

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
CHIEF PLANNING OFFICER**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 19/00147/FUL

APPLICANT : Mr & Mrs Leslie and Agnes Binks

AGENT : Hunter Architecture

DEVELOPMENT : Erection of dwellinghouse with integral garage

LOCATION: Land North West Of Rusape
Nenthorn
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
PL_1	Location Plan	Approved
PL_2	Proposed Block Plan	Approved
PL_3	Proposed Plans	Approved
PL_4	Proposed Elevations	Approved

NUMBER OF REPRESENTATIONS: 1
SUMMARY OF REPRESENTATIONS:

Three neighbours were notified and adverts placed in the Southern Reporter and on tellmescotland.gov.uk.

One neighbour responded that they recommend that two bedroom windows on the northern projection should have windows on the north elevation to protect from overlooking.

Consultations:

Environmental Health: No objection. Stove should be under 45kw or it requires to be declared and a screening assessment undertaken. Conditions recommended to secure waste water drainage and water supply by public means.

Education: Catchment of Edenside Primary School and Kelso High School. Contribution required to Kelso High School.

Roads Planning: No response.

Landscape Architect:
Scottish Water:
Community Council:
No response.

PLANNING CONSIDERATIONS AND POLICIES:

Local Development Plan 2016

PMD2: Quality Standards
HD2: Housing in the Countryside
HD3: Protection of Residential Amenity
EP13: Trees, Woodlands and Hedgerows
IS2: Developer Contributions
IS7: Parking Provision and Standards
IS9: Waste Water Treatment Standards and SUDS

Supplementary Planning Guidance:

Guidance on Householder Developments, July 2006
Placemaking and Design, 2010
Developer Contributions 2018
New Housing in the Borders Countryside 2008

Recommendation by - Euan Calvert (Assistant Planning Officer) on 3rd April 2019

This report considers full planning permission for erection of a dwellinghouse on a site which presently benefits from a live planning permission for 3 dwellings (08/00279/REM). A building Warrant in 2009 (09/00007/ERE) resulted in works to install services and driveway to these three plots.

Site Description and history

This is a green field site east of the Schoolhouse; former Nenthorn School and Rusape, both residential dwellings, and all forming part of a hamlet at Nenthorn. This site has a long history of proposed residential development extending way back to December 1992 (Ref. 324/92). The site is accessed from the south by the adopted road leading between Nenthorn and Girrick. This road junction has now been constructed and surfaced. The drainage system and services have also been installed.

A recent approval has been granted, 18/01222/FUL, for one house on an amalgamated site of plot Plot A and Plot C of approval 08/00279/REM. This proposal would be immediately north east of this dwelling.

Proposals

This is a proposal for a T-planned house on former Plot B. The dwelling on Plot B was to be a 1.5 storey house. A short north and south wing of this former approval were to both feature canted walls and canted roofs.

This is a proposal for a rectilinear planned dwelling, 23.6m wide by 7.5m in depth, to occupy a similar site and layout of the approval on Plot B. Land to the front of the house (south) would become garden ground contiguous to the house. The site plan demonstrates a shared entrance and a private drive leading to parking and turning to the front of the proposed house.

A Design and Access Statement has been submitted demonstrating that the building has been sited and orientated to adhere to adjacent building lines and reflect the adjacent pattern of development. The proposal is 1 storey, which is lower in ridge height than the 1.5storey approval. A hipped roof has been adopted for the garaging on the east elevation. Whinstone, off-white render, grey framed uPVC windows and slate roofs are being chosen to complement the site and location. A storm porch, finial and solar panels will be a feature of the principal south elevation.

Policy

There is no Development Boundary for Nenthorn in the LDP 2016. The principle is considered against policy HD2 which determines where Housing in the Countryside may be appropriately sited. Policy HD2 (A) of the LDP 2016 states:

The site must be well related to an existing building group of at least three houses or buildings capable of conversion to residential use. Any consents for new build granted under the building group part of the policy

should not exceed two houses or a 30% increase in addition to the group during the Local Plan period. No further development above this threshold will be permitted. Calculations on building group size are based on the existing number of housing units within the group at the start of the Local Plan period. This will include those units under construction or nearing completion at that point. The cumulative impact of the new development on the character of the building group, landscape and amenity of the surrounding area will be taken into account in determining applications.

