



PLANNING STATEMENT

SITE ADDRESS

**LAND SOUTH OF GREYWALLS,
GATTONSIDE, MELROSE, TD6 9LT**

PROPOSAL

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

APPLICANTS

MR & MRS N & C CAMERON

APRIL 2021

Main Office:

Shiel House | 54 Island Street | Galashiels | TD1 1NU

NI Office:

61 Moyle Road | Ballycastle | Co. Antrim | BT54 6LG

T 01896 668 744

M 07960 003 358

E tim@fergusonplanning.co.uk

W www.fergusonplanning.co.uk





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Main Office:

Shiel House | 54 Island Street | Galashiels | TD1 1NU

NI Office:

61 Moyle Road | Ballycastle | Co. Antrim | BT54 6LG

T 01896 668 744

M 07960 003 358

E tim@fergusonplanning.co.uk

W www.fergusonplanning.co.uk



RTPI

Chartered Town Planner



1. INTRODUCTION

- 1.1 This Planning Statement, prepared by Ferguson Planning, is submitted to Scottish Borders Council on behalf of the Applicants Mr & Mrs Cameron. The Statement supports an application for Planning Permission in Principle for the erection of a dwelling together with access, landscaping, and associated works on land south of Greywalls, Gattonside.
- 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 accordence with planning policy.
- 1.3 The site lies within a swathe of land flanked by the B6360 to the north and the flood plain of the River Tweed to the south. This swathe of land is defined by Friars Hall, a Category B Listed Building (HES ref: LB28833) around which a cluster of existing dwellings coalesce. Four large fields to the south, east, and west define the landscape pattern and local sense of place.
- 1.4 Friars Hall is one of 8 no. existing dwellings sitting within the setting of the site. Together they form a small settlement ("Friarshaugh") beyond the east of Gattonside.
- 1.5 The site comprises a small field sitting south of Greywalls and north of the large agricultural field which defines the south boundary to the cluster of dwellings at Friarshaugh. The field is sporadically used for grazing. The field is set with a border to the west planted with semi-mature hawthorn and a single ash tree.
- 1.6 The application site does not lie in the Flood Zone and is not vulnerable to flood risk. The Flood Zone which extends around the banks of the River Tweed dominates the land beyond the south of the site. This is shown on the local extract of the Flood Map which is replicated below, the site's extent is indicatively illustrated in red.

Main Office:

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NI Office:

