

Appeal to Local Review Body, Scottish Borders Council re 22/00008/RREF – two dwellings adjacent to Delgany, Old Cambus, Cockburnspath.

Due to Planning Officer decision to refuse the original application (21/00739/PPP) the Applicant has decided to appeal this decision which will now come in front of a Local Review Body.

Cockburnspath and Cove Community Council (CC) organised a meeting with adjacent neighbours to ask them to indicate what action should be taken in light of this appeal. A meeting of 2 members of the CC (Planning Sub Committee) was held on 16th March, at which 4 immediate neighbours to the site were present plus one independent person.

The Community Council wish to reiterate concerns expressed as part of the original objection to this proposal, which still stand.

Retaining the order stated in the Review Statement, the Community Council wish to make the following additional comments, raised by neighbours, in order to represent their views. The numbering below therefore reflects the paragraphs of the Review Statement. It is our understanding that individual neighbours will also make their own comments.

1.3 Mention of R&K Drysdale “manufacturing plant” is made early in the Review Statement. This firm is a vegetable processing plant, and is not a manufacturing plant as stated. It is situated within a quarry, some distance from the proposed site. Perhaps this is identified purely as a geographic point to orientate the application site, but neighbours expressed concerns regarding this. The firm of R&K Drysdale utilises largely foreign labour, housed in static caravan type units on site. There is a worrying inference that there is a link between these two proposed houses which may offer benefit to the business or offer an economic justification for them, when in fact this is not the case in our opinion.

1.7 In the neighbours’ opinion, it would be more fitting to allow the application in principle, by the owners of TD Trees to build a home for themselves close to their arboreal business, which has been the subject of break ins and theft of machinery in the past. There is a clear reason for this application which assists and protects a business already in place (see 21/00997/PPP). However, this application remains undetermined at the time of writing. Should it be approved, it would, under Policy HD2 of the current LDP, mean that as a result of the 30% rule, this development of 2 houses would be more likely to be refused. The community locally strongly back application 21/00997/PPP rather than 22/00008/RREF for the reasons stated above.

2.1 The Planning Officer’s decision to refuse states that the proposal “*would not relate sympathetically to the character of the existing building group*” and that it would not “*respect the scale, siting and hierarchy of buildings within the group and would degrade its strong sense of place.*” Whilst we recognise that the architect has attempted to mirror the siting of the new builds to the cottages to the east of the steading, they are crafted from traditional materials, mirrored both in the steading and farmhouse. In fact, the farmhouse, steading and cottages form a cohesive, complimentary existing group which establishes a strong sense of place. The addition of 2 new builds would not compliment the existing group and would detract from its sense of place as they would sit higher than the existing farmhouse making it subservient visually, in neighbours’ and the CC’s opinion. Whilst acknowledging that Delgany is a newer style of building (1960s) it is well separated from the West Mains grouping by natural landscape including evergreen trees, so does not directly impact on the group nor detract from the sense of space mentioned above.

3.10 Agents state that *“the plans are purely indicative”* and in

3.11 that *“the design of the houses are irrelevant ... at this point”* Whilst we are aware that design, build materials etc are largely the subject of an application for full permission, it is clear from statements by the agent regarding *“attracting self builders”* that such a design is likely to be close to that intended, otherwise, why use it?

3.13 The agent states that *“any new homes are inevitably going to be more modern in nature than buildings constructed in the 19th Century”*. This needs not be the case, but misses the point entirely about further buildings on this site negatively influencing the “sense of space” and how they relate to existing building groups. In our opinion, any buildings on this site would detract from the separation that currently exists between Delgany and West Mains, thereby detracting from the West Mains established and sympathetic grouping.

4.2 In the agent’s conclusions, they mention NPF 4 which *“encourage(s) development that helps to support, sustain and grow rural areas”*. They go on to state that *“new housing will attract families creating a more prosperous, vibrant and attractive rural area”*. Families require an infrastructure which is lacking in Old Cambus. Old Cambus is a hamlet, not an existing village with any infrastructure to it, and these 2 homes would be wholly reliant on car transport for even the most basic of services such as schooling, shopping etc. The application will not help sustain this hamlet in the same way as 21/00997/PPP would do. Families also usually require work, which is lacking in the area – it is therefore our opinion that these would either be retirement homes, or second homes, with the further potential to be let out to holiday makers. In Cockburnspath and Cove’s Community Action Plan (currently in draft format) mention is made of a need for family homes to support the economy and school. As such, we consider that the development of the two housing areas identified in Cockburnspath, in the current and proposed LDP, would be much more relevant to sustaining and growing this rural area.

4.5 In this paragraph agents state that TD Trees *“does not operate any processing activities”*. Earlier in the Review Statement, they additionally state at **3.17** that *“no such operations do take place at the site (West Mains Farm Steading) in our view”*. Both statements are wrong and spurious, attempting to negate the potential adverse noise impact on residential amenity. TD Trees admit themselves that their noise related activity on site is sporadic. They may for example carry out substantial noise related work over a few weeks (eg cutting using chain saws and mulching), then not again for some months. The timing of any noise assessment is therefore crucial. To this end we would ask that communication takes place with Mr Dixon (owner of TD Trees) to ensure that there is accurate modelling of the potential noise impact on any new properties. Without such an assessment, the issue of noise remains a salient point in determining this appeal.

Balancing potential benefits of this application against disbenefits, it is the opinion of neighbours that the decision to refuse the application should be upheld.

Thank you for the opportunity to comment on this.

Cockburnspath and Cove Community Council Planning Sub Committee.

PM Hood, S Kennedy

19th March 2022.