

F E R G U S O N
P L A N N I N G

Plots 1 and 2 at Land North of Belses Cottage, Jedburgh, TD8 6UR

Phen Farms

July 2022

CONTENTS

INTRODUCTION.....	03
SITE CONTEXT.....	05
THE PROPOSAL.....	09
GROUNDS OF APPEAL...	12
CONCLUSION.....	19

F E R G U S O N
P L A N N I N G

F E R G U S O N
P L A N N I N G

Plots 1 and 2 at Land North of Belses Cottage, Jedburgh, TD8 6UR

INTRODUCTION

INTRODUCTION

- 1.1 This Appeal Statement is submitted on behalf of Phen Farms ('the appellant') and sets out the grounds of appeal against the decision of Scottish Borders Council (SBC) to refuse planning applications LPA ref: 21/00993/PPP and 21/00992/PPP by delegated decision on 15th April 2022.
- 1.2 The applicant, Phen Farms are a family farming partnership, operating an arable farm which adjoins the proposed sites at New Belses Farm to the north. The proposed development represents a form of rural diversification which is becoming increasingly important within the current economic climate.
- 1.3 The Planning Permission in Principle Application sought consent for Residential Dwellings at Plots 1 and 2 at Land North of Belses Cottage, Jedburgh, TD8 6UR.
- 1.4 The two reasons for the refusal of the application as set out below.
- The development is contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 because it would constitute housing in the countryside that would be unrelated to a building group and would lead to an unjustified sporadic expansion of development into a previously undeveloped field. Furthermore, there is no overriding economic justification to support the development. The resulting visual impact of the development would be adverse and, therefore, also conflict with policy PMD2.
 - The development is contrary to policy PMD2 of the Local Development Plan 2016 in that the means of access onto a public road out with a settlement boundary would adversely affect the road safety of this road, including but not limited to the site access without providing any overriding economic and or road safety improvements.

1.5 The table below provides a summary of the technical consultee responses:

Consultee	Comment
Scottish Water	No Objection
Community Council	No Objection
Archaeology Officer	No Objection
Ecology Officer	No Objection
Flood and Coastal Management	No Objection
Roads Planning	Highways concerns. Requests additional information which we have provided within this statement and associated Core Documents

1.5 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)
- Ground of Appeal (Section 4)
- Summary of the appellant's case and conclusion (Section 5).

Supporting Documents

1.6 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

1.7 This appeal is made to the Local Review Body on the basis they are local applications, and which were 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.

F E R G U S O N
P L A N N I N G

Plot 1 and 2 at land North of Belses Cottage, Jedburgh, TD8 6UR

APPLICATION SITE AND CONTEXT

APPLICATION SITE AND CONTEXT

- 2.1 The site is currently rough pasture bordered to the north by a tree belt, adjoining the working arable farm with the New Belses Farmhouse, Cottages and Farmyard beyond. The B6400 adjoins the site to the south and east, with residential properties to the south, creating a Building Group of three properties with a wider disperse building group of 16 dwellings on either side of the adopted road. A site Location Plan is shown within Figures 1 and 2 below.
- 2.2 There are a number of newbuild properties in the wider building group, all of which would have been on similar rough pastureland historically.
- 2.3 In terms of topography, the site itself is relatively flat, with the topography falling slightly beyond the site boundary to the northwest.
- 2.4 The proposed dwellings are shown indicatively on the plots with the new access off the B6400, illustrated within 'The Proposal' section of this report below. The proposed internal track, heading east from the new access point is provided as an alternative access arrangement to serve the new plots if considered a more favorable option. Such arrangements can be agreed at the detailed planning application stage via a suitably worded condition. In addition to the above, the applicant has agreed to stop-up a field access to the south of the site as illustrated within Core Document 3, removing a junction from the B6400.
- 2.5 Careful consideration has been taken in the positioning the dwellings with the intention being that the proposal relates well to the established building group in which it surrounds, not extending into the open countryside, contained by existing and proposed new planting.
- 2.6 With regards to the Local Development Plan adopted proposals map, the site holds no specific allocations or designations. In terms of Heritage, there are no listed buildings on or within close proximity to the Site.
- 2.7 The Scottish Environmental Protection Agency (SEPA) is the statutory body for flood management in Scotland and maintains flood risk maps for public and development purposes. The site is not at risk of surface or water flooding.

