



PLANNING STATEMENT

**LAND NORTH OF SPRINGHALL FARM, KELSO,
SCOTTISH BORDERS**

**PLANNING PERMISSION IN PRINCIPLE FOR THE
ERECTION OF A NEW DWELLING HOUSE WITH
ASSOCIATED INFRASTRUCTURE WORKS**

APPLICANT: KEVIN STEWART SENIOR

FEBRUARY 2022

CONTENTS

1.	Introduction	1
2.	Site Context and Key Planning History	2
3.	The Development	5
4.	Planning Policy	8
5.	Development Consideration	13
6.	Conclusion	17

Appendices:

Appendix 1: Site Location Plan

Author	Date
Lucy Moroney	31/01/2022
Approved	Date
Tim Ferguson	31/01/2022

FERGUSON
PLANNING

GOING
THE EXTRA
MILE

1. Introduction

- 1.1 This Planning Statement has been prepared by Ferguson Planning in support of an application for Planning Permission in Principle submitted on behalf of Mr Kevin Stewart for the erection of a new dwelling house with associated infrastructure, located within land North of Springhall Farm, Kelso. A site location plan can be found in within Appendix 1.
- 1.2 The proposal is for our client who farms at Springhall to semi- retire to. Mr Stewart owns the land in question but not the farm to which he farms. The proposal would enable him to remain local and work on the farm whilst enabling himself to own a property as he heads towards retirement.
- 1.3 The site is close to Kelso, enabling the proposal to contribute to the vitality and viability of Kelso's local services and facilities.
- 1.4 This statement has been prepared to consider the sites context and relevant planning policy, before explaining the developments compliance with the development plan and related material considerations.
- 1.5 The following documents and drawings have been prepared by the consultant team and are submitted in support of this planning application. Notable, the submission documents are in accordance with Scottish Borders Council's Validation Requirements for planning applications of this nature.

Table 1.1 Planning Application Documents

Planning Document	Consultant
Application Form	Ferguson Planning
Planning Application Fee	Applicant
Planning Statement	Ferguson Planning
Business Plan	FBR Seed
Habitat Survey	Elendale Environmental

Table 1.2 Planning Application Drawings/ Plan

Drawing	Consultant
Site Location Plan	CSY
Existing Plans	CSY
Indicative Visualisation	CSY
Sequential Plan	CSY

2. Site Context and Key Planning History

- 2.1 This Planning Application in Principle (PPP) relates to the Planning Consent for the erection of a single dwelling house at land within the Woodland Strip, north of Springhall Farm, Kelso.
- 2.2 The site is located approximately 230m to the north of Springhall Farm, two miles from the centre of Kelso, along the A698 towards the settlement of Birgham. At present, the site is within a clearing with no trees proposed to be felled. There is an existing stone wall adjoining the southern eastern and western border, with an access adjoining the A698. There are mature trees to the north and south which seek to be retained.