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T 01896 668 744

M 07960 003 358

E tim@fergusonplanning.co.uk

W www.fergusonplanning.co.uk

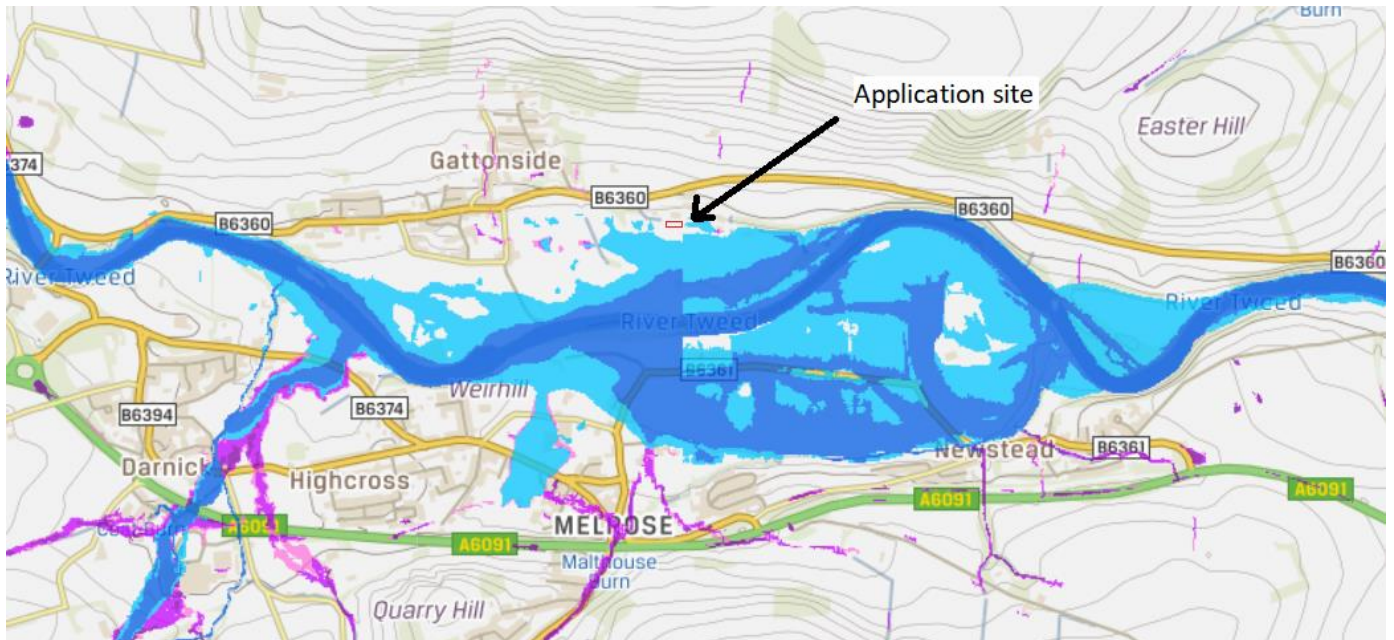


Fig 1: Extract from SEPA Flood Map, accessed 31/03/2021 (Source: www.sepa.org.uk).

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NI Office:

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E tim@fergusonplanning.co.uk

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2. THE PROPOSAL

- 2.1 The layout and access arrangements of the proposed dwelling are conceptually illustrated on AH129-PP01 Site Location Plan. The proposal is for the erection of a single dwelling on the site together with the access, landscaping, and associated works.
- 2.2 The application is for Planning Permission in Principle with matters of detailed design for subsequent consideration. Vehicle and pedestrian access are proposed to the site via an access track running north-west towards an existing access from the public road.
- 2.3 Sketch plans AH129-S01(B) and AH129-S02(B) have been prepared to illustrate that the proposed dwelling could sit comfortably within the site. An illustrative impression of the south elevation has been included on AH129-S01(B) to shed some light on the design concept to be developed into a detailed design. 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.
- 2.4 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 at Friarshaugh.

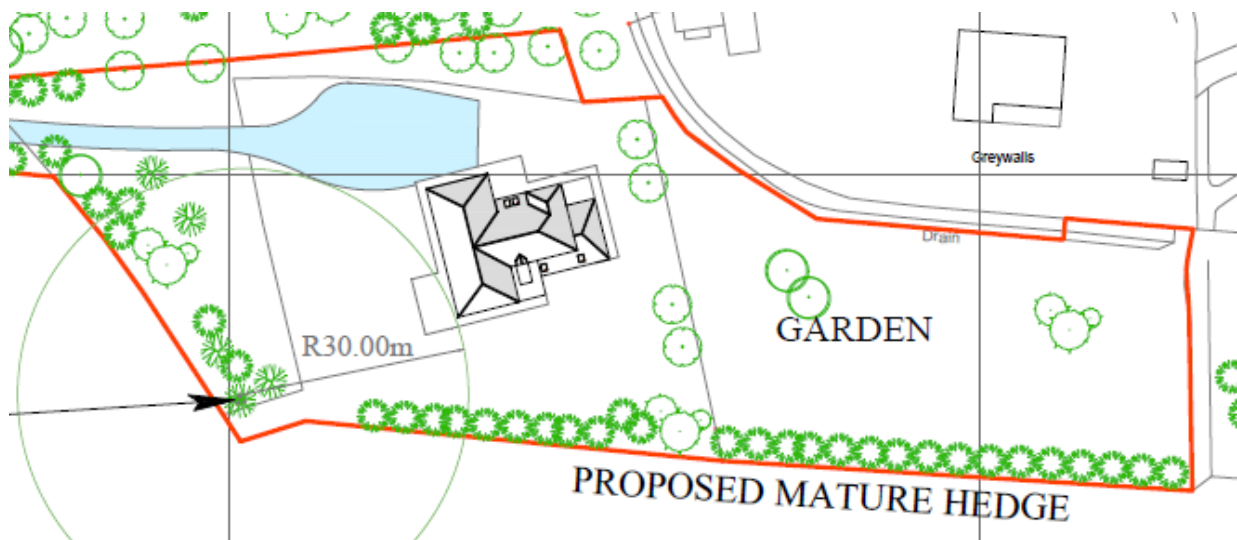


Fig 2: Extract from AH129-PP01 Site Location Plan (Source: Aidan Hume Design).

