

Haghhead Farmhouse and Steading, Innerleithen

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Haghhead Farmhouse and Steading, Innerleithen, Scottish Borders

William, Brenda and Sarah Glennie

FEBRUARY 2022

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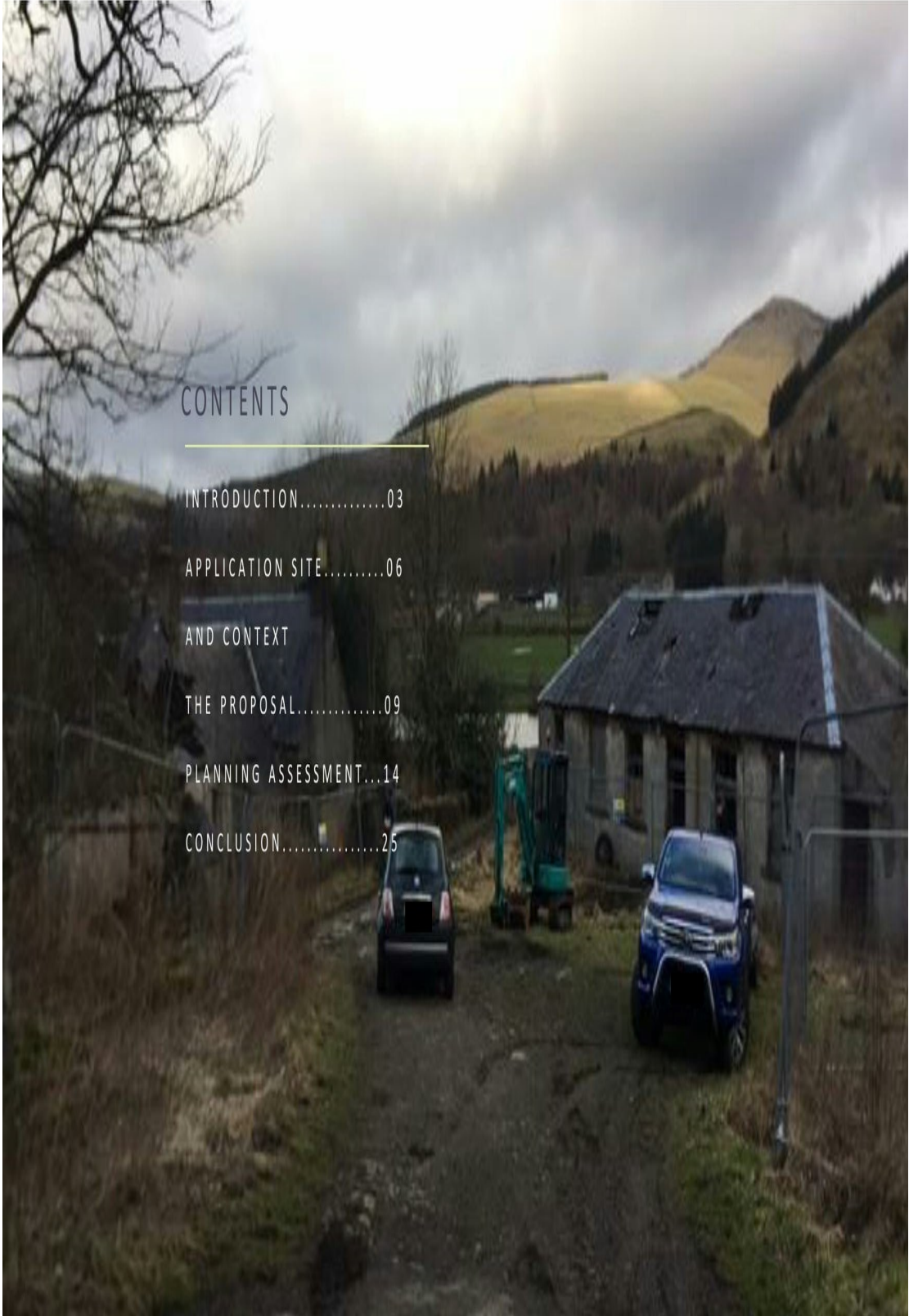
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INTRODUCTION

INTRODUCTION

1.1 This Appeal Statement is submitted on behalf of William, Brenda and Sarah Glennie ('the appellants') and sets out the grounds of appeal against the decision of Scottish Borders Council (SBC) to refuse planning application LPA ref: 21/01422/FUL by delegated decision on 01/02/2022.

1.2 The Full Planning Application sought consent for the "Demolition and replacement of the existing Haughhead Farmhouse, and the demolition and re-build of the existing steading with an extension to form a dwelling house" at Haughhead Farmhouse and Steading, Innerleithen. The proposal seeks to allow the parents (William and Brenda) to live close to their daughter (Sarah) who would in turn share her property with her daughter and whom requires special care due to having epilepsy.

1.3 SBC's reason for the refusal of the application as set out in the decision notice were:

- The proposed steading replacement would be contrary to Policy HD2 of the Local Development Plan 2016 in that it would comprise residential development in the countryside that does not meet criteria within Policy HD2. The steading replacement would not be related to a building group; would not comprise the conversion of an existing building; would not replace or restore an existing or former house; and no business justification has been provided to support the requirement for a dwellinghouse to replace the existing former steading. The development would, therefore, contribute to sporadic residential development in the countryside, to the detriment of the character of the site and surrounding area. Other material considerations have been accounted for, but these do not outweigh the harm that would result from the development.

1.4 Other than the reasons for refusal above, the other technical consultees have raised **no objection** to the proposed development, as summarised in the table below:

Consultee	Comment
Scottish Water	No Objection
Contamination Land Officer	No Objection
Archaeology Officer	No Objection
Flood Officer	No Objection
Roads Planning	No Objection
Ecology Officer	No Objection
Environmental Health	No Objection
Access Officer	No Objection

1.5 We provide clarity on the existing rights of way referenced in the Access Officers comments in section 3 of this report.

1.6 The remaining sections in this appeal statement comprise:

- A description of the appeal site and surrounding context (Section 2)
- A summary of the appeal proposals (Section 3)
- Response to the Council's reasons (Section 4)
- Summary of the appellants' case and conclusion in respect of the appeal proposal (Section 5).

Supporting Documents

1.7 This appeal statement should be read in conjunction with all the supporting documents and drawings submitted as part of the original planning application.

Application Process

1.8 This appeal is made to the Local Review Body on the basis it was a local application and which was determined under delegated powers. For the reasons outlined in this statement, we conclude that the development is in accordance with relevant development plan policies and supported by significant material considerations.

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APPLICATION SITE AND CONTEXT

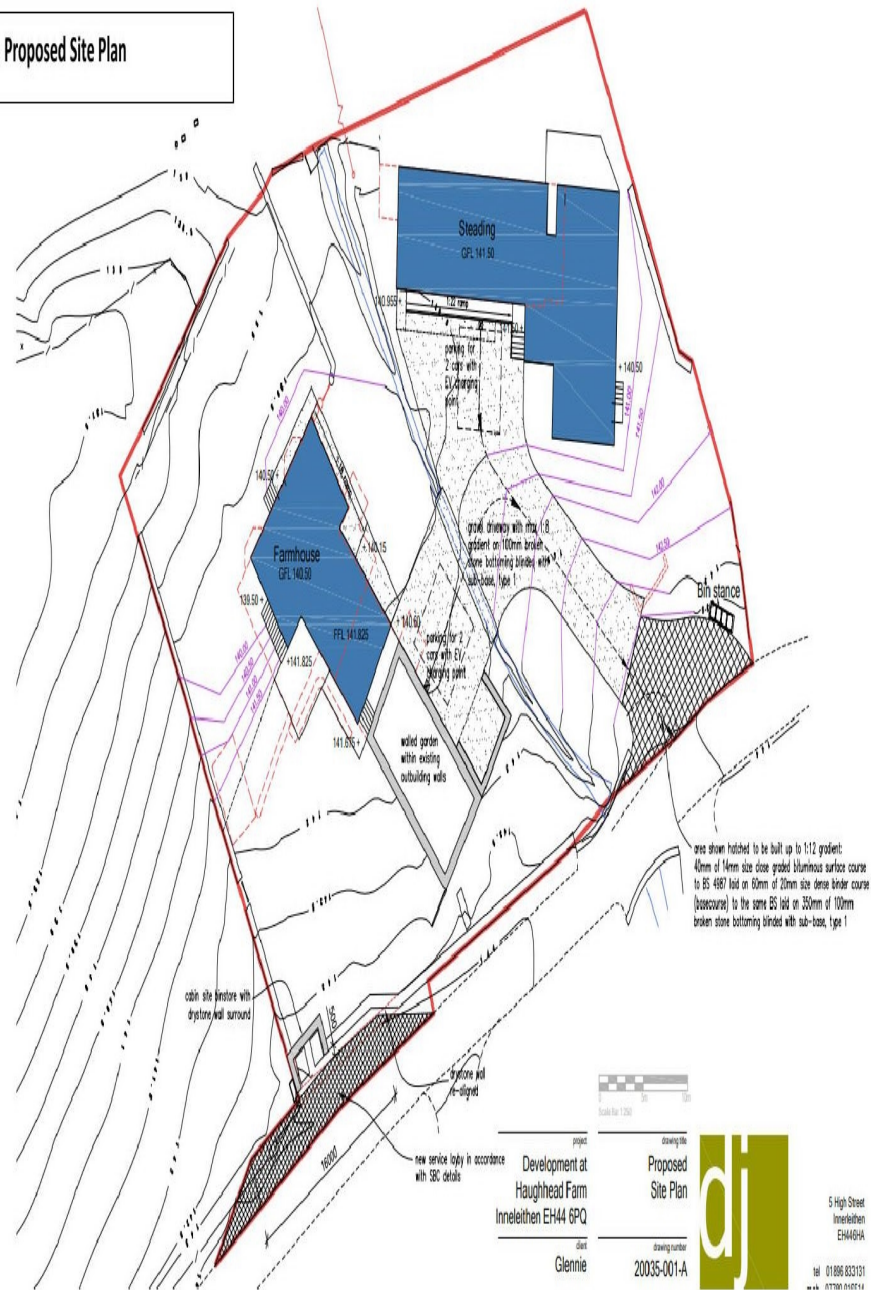
APPLICATION SITE AND CONTEXT

- 2.1 The site is located to the southwest of Innerleithen, nine miles to the west of Walkerburn. At present, the site is currently redundant and occupies a dilapidated former two-story farmhouse and associated steading. Adjoining the site to the north are grazing fields associated with Haughhead Stables, beyond lies the River Tweed. The road leading to Walkerburn adjoins the southern boundary of the site with Haughhead Stables beyond. To the east lies further agricultural grazing land and the core path which leads to the footpath network over the old railway bridge to Innerleithen.
- 2.2 There are no listed buildings on or within close proximity to the site, nor is the site situated with a Conservation Area. The site is within a Special Landscape Area and holds no other allocations or land use designations.
- 2.3 The Scottish Environmental Protection Agency (SEPA) are the statutory body for flood management in Scotland and maintain flood risk maps for public and development purposes. It appears that the site is potentially at risk of flooding. However, JBA Consulting prepared an updated Flood Risk Assessment, submitted as part of the planning application, demonstrating the finished floor levels can be above the recommended 1m above ground level. Please refer to the Core Documents for more details.