- 2.8 In terms of accessibility, the site is approximately 3.5 miles east of Lilliesleaf (17-minutes cycle or 7-minute drive) which has a Church, Pub and Primary School. The Village of Ancrum is within 3.3 miles to the east of the site (again, a 17- minutes cycle or 7- minute drive) which offers a village shop, post office, pub, primary school and church, along with bus services to and from Jedburgh and Galashiels.
- 2.9 Referring to the Scottish Borders Planning Application Portal, there have been no historic planning applications to date on the site prior to the previously withdrawn applications (20/00411/PPP and 20/0041/PPP) in which this application follows and seeks to address the highways concerns as mentioned above. There has been a recent neighbouring application for residential development within the Belses Building Group, which, has similar characteristics to the proposed site in terms of the location and positioning. The neighbouring applications are referenced in the table below:

Table 1: Neighbouring Planning History

LPA Ref/ Address	Proposal	Status
20/00486/FUL Land Northwest Of Strathmyre Old Belses Jedburgh Scottish Borders	Erection of dwellinghouse with detached garage	Approved at LRB 2 nd December 2020. Members confirmed there was capacity within the building group and the proposal is in keeping with the local character and sense of place. Members also accepted the proposed manmade landscape boundary to form an element of containment, agreeing the proposal will not break into an open field.
07/00578/REM Stables At Old Belses Jedburgh Scottish Borders TD6 8UR	Erection of dwellinghouse	Approved 13 th May 2010 and built out
06/00453/REM Paddock Southwest Of Belses Station Ancrum Scottish	Erection of dwellinghouse (amendment to previous consent 05/01661/REM)	Approved 8 th June 2006 and built out