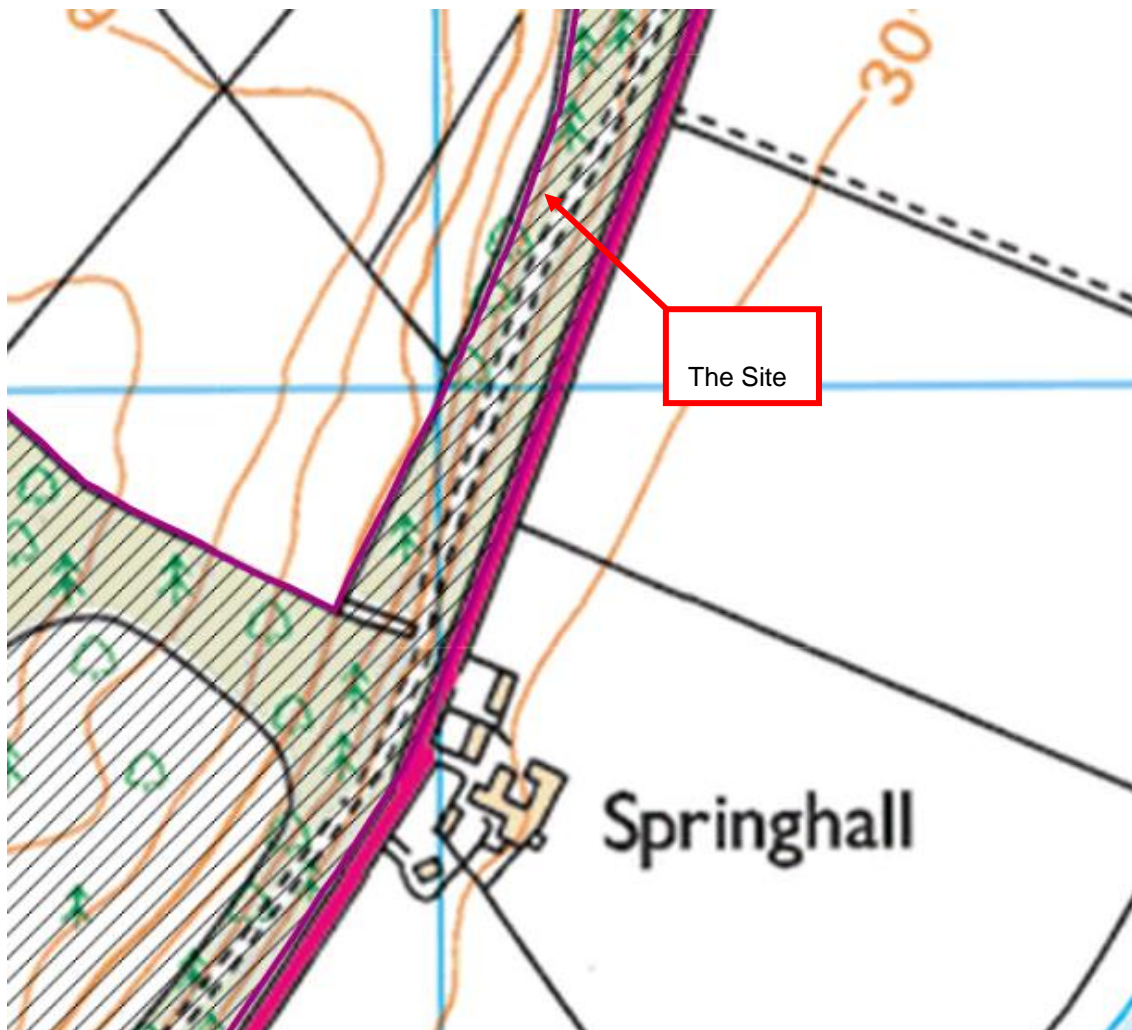
Figure 1: Site Location (Google Maps)



- 2.3 In terms of topography, the site rises slightly to the west, from the A698 and then appears to be relatively flat beyond the site boundary.
- 2.4 With regards to the Local Development Plan adopted proposals map, the site holds no specific allocations or designations and is considered to be 'white land'.

- 2.5 The proposed dwelling is shown indicatively within the plot, towards the west of the site. The intention being that they would be set within the contained landscape, set back from the road, minimising the potential landscape visual impact whilst enhancing the amenity of future residents.
- 2.6 In terms of accessibility, the site is approximately 2 miles (11-minute cycle/ 40- minute walk/ 4- minute drive) to the town centre of Kelso, offering a range of services and facilities, along with ongoing public transport with the local bus stops to Melrose, Galashiels and Tweedbank for rail services to Edinburgh City Centre.
- 2.7 In terms of Heritage, there are no listed buildings on or within proximity to the site however the site does fall within Hendersyde Park which is a listed gardens and designated landscape as illustrated on Figure 2 below.

Figure 2: Environmental Scotland



- 2.8 The Scottish Environment Protection Agency (SEPA) are the statutory body for flood management in Scotland and maintain flood risk maps for public and development purposes. The site does not fall within an area at risk of river flooding.