Figure 1: Image of the existing Farmhouse

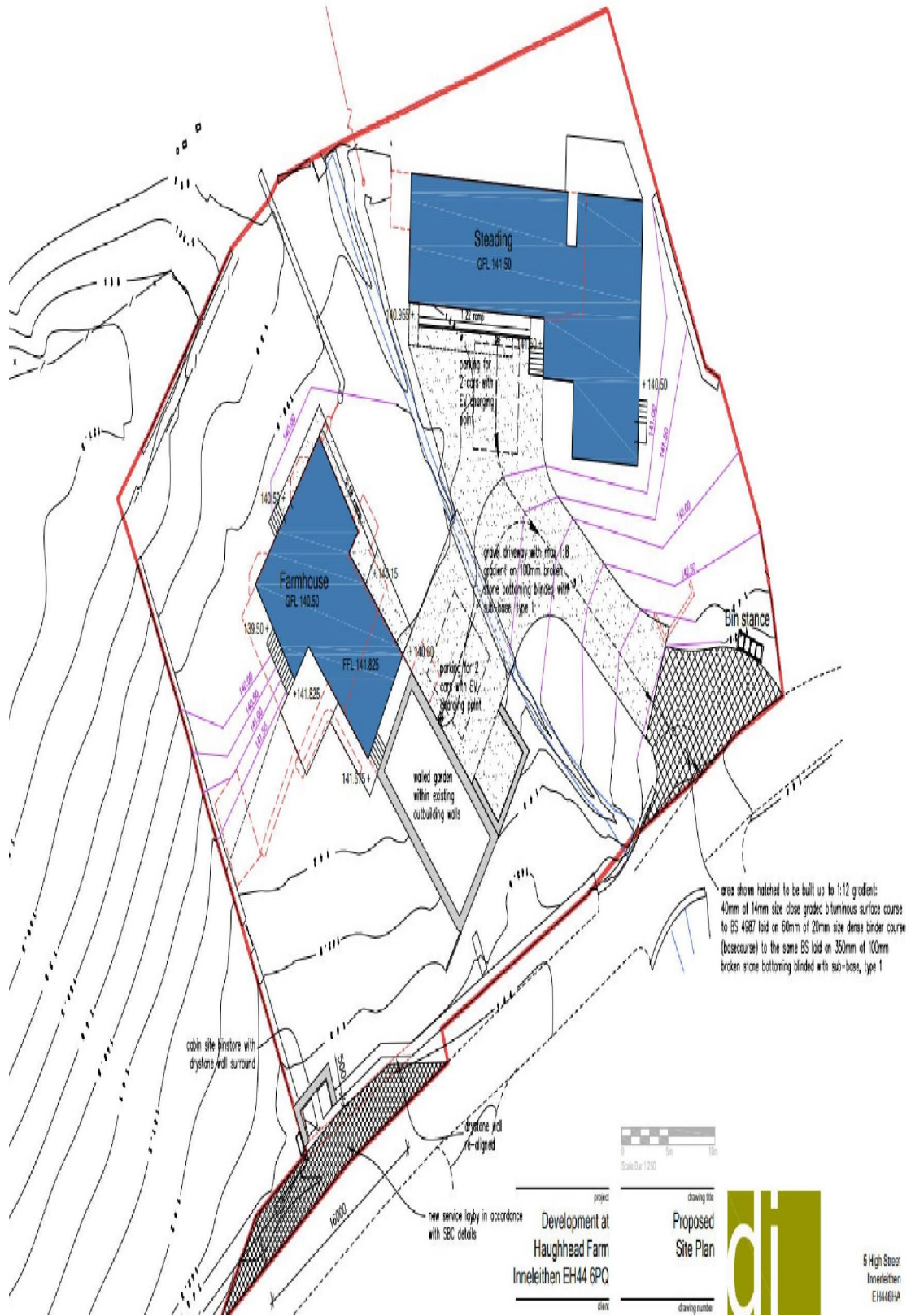


Figure 2: Proposed Site Plan



Haughead Farmhouse and Steading, Innerleithen

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project
**Development at
Haughead Farm
Innerleithen EH44 6PQ**
client

drawing title
**Proposed
Site Plan**
drawing number



5 High Street
Innerleithen
EH44 6HA

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THE PROPOSAL

THE PROPOSAL

3.1 This section set out details of the appeal proposal. The description of which is as follows:

- The demolition and replacement of the existing Haughhead Farmhouse; and
- The demolition and re-build of the existing steading with an extension to form a dwelling house.

Replacement Farmhouse

3.2 This proposal seeks to demolish the existing farmhouse and re-build a new dwelling on a similar footprint, with an extension to the rear. The proposed living accommodation has been relocated to the upper floors to take full advantage of the natural daylight provision into the habitable space.

3.3 The existing building has remained dormant for a number of years and fallen into a significant state of disrepair. A structural survey has been lodged to provide evidence and the need to demolish and re-build.

3.4 The proposal seeks to re-instate a traditional style one and a half storey building, with a new timber clad "extension" to the rear, adjacent to the roadside. The concept of this is to give the impression of an existing house that has had a modern but sympathetically extension to the rear, complimenting the two architectural styles.

3.5 The façade of the dwelling seeks to replicate the mirror design of the existing property, with the pitched roof windows on either side of the dwelling, safeguarding the character of the site. In terms of materiality, a slate roof is proposed, with a render finish to the replacement dwelling.

3.6 In terms of car parking, there are two spaces proposed on site with an additional two spaces within a layby off the access road to the south of the site for visitors which is included within the redline plan (David Jane Architects Drawing Number 20035-001).