- 2.5 The application site and proposed residential curtilage are contained within the sense of place of Friarshaugh and fully beyond the large agricultural field adjacent to the south. The proposal does not seek to extend a linear developed ribbon into the open countryside or place development in a field which has not yet been developed in.



- 2.6 As the application is for Planning Permission in Principle, the requirement to submit detailed drawings to secure the outstanding elements of the design in the next stage of the planning process is acknowledged.

Planning History

- 2.7 A review of the Council’s publicly available planning records has not identified any previous planning applications on-site. However, it is noted that an Application for Approval of Matters Specified in Conditions 97/05310/REM was previously submitted on a site adjacent to the east of the application site. It is noted that the application was withdrawn prior to determination and no record of the establishing Planning Permission in Principle has been identified.
- 2.8 Pre-application consultation 20/00539/PREAPP was conducted with the Planning Authority on behalf of the Applicant by Aidan Hume Design in September 2020. The response provided by the Planning Authority has been consulted in preparation of this application.
- 2.9 It is acknowledged that the response objected to the conceptual proposal presented at that stage. However, the response did identify the presence of an existing Building Group at Friarshaugh. The response also acknowledged that the appointed Planning Officer had not had the opportunity to visit the site – an imposition of the Council’s health and safety policy adopted in response to the COVID crisis.
- 2.10 Further the response correctly identified the location of the site within the Eildon and Leaderfoot National Scenic Area. However, no comment was provided on accordance of the conceptual proposal with Policy EP4 owing to the policy prejudice (identified above) of the appointed Planning Officer’s ability to visit the site and the absence of elevational plans.
- 2.11 The response also identifies the statutory and planning requirement to safeguard the integrity of Tree Protection Orders (TPOs) located variously between 10 metres and 70 metres beyond the boundaries of the site. Lastly comment is provided on the need for any new dwelling to be served by vehicle access which is satisfactorily orientated and surfaced.

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M 07960 003 358

E tim@fergusonplanning.co.uk

W www.fergusonplanning.co.uk



3. POLICY CONTEXT

3.1 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) 2020

3.2 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 enhance our natural and cultural assets, and better connected places which support and capitalises on transport and digital infrastructure.

3.3 SPP creates a presumption in favour of 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 delivery of accessible housing, business, retailing and leisure development;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- 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;

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W www.fergusonplanning.co.uk



- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- 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
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

3.4 SPP sets out a vision for vibrant 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.

3.5 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

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

- **Policy HD2: Housing in the Countryside**
- **Policy HD3: Protection of Residential Amenity**
- **Policy EP4: National Scenic Areas**
- **Policy EP6: Countryside Around Towns**

Policy HD2: Housing in the Countryside

3.7 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:

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- 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.”

Policy HD3: Protection of Residential Amenity

3.8 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 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,*
 - iii. *the generation of traffic or noise,*
 - iv. *the level of visual impact.”*

Policy EP4: National Scenic Areas

3.9 The Policy sets out that development proposals “*that may affect National Scenic Areas will only be permitted where:*

- a) *the objectives of designation and the overall landscape value of the site and its surrounds will not be compromised, or*



- b) *any significant adverse effects on the qualities for which the site or its surrounds have been designated are clearly outweighed by social or economic benefits of national importance”.*

Policy EP6: Countryside Around Towns

- 3.10 The Policy establishes that “*within the area defined as Countryside Around Towns, proposals will only be considered for approval if they meet the following considerations:*
- a) *there is an essential requirement for a rural location and the use is appropriate to a countryside setting e.g. agricultural horticultural, forestry, countryside recreation, nature conservation, landscape renewal, community facilities, or*
 - b) *it involves the rehabilitation, conversion, limited extension, or an appropriate Change of Use of an existing traditional building of character, or*
 - c) *in the case of new build housing it must be located within the confines of an existing Building Group as opposed to extending outwith it and it must be shown the high quality environment will be maintained. The definition of a building group is stated within Policy HD2 Housing in the Countryside, or*
 - d) *it enhances the existing landscape, trees, woodland, natural and man-made heritage, access and recreational facilities, or*
 - e) *subject to satisfactory design and setting, it has a proven national or strategic need and no alternative is suitable”.*