Planning History

- 2.9 Referring to the Scottish Borders City Council planning application search, there has been one planning application related to this site for a proposed dwelling house (LPA Ref: 20/01434/PPP), submitted by FBR Seed LTD, on behalf of the applicant Mr Kevin Stewart. The planning application was validated in December 2020 and withdrawn on the 28th March 2021 following the recommendation for refusal on the grounds a significant economic case was not provided to support a new dwelling on the far.
- 2.10 In terms of the consultee responses received, a summary can be found below.

Consultee	Comment
Archaeology officer	No Objection
Historic Environment Scotland	No Objection - the proposal is considered to not raise historic environment issues of national significance.
Scottish Water	No Objection
Roads Planning	Objection, further supporting evidence required.
Economic Development	No Comment

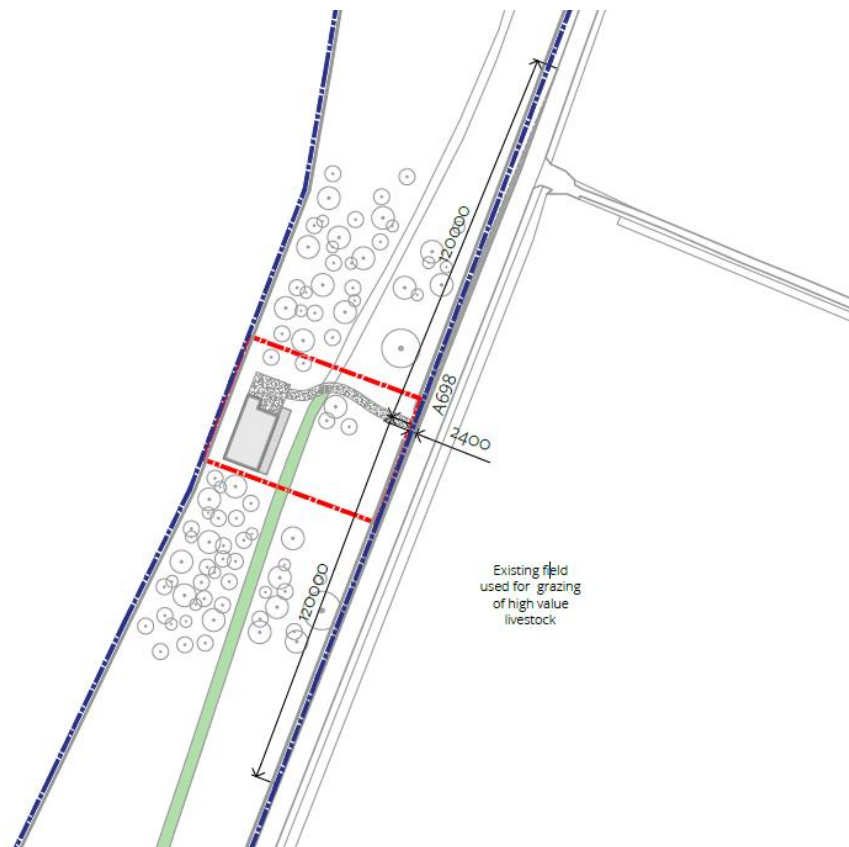
3. The Development

3.1 This section sets out details of the proposed development. The description of which is as follows:

“Planning Application in Principle for a single Residential Dwelling with associated Amenity, Parking, Infrastructure and Access at located at a site within Land North of Springhall Farm, Kelso”.

3.2 The proposed development involves the provision of a single detached residential property with associated infrastructure, located within a Woodland Strip North of Springhall Farm, Kelso. The site location is identified within Appendix 1 of this report and proposed Site Plan in Figure 3 below.

Figure 3: Proposed Site Plan



3.3 In terms of layout, the dwelling is proposed to be positioned to the west of the site. Careful consideration has been taken in the positioning of the proposed dwelling within the site to ensure the dwelling is set back from the A698 and within the existing landscape containment, reducing the visual impact from the public receptor points to the east. The proposal has also considered the orientation of the property, maximising the daylight and sunlight provision and privacy of residents.

3.4 The historic access will be reinstated off the A698, forming an access track which meanders through the site, ensuring the retainment of the existing trees on site.

- 3.5 The proposal is sited between the existing mature trees, set back from the roadside, ensure it does not impinge upon the streetscape of the area within its Countryside Setting. As the proposal is within a clearing, no trees are proposed to be felled and additional planting forms part of the development, enhancing the natural surrounding environment. This is further supported by the height of the proposal, forming a single storey dwelling, further mitigating its landscape impact as illustrated in Figure 4 below.

Figure 4: Indicative Visualisation



- 3.6 The private outdoor amenity provision will be substantial, complimenting the natural rural environment in which is surrounds. The site benefits from being bordered by existing trees and vegetation which will be retained where possible.
- 3.7 There is an existing off-road pedestrian/ cycle path, owned by the applicant, running from north to south as illustrated in Figures 1 and 3 above, providing safe on foot access to Springhall Farm.
- 3.8 The applicants would be willing to enter into a suitably worded legal agreement to restrict the occupation of the house to persons solely, mainly or last employed within the Springhall Farm Business. This would ensure the continued availability of a second farmhouse for future generations.
- 3.9 As the application is for Planning Permission in Principle, the requirement to submit detailed drawings to secure the outstanding elements of the design in the next stage of the Planning process is acknowledged.
- 3.10 It is proposed that the dwelling would support renewable energy technology at every opportunity, along with using a high-quality material such as timber cladding.
- 3.11 The supporting Business Plan prepared by FBR Seed provides further justification for the economic benefits the proposal will bring to the farm and wider community. The Business Plan demonstrates there is a clear need for an agricultural retirement dwelling to enable the existing farmhouse to be released for occupation by the next generation.
- 3.12 The applicants Family have farmed at Springhall Farm for 58 years, demonstrating long-term commitment to providing a high- quality sheep enterprise, contributing to the rural economy within the Borders.

3.13 The labour requirement for all the land farmed amount to a significant scale of enterprise and the need for the principle personnel to be living on site is considered imperative for the farms continued success for generations to come.

4. Planning Policy

4.1 This section outlines the principle planning policy considerations which have informed the emerging development proposals and which provide the context for the consideration of the proposed scheme.

Scottish Planning Policy (SPP) 2014

4.2 SPP creates a presumption in favour of sustainable development and establishes that the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs 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. Specifically, policies and decisions should be guided by key principles, including:

- giving due weight to net economic benefit.
- responding to economic issues, challenges and opportunities, as outlined in local economic strategies.
- supporting good design and the six qualities of successful places.
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities.
- supporting delivery of accessible housing, business, retailing and leisure development.
- supporting delivery of infrastructure, for example transport, education, energy, digital and water.
- supporting climate change mitigation and adaptation including taking account of flood risk.
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation.
- having regard to the principles for sustainable land use set out in the Land Use Strategy.
- protecting, enhancing and promoting access to cultural heritage, including the historic environment.
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

The Scottish Borders Local Development Plan

- 4.3 The Scottish Borders Local Development Plan (LDP) was adopted on 12th May 2016 and sets out the policies on development and land use within the Scottish Borders.
- 4.4 The emerging Local Development Plan 2 for the Scottish Borders is at an advanced stage and was presented to the full council on 25th September 2020. The formal consultation period is between 2nd November 2020 and 25th January 2021. As the plan is nearing adoption, it should be considered a material consideration.
- 4.5 With reference to the adopted Scottish Borders Proposals Map (2016), the site is within the Settlement Boundary of Kelso and forms part of the designated landscape area.
- 4.6 The key policies under which the development will be assessed include:
- LDP Policy PMD1: Sustainability
 - LDP Policy HD2: Housing in the Countryside
 - LDP Policy PMD2: Quality Standards
 - LDP Policy HD3: Protection of Residential Amenity
 - LDP Policy HD4: Meeting the Housing Land Requirements/ Further Housing Land Safeguarding
- 4.7 **Policy PMD1: Sustainability:** The preparation of the Local Development Plan was heavily, by the acknowledged “need for action on climate change” and the Council’s Environmental Strategy, which sit behind the ‘support and encouragement of sustainable development’ across the Borders. Policy PMD1 sets out the “sustainability principles which underpin all the Plan’s policies” and that the Council expects to inform development proposals and planning decisions:
- a) the long-term sustainable use and management of land
 - b) the preservation of air and water quality
 - c) the protection of natural resources, landscapes, habitats, and species
 - d) the protection of built and cultural resources
 - e) the efficient use of energy and resources, particularly non-renewable resources
 - f) the minimisation of waste, including wastewater and encouragement to its sustainable management.
 - g) the encouragement of walking, cycling, and public transport in preference to the private car.
 - h) the minimisation of light pollution
 - i) the protection public health and safety