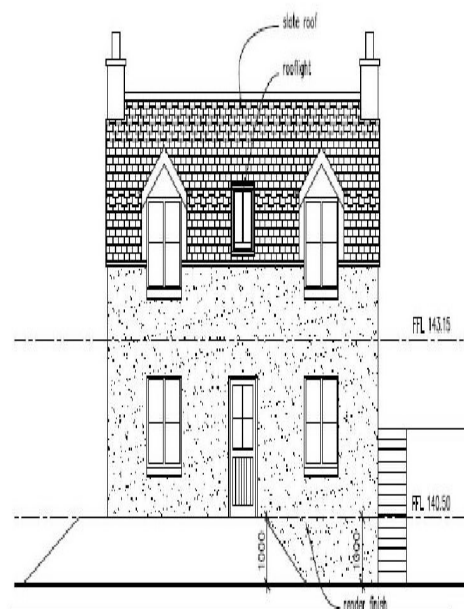
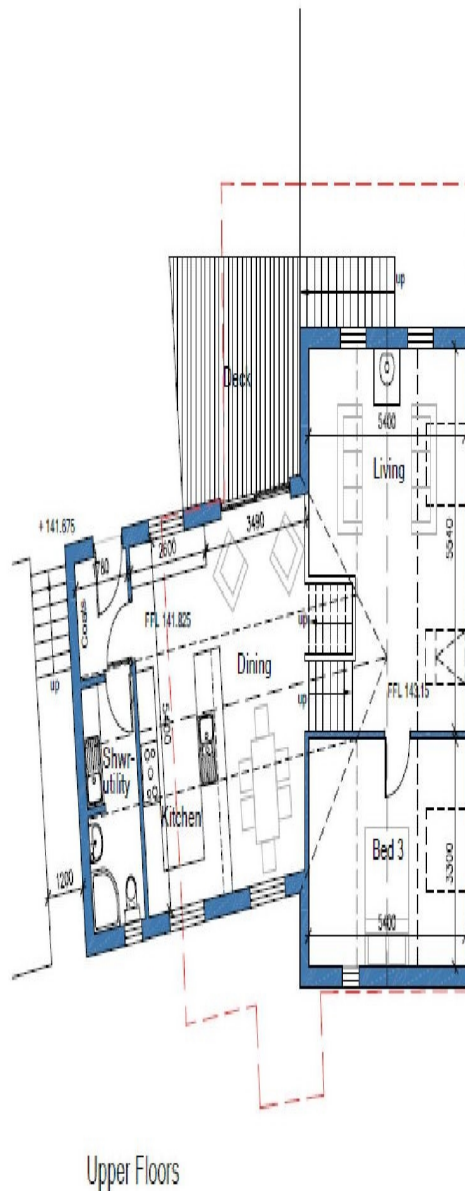


Figure 3: Proposed Farmhouse Northwest Elevation

3.7 Within the Officers Report, the Officers supports the principle of development for the replacement farmhouse. He does not say the structural assessment does not suggest that the building is entirely incapable of restoration albeit the benefits in replacing the building with a new-build house are reasonably obvious. Given the walls are substantially intact, the replacement of this existing former residential building with a new residential building is acceptable in principle against the provisions of the LDP policy HD2.

Figure 4: Proposed Farmhouse Floor Plans



Replacement Steading

3.8 This proposal also seeks to demolish the existing steading, previously associated with the farmhouse to re-build a new extended dwelling on a similar footprint and building form as the original approval.

3.9 The existing Steading is 98 sqm with the proposed development 98sqm on the original footprint, with an 88 sqm extension.

3.10 Following the Flood Officers initial comments during the application, the proposal was revised to create a finished floor level of 1m above ground level.

3.11 In terms of materiality, a rendered finish is proposed to the steading, with a timber cladding to the extension part of the development. A slate roof is also proposed with the intention of replicating the existing buildings on the site.

3.12 The existing farmyard access will be used to form a shared access to both the Steading and Farmhouse.

3.13 Vehicle access to the site is direct from the public road adjacent to the south. This access is existing and will be retained with minor alterations to formalise the hardstanding and entrance to the new dwellings. The proposal includes four on-site parking spaces, two for the replacement steading and two for the replacement house. An additional two spaces are proposed off the access road to the south, providing additional visitor parking associated with the replacement house.

3.14 The proposal seeks to provide EV charging points, further supporting the sustainable agenda of the development in accordance with Policy PMD1.

Figure 5: Proposed Steading Elevations

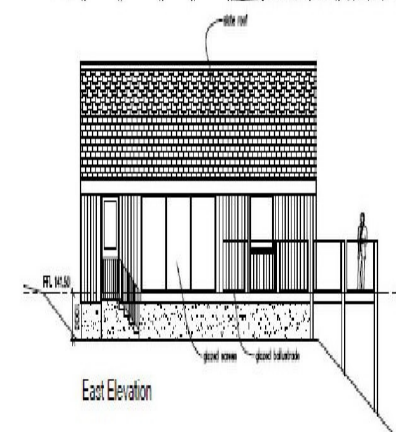
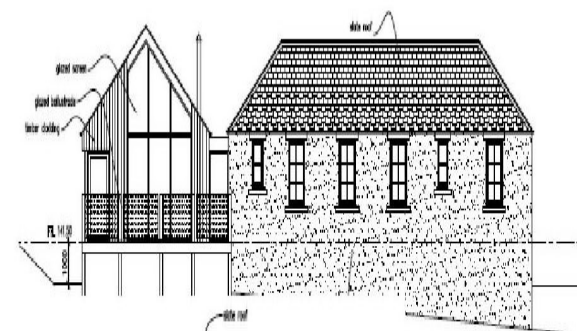
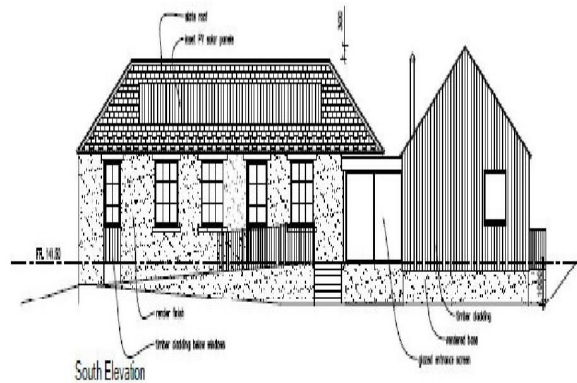
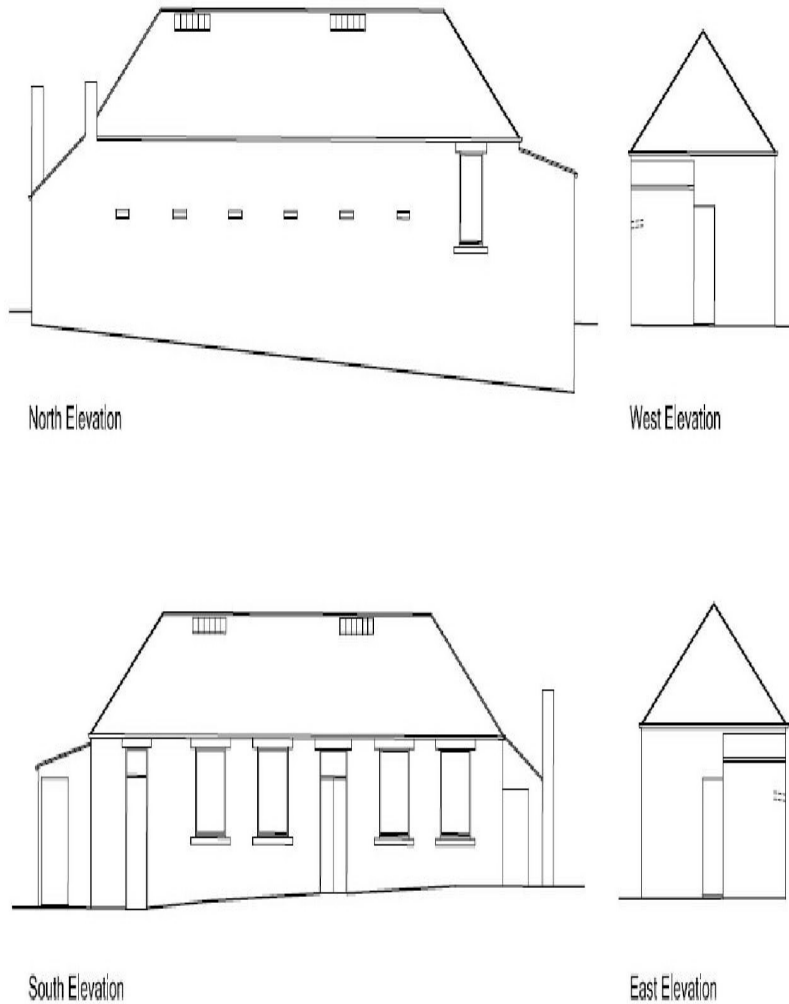


