, landscaping, associated works on land to the east of the Norlands.
- 4.2 The proposal represents the enlargement of an existing Building Group by one dwelling upon a site which is well related to the existing dwellings and benefits from enclosing landform marking the Building Group's sense of place. Proposed tree and hedge planting would provide a distinct landscape feature definitively enclosing the Building Group from the south-east. The site also forms part of a twelve dwelling Dispersed Building Group in which new dwellings are supported. Therefore the erection of the proposed dwelling upon the site is considered to be acceptable in accordance with Policy HD2(A).
- 4.3 The proposal has been designed in accordance with Policy HD3 and represents an acceptable form of development in this location. It is considered that the proposed dwelling would benefit from good amenity and safeguard the privacy of surrounding dwellings.
- 4.4 It is considered that the proposal is in accordance with relevant adopted policy of the Local Development Plan and is not afflicted by any other material considerations. It is respectfully requested that planning permission is granted.

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