

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 19/00132/FUL
APPLICANT : Mr Stephen Withers
AGENT : Keith Renton, Architect
DEVELOPMENT : Erection of dwellinghouse
LOCATION: Land South West Of The Ashes Wester Ulston Jedburgh
Jedburgh
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
822P2-01	Location Plan	Approved
822P2-02	Proposed Site Plan	Approved
822P2-03	Proposed Plans	Approved
822P2-04	Proposed Elevations	Approved

NUMBER OF REPRESENTATIONS: 1
SUMMARY OF REPRESENTATIONS:

No neighbours were notified and an advert was placed in the Southern Reporter and on tellmescotland.gov.uk.

One support comment states:

- This is not a further expansion of the residential housing in Ulston to provide homes for people who work elsewhere or are retired. This is an integral part of the working farm by adopting a similar form and external materials to the farm buildings.
- Minimises the visual intrusion associated with a taller, more 'conventional' design.
- Strongly differentiates this 'farm house' from the other recently built houses in the two Ulston settlements, none of which are associated with a working farm. It thus avoids any suggestion of further 'infill' or expansion

Consultations:

Roads Planning: Response to 18/01404/AMC confirms that drawing No 822P-02 accords with requirements set out in 15/01208/PPP. Observation: Wester Ulston now has a speed limit in place. As such, the visibility requirements have reduced to 2.4m by 70m in either direction. Condition 8 of the outline consent (the requirement for a passing place) still requires to be purified prior to commencement of development.

Environmental Health Officer: Water supply and foul drainage conditions requested to ensure amenity.

Education: Parkside Primary School and Jedburgh Grammar. No contributions sought.

Transport Scotland: No objection.

Community Council: No objection to this rather unorthodox design for an agricultural worker's house.

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 Sustainable Urban Drainage

Supplementary Planning Guidance:

New Housing in the Borders Countryside 2008

Guidance on Householder Developments, July 2006

Developer Contributions April 2015

Placemaking and Design, 2010

Landscape and Development, 2008

Recommendation by - Euan Calvert (Assistant Planning Officer) on 1st April 2019

This report considers full planning permission for erection of a dwellinghouse on a site which presently benefits from planning permission in principle, 15/01208/PPP. An identical proposal to this was submitted at the end of 2018, but as an AMC application. The applicant has withdrawn this previous application, 18/01404/AMC, after it was highlighted that the submission could not conform to Condition 3 requiring a Design Statement to be submitted. The requirements of this Design Statement are discussed below.

Site Description and history

Wester Ulston is a community formed around a former traditional steading complex. This was converted to housing in around 2006 and this necessitated a new purpose designed agricultural complex (05/01609/FUL). This complex is situated south of the minor public road, opposite the Wester Ulston road end. It comprises three sheds (a grain store and two stock buildings) which are built around a new farm access. The nearest neighbours are 160m north east, uphill at Easter Ulston.

The agricultural buildings are surrounded by a planted mound (landscaped with trees) which were designed to hide the buildings from western views. The buildings are steel portal framed and clad in steel which is a slate grey colour.

The minor road to Ulston is characterised by large and tall beech hedging interspersed by mature specimen trees.

A modification to the S.75 was submitted in support and in advance of the planning permission in principle for this site. The planning permission in principle established justification for a farmhouse at this location. This agreement precludes further development of dwellinghouses on this title and the s.75 modification has now removed this site from the ambit of this agreement.

PROPOSAL

A farmhouse (single storey) is proposed to be sited directly adjacent to these new agricultural buildings. The house would be 12m southwest of the nearest shed and adhere to the orientation of the other buildings. A Site Plan demonstrates a dwellinghouse to be situated in place of the landscaping mound and adjacent to the Ulston minor road. A level garden area would surround the new dwelling and the boundaries would be

enclosed with native hedgerows. Vehicular access to the dwelling would be by the existing vehicular access serving the farm.

POLICY CONSIDERATIONS

HD2: Housing in the Countryside

The material consideration is whether the decision can be supported by Policy D2 (E). Policy HD2: Housing in the Countryside of the Proposed Local Development Plan 2013 is largely consistent with the Consolidated Plan 2011.

POLICY HD2 (E) considers that housing with a location essential for business needs may be acceptable if the Council is satisfied:

1. That the housing development is a direct operational requirement of agricultural and it is for a worker predominantly employed in the enterprise and the presence of that worker on-site is essential to the efficient operation of the enterprise.
2. It is for use of a person last employed in an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and also employed on the unit that is the subject of the application, and the development will release another house for continued use by an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and
3. The housing development would help support a business that results in a clear social or environmental benefit to the area, including the retention or provision of employment or the provision of affordable or local needs housing, and
4. No appropriate site exists within a building group, and
5. There is no suitable existing house or other building capable of conversion for the required residential use.

