

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 19/01432/PPP
APPLICANT : Mr Andrew Thomson
AGENT : Ferguson Planning
DEVELOPMENT : Erection of two dwellinghouses and associated works
LOCATION: Land North West Of Quarry Bank
Hume
Scottish Borders

TYPE : PPP Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
	Location Plan	Refused
	Existing Site Plan	Refused

NUMBER OF REPRESENTATIONS: 3

SUMMARY OF REPRESENTATIONS:

A total of 3 representations have been received in support of the application, 2 of which are from the same household. They made the following comments:

- o The proposed development would be a positive contribution to the building group of Hume;
- o It would support local businesses and provide employment opportunities;
- o Provided further clarity over footways, cycle ways, street lighting, bus stops and local service provisions in Hume.

Consultations

Archaeology Officer: There is archaeological potential within the site. Hume was a much more extensive settlement until the middle of the 18th century, after which it gradually contracted to its current size. Mapping evidence, particularly Roys mid-18th century map, shows Hume extending farther to the south and west than it currently does. It also suggests settlement forming around a square at the base of the Hume Castle Hill. The exact location of buildings in the 18th century is largely unknown, although substantial evidence survives around the base of Hume Castle where there are house platforms set within defined yards. There is also evidence on the Heuchen opposite. However, Hume as a settlement dates from at least the 12th century when it was a medieval castle town. It may have begun as a bailiwick surrounding a timber motte on the castle hill, but apart from that nothing can be said about the medieval layout of Hume and its surrounding area. If the 18th century mapping reflects the medieval layout then there is a high potential for encountering medieval to post-medieval archaeology in undeveloped fields to the west of the village.

The evidence for any settlement existing in the application site is unknown. However, given the sites proximity to the castle and what was likely the medieval core of the village, there is a moderate to high potential for encountering buried archaeological features or deposits during development.

Given this potential, they would recommend that an archaeological watching brief is maintained during all aspects of development where ground disturbance will occur. This includes connecting services, drainage and access/parking within the site.

Community Council: They are supportive of the proposed development. They consider the proposed dwellinghouses will create a natural extension to the west end of the village, connecting and integrating with the existing building group of the village, without any adverse impact on the surrounding area. There is no pedestrian pavement through the village but the Borders Loop cycleway and links to the core path and right of way runs through the village of Hume.

There is some concern about the lack of street lighting and that a continuation of lighting from the existing lighting infrastructure to the west end would alert motorists when entering the village at the west end. However, there are five existing dwellinghouses and two business premises located at the west side of the village which do not have any street lighting.

The applicant has a thriving business within the villages and states that the proposed houses are for the applicant's children, encouraging and enabling young families and a family business to remain within the village is viewed as a positive for Hume and the surrounding area.

Education and Lifelong Learning: They confirm that developer contributions are sought for Berwickshire High School.

Roads Planning Service: The site is located to the west of Hume and is accessed via a minor road which forms a junction with the B6364 to the north east of Hume. The initial section from the B6364 has a footway on one side, wide verges, street lighting and a carriageway which is allocated for two way traffic. As the minor road runs west, these provisions stop and the road becomes narrower, unlit, with no footway and narrow verges.

As stated in their response to a previous application 08/01217/OUT, a development of multiple units in this location would require some form of pedestrian provision to allow safe passage to the eastern end of the village where there is a bus stop. However, due to the narrow verges, the provision of a new footway would require the use of third party land, approval for which may not be achieved. Furthermore, the costs associated with this and the required extension to the street lighting infrastructure may be deemed excessive when considered against a development of this size.

Accordingly, they object to the proposed development as they do not consider it to comply with Policy PMD2 of the Local Development Plan as it does not provide linkages with adjoining built up areas, including public transport connections, new paths and cycle ways, linking where possible to the existing path network.