Figure 1: Proposed Location Plan- Plot 1

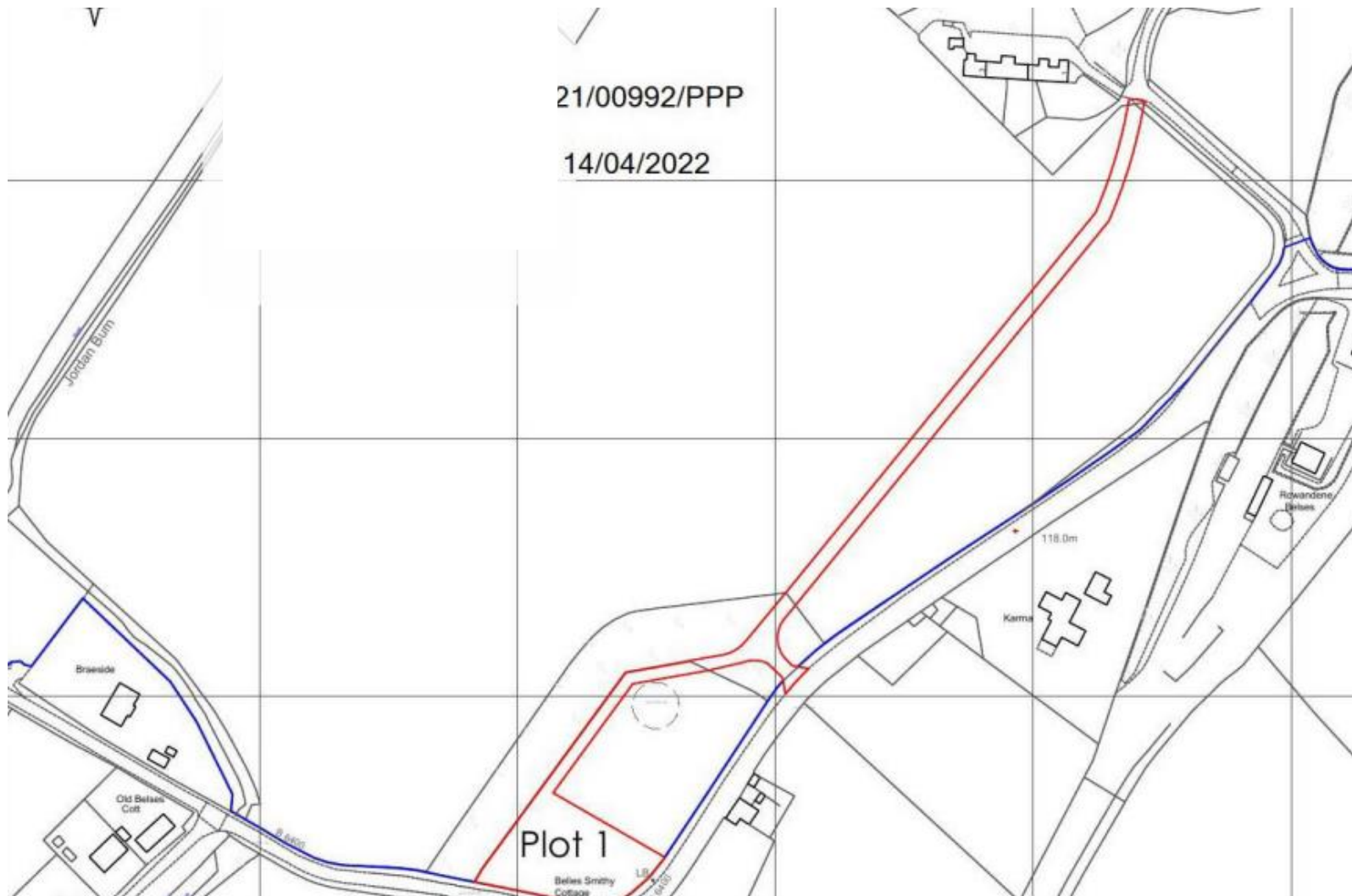
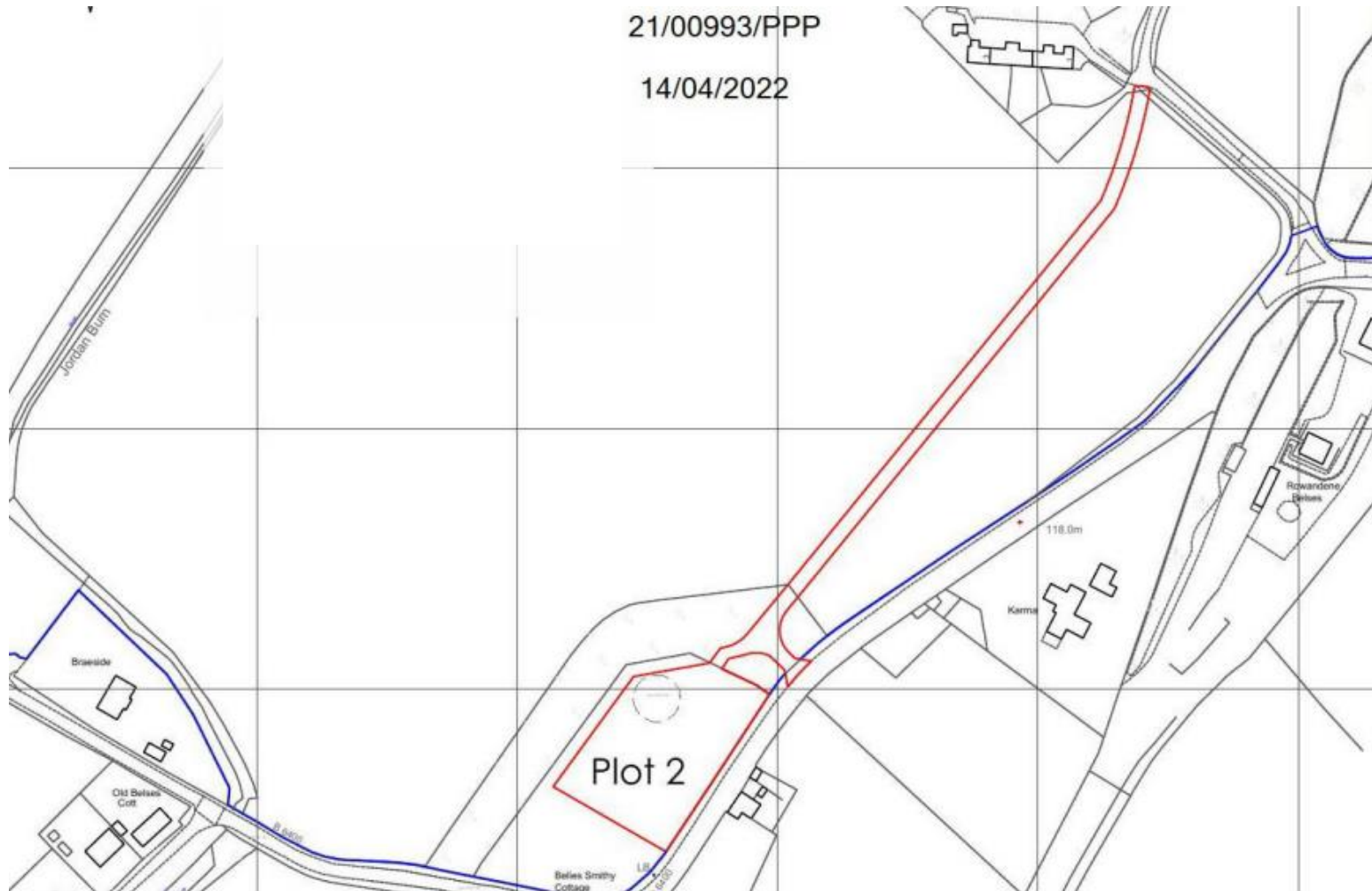


