

# Comments for Planning Application 21/01846/PPP

## Application Summary

Application Number: 21/01846/PPP

Address: Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders

Proposal: Erection of two dwellinghouses

Case Officer: Julie Hayward

## Customer Details

Name: Mr Ron Beardsley

Address: 6 Dingleton Cottages, Melrose, Scottish Borders TD6 9HR

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Alterations/Demolition of wall
- Designated Conservation Area
- Detrimental to environment
- Inadequate access
- Road safety
- Trees/landscape affected

Comment: This development affects a mature orchard which was stated as being a protected amenity by the same developer when selling properties in Dingleton apartments. These ancient trees are irreplaceable and provide a valuable wildlife habitat. I understood that these were all protected by TPO's.

There is no way the development can be constructed whilst preserving the 11 trees identified on the drawing. The drawings show no means of access, will traffic be routed through the existing apartments or a new entrance made onto Dingleton Road which I would consider to be dangerous as visibility restricted by boundary wall.

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## Customer Details

Name: Mrs Anne Rae

Address: 66 Dingleton Apartments, Chiefswood Road, Melrose, Scottish Borders TD6 9HJ

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Detrimental to environment
- Trees/landscape affected

Comment: The plan for 2 dwellings will require removal of heritage apple trees subject to tree preservation order. As well as loss of amenity, loss of old orchards is to lose important biodiverse habitats

**Response to Application for Planning in Principle for 2 detached dwellings on the site of the former Dingleton Hospital Orchard, November 2021: Ref 21/01/846/PPP; online 00504799-001.**

The above is a new *Application* following rejection of a proposal lodged in March 2021 for two houses to be built on a larger portion of the same broader site. The key difference is that both houses are now proposed to occupy what was formerly Plot A, then planned to contain only one house. The former Plot B has gone entirely from the current site plan.

The comments which follow are categorised according to SBC's six 'material planning considerations'.

*The appearance of the proposal in terms of design*

This is the second *Application* to include no description or illustration of the design or size of the houses: number of storeys; height to roof peak; building materials; treatment of door and window frames; colour of render, if any. Every surrounding house or other building is of stone, so any design similar to the vernacular pastiche of the adjacent Trimontium Heights, by the same developer, will be an unacceptable intrusion into the consistent visual amenity of the area covered by the *Location Plan* document.

The revised plan has moved one of the two houses significantly closer to Ivanhoe than the single house previously proposed for the orchard. So its specification, especially the height and fenestration of its southern elevation will obviously be of special concern to us at Ivanhoe, but the style and design will have a visual impact on all neighbouring residents. It would be unacceptable to give *Agreement in Principle* without imposing planning constraints on the appearance of both houses, especially given the site's location on the foothills of the Eildons: see *Impact on the natural or built environment*, below.

*Siting and materials*

The area enclosed within the red dotted lines in the Site Plan is not "scrubland", as it is described in other documents, and "former orchard of Dingleton Hospital" gives the impression that the trees are today defunct or at least neglected, but they are in fact still productive. The document *Proposed Tree Removals* shows a total of thirty existing trees within the Orchard: 25 apple; 3 plum; 1 blackthorn; 1 hawthorn. The apples are *heritage* varieties planted in the 1870s, and the site is maintained by the estate's landscape gardening team. The proposed removal of sixteen trees, half the total number, makes the questionable assumption that the remainder will all survive building works and construction traffic. To sacrifice so much of a historic orchard in order to build two houses is a scandalous loss of one more of the few that survive in this part of Scotland. A survey by *Scottish Natural Heritage* recorded that the Borders region had lost a third of its orchards since the 1950s. One such at Cherrytrees, a couple of hundred metres further north on Dingleton Road, is already under threat by another developer, so even partial loss of the Dingleton Orchard would be a further increase in an unacceptable loss of natural environment in the Scottish Borders.

In the *Site Plan*, the unexplained shading at Plot A and Plot B implies that the retained TPO-protected trees will not be within the curtilages of the two houses and that future owner-occupiers will therefore have no responsibility for them. Presumably that will continue to reside with Rivertree, whose past performance in terms of tree preservation has not been good. The case for planning permission should include reassurances about the fate of the trees still in Rivertree's custody, but does not seem to.

The orchard has been increasingly popular with residents of Dingleton & Glentress Apartments over the past summer, as a source of fresh fruit and a spot for family picnics. In short, it is seen as a significant social amenity, as it was promoted by Rivertree Developments in the sale prospectus for the original development.

### *Traffic parking or access problems*

The *Location Plan, Proposed Site Plan (and all plans relating to trees)* make it clear that the only access to Plots A and B for builder's traffic and eventually for future residents' own vehicles and delivery vans servicing them will be via the "existing opening" into to the orchard, which is a narrow gap at the northern end of a 150-year-old mature beech hedge, carefully maintained by the estate's gardening and landscaping team. In turn, that can be reached only via what was described in the previous Application as an "existing road", which is in fact a lane only 3.7 metres wide at it widest point, includes a blind bend, and is constrained by a mature hedge on one side and shrubs and trees on the other. That is clearly completely unsuitable for two-way traffic in an out of the site containing Plots A and B. It has furthermore been used every day since the original development by numbers of local dog-walkers and exercisers, who will in future have to be alert to motor vehicles at all times.