Scottish Water: No response received at the time of writing this report.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Local Development Plan 2016

PMD1: Sustainability

PMD2: Quality Standards

HD2: Housing in the Countryside

HD3: Protection of Residential Amenity

EP8: Archaeology

IS2: Developer Contributions

IS7: Parking Provision and Standards

IS9: Waste Water Treatment Standards and Sustainable Urban Drainage

Supplementary Planning Guidance (SPG)

Developer Contributions 2019
Householder Development (Privacy and Sunlight) 2006
New Housing in the Borders Countryside 2008
Placemaking and Design 2010

Recommendation by - Cameron Kirk (Assistant Planning Officer) on 28th February 2020

Site Description

The application site is an agricultural field to the north west of the dwellinghouse, Quarry Bank, within the village of Hume. The application site is delineated by post and wire fencing to the north west and south east boundaries and by a post and rail fence to the south west boundary. There is an existing field access from the public road that flanks the south west boundary. The site slopes gently from the north east to the south west.

There are existing dwellinghouses located to the south east and south west of the application site. Quarry Bank Garage, a mechanical and bodywork repair shop, lies to the east corner of the application site. An extension to the garage is currently under construction and encroaches on the east corner of the application site.

Proposed Development

Planning Permission in Principle is sought for the erection of two dwellinghouses in an agricultural field. The existing field access to the south west boundary would be upgraded, as necessary, to provide vehicular access to the proposed development. The proposed dwellinghouses would be connected to the public water supply network and would be served by private drainage arrangements.

Supporting Information

Planning Statement prepared by Ferguson Planning, dated September 2019.

Relevant Planning History

08/01217/OUT: Erection of three dwellinghouses. Refused 26 August 2008. Appeal refused 06 May 2009.

18/01145/FU: Extension to existing workshop/garage. Granted 31 October 2018.

Assessment

The key planning issues under consideration for the assessment of the application are:

- o The principle development;
- o Site access, including road safety;
- o Whether the site can be adequately serviced;
- o Developer contributions.

Principle of Development

The application site is not located within the defined development boundary of a settlement and as such would equate to development in the countryside. In order to establish the principle of development it must be assessed against Policy HD2: Housing in the Countryside. The application site is not located in the Southern Housing Market Area. At present, it is agricultural land and the proposal would not result in the conversion of an existing building to a house, the restoration of an existing house or result in the proposed replacement of an existing house. In addition, no justification has been provided to demonstrate that there is an economic requirement for a house to be built in this location. The potential future occupants of the dwellinghouses are not a material consideration. Therefore, sections (B) - (F) of Policy HD2 would not be applicable in establishing the principle of development in this particular location. It would only be appropriate to assess the proposal against section (A) Building Groups of Policy HD2.

Section (A) Building Groups of Policy HD2 advises that additional dwellings should only be permitted where the site relates well to an existing building group of at least three dwellings and will only result in the addition of two dwellings or a 30% increase to the group, whichever is greater, during the period of the Local Development Plan. 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 applications.

It is acknowledged that Hume is a building group and that the dwellinghouses within the immediate locality of the application site contribute to the building group. There is the numerical capacity within the building group to add an additional two dwellinghouses under the current Local Development Plan period. Therefore, the main consideration is whether the proposed development would be an appropriate addition to the existing building group.

Hume has a distinctive pattern of development as it is linear in form and development for the most part is confined to the north of the public road. The application site is located to the south west of the village and is visually disjointed from the core area of the existing building group to the north east. When travelling through the village in a westerly direction, there is a sharp bend in the public road at West End Cottage. After the bend in the public road, Hume's distinctive character changes as Cragside Farm is located to the west of the public road which departs from its distinctive linear pattern of development. Additionally, there is a shelter belt of mature trees to the north of Cragside Farm. This shelter belt creates clear and defensible boundary to the village.

The Council's SPG 'New Housing in the Borders Countryside 2008' makes it clear that extensions of ribbon development along public roads will not normally be permitted. Whilst Hume's linear pattern of development is distinctive for the most part to the existing building group, it is not prevalent within this part of the building group. The proposed development would result in ribbon development along the public road and could not be accepted by the Planning Authority.