Figure 6: Existing Farmhouse Elevations: Noting the proposed drawings take a similar design approach



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Haughhead Farmhouse and Steading, Innerleithen Appeal

Grounds of Appeal

Grounds of Appeal

- 4.1 The Local Authority's decision to refuse the application is challenged on the basis of two grounds set out below. It is asserted that the Proposals accords with the relevant policies and intentions of the Local Development Plan and Supplementary Planning Guidance and there are no material considerations which indicate that the Council's refusal of the application should be upheld.
- 4.2 The Appellant sets out the following two Grounds of Appeal in respect of the refusal of the Planning Application.
- **Ground 1:** The proposed steading replacement would not be contrary to Policy HD2 of the Local Development Plan 2016 in that it that does meet criteria within Policy HD2.
 - **Ground 2:** There are no other material considerations which warrant refusal of the application. The proposal would enable this dilapidated site to come back into use for much needed family housing within a sustainable location.
- 4.3 **Ground 1: *The proposed steading replacement would not be contrary to Policy HD2 of the Local Development Plan 2016 in that it that does meet criteria within Policy HD2.***

Replacement Farmhouse

- 4.4 Policy HD2: Housing in the Countryside: Section E of Policy HD2 is key to this proposal and has been replicated below.

“(E) Replacement Dwellings

The proposed replacement of an existing house may be acceptable provided that:

- a) the siting and design of the new building reflects and respects the historical building pattern and the character of the landscape setting,*
- b) the proposal is in keeping with the existing/original building in terms of scale, extent, form and architectural character,*
- c) significant alterations to the original character of the house will only be considered where it can be demonstrated that these provide environmental benefits such as a positive contribution to the landscape and/or a more sustainable and energy efficient design.”*

Appellant's Case

- 4.5 Although it is noted the Planning Officer has accepted the principle of development for the replacement farmhouse, we would like to reiterate our case below.
- 4.6 We have set out below the circumstances for why this development should proceed in line with policy. We first demonstrate that the site reflects and respects the historic character of the area, in line with Part A of this policy.
- 4.7 We then provide justification for the proposed development of the site being in keeping with the surrounding area whilst providing environment benefits through careful consideration in the design, in accordance with Part B and C of this policy.

Policy HD2 E Part a) the siting and design of the new building reflects and respects the historical building pattern and the character of the landscape setting.

4.8 The current buildings on the site are in very poor condition due to remaining vacant for a number of years, one of which was previously a dwelling as illustrated in the images above. A Condition Survey Report was prepared and submitted as part of the planning application, confirming the dilapidated state of the building. Please refer to Core Document 6 for more details.

4.9 A large majority of the proposed dwelling is within the existing building footprint, whilst being slightly smaller in parts as illustrated in the proposed drawings within Core Document 3.

4.10 The proposal seeks to replicate the character of the existing building with the symmetrical façade and pitched roof windows. The proposal does however seek to provide the habitable living space on the upper floor and an extension to the rear to ensure it is in line with modern day living, providing better residential amenity for occupants.

4.11 The layout of the proposal and the material used are considered to both respect the setting of the existing building and to respect building styles within the local area. The proposal sits within a graded landform and will sit in a landscape largely as the existing buildings do now. The proposal is therefore considered to satisfy criteria a) of Section (E) of Policy HD2.

Figure 7: Image of existing Farmhouse



Policy HD2 E part b) *the proposal is in keeping with the existing/original building in terms of scale, extent, form and architectural character.*

4.12 The proposal is considered to represent a modest development of the design concept and on the footprint of the existing building. Both a slate roof and render façade, with timber elements to the extension represent the progression of a sensitive design and building methods in recent years and are considered to complement the architectural styles with the contemporary extension and restoration of the existing dwelling with the historic built character of the existing building. Related design principles have been applied and as per the SBC Placemaking and Design SPG.

4.13 Given the sensitive layout and architecture of the proposed dwelling, the proposed replacement dwelling is considered to be acceptable in planning terms and to satisfy criteria b) of section (E) of Policy HD2.

Policy HD2 (E) Part c) *significant alterations to the original character of the house will only be considered where it can be demonstrated that these provide environmental benefits such as a positive contribution to the landscape and/or a more sustainable and energy efficient design.*

4.14 It is considered that the proposed dwelling does not represent "significant alterations to the original character of the house". Rather the proposed dwelling is considered to represent a modest amendment of the original design concept, for reasons set out above. The proposal will utilise sustainable technologies such as air source heat pump and electrical charging points, contributing to the green agenda of developments. Therefore, the proposal is considered to satisfy criteria c) of Section (E) of Policy HD2.

Figure 8: Image of the site, taken from adjoining the river.