Figure 2: Proposed Location Plan- Plot 2



F E R G U S O N
P L A N N I N G

Plot 1 and 2 at Land North of Belses Cottage, Jedburgh, TD8 6UR

THE PROPOSAL

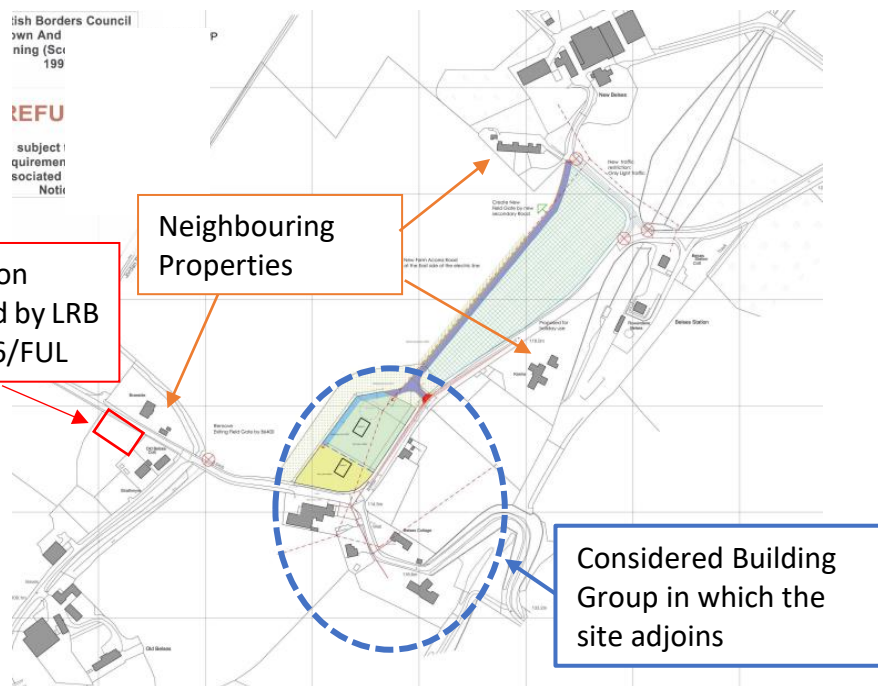
THE PROPOSAL

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

“Planning Application in Principle for Residential Dwellings with associated Amenity, Parking, Infrastructure and Access at the Plots 1 and 2 at Land North of Belses Cottage, Jedburgh, TD8 6UR”.

3.2 The proposed development involves the provision of two detached residential dwellings with associated infrastructure within two Plots to the North of Belses Cottage, situated between the villages of Ancrum and Lilliesleaf. The site Location Plans for the two applications are within Figures 1 and 2 above, with the proposed Layout Plan in Figure 3 below:

Figure 3: Proposed Layout Plan



3.3 In terms of the layout, it is proposed to provide a new site access point in response to Scottish Borders Council’s Roads Department, closing off an existing field access to the west of the site as illustrated in Figure 3. In addition, the proposal outlines an alternative access solution that would utilise the existing access point to the farmhouse and farm cottages off the B6400 with a road branch that could be put in place to serve the Plots, as shown in Figure 3 and on the ‘Road Layout Plan’ document that formed part of the original application.

3.4 Careful consideration has been taken in the positioning of the proposed dwellings within the site ensuring they are well related to the existing built form within the building group, adjoining the properties to the south, beyond the B6400.

3.5 The proposal has also ensured there are reasonable separation distances between the two proposed dwellings, and the existing dwellings adjoining the southern borders, safeguarding the daylight and sunlight provision and privacy of residents.

3.6 The site has been chosen as a suitable location for the proposed development as it is considered to be well contained within the landscape, bounded by existing trees and vegetation, not extending into the open countryside.

3.7 The proposed built form does not extend beyond the building line of the built form to the south and west, whilst ensuring they are set back from the adjoining road and do not impinge upon the streetscape of the area within its Countryside Setting. This is further supported by the indicative height of the proposals, which are envisaged to replicate the character of dwellings within the building group, not extending beyond the neighbouring building heights.

- 3.8 The proposal seeks to be of the highest architectural standard, with sufficient renewable technologies such as PV panels and Air Source Heat Pumps and represents appropriate rural housing development within the Scottish Borders.
- 3.9 In terms of the chosen materiality, as this appeal relates to an application for Planning Permission in Principle, the requirement to submit detailed drawings to secure the outstanding elements of the design would be for the next stage of the Planning process is acknowledged. The applicant would however seek to use high-quality materials such as natural stone and timber on the façade of the property which are sympathetic to its rural location.
- 3.10 The private outdoor amenity provision for the proposed dwelling would complement the natural rural environment in which it surrounds. As previously discussed, the site benefits from being bordered by existing trees and vegetation which will be retained and enhanced where possible. It is proposed that an extensive hedge and landscaping would contain the site as shown on the drawings supporting this appeal statement.