Furthermore, the Council's SPG 'New Housing in the Borders Countryside 2008' states that application sites should not normally break into undeveloped fields, particularly where there exists a definable natural boundary between the building group and the field and that new development should be limited to the area contained by that sense of place. The application site is an undeveloped agricultural field and is prominent on approach when passing along the public road in both directions. The application site is conterminous with the dwellinghouse Quarry Bank to the south east. The north west boundary of Quarry Bank is delineated by a post and wire fence and mature hedge. The boundary treatment between the application site and Quarry Bank already creates some visual distinction between the existing building group and the agricultural field.

In addition, the application site projects north west of the shelter belt to the west. As mentioned previously, this shelter belt creates a clear and defensible boundary to Hume. Any development which would project past this natural barrier would undermine this boundary and would harmfully impact on visual amenities of the area, being prominent within the surrounding landscape.

In consideration of the above, the proposed development would be unacceptable as it would expand the village of Hume beyond its natural limits. It would erode the sense of place felt within the existing building group and would have a detrimental impact on its character. Therefore, it would be contrary to Policy HD2 and the Council's adopted Supplementary Planning Guidance 'New Housing in the Borders Countryside 2008'. The principle of development cannot be established in this location.

This position is consistent with that taken by the Planning Authority during consideration of application 08/01217/OUT and by the DPEA on appeal P/PPA/140/407 for the erection of three dwellinghouses at this location. There are no new material considerations which suggest that housing development in this location would be acceptable now and there are no known extenuating circumstances of other material considerations which indicate that the application should be supported as an acceptable departure from the Scottish Borders Local Development Plan 2016.

Layout, Siting and Design

Policy PMD2 aims to ensure that all new development is of a high quality and respects the environment in which it is contained. As the proposal is for Planning Permission in Principle, details submitted in support of the application are only indicative and aspects such as the layout, siting and design of the proposed

dwellinghouses cannot be adequately assessed at this time. It is acknowledged that the application site is sizable and could accommodate two dwellinghouses. Such matters would be considered further on the submission of a subsequent application.

The indicative site plan submitted does not show the extension to Quarry Bank Garage which is currently under construction. This would have to be taken into account for the design of the proposed development on submission of a subsequent application.

The use of certain boundary treatments in this location could have an adverse impact on the surrounding landscape. With this in mind, a condition should be attached if permission is granted, removing permitted development rights under class 3E of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended) to ensure that no means of enclosure are erected other than those agreed in any subsequent application.

Impact on Residential Amenity

Policy HD3 aims to protect neighbouring residential properties against inappropriate development that would result in the loss of amenity or privacy. Considering the location, orientation and size of the application site, it is not anticipated that the proposed development would adversely affect the residential amenity of neighbouring properties. A full assessment would be undertaken on the submission of a subsequent application detailing the layout, siting and design of the proposed development.

Quarry Bank Garage lies to the east corner of the application site. It is expected that this existing use generates a degree of noise which may be audible from within the application. However, there are existing dwellinghouses in close proximity to Quarry Bank Garage. The proposal would not adversely affect the viability of the farming unit to the west. Overall, it is not anticipated that there would be any conflicts with neighbouring land uses.

Roads

Roads Planning Service was consulted as part of the application process. They advise that the site is located to the west of Hume and is accessed via a minor road which forms a junction with the B6364 to the north east of Hume. The initial section from the B6364 has a footway on one side, wide verges, street lighting and a carriageway which is allocated for two way traffic. As the minor road runs west, these provisions stop and the road becomes narrower, unlit, with no footway and narrow verges.

As stated in their response to the previous application 08/01217/OUT, a development of multiple units in this location would require some form of pedestrian provision to allow safe passage to the eastern end of the village where there is a bus stop. However, due to the narrow verges, the provision of a new footway would require the use of third party land, approval for which may not be achieved. Furthermore, the costs associated with this and the required extension to the street lighting infrastructure may be deemed excessive when considered against a development of this size.

They object to the proposed development as they do not consider it to comply with Policy PMD2 of the Local Development Plan as it does not provide linkages with adjoining built up areas, including public transport connections, new paths and cycle ways, linking where possible to the existing path network.