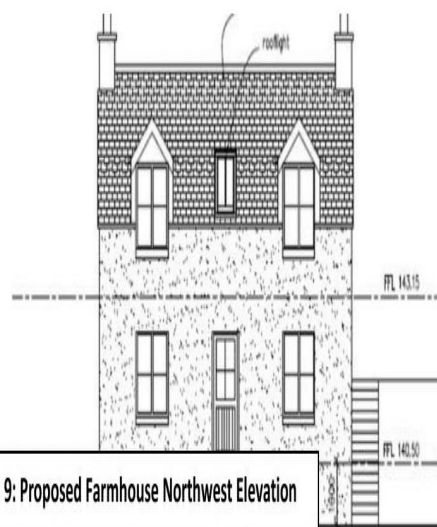


Figure 9: Proposed Farmhouse Northwest Elevation

Figures 10: Proposed Steading Elevations

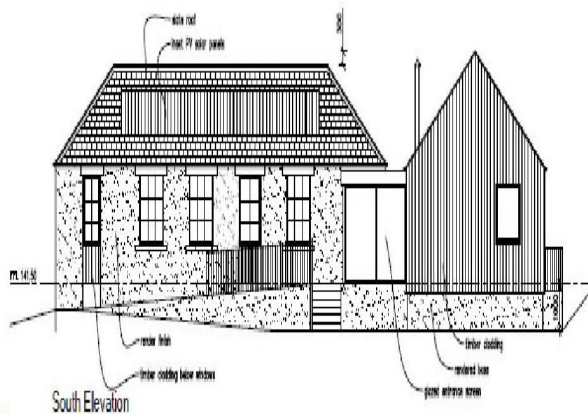


Figure 11: Image of Existing Steading



Replacement Steading to form a Dwelling

4.15 Policy HD2: Housing in the Countryside: Section C of Policy HD2 is key to this proposal and has been replicated below.

“Policy HD2 Part (C) Conversion of Buildings to a House

Development that is a change of use of a building to a house may be acceptable provided that:

- a) The Council is satisfied that the building has architectural or historic merit, is capable of conversion and is physically suited for residential use.*
- b) The building stands substantially intact, and the existing structure requires no significant demolition. A structural survey will be required where in the opinion of the Council it appears that the building may not be capable of conversion, and*
- c) The conversion and any proposed extension or alterations is in keeping with the scale and architectural character of the existing building.”*

Appellants Case

4.16 The proposed development seeks to replicate the footprint of the previously approved planning application (LPA ref: 15/00742/FUL) which was granted approval in 2016 as outlined in the submitted Planning Statement within Core Document 5.

4.17 Although the proposal seeks to demolish the existing steading to form a new build, the footprint takes a similar approach, utilizing the spaces throughout providing modern sustainable building materials and the removal of the existing thick, stone walls, ensuring it is in keeping with the existing character.

4.18 The proposal has been prepared to provide for good amenity for the occupiers of the proposed dwellings. The site is not adjacent to other residential properties and therefore the proposal is considered to not pose any threat to the amenity in the neighboring vicinity.

4.19 The building currently remains substantially intact although in very poor state of disrepair due to remaining vacant for a number of years and it is required to be brought up to and designed to a modern-day living standard whilst utilizing sustainable technologies.

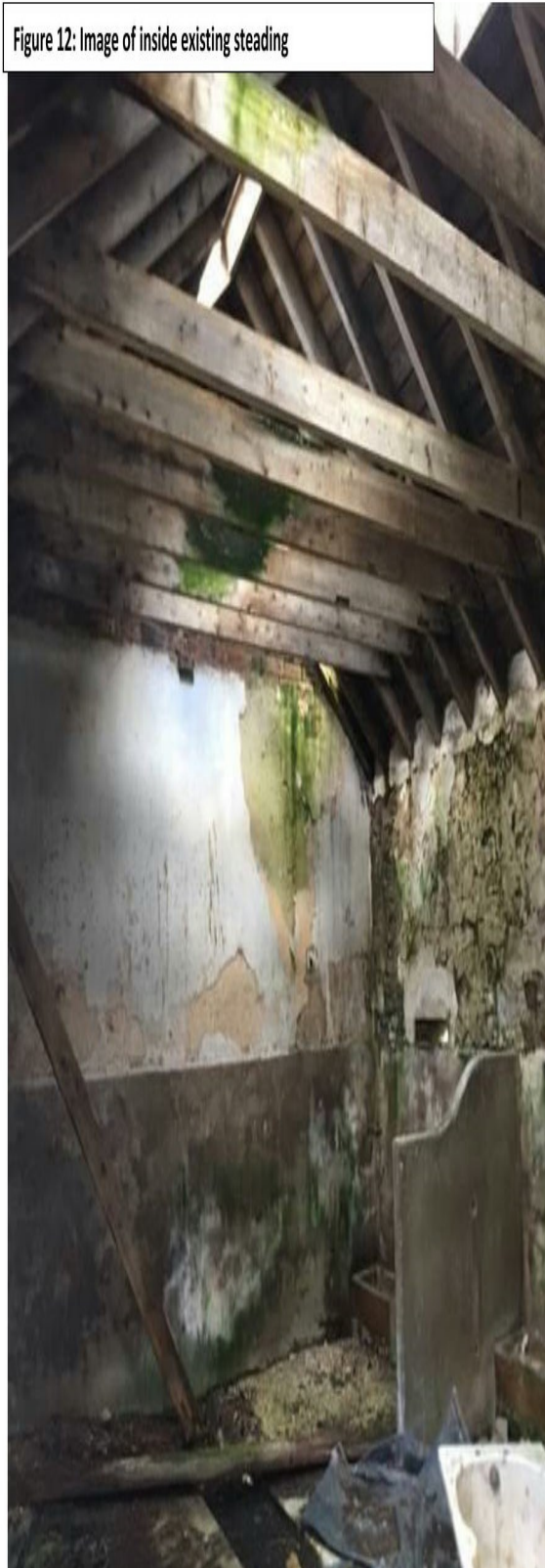
4.20 Flood Officers comments confirm the requirement of the proposed Finished Floor Levels to be 1 meter above ground level, which could not be achieved through the conversion route, further supporting the justification for a new build.