F E R G U S O N
P L A N N I N G

Plots 1 and 2 at Land North of Belses Cottage, Jedburgh, TD8 6UR

Grounds of Appeal

Grounds of Appeal

- 4.1 The Local Authority's decision to refuse the application is challenged on the basis of the two reasons for refusal. It is asserted that the Proposal accords with the relevant policies and intentions of the Local Development Plan and Supplementary Planning Guidance and why we consider the application should be approved.
- 4.2 The Appellant sets out the following four Grounds of Appeal (GOA).
- **GOA 1:** The development is not contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 because it would constitute housing in the countryside that would relate well to a building group, within a contained site not breaking into an open field.
 - **GOA 2:** The resulting visual impact of the development would not be adverse and, would not conflict with policy PMD2.
 - **GOA 3:** The development is not contrary to policy PMD2 of the Local Development Plan 2016 in that the means of access onto a public road would not adversely affect the road safety of this road.
 - **GOA 4:** There are no other material considerations which warrant refusal of the application. The material considerations have not fully been taken into account. The SPP and NPF4 both support and promote further rural housing and investment in the communities.

4.5 **GOA 1:** The development is not contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 because it would constitute housing in the countryside that would relate well to a building group, within a contained site not breaking into an open field.

4.6 Policy HD2: Housing in the Countryside: Section A of Policy HD2 is key to this proposal and has been replicated below:

(A) Building Groups

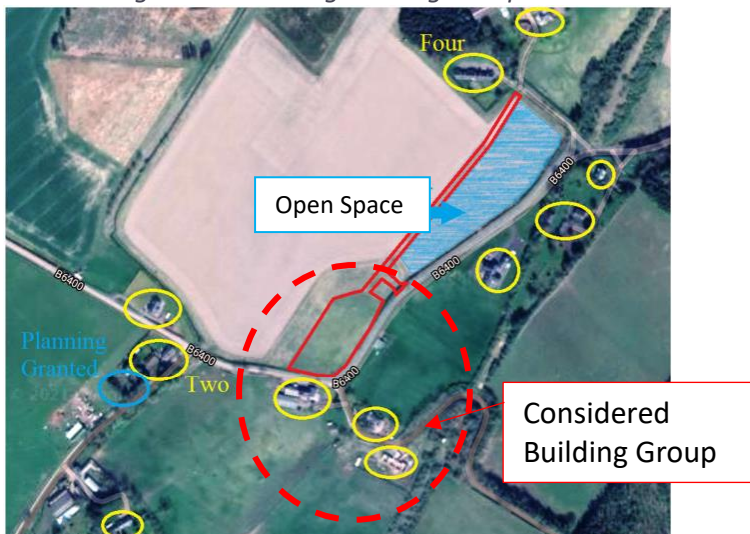
Housing of up to a total of 2 additional dwellings or a 30% increase of the building group, whichever is the greater, associated with existing building groups may be approved provided that:

- a) the Council is satisfied that the site is well related to an existing group of at least three houses or building(s) currently in residential use or capable of conversion to residential use. Where conversion is required to establish a cohesive group of at least three houses, no additional housing will be approved until such a conversion has been implemented,*
- b) the cumulative impact of new development on the character of the building group, and of the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts,*
- c) any consents for new build granted under this part of this policy should not exceed two housing dwellings or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.*

Appellant’s Case

- 4.7 We have set out below the circumstances for why this development should proceed in line with policy. We first demonstrate that the site relates well to the existing building group, in line with Part A of this policy.
- 4.8 We then provide justification for the proposed development of the site being in keeping with the surrounding area whilst being within a building group which has capacity for a further dwelling, in accordance with Part B and C of this policy.
- 4.9 **Policy HD2 A Part a) *the site is well related to an existing group of at least three houses or building(s) currently in residential use or capable of conversion to residential use.***
- 4.10 The site in question is positioned within and adjacent to the setting of the existing Building Group at Belses. The Building Group comprises 16 dwellings, immediately to the south of the site, with further dwellings to the west, east and north as illustrated on Figure 4 below.