In ALL instances, the Council are required to consider compliance with the Council's Supplementary Planning Policy Guidance where it meets the terms of this policy. Development will not be permitted where it negatively impacts on landscape and existing communities.

The Council's Supplementary Planning Guidance on New Housing in the Borders Countryside 2008 is also a material consideration.

Policy PMD2: Design

Placemaking and Design SPG of 2010 seeks new dwellings to create "a sense of place , designed in sympathy with Scottish Borders architectural styles;this need not exclude appropriate contemporary and/or innovative design."

Policy EP13: Trees, Woodlands and Hedgerows

Boundary treatments are important to identify an outer limit of this group and to ensure proper effective assimilation of the development into its wider surroundings.

IS7: Parking

The Road Planning Officer has been invited to comment on road safety.

ASSESSMENT

The dwelling will appear contiguous with the agricultural buildings both in siting and design. The principle to a house on this site has previously been established and I am satisfied that this application is in accordance with siting and location principles demonstrated at planning permission in principle stage. The PPP included a business plan which highlighted the following benefits:

- o Increased security;
- o Improved welfare - ensures that a stockman can be on site during lambing and calving and during housing in winter months;
- o Improved labour efficiency;
- o Reduce travel time between two farms in the interests of reduced environmental impact;
- o Reduced travel of stock and machinery through the town centre improving safety of pedestrians and other road users.

Antisocial hours, noise and potential traffic conflict all prejudiced siting a farmhouse in an adjacent building group. I therefore find the principle to this dwelling, in this location, appropriate. It will be a direct operational requirement and the presence of that worker on-site is essential to the efficient operation of the enterprise (Policy HD2, E). A planning condition will restrict the occupation of the dwelling for this purpose.

Policy PMD2: Location, siting and design

The chosen site and orientation are appropriate for a farmhouse dwelling. The location will appear contiguous with the farm buildings. The dwelling will be back-dropped by larger buildings located higher in the slope and also by mature beech hedge rows and trees. The result is a layout which will ensure that the new dwelling is not a prominent addition.

Landscaping

The submitted landscape plan demonstrates hard and soft proposals which will integrate the house with the surroundings and wider landscape (Policy PMD2 and Placemaking and Design SPG). A planning condition will seek implementation of the proposals and will protect the mature trees from loss (Policy EP13). Removal of sections of hedgerow are demonstrated as a necessity to ensure adequate visibility for emerging vehicles. I am satisfied that this is appropriate however there is now a 40mph limit in force on the public road. The visibility requirement is now only 2.4m by 70m in both direction and an informative note will be placed on the application.

Placemaking and Design

The proposals are in stark contrast to the requested Design Statement of 15/01208/PPP:

- i. slate roofs
- ii. traditional timber sash and case windows
- iii. stone or wet dash rendered external walls
- iv. be up to 1 ½ storey in form
- v. orientated on an axis parallel to the agricultural buildings and located as close to these buildings as is practicable.

I had requested this Design Statement as a means of preventing an inappropriate suburban design on this site. A traditional designed farmhouse was considered to be the most appropriate reflection for this site.

This scheme has not taken on board the requirements of the Design Statement and instead the architect has adopted design and finishes which are deliberately inspired by the adjacent agricultural vernacular.

I am satisfied that this understanding of agricultural context is appropriate and that it meets with the Placemaking and Design SPG. The proposal creates sense of place (a feeling of appreciation for the distinct character of a locality. The latin term, 'Genius loci', meaning 'the spirit of the place' is a closely related term founded on the belief that a place has an inherent character and influence that transcends any imposed order).

I am satisfied that this isolated site is a suitable opportunity to consider these more modern design principles and the building will not be a prominent addition as a result. On the contrary, the low profile single storey design and choice of materials (corrugated steel and timber) will ensure the building is well concealed from view and will ensure protection of the surrounding landscape (Policy PMD2) Sample finishes are requested for further consideration.

Developer Contributions (policy IS2)

No contributions are sought.

Residential Amenity (policy HD3)

There are no residential amenity concerns arising from this siting. The house is to be purpose designed therefore mixed use activity arising from agricultural and habitation does not present amenity concerns. The permission will have an agricultural occupancy condition applied.