4.21 A viability Assessment has been undertaken, setting out the cost of the steading conversion against a new build which has outlined a new building is more viable in comparison to a conversion with it being circa 26% (£76,553) cheaper to build and making it a more viable option. This assessment further supports the principle of development for a new build.

4.22 In addition to this, a Condition Survey formed part of the original submission, confirming the poor condition of the building, again providing the justification for the redevelopment.

4.23 It is acknowledged that Policy HD2 Part C supports conversions of buildings into houses, in this instance however a conversion would not be possible. As a result, the only option for bringing this brownfield site within a sustainable location back to life would be a new build which would otherwise continue to fall into a state of disrepair.

Figure 12: Image of inside existing steading



Ground 2: *There are no other material considerations which warrant refusal of the application. The proposal would enable this dilapidated site to come back into use for much needed family housing within a sustainable location.*

- 4.24 A further material consideration is that there is a shortfall in the five-year housing land supply, which this planning proposal can contribute to, further supporting the principle of development. The shortfall is confirmed by a Scottish Government Reporter through a recent appeal decision (ref PPA-140-2088) published 18th May 2021. The Reporter concluded that there is a “significant” five-year effective land shortfall” with a c.631 housing shortfall in terms of 5-year housing land supply. This is the latest government opinion on this case and therefore a significant material consideration in this application.
- 4.25 A shortfall has therefore been identified in the Council’s five-year housing land supply, and this planning application proposal satisfies the expectations of Policy PMD4 Part 1 (a).
- 4.26 Whilst it is a modest development site, analysis shows that that a significant proportion of houses built in the Scottish Borders range between 1-4 units and that many are non-allocated / windfall sites. The importance of smaller sites in delivering housing in the Scottish Borders should therefore not be overlooked and this site in question can help meet the housing land targets.
- 4.27 Our clients’ aspirations are for this site to provide two new properties and stated one would not work without the other with the intention of a young single parent family occupying the replacement farmhouse, with the grandparents living in the adjacent steading with the purpose of the properties acting as a ‘support bubble’ for one another. The proposal represents an opportunity to bring this site back to life which has been on the market for a number of years with no interested buyers coming forward until now.
- 4.28 The site is considered to be a logical and sustainable brownfield opportunity to help address the current housing shortfall. The proposal would be built by the applicant who is committed to deliver the development as soon as possible and is therefore effective and deliverable.
- 4.29 The implications of the Gladman v Scottish Ministers case for the current application are:
- Considering the shortfall identified by the Scottish Government’s Reporter in appeal decision PPA-140-2088, published 18th May 2021, it follows in line with Paragraph 125 of SPP that the development plan policies regarding the supply of housing within SBC’s local plan are out of date. The presumption in favour of sustainable development in SPP is triggered. That is a significant material consideration.
 - In our view, weight should be given to the re-development of brownfield sites to allow the housing objectives to be fulfilled.
 - According to SPP, the presumption should apply unless this development would have “adverse impacts which would significantly and demonstrably outweigh the benefits”²¹

4.30SPP advises that the planning system should support economically, environmentally, and socially sustainable places by enabling development that balances the cost 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. This means that policies and decisions should be guided by the following principles in Paragraph 29 which we address in turn:

Policy Principle	How the Proposal Complies
Giving due weight to net economic benefit;	The proposal will deliver much needed investment and delivery of family housing within the rural area within close proximity to Innerleithen. The applicant will also seek to appoint local tradesmen during the construction process, contributing to the local economy.
Responding to economic issues, challenges and opportunities, as outlined in local economic strategies;	The proposal supports the growth of Innerleithen, ensuring there is a generous supply of housing land to cater for the increase in people and families living in the Scottish Borders.
Supporting good design and the six qualities of successful places;	The proposal will deliver two high quality new family homes. These are addressed within the supporting plans and design statement submitted alongside this application.
Making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;	The proposal will capitalise on the existing investment made in Innerleithen. The additional residents the proposed dwellings will bring to Innerleithen will contribute to local services and facilities through having a higher footfall in the local area.
Supporting delivery of accessible housing, business, retailing and leisure development.	The proposal will deliver much needed family sized dwellings.
Supporting delivery of infrastructure, for example transport, education, energy, digital and water.	The proposal will make a financial contribution through a s.69 or s.75 agreement, as deemed necessary by SBC.
Supporting climate change mitigation and adaptation including taking account of flood risk.	The future proofing of homes for climate change will be agreed during the detailed planning application stage.

SPP Table Continued..

Policy Principle	How the Proposal Complies
Improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation.	The proposed garden within the site offers an opportunity for an array of activities. The site is also well located for the existing amenities provided by Innerleithen.
Having regard to the principles for sustainable land use set out in the Land Use Strategy;	The proposed site is in a highly sustainable location, within walking distance to Innerleithen, offering sustainable access to a school, shops, services and leisure facilities.
Protecting, enhancing and promoting access to cultural heritage, including the historic environment.	The sensitive approach to the design seeks to safeguard the character of dwellings adjoining the river Tweed.
Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.	The additional landscaping proposed will provide a level of beneficial effects, such as enhanced biodiversity and additional screening through the introduction of locally appropriate hedgerow and trees within the proposed development.
Reducing waste, facilitating its management and promoting resource recovery; and	Suitable provision for waste collection can be demonstrated.
Avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.	The low-density scale of development is considered appropriate for a site of this nature.