- j) the support of community services and facilities
- k) the provision of new jobs and support to the local economy
- l) the involvement of the local community in the design, management, and improvement of their environment.

4.8 **Policy HD2: Housing in the Countryside:** Section E of Policy HD2 address development proposals for housing relating to Economic requirements. The adopted text of section E has been copied below:

Housing with a location essential for business needs may be acceptable if the Council is satisfied that:

- a) The housing development is a direct operational requirement of an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, 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. Such development could include businesses that would cause disturbance or loss of amenity if located within an existing settlement, or
- b) It is for use of a person last employed in agriculture, horticulture, 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 agriculture, horticulture, forestry or other enterprise which is itself appropriate to the countryside, and
- c) 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
- d) No appropriate site exists within a building group, and
- e) There is no suitable existing house or other building capable of conversion for the required residential use.

4.9 **Policy PMD2: Quality Standards:** The Policy sets out a range of sustainability, placemaking and design, accessibility and open space/ biodiversity requirements, whereby the proposal 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.
- Retain physical or natural features which are important to the amenity or biodiversity of the area.

4.10 **Policy HD3: Protection of Residential Amenity:** The Policy states that “development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against:

- a) the principle of the development, including where relevant, any open space that would be lost; and
- b) the details of the development itself particularly in terms of:
 - i. the scale, form, and type of development in terms of its fit within a residential area,
 - ii. the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking, loss of privacy and sunlight provisions. These considerations apply especially in relation to garden ground or ‘back land’ development,
 - iii. the generation of traffic or noise,
 - iv. the level of visual impact.”

4.11 **Policy EP5: Special Landscape Areas:** in assessing proposals for development that may affect Special Landscape Areas, the Council will seek to safeguard landscape quality and will have particular regard to the landscape impact of the proposed development, including visual impact. Proposals that have a significant adverse impact will only be permitted where the landscape impact is clearly outweighed by social or economic benefits of national or local importance.

Material Considerations

Case Law

4.12 The recent appeal decision (LPA ref: PPA-14-2088) published 18th May 2021 in relation to the erection of 22 dwellings at 54 Edinburgh Road, Peebles, the reporter concludes that there is a “Significant five-year effective land shortfall” alluding there is c.631 housing shortfall in terms of 5-year housing land supply. The proposals of this nature can assist in addressing the identified shortfall.

New Housing in the Borders Countryside Supplementary Planning Guidance (SPG)

- 4.13 The Supplementary Planning Guidance provides “advice and assistance with the siting and design of new housing in the Borders countryside”. Pertinent sections of the Guidance have been identified below.
- 4.14 The Guidance accepts that “the Borders area is not uniform in its landscape character” and that for “new housing to be absorbed successfully into a particular landscape it is important that the setting is selected by respecting the local landform, the field patterns and the tree and hedgerow cover”.
- 4.15 The Guidance continues to establish that the development of “new housing in harmony with its immediate and wider surroundings” is possible by “respecting the local landform, the pattern of fields and the distribution of tree and hedgerow cover”.
- 4.16 The Guidance sets out that the existence of a Building Group “will be identifiable by a sense of place which will be contributed to by:
- natural boundaries such as water courses, trees or enclosing landform, or
 - man-made boundaries such as existing buildings, roads, plantations or means of enclosure.
- 4.17 The Council’s expectations for elements of the proposed design which relate to access are also included in the Guidance, “in the interests of public safety it is therefore important that any new houses in the countryside are served by a vehicular access of a safe standard and provided with adequate on-site facilities for vehicle movement and parking.”

