

**SCOTTISH BORDERS COUNCIL**

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

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF :** 16/01492/FUL

**APPLICANT :** Mrs Louisa Gardiner

**AGENT :** Roderick James Architects LLP

**DEVELOPMENT :** Change of use from derelict agricultural building and alterations to form dwellinghouse

**LOCATION:** Derelict Agricultural Building North Of Ladyurd Farmhouse  
West Linton  
Scottish Borders  
Scottish Borders

**TYPE :** FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
13	Site Plan	Approved
1	Existing Layout	Approved
2	Existing Layout	Approved
3	Floor Plans	Approved
4	Floor Plans	Approved
5	Existing Elevations	Approved
6	Existing Elevations	Approved
7	Existing Elevations	Approved
8	Existing Elevations	Approved
9	Elevations	Approved
10	Elevations	Approved
11	Elevations	Approved
12	Elevations	Approved
RETAIN/REBUILD	Photos	Approved

**NUMBER OF REPRESENTATIONS: 0**

**SUMMARY OF REPRESENTATIONS:**

Archