

Comments for Planning Application 21/01344/FUL

Application Summary

Application Number: 21/01344/FUL

Address: Land East Of The Old Stables Lennel House Lennel Scottish Borders

Proposal: Change of use of land and siting of 2 No. shepherds huts for short term holiday accommodation

Case Officer: Cameron Kirk

Customer Details

Name: Mr christopher brass

Address: The Old Cow Shed, Lennel, Coldstream, Scottish Borders TD12 4EX

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Sir,

I am the applicant in this matter.

I feel I need to submit this correspondence to rectify the numerous incorrect comments made in objection to this proposal. Many of the comments made fall outside Material Planning Considerations and should therefore be dismissed.

1. The main thread that surfaces repeatedly throughout the objections is the fact that I have closed a path that was once used by some locals. The land does NOT and never has had a public right of way running through it. People would only be able to access the land if their use fell within the Land Reform (Scotland) Act 2003. Section 6 of that act, however, states that access rights are not exercisable where there is a building and that land forms the curtilage of the said building, which is precisely what the current set up is. In short, this land does not have any public access rights whatsoever. To be blunt, this is private land that was not bought for the enjoyment of the public. The unique feature for guests to the proposed cabins will be the fact that they have private land to roam whilst staying there.

I'm quite sure that someone who has paid good money to have a private holiday in their own surroundings wouldn't be too happy if members of the public were there also. I have indeed erected a fence around the eastern boundary of the land for privacy and security reasons. The fence is 1.8M high and well within permitted dimensions. This has been inspected and passed by the Council's enforcement team. It would appear in my case that some people feel they have a given right to trespass on the land and generally treat the land as if were theirs (Comments from Anne Magaskill for instance - '...Our right to roam will not happen and our path, already severely

overgrown, will disappear for good'. Unfortunately, that is not the case. I'm sure a lot of the objectors would not be happy if people walked through their private property? The objections raised on this basis should be dismissed as they are not relevant to the application - they are simply objectors venting their feelings through the wrong channel.

2. A lot of emphasis has been made on the condition of the track that runs from the main road at Lennel down to the land. Firstly, to clear one myth, I and others using my land have a right to use that track on foot or by vehicle and that right is not limited to nor restricted to agriculture. The track is used by lots of people, some on foot and some with vehicles - particularly fishermen accessing the River Tweed. The track is perfectly accessible if using the right vehicle. However, this is a moot point as I do not intend to attract guests who arrive by car. This is a perfectly plausible rationale - there are lots of people who prefer to get to locations by the use of public transport/walking and not everyone owns or has access to a car. If guests are walkers, then they will most likely arrive with rucksacks or similar. The comments so far seem to suggest that guests will arrive at the top of the access track and struggle down to the property. This is just nonsense! In any event, there is absolutely nothing to stop guests from arriving from along the river bank (A public footpath) which gives direct access to Coldstream. As for concerns about the Fire Service not being able to gain access, etc, then that is another moot point: There is already a building on the land (The Old Cow Shed) and that has been there for many years. The fire service have the capability of positioning tenders at the top of the access track and utilising hosepipes to reach considerable distances. They have certainly accessed far more remote locations in the past and I do not see this as a relevant point of concern.

3. There has been concern about guests potentially having camp fires, etc which could present a danger/smoke may annoy neighbours. This concern is easily taken out of the equation with simple instruction that guests are not permitted to have these. Each cabin will have a log burner and as far as I'm aware, this area is not a smokeless zone. Neighbouring properties have solid fuel fires themselves so why should mine be singled out as a concern?

4. One objector (Harris Sofokleous) has raised concerns that guests' dogs could potentially worry sheep. He also goes on to say that he objects to my proposal because 'There is no provision for drying clothes outside which is mandatory for any dwelling'. These comments are borderline hysterical: Firstly, the whole of the land is fenced/walled off which prevents dogs getting in with livestock and vice versa. But this objector must also know that the area surrounding the land is a haven for dog walkers and their dogs and a lot of the time the dogs are off their leash. This could cause a problem for livestock, so why should my scenario be singled out as a concern?

5. A lot of the objections are built around misinformation, dislike of an outsider coming into their midst and prejudice. Daphne Millington, for example, has stated that 'the applicant closed off the path, installed CCTV and put up threatening signs...' Another, Gillian Hogg, has suggested I may turn the existing cowshed into 'maybe another holiday let without planning permission'. A rather puzzling and unbased accusation from her there. Brian Martin (No address given) states that one of the cabins will be placed 5 metres from his fence (?) Firstly, this objector hasn't given his address as the others have, so we don't know where he lives. Secondly however, he is manifestly incorrect: A 5 metre radius of each cabin will comprise of nothing but my land! He goes on to say

that strangers will be able to see his grandchildren playing and that accordingly that part of his garden will be out of bounds to them so as they don't have any contact with guests. Give me strength. I'll let the reader draw their own thoughts on this rather hysterical point.

6. May I end by saying that the land was purchased by us in Summer 2019. It was publicly available through an estate agent - in other words anyone could have bought it. So why didn't they? Instead, people think they are entitled to use private land and impose their own ideas and use for the land when in reality they don't have that right at all.

My proposal will bring nothing but benefit to the locality with a low impact, sustainable seasonal use of this beautiful land. This will further encourage tourism to the area and provide two much needed part time jobs for local people. Proposals such as this sit within the local tourism plan and should be actively encouraged, not dismissed by a biased minority.