Water supply, foul drainage and surface water disposal (policy IS9)

The applicant has indicated that the water will be provided from the public mains supply; foul drainage will be to a septic tank and soakaway; and the surface water to a soakaway. The Environmental Health Officer's request for a condition to evidence the public mains supply is applied. I do not require the private drainage

condition being requested. This dwelling and its proposed private drainage are isolated from any residential neighbours and the owner's duty to maintain will be unequivocal.

Roads (policy IS7)

The Roads Planning Officer offers no objection. Parking, turning and access specifications to the public road are in accordance with approved details.

Condition 8 of the PPP requires a passing place to be provided in the public road and I have now worded a suspensive condition on this permission to ensure that a plan and specification is provided before development commences. Thereafter this passing place has to be provided before occupation.

I am satisfied that the specification and design of these proposals are in accordance with policy IS7.

The Community Council and Transport Scotland confirm no objection. There was one letter of support which highlights that this differentiation in design is welcomed.

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 - conditions & informatives

- 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 The occupation of the dwellinghouse hereby approved shall be limited to a person(s) solely or mainly employed or last employed in the existing agricultural business, as defined in section 277 of the Town and Country Planning (Scotland) Act 1997, or a dependant of such a person residing with him or her or a widow or widower of such a person, and to any residential dependents.
Reason: The site is in a rural area where it is not the Council's policy to permit unrestricted residential development, and permission has therefore only been granted on account of the demonstrated agricultural/forestry needs.
- 3 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.
- 4 No development shall commence until a plan and specification has been submitted to and approved in writing by the Planning Authority demonstrating the exact location of a passing place on the public road between the site and Stewartfield road end. This passing place then to be completed in the approved location and to the approved specification before the dwellinghouse is occupied.
Reason: An additional passing place is needed to accommodate further domestic vehicular movements, in the interests of road safety.
- 5 Bellmouth surfacing hereby approved shall be completed in accordance with the approved details before the dwellinghouse is occupied. The works only to be undertaken by a Council approved contractor.
Reason: To ensure an adequate access onto the public road is provided, in the interests of road safety.
- 6 No trees or hedging within the application site or on the site boundary (other than that shown on approved plan) shall be felled, removed, lopped, lifted or disturbed in any way without the prior consent of the Planning Authority.

Reason: The existing trees and hedging represent an important visual feature which the Planning Authority considered should be substantially maintained.

- 7 The developer shall give notice to the planning authority once the approved landscaping works have been completed.
Reason: To allow the planning authority to inspect the works, in order to ensure that the works have been carried out as approved.
- 8 No development is to commence until a report has been submitted to and approved in writing by the Planning Authority that the public mains water supply is available and can be provided for the development. Prior to the occupation of the development the property to be connected to the public mains water supply. No water supply other than the public mains water supply shall be used to supply the development without the written agreement of the Planning Authority.
Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.

Informatives

It should be noted that:

- 1 The Roads Planning Officer notes that Wester Ulston now has a 40 MPH speed limit in place. As such, the visibility requirements have reduced to 2.4m by 70m in either direction.

- 2 Environmental Health advise:

Stoves and Use of Solid Fuel

These installations can cause smoke and odour complaints and any Building and Planning Consents for the installation do not indemnify the applicant in respect of Nuisance action. In the event of nuisance action being taken there is no guarantee that remedial work will be granted building/planning permission.

Accordingly this advice can assist you to avoid future problems.

The location of the flue should take into account other properties that may be downwind.

The flue should be terminated with a cap that encourages a high gas efflux velocity.

The flue and appliance should be checked and serviced at regular intervals to ensure that they continue to operate efficiently and cleanly.

The appliance should only burn fuel of a type and grade that is recommended by the manufacturer.

If you live in a Smoke Control Area you must only use an Exempt Appliance <http://smokecontrol.defra.gov.uk/appliances.php?country=s> and the fuel that is Approved for use in it <http://smokecontrol.defra.gov.uk/fuels.php?country=s>.

In wood burning stoves you should only burn dry, seasoned timber. Guidance is available on - [http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/\\$FILE/eng-woodfuel-woodasfuelguide.pdf](http://www.forestry.gov.uk/pdf/eng-woodfuel-woodasfuelguide.pdf/$FILE/eng-woodfuel-woodasfuelguide.pdf)

Treated timber, waste wood, manufactured timber and laminates etc. should not be used as fuel.

Paper and kindling can be used for lighting, but purpose made firelighters can cause fewer odour problems.

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