Other Material Considerations

New Housing in the Borders Countryside SPG

- 3.11 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.
- 3.12 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”.
- 3.13 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”.
- 3.14 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:

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T 01896 668 744

M 07960 003 358

E tim@fergusonplanning.co.uk

W www.fergusonplanning.co.uk



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

3.15 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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E tim@fergusonplanning.co.uk

W www.fergusonplanning.co.uk



4. ASSESSMENT OF DEVELOPMENT PROPOSAL

Principle of Development

- 4.1 The application site sits within the swathe of land bounded by the B6360 to the north and large agricultural fields to the south, east, and west. Within this swathe of land sits the Friarshaugh Building Group which comprises 8 no. existing dwellings, asymmetrically centred on Friars Hall. The pattern of development at Friarshaugh is dictated by the surrounding landform, identified above. There is no distinct developed frontage (bookended or otherwise), courtyard, crescent, or similar format to the built environment locally.
- 4.2 The application site sits adjacent to the south of the existing dwelling 'Greywalls' within the Building Group on land which is sporadically used as pasture. The application site sits fully beyond the boundary of the surrounding large agricultural fields and is considered to sit within the existing Building Group's sense of place. Given the strong relationship of the site to nearby existing dwellings and the well-established and robust field pattern which define its boundaries, the site is considered to be well related to the existing Building Group at Friarshaugh and to accord with criteria a) of section (A).
- 4.3 A review of the Council's online planning records has indicated that no new or existing dwellings have been consented at Friarshaugh 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 eight 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.
- 4.4 Views of the site from the west are screened by the existing tree and shrub planting which would be reinforced as part of the proposal. Views from the east are screened by a number of existing buildings, including the Walled Garden of Friars Hall, and an established, mature tree belt beyond. Views from the north are essentially precluded by a small body of woodland. Existing views from the south are defined by five existing dwellings – Greywalls, Frairs Hall, Friarshaugh View, Friarshaugh, and Sunny Brae House. It is considered that the addition of a single dwelling to this vista represents a negligible landscape impact. 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).
- 4.5 The Building Group at Friarshaugh comprises eight existing dwellings, therefore extension by two additional dwellings is permitted under Policy HD2. 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.

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- 4.6 The site lies within the “*Countryside Around Towns*” defined by Policy EP6. As established above it is considered that the large agricultural fields to the south, east, and west together with the B6360 to the north represent the distinct landscape features which enclose the existing Building Group at Friarshaugh. The site lies within the swathe of land enclosed by the distinct landscape features identified and is considered to be characterised by the Friarshaugh’s setting and sense of place.
- 4.7 It is considered that the proposal accords with Policy EP6 as it sits within the setting (or “*confines*”) of Friarshaugh and therefore satisfies criteria c) of the Policy.
- 4.8 The principle of development of the erection of a dwelling together with access, landscaping, and 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.

Landscape

- 4.9 The site lies within the Eildon and Leaderfoot National Scenic Area. The National Scenic Area is primarily defined by substantial geographical features both rivers and hills. The River Tweed is the primary landscape feature of both the Borders and the National Scenic Area however both the Leader Water and the hills which cradle the valley either side of the water body make a core contribution to the scenic quality of the Area.
- 4.10 The Eildon hills are a primary and defining quality of the landscape of the National Scenic Area, perhaps even eclipsing the hills which cradle the Leader Water. The three Eildon hills define visual aspects both within the National Scenic Area and more widely across the Borders, as they dominate the horizon of views towards the confluence of the Tweed, Ettrick Water, and Gala Water. To the east of the Tweed, land plateaus off at Dryburgh in a swathe of land set with rich soil connecting to the Berwickshire plain beyond.
- 4.11 The application site has negligible landscape profile within the National Scenic Area. It does not define the special qualities of the Area and makes little contribution towards any of those qualities. The proposed dwelling would stand between 1.5 and 2 storeys tall. That being the case, it is considered that it would not be possible for a dwelling standing 3 storeys tall on the site to comprise the objectives of the National Scenic Area – regardless of the otherwise unacceptable profile of a 3 storey dwelling on-site. Impact of the proposal on the landscape value of the site and the surrounding area is considered to be acceptable, as established in paragraph 4.4.
- 4.12 The proposed access track is considered to be slight in landscape impact. However, it is proposed to plant a hedge screening the track from the south. The screening provided by the hedge will all but erase any landscape impact of the track.

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- 4.13 The proposal is considered to respect the objectives of the National Scenic Area and to be acceptable in landscape terms, in accordance with Policy EP4.

Residential Amenity

- 4.14 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 AH129-S01 Sketch Ground Floor and South Elevation Plan is broadly representative of appropriate development on the site. The proposed dwelling is conceptually illustrated within the west portion of the site, predicating primary residential use on-site in the west half and effectively sterilising any development potential in the east portion. The whole site is within the ownership of the Applicants, who have no intention of developing more than one dwelling on-site.
- 4.15 The location of the site is generally conducive to good residential amenity as no overlooking or intervisibility with windows exists with either Greywalls or Friars Hall, the two closest existing dwellings. Greywalls is the closest existing dwelling to the site and is offset from the footprint of the proposed dwelling, which mostly precludes risk to good quality amenity. It is conceptually proposed that the boundaries of the site shall be planted with hedge to serving both amenity and landscaping purposes.
- 4.16 Views of the site from public vantage points are primarily from the river to the south. Visual impact from these viewpoints are addressed in paragraph 3.4. Overall the visual impact of the proposal on the local area is considered to be negligible.
- 4.17 As the proposal provides for good amenity on-site and in the surrounding area it is considered to accord with Policy HD3.

Access

- 4.18 Access to the site is proposed via an existing access from the B6360 public road. A new access track is proposed from the existing access to the portion of the site which contains the house and garden plot. These arrangements are considered to be acceptable as they make use of an existing access to the public road within the Applicants' ownership which benefits from substantial visibility sightlines onto the highway and operates safely.

Ecology

- 4.19 The Wildlife Partnership were instructed by the Applicant and conducted a Preliminary Ecological Appraisal on-site and in the contiguous fields. The Appraisal found no firm evidence of protected species on-site.

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- 4.20 The Appraisal detailed recommendations in section 6 which have been accepted by the Applicant. The proposal has incorporated a 30 metre radius free of development around the possible badger sett in the south-west of the site. A climb and inspect assessment of trees along the west boundary of the site has been completed and submitted for approval of the Planning Authority.
- 4.21 The climb and inspect assessment confirms that no trees on-site or nearby are existing bat roosts. A mature Ash tree (3497) has been identified as a Barn Owl roost while a second tree (3494) has been identified as a possible roost. Neither tree is proposed for removal and both will be retained in the proposal. Therefore, it is considered that the proposal safeguards European Protected Species (EPS) and is acceptable in Ecology terms, as established in the Preliminary Ecological Appraisal and climb and inspect assessment prepared by the Wildlife Partnership.

Impact on Local Character and Other Matters of Detailed Design

- 4.22 Matters of detailed design are deferred for future consideration. However, it is recognised that development cannot commence without submission and approval of final details of appearance, layout, scale, and landscaping. The details shall include both plans of the proposed dwelling and landscaping.

Site Servicing

- 4.23 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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5. CONCLUSION

- 5.1 Ferguson Planning has been appointed by the Applicant to submit an application for Planning Permission in Principle for the erection of a dwelling together with access, landscaping, and associated works on land south of Greywalls, Gattonside.
- 5.2 The proposal represents the enlargement of an existing Building Group by one dwelling upon a site which is well related to the existing Building Group at Friarshaugh. The lies within the boundaries which mark the setting and sense of place of the Building Group. Therefore, the erection of the proposed dwelling upon the site is considered to be acceptable in accordance with Policy HD2(A).
- 5.3 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.
- 5.4 The proposal is considered to respect the special qualities and landscape value of the Eildon and Leaderfoot National Scenic Area. Therefore the proposal accords with Policy EP4.
- 5.5 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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