Draft NPF4 (2021)

- 4.18 The Draft NPF4 was published in November 2021 and is currently out for consultation until March 2022. The plan promotes rural housing development whilst contributing to the rural economy supporting the sustainability of farming businesses. The proposal seeks to provide a retirement farmhouse associated with Springhall Farm, for generations to come.

5. Development Consideration

5.1 This section of the statement sets out the key planning considerations arising from the proposal, setting out a reasoned justification for the development in the context of the adopted planning policy and the specifics of the site and its surroundings.

Principle of Development

5.2 The proposal seeks to provide a retirement dwelling associated with Springhall Farm, Kelso. The applicant is the current farmer at Springhall Farm who is now approaching retirement age. The applicant's parents remain in residence in the farmhouse at Springhall and are of an age and health status that mean they are no longer able to participate in or monitor any kind of farming activity. In due course, it is proposed that the applicant's son will succeed the tenancy from the applicant and inhabit Springhall Farmhouse when no longer occupied by his grandparents

5.3 The site is situated a short distance from the farm (circa 230m) which is easily accessible from the existing footpath as illustrated in Figure 3 above. The location provides a convenient distance to the farm if assistance is needed, whilst still obtaining a rural location away from the noisy operations of the farm.

5.4 It is acknowledged planning policy encourages dwellings tied to a farm to be immediately adjacent to the existing built form. The applicant has reviewed alternative sites however it is considered the proposed location is to be the best suited for the following reasons and as illustrated in Figure 5 below.

- All buildings at Springhall Farm are currently fully utilised by the farm business,
- The proposed site does not encroach on any of the prime, grade 2 farmland (of which there is only 2.2% in Scotland).
- The proposed site is in a clearing and requires no trees to be felled,
- The proximity of the site to the fields allows the monitoring and security of high value stock to be maintained.

Figure 5: Illustrated Map outlining the neighbouring Farm



- 5.5 The principle of development is considered to be acceptable as the proposal comprises the erection of a retirement dwelling associated with the working farm at Springhall, positioned in logical and sustainable location for future residents who may require extra care and support of family nearby, in accordance with section E of Policy HD2. The proposal will also contribute to the Scottish Borders Housing Land Supply supported by policy HD4 of the LDP.
- 5.6 As previously discussed, the supporting Business Plan prepared by FBR Seed provides further justification for the economic benefits the proposal will bring to the farm and wider community. The Business Plan demonstrates there is a clear need for an agricultural retirement dwelling to enable the existing farmhouse to be released for occupation by the next generation.
- 5.7 The applicants have farmed at Springhall Farm for a number of years, demonstrating long-term commitment to providing a high- quality sheep enterprise, contributing to the rural economy within the Borders.
- 5.8 The labour requirement for all the land farmed amount to a significant scale of enterprise and the need for the principle personnel to be living nearby is considered imperative for the farms continued success for generations to come.
- 5.9 As it is a tenanted farm, the proposal allows the opportunity for this dwelling to be owned by the applicant for retirement whilst allowing future generations to continue with current farm operations.

Residential Amenity

- 5.10 The proposal has been prepared to provide a good level of amenity for future occupiers of the proposed dwelling, set back a considerable distance from the road with the woodland, creating a pleasant natural environment. Although the detail of the proposal is deferred for future consideration, the indicative layout and location of the property within the site has ensured there

is scope for a dwelling with the site that will have no adverse impacts on overshadowing and daylight/ sunlight provision whilst protecting privacy of residents.

- 5.11 As the proposals provides a good level of amenity on-site and safeguards the amenity of the surrounding area, it is considered to be in accordance with Policy HD3.

Design and Materiality

- 5.12 In accordance with policy PMD2 'Quality Standards' the indicative illustrates illustrate the proposal does not exceed beyond a single storey in height, whilst taking a similar approach to the design of the neighbouring dwelling to the north of the site with timber cladding which was approved back in 2015 under ref: 15/01425/FUL as illustrated in figure 6 below:

Figure 6: Neighbouring Dwelling approved under ref: 15/01425/FUL



- 5.13 Whilst this is a Planning Permission in Principle application, it is intended to use high quality materials that relates well to the sites rural setting, such as timber.