Figure 4: Setting out the existing Building Group at Belses

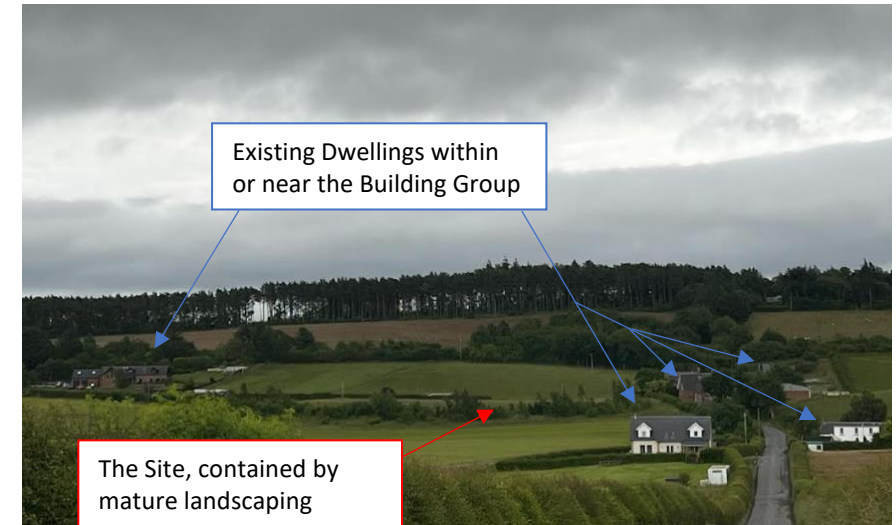


- 4.11 A review of the Council’s online planning records has indicated that no new dwellings have been approved within the immediate Building Group with the Local Development Plan period.
- 4.12 It is however apparent that the wider Building Group has one new dwelling has been approved referenced in Table 1 (LPA Ref: 20/00486/FUL) and illustrated within Figure 3 above. Members of the Local Review Body concluded within this recent approval that there was a building group present within the vicinity, despite being on both sides of the B6400 and the proposal is in keeping with the local character whilst contributing to the sense of place. Members also accepted the proposed manmade landscape boundary to form an element of containment, agreeing the proposal will not break into an open field and countryside. It is therefore considered this approval sets a precedent for the acceptance of the proposed development this application relates to. It is important to emphasize that this building group includes a house on the same side of the road as the subject sites.
- 4.13 Taking Policy HD2 into account, there is scope for two further dwellings within Belses. There are no vacant properties or buildings that are capable of conversion within the building group, within the applicant’s ownership.
- 4.14 It is considered the proposal complements the character of the building group with the dwellings positioned on both sides of the adopted road serving the properties with built form surrounding the site, situated within the heart of the grouping. As such the chosen location is therefore deemed the most appropriate location for the properties. The proposal is therefore considered to satisfy criteria a) of Section (A) of Policy HD2.

Policy HD2 A Part b) *The cumulative impact of new development on the character of the building group, and of the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts.*

- 4.15 The existing and proposed enhancement to the landscaped boundary bordering the site further ensures the proposal does not impinge upon the local character of the area, sitting well within the setting of the building group, whilst reducing the visual impact of the dwellings and safeguarding the amenity of residents from the adjoining properties to the south.
- 4.16 The proposed built form does not extend beyond the building line of the neighboring properties to the south and west, ensuring they do not impinge upon the open landscape. This is further supported by the contained landscape in which the site lies and the indicative height of the proposal, anticipated to be 1.5 storey dwellings, not exceeding beyond the height of neighboring dwellings that extend up to two storeys in height.
- 4.17 The proposal will largely be unnoticed in landscape impact terms and from public receptor points (i.e., public roads and footpaths) as illustrated in Figure 5 below. The existing hedgerow adjoining the public road to the south of the site is sought to be retained and enhanced, acting as a natural shield, restricting the view from passers-by.
- 4.18 The proposed landscaping from the east will further soften the approach from afar, complying with the New Housing in the Countryside SPG where man-made boundaries are considered acceptable. Again, the new access will contain the plots in question.
- 4.19 Overall, it is considered the site proposal is compliant with Policy HD2 A Part b).

Figure 5 Image taken from the west looking down onto the Building Group, highlighting the sites landscape containment.



Policy HD2 A Part c) *any consents for new build granted under this part of this policy should not exceed two housing dwellings or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.*

- 4.20 Having reviewed the online planning portal, there have been no new plots within the Building Group within the current Local Development Plan period, as outlined above. We, therefore, consider there is scope for an additional two dwellings within the plan period in accordance with section (A) of Policy HD2 Part c.
- 4.21 As such, we consider the site to be a logical location and a sustainable form of development relating well to the existing building group which has capacity for further dwellings.

4.22 **GOA 2:** The resulting visual impact of the development would not be adverse and, would not conflict with policy PMD2.

Appellant's Case

4.23 We set out below why this development should proceed in line with Policy PMD2, demonstrating the proposal will not result in having an adverse visual impact upon the character of the local area.