In the *Application* document (21\_01846\_PPP-APPLICATION\_PDF-3559411.pdf), the developer's Agent answers NO to the question "Are you proposing a new altered vehicle access to or from a public road?" I so far as the lane in question may not be defined as a 'public road', that gives no reassurance that the beech hedges on both sides and the natural shrubbery between the existing entrance to the Orchard and Chiefswood Court will not be sacrificed to the need to allow access to the site for construction plant and vehicles. Logically, that would be a likely outcome; so assurances should be sought that the lane will remain essentially the public amenity it has always been (since being originally an exercise walk for the patients of Dingleton Hospital).

### *Residential amenity (noise, overshadowing)*

Significant loss of residential amenity has already been amply demonstrated in the comments under other headings above.

Overshadowing is now an issue only with regard to the relationship of the house on Plot B and Ivanhoe (and vice-versa). It cannot be properly addressed until more is known about the height of the new house, which the developer should be required to furnish before any final permissions are given.

### *Drainage and infrastructure*

The line of a domestic main drain from Ivanhoe, not indicated on any of the submitted Plans, passes under the mid-point of the Orchard's boundary hedge (dotted red line on Site Plan) and crosses both Plot A and Plot B on its route north. Since before the previous Application, there has been a fenced-in area, where a child fell into the drain. In the *Application* document (PPP-APPLICATION\_PDF-3559411.pdf), the developer's Agent answers NO to the question "Will your proposal require new or altered water supply or drainage requirements?" In the circumstances just described, that seems unlikely to be true. Future owner-occupiers need assurances that "drainage arrangements" will be made safe.

### *Impact on the natural or built environment*

Rivertree Residential Ltd should be required to explain how two new four-bedroom houses of unknown size in a long-established rural landscape 1.2 km from Melrose Market Square will contribute positively to the general policy of providing affordable housing, rather than adding to suburban sprawl on the outskirts of a rural community. The existing orchard is clearly visible from Eildon North Hill and Mid Hill, located within *Eildon and Leaderfoot National Scenic Area* and on the routes of the *Southern Upland Way, Borders Abbays Way* and *St Cuthbert's Way*. Unless there is significant sensitivity in design and building materials, the visual impact of the new houses on tourists and recreational walkers will be damaging to the image of Melrose and the Central Borders in general.

### *Conclusion*

For the reasons given, I strenuously oppose this revised proposal, which in fact places greater pressure than before on the sensitive Dingleton Orchard site. If members of the Planning Committee have not yet made a site visit to Plots A and B since the new Application, I suggest they must do so before an informed judgment is possible.

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Case Officer: Julie Hayward

## Customer Details

Name: Mr RORY MACLEOD

Address: 4 Chiefswood Court, Chiefswood Road, Melrose, Scottish Borders TD6 9FB

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Detrimental to environment
- Detrimental to Residential Amenity
- Inadequate access
- Road safety
- Trees/landscape affected

Comment:the destruction of this ancient orchard is an abomination. The idea of killing a tree focused space with poor, dangerous access for two houses screaming at well heeled folks - minimal market for people who need housing - is not reflective of care for your community but of greed and self interest regardless of concern for the natural world. as Borders organisations attempt to plant a million trees this year, you wish to destroy them. Remarkable. I object.

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Address: Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders

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Case Officer: Julie Hayward

## Customer Details

Name: Mr Jonathan Leeming

Address: Dewdrop Cottage, Dingleton Road, Melrose, Scottish Borders TD6 9QN

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Detrimental to environment
- Detrimental to Residential Amenity
- Land affected
- Poor design
- Privacy of neighbouring properties affected
- Trees/landscape affected

Comment:- It's difficult to consider this plan without knowing details of the dwellings proposed for the site. This is a sensitive location, among old stone buildings and behind an old stone wall. I would have thought permitting this proposal to go through would be impossible without such details. Would the design be in the local vernacular and to acceptable scale, or two big flatpack houses like those of the Harleyburn development? The site is sensitive, being within the National Scenic Area, visible from the Eildons, from the Golf Course, and from busy Dingleton Road. The application seems to be requesting carte blanche to build any two houses the applicant desires. After the visual vandalism of Harleyburn, it's hard to trust any assumption of sensitivity for a development on this site. To grant permission for this to go ahead on such a thin PPP is, I would have thought, clearly unacceptable.

- The orchard on the site has presumably been there since Victorian times, and is as much part of the locality as the (protected) Dingleton Hospital buildings. It is, furthermore, part of the Statutory Tree Protection area covering the old hospital. Trees are important, especially among buildings, for visual amenity, air quality, ecological diversity (plant, insect, bird), wind tunnel amelioration, water soakaway, and undoubtedly factors we don't even know of yet.

- More than that, the trees are still abundantly productive, and of diverse varieties. Since the site has had an orchard on it for so long, the trees will be linked by a mature mycorrhizal network (a localised 'wood wide web'). The siting of houses within this network would damage or destroy it, leaving the remaining trees in a weakened and possibly irrecoverable condition. The construction

stress on top of this may well prove terminal. In these times of ecological crisis (as well as food poverty), such wanton destruction of a mature orchard is to be avoided, and the orchard renewed with new trees replacing failing ones, as an asset to the locality. Instead of which, this application proposes making this sensitive site just one more piece of the creeping suburbanisation of Melrose.

I urge you to reject the application.