Comments have been received by members of the public in response to Roads Planning Service's response. They state that Roads Planning Service's comments are incorrect and somewhat misleading as they imply that there is street lighting and a footpath to the east of Hume. When in fact, the footpath and lighting are not co-existent as the lighting starts when the footpath stops. Roads Planning Service has rightly stated that these provisions are located to the eastern portion of Hume. At no point do they specifically refer to where the footpath ends and the lighting begins.

It is acknowledged that the Borders Loop cycleway route forms part of the public road to the south west of the application site. It is also recognised that a core path runs along the road to the south. Although there is a bus stop to the eastern end of Hume it is understood that there are currently no bus services running through the village. This is not to say that that a bus service may be introduced in the future.

Nonetheless, the aforementioned does not take away from the fact that there is no footway or street lighting from the main built up area of Hume to the application site and that there are doubts over whether this could be achieved given a number of constraints. Therefore the proposal fails to comply with Policy PMD2 as it has not been demonstrated that adequate linkages with adjoining built up areas could be achieved.

In respect of access to the application site, the existing field access to the south west boundary would be upgraded, as necessary, to provide vehicular access to the proposed development from the public road. Roads Planning Service has not raised any concerns in respect of site access.

In accordance with Policy IS7, parking for two vehicles must be provided within the application site for each dwellinghouse. It is expected that this requirement could be achieved. Standard conditions and informative will be attached if permission is granted in relation to access and parking.

Services

The proposed development would be connected to the public water supply network. Foul and surface water drainage would be dealt with by private drainage arrangements. This would be in the form of a sewage treatment plant with outfall to existing field drain culvert, as detailed on the indicative site plan submitted. In order to comply with Policy IS9, any subsequent application would have to demonstrate that the site could be serviced adequately in regards to water supply and drainage. Conditions should be attached, should permission be granted, to ensure that further details are provided in respect of water supply and drainage to demonstrate that they are achievable.

Waste

There would be sufficient room for bin storage within the application site and they should be stored in an unobtrusive location. The precise details would be agreed with a subsequent application.

Developer contributions

Policy IS2 aims to ensure that the cost of new or additional infrastructure required for new development is met by the developer. Developer contributions are sought towards education and lifelong learning and affordable housing. If granted, contributions would be secured by means of either a Section 69 or Section 75 Legal Agreement.

Archaeology

The Council's Archaeology Officer was consulted as part of the application process. They advise that considering the application sites proximity to Hume Castle and what was likely the medieval core of the village, there is a moderate to high potential for encountering buried archaeological features or deposits during development. Therefore, they would recommend that an archaeological watching brief is maintained during all aspects of development where ground disturbance will occur. This includes connecting services, drainage and access/parking within the site. This information should be requested by way of condition.

Conclusion

In consideration of the above, the proposed development fails to comply with Policy HD2 of the Scottish Borders Local Development Plan 2016 and Supplementary Planning Guidance 'New Housing in the Borders Countryside 2008' as it would not relate well to the existing building group, it would break into an undeveloped field, it would result in ribbon development and it would not be sympathetic to the area's character or sense of place. Furthermore, it would not comply with Policy PMD2 as it has not been demonstrated that adequate linkages with adjoining built up areas could be achieved. It is recommended that the application be refused.

REASON FOR DECISION :

The proposed development fails to comply with Policy HD2 of the Scottish Borders Local Development Plan 2016 and Supplementary Planning Guidance, New Housing in the Borders Countryside 2008 as it would not

relate well to the existing building group, it would break into an undeveloped field, it would result in ribbon development and it would not be sympathetic to the area's character or sense of place. Furthermore, the development would not comply with Policy PMD2 as it has not been demonstrated that adequate linkages with adjoining built up areas could be achieved. It is recommended that the application be refused.

Recommendation: Refused

- 1 The proposed development fails to comply with Policy HD2 of the Scottish Borders Local Development Plan 2016 and Supplementary Planning Guidance 'New Housing in the Borders Countryside 2008' as it would not relate well to the existing building group, it would break into an undeveloped field, it would result in ribbon development and it would not be sympathetic to the area's character or sense of place. Furthermore, the development would not comply with Policy PMD2 as it has not been demonstrated that adequate linkages with adjoining built up areas could be achieved.

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