Sustainability

- 5.14 The proposal intends to support a sustainable for of development through renewables such as solar panels, air source heat pumps and electrical charging points in accordance with policy PMD1.
- 5.15 The site is within a 40-minute minute walk/ 11- minute cycle into the town centre of Kelso, providing access to a wide range of services and facilities including onwards public transport to Tweedbank train station for direct service to Edinburgh. It is therefore considered to encourage a sustainable mode of transport with residents being less reliant on the car.

- 5.16 In addition to the above, the proposed site is within walking and cycling distance to Springhill Farm, where family members occupy the farmhouse providing convenient support to the occupants of the proposed retirement dwelling as and when required.

Ecology

- 5.17 Ellendale Environmental were instructed by the Applicant to conduct an Extended Phase 1 Habitat Survey on-site. The Survey found no evidence of protected species on-site.
- 5.18 Further details of the Survey can be found in the supporting statement forming part of the submission package.

Access and Parking

- 5.19 The proposal includes an improved access off existing track directly onto the A698, onto a private driveway and car parking space deemed adequate for a proposal of this nature.
- 5.20 We acknowledge the Transport Officers concerns with the access of the previous planning application. Similar access arrangements are evident for lands at Springhall Farm to the south and at Springhall Farm cottages, steading and farmhouse at Springhall, setting a precedent for the acceptability of a direct access onto the A road. With that said, additional visibility splays would be provided.

Housing Need and Economic Benefits

- 5.21 We consider, while modest in scale, it will also assist in meeting SBC five-year housing land supply to which we consider to be a shortfall. This has been concluded by the recent case law (LPA ref: PPA-14-2088) published 18th May 2021 in relation to the erection of 22 dwellings at 54 Edinburgh Road, Peebles. The reporter concludes that there is a “Significant five-year effective land shortfall” alluding there is c.631 housing shortfall in terms of 5-year housing land supply.
- 5.22 Again, the proposal will support local jobs, creating economic benefits during the construction process and support the local rural economy.

6. Conclusion

- 6.1 Ferguson Planning has been appointed by Kevin Stewart (the applicant) to submit this Planning Statement in support of a Planning Application in Principle (PPP application) for one residential dwelling, together with associate infrastructure located within a Woodland Strip North of Springhall Farm, Kelso.
- 6.2 It will entitle the current farmer to semi-retire on land within their full control, enabling future generations to continue with farming the lands nearby.
- 6.3 The proposal utilises an underutilised site, enclosed within the landscape, offering much needed retirement living, it will also contribute to the housing land supply with the borders supported by Policy HD4.
- 6.4 The proposed dwelling has been careful positioned and designed ensuring there is a good level of amenity for future occupiers and providing good quality standards using sustainable methods in accordance with Policies PMD1, PMD2 and HD3. It again will be a high-quality building material and supported by renewable technology.
- 6.5 It is proposed to create one improved vehicle access point off the adjoining the A698 to the east to serve the new dwelling. The proposed development is considered to be acceptable in transport terms taking a similar approach to neighbouring dwellings.
- 6.6 Overall, it is thought that the proposal is in accordance with relevant adopted Planning Policy of the Local Development Plan and wider planning material considerations. It is therefore respectfully requested that planning permission is granted.

Appendix 1: Site Layout Plan

should not be used for any other purpose without the originators consent. Do not scale from this drawing.



CAMERONS
STRACHAN
YUILL
ARCHITECTS

client:	Ferguson Planning
project:	Springhall, Kelso 10167
title:	Location Plan
status:	Planning in Principle
scale:	1:2500 @ A3
number:	3.01
drawn:	JP
date:	24/11/2021
rev:	a

DALKETH EDINBURGH EYEMOUTH GLASGOW	11 South Street 46 The Shore 28 Harbour Rd 1 Wickerhaugh	EH22 1AH EH6 6DU TD14 5PH TD1 1QJ	0131 663 9735 0131 553 7555 01896 756429 01896 753077
---	---	--	--