The Council's Supplementary Planning Guidance: New Housing in the Borders Countryside December 2008 states that the existence of a group will be identifiable by a sense of place which will be contributed to by natural and man made boundaries. Sites should not normally break into undeveloped fields particularly where there exists a definable natural boundary between the building group and the field and the new development should be limited to the area contained by that sense of place. Any new development should be within a reasonable distance of the existing properties within the building group and this distance should be guided by the spacing between the existing properties in the building group. The scale and siting of new development should reflect and respect the character and amenity of the existing building group.

PMD2 and Design and Placemaking SPG

The character of the existing building group and the visual amenities of the area are material considerations and regard will be had as to whether the proposal is in accordance with scale, character and appearance being sought by the SPG.

All development must be high quality, integrate into landscape surroundings and not negatively impact on existing buildings.

EP13

Appropriate boundary treatments are considered essential to ensure proper effective assimilation with the wider surroundings.

IS7

The Roads Planning Officer has been invited to comment on safety and sufficiency.

HD3

The siting, scale and location of development is considered with regard to protecting neighbouring residential amenity.

Assessment

Principle

Development 08/00279/REM, is deemed to have commenced therefore principle of a dwelling on this site has been previously accepted. Development proposed in this instance continues to be supported in accordance with Policy HD2. This proposed dwellinghouse will be well related to the group and is a good response to this plot and this wider site. (Placemaking and Design SPG 2010) This response will have a good sense of place in terms of layout and finishes and is an improvement over the permission previously granted. I am satisfied that this form of dwelling will make a suitable contribution to the character of Nenthorn and the wider countryside settling. The roof to wall mass is heavier than traditional design but this does not detract from character of the group.

It is worth noting at this juncture that technically there remains a live permission for Plot C to be constructed. This proposal would not conflict with this extant permission.

Location, Site and Layout

Nenthorn is characterised by a scattered pattern of houses which display a variety of designs and materials. I am satisfied this layout and shorter ridge height take account of the rising nature of the site.

The simple design of house is acceptable and in-keeping with other properties in Nenthorn.

Natural slate clad roof; render walls and whinstone all require submission of samples and a condition will be imposed. In principle they are all acceptable. The proposal will not harm the visual amenities of the area or be unduly prominent in the landscape.

Residential amenity

The proposed house has been shown in relation to the Nenthorn School, the nearest residential neighbour. I note the comments regarding privacy and overlooking but at a distance of 25m, I have no requirement to have the window locations altered. Light and overshadowing have both been considered and are acceptable. This building will align with the western neighbour, 18/01222/FUL.

SERVICES

Water supply and foul and surface drainage

Proposals are for public water supply, foul to septic and surface water to soakaway (in the garden).

Environmental Health have responded requiring conditions but they are clearly not aware of the services having been installed as part of the 2009 building warrant for this site, 09/00007/ERE. I am satisfied that the requirements of policy IS9 are met.

Developer Contributions

The principle to development of a dwellinghouse on this site was previously accepted and that permission has now been implemented therefore it is not appropriate to seek contributions towards education at this juncture, on this site. Policy IS2 is satisfied.

Roads

The Roads Planning Officer did not respond. I am however satisfied that the layout (location of this junction with public road) is in accordance with the previous permission. A planning condition is applied to ensure parking and turning is completed before occupation, in the interests of design standards and road safety.

There has been no comment from the Landscape Architect. There have been no landscape plan submitted which would have provided an inventory of the current boundary features. I am therefore required to ask for a landscape plan and proposals for boundary treatments in the interest of EP13.

Boundary proposals and a programme of establishment/ maintenance will ensure that the proposals assimilates well with the existing site which is well contained by existing hedges (Policy PMD2).

No responses have been received from Scottish Water or the Community Council.

REASON FOR DECISION :

Subject to compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

Recommendation: Approved subject to conditions

- 1 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
- 2 A sample of all materials to be used on all exterior surfaces of the development hereby permitted shall be submitted to and approved in writing by the Planning Authority before development.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 3 Two parking spaces and turning to be provided within the curtilage of the plot prior to occupation and retained thereafter in perpetuity.
Reason: To ensure the site is served by adequate parking provision at all times.
- 4 No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include (as appropriate):
 - i. indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration

- ii. location of new trees, shrubs, hedges and grassed areas
- iii. schedule of plants to comprise species, plant sizes and proposed numbers/density
- iv. programme for completion and subsequent maintenance.

Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.

- 5 Details of all proposed means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before work on the site is commenced. Thereafter development only to be undertaken in accordance with these proposed means of enclosure.
- Reason: To enable the proper effective assimilation of the development into its wider surroundings.

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