4.24 Policy PMD2 Quality Standards sets out a range of sustainability, placemaking and design, accessibility and open space/ biodiversity requirements whereby the proposals must:

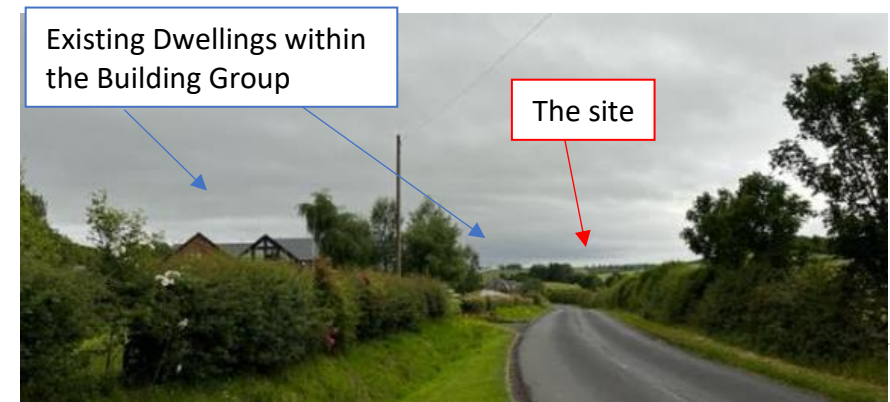
- Take appropriate measures to maximise the efficient use of energy and resources, in terms of layout, orientation, construction and energy supply;
- Make provision for sustainable drainage;
- Incorporate appropriate measures for separate storage of waste and recycling;
- Incorporate appropriate landscaping to help integration with the surroundings;
- Create a sense of place, based on a clear understanding of context;
- Be of a scale, massing and height appropriate to the surroundings;
- Be finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality;
- Be compatible with, and respect, the character of the surrounding area, neighbouring uses and neighbouring built form;
- Be able to be satisfactorily accommodated within the site;
- Provide for appropriate boundary treatments to ensure attractive edges, and to help integration with the surroundings;
- Incorporate access for those with mobility difficulties;
- Not have an adverse impact on road safety in terms of the site access;
- Incorporate adequate access and turning space for vehicles including those used for waste collection purposes; and
- Retain physical or natural features which are important to the amenity or biodiversity of the area.

4.25 The site is situated within a rolling hill landscape with the proposed dwellings sitting within the low-lying topography, not breaching upon the skylines, largely concealed behind an existing property within the building group as illustrated within Figure 5 above, minimizing the landscape impact.

4.26 As previously discussed, the existing and proposed enhancement to the landscape boundary bordering the site further ensures the proposal does not impinge upon the local character of the area, sitting well within the setting of the building group whilst further reducing the visual impact of the dwellings and safeguarding the amenity of the adjoining properties.

4.27 Although the detail of the design is reserved for a later stage, the applicant seeks to use natural materials, complimenting the rural environment in which it lies. There are minimal visual impacts from public receptor points from the road to the south with the retention of the existing landscape buffer adjoining the site and the set-back positioning of the dwellings within the plot. Overall, it is considered the proposal will not have an adverse impact on the landscape due to not impinging upon the skyline, sitting below the existing build-form within the Building Group, complying with Policy PMD2.

Figure 6: Image taken from the east, looking west towards to the site and the Building Group, noting the mature hedgerow bordering the site



GOA 3: The development is not contrary to policy PMD2 of the Local Development Plan 2016 in that the means of access onto a public road would not adversely affect the road safety of this road.

Appellants Case

4.28 We set out below why this development should proceed in line with Policy PMD2, demonstrating the proposal will not adversely affect the road safety of the adjoining public road.

4.29 A mentioned above, Policy PMD2 Quality Standards sets out a range of accessibility requirements whereby the proposals must:

- Not have an adverse impact on road safety in terms of the site access; and
- Incorporate adequate access and turning space for vehicles including those used for waste collection purposes.

4.30 SWECO have provided a Transport Technical Note which forms part of the submission package for this appeal and can be found within Core Document 5. The note provides clarity, rationale and justification for the proposals in response to the above reason for refusal and the Roads Officers concerns raised in relation to the access onto the public road and the pedestrian movement within the locality.

4.31 SWECO have concluded the development proposals will improve the safety of the surrounding road network by removing the farm access to the west and limiting traffic through the access currently serving both the dwellings and the farm. The proposed junction will deliver visibility requirements to Councils standards and is suitable in form given its proposed use.

4.32 The rural nature of the location and the lack of public facilities means there are no missing pedestrian links and it is considered that any additional pedestrian infrastructure would be very infrequently used due to both the population size and the lack of obvious destination.