Response to Consultee Comments

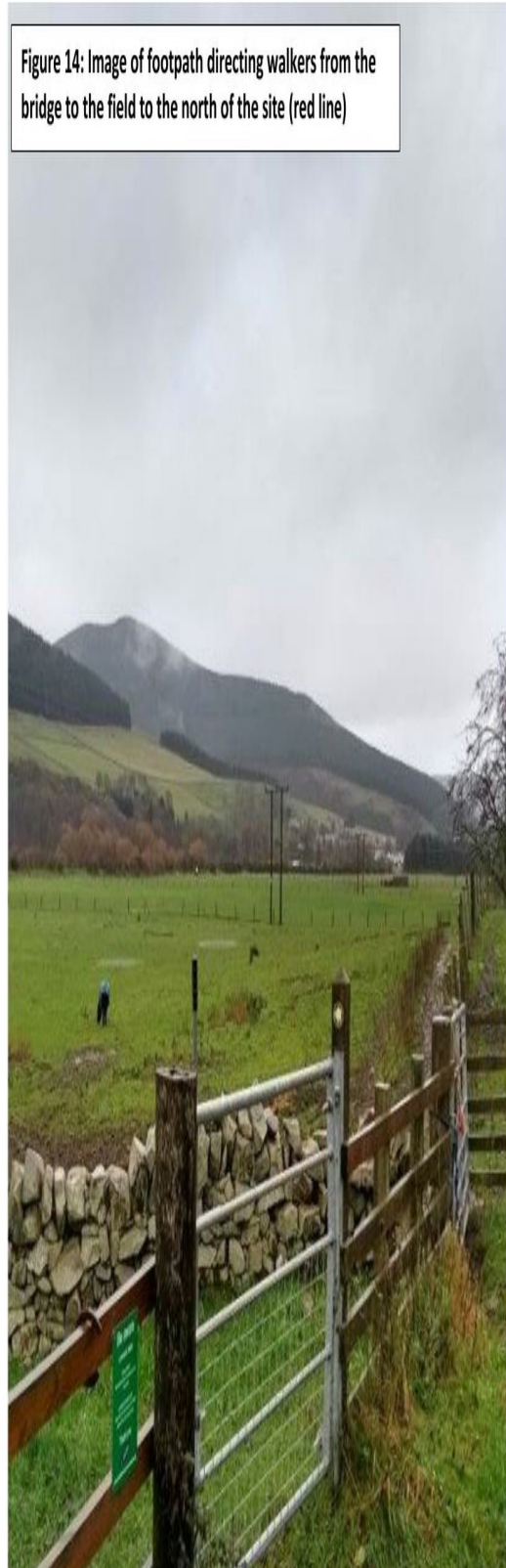
4.31 It is acknowledged that the SBC Access Officer raised concerns in relation the path that runs through the site. It is understood the formal core path runs through the adjoining site to the west as referenced to in the Planning Application LPA ref: 15/00741/FUL, which appears to be a much more attractive route for walkers and horse riders as illustrated in purple below.

4.32 The footpath signs on the southern side of the bridge direct you towards to the south, or the red hashed line to the north, not through the proposed site and former farmyard.

Figure 13: Core Path Network



Figure 14: Image of footpath directing walkers from the bridge to the field to the north of the site (red line)



Draft NFP4 2021

4.33 The Draft NPD4 was published in November 2021 and is currently out for consultation until March 2022. The draft policy encourages a healthy lifestyle through promoting 20-minute neighbourhoods whilst focusing development on brownfield land. The proposal is within walking distance to Innerleithen with the local primary school, shops and other services. Access to the local cycle network again encourages accessibility to and from the site other than via private car.



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Haghhead Farmhouse and Steading, Innerleithen Appeal

CONCLUSION

CONCLUSION

- 5.1 The submitted appeal, supported by this statement, seeks the Council's decision to refuse planning permission for the demolition and re-build of an existing steading with an extension to form a dwelling house and the demolition and replacement of an existing farmhouse at Haughhead Farmhouse, Innerleithen, Scottish Borders.
- 5.2 In summary:
- The proposal represents the erection of a replacement dwelling and building which has been designed sensitively, largely within the footprint that which exists, respecting the rural character of the local area and is considered to be of an appropriate scale, layout and appearance to the existing building.
 - The Planning Officer has confirmed the principle of development for the farmhouse.
 - It has been identified by the Council's Flood Officer that a conversion of the steading into a dwelling would not be possible, however raising the Finished Floor Levels by 1 meter in a newbuild is considered acceptable by the flood department.
 - The proposal will provide two high quality family sized dwellings within this desirable and sustainable location, within walking distance to Innerleithen which benefits from a school, shops, cafes, and other local services, supported by the Draft NPF 20-minute neighborhood.
 - The proposal will assist in meeting the strong demand for rural homes in the Scottish Borders, whilst utilizing sustainable brownfield land that is falling into a state of disrepair.
 - There are no road safety concerns or objections from the Roads Officer.
 - The site is free from constraints and would assist with the Council's identified (confirmed by a Scottish Government Reporter) housing shortfall in providing residential homes within a sustainable location.
- 5.3 As we have demonstrated through this statement, we consider that the proposal complies with the development plan whilst providing the highest architectural standards, with sufficient renewable technologies and represents appropriate semi-rural housing within the borders, within walking distance to the desirable Innerleithen.
- 5.4 Our clients' aspirations are for this site to provide two new properties and stated one would not work without the other with the intention of a young single parent family occupying the replacement farmhouse, with the grandparents living in the adjacent steading with the purpose of the properties acting as a 'support bubble' for one another. The proposal represents an opportunity to bring this site back to life which has been on the market for over five years with no interested buyers coming forward until now.
- 5.5 In addition to the above, the proposal will deliver local investment in trade employment, whilst expanding purchasing power in the local economy and supporting existing rural services. We therefore respectfully request that the appeal be allowed.

Core Documents

- Core Doc 1: Decision Notice and Officer Report
- Core Doc 2: Location Plan
- Core Doc 3: Proposed and Existing Plan
- Core Doc 4: DAS
- Core Doc 5: Planning Statement
- Core Doc 6: Structural Conditions Statement
- Core Doc 7: Costings
- Core Doc 8: Ecology Survey
- Core Doc 9: Access Plan
- Core Doc 10: Flood Report

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GALASHIELS

Shiel House
54 Island Street
Galashiels TD1 1NU

T: 01896 668 744
M: 07960 003 358

EDINBURGH

37 One George Street
Edinburgh
EH2 2HN

T: 0131 385 8801
M: 07960 003 358

NORTHERN IRELAND

61 Moyle Road
Ballycastle, Co. Antrim
Northern Ireland
BT54 6LG

M: 07960 003 358

E: tim@fergusonplanning.co.uk

WWW.FERGUSONPLANNING.CO.UK