4.33 Overall, it is considered the proposal is compliant with Policy PMD2 in that it has been demonstrated the proposal will have no adverse impact on road safety in terms of site access.

GOA 4: There are no other material considerations which warrant refusal of the application. The material considerations have not fully been taken into account. The SPP and NPF4 both support and promote further rural housing and investment in the communities.

Appellants Case

4.34 Reason for Refusal Ground 4: There are no other material considerations which warrant refusal of the application. The material considerations have not fully been taken into account. The SPP and NPF4 both support and promote further rural housing and investment in the communities.

4.35 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. This was recognized by the Local Review Body in the granting of the nearby residential plot (LPA ref: 20/00486/FUL).

4.36 Our clients' aspirations are for this site to provide two new properties, representing an opportunity to invest in the rural community to help address the current housing shortfall. The proposal also represents a form of rural diversification associated with the adjoining New Belses Farm, preparing for a time of change within the partnership and improvements to the farm business. Any financial return will be reinvested into the farm partnership.

4.37 The proposed development supports the ethos of the Draft NPF4 through the provision of rural housing. The draft NPF4 seeks to encourage rural investment, encouraging development to contribute to the viability, sustainability and diversity of rural economies and communities.

4.38SPP 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 the rural villages of Lilliesleaf and Ancrum, whilst being only 7 miles outside of Jedburgh. 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 the rural community, 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, utilising sustainable technologies such as PV panels and air source heat pumps.
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 Jedburgh and the rural villages of Ancrum and Lilliesleaf. The additional residents the proposed dwelling will bring to the building group 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 a much-needed family sized dwellings. The applicant also Farms at the adjoining Farm with the proposal acting as a form of rural diversification, assisting in enabling the longevity of the farm operations in this increasingly difficult economic environment.
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, and will also sustain the local rural primary schools at Lilliesleaf and Ancrum.
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 and will include renewable technologies.

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 gardens within the site offers an opportunity for an array of activities as well as nearby walks and cycle routes. The site is also well located for the existing amenities provided by Ancrum, Lilliesleaf and Jedburgh.
Having regard to the principles for sustainable land use set out in the Land Use Strategy;	The proposed site is in a sustainable rural location, within cycling distance to Ancrum and Lilliesleaf, 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 within the building group.
Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.	The safeguarding of the existing landscaping as well as the proposed additional landscaping 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.

Plots 1 and 2 at Land North of Belses Cottage, Jedburgh, TD8 6UR

CONCLUSION

CONCLUSION

5.1 The submitted appeal, supported by this statement, seeks to overturn the Council's decision to refuse planning permission for the Planning Permission in Principle Application relating to the residential dwellings at the Plots 1 and 2 at Land North of Belses Cottage, Jedburgh, TD8 6UR.

5.2 In summary:

- The proposal represents a logical extension of the Building Group adjoining the existing built-up area, which has the capacity to accommodate two additional dwellings within this local plan period, in accordance with Policy HD2.
- Members of the LRB has previously approved similar proposals within the Building Group as demonstrated within Table 1 above.
- The proposal is sympathetic to the character of the building group, positioned in a logical location and will have no detrimental impact upon the amenity of neighbouring residents, ensuring there are adequate separation distances between the existing properties resulting in no overlooking or loss of daylight/sunlight.
- The site is primarily visible from the adopted road to the south of the site upon approach from the west, noting the visibility will be restricted due to the low-lying topography in which the site lies and the existing neighbouring dwelling shielding the plot. In addition, the existing and proposed landscaping along the eastern and southern boundaries, further enhancing the aesthetics, screening views from the south. Overall, the visual impact of the proposal on the local area is considered to be minimal.
- The proposal will provide a high-quality family-sized dwelling within this desirable and sustainable location, within cycling distance to Lilliesleaf and Ancrum which benefits from schools, shops, post office, pub, and other local services, supported by the Draft NPF.

- We have acknowledged the safety concerns from the Roads Officer and have provided a supporting technical note to address these concerns.
- The proposal will utilise sustainable renewable technologies.
- The proposal will assist in meeting the strong demand for rural homes in the Scottish Borders.

5.3 As we have demonstrated through this statement, we consider that the proposal complies with the development plan, and LDP Policies HD2 and PMD2 against which the original applications were refused.

5.4 There is a presumption in favour of applications that accord with the development plan unless there are significant material considerations that indicate the development plan should not be followed.

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.

5.6 The proposal is considered with the guiding principles of the SPP, and we do not consider that there are any impacts which are significant and demonstrably outweigh the presumption in favour of development. We therefore respectfully request that the appeal be allowed.

APPENDICIES: 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: Planning Statement

Core Doc 5: Transport Note prepared by SWECO

F E R G U S O N P L A N N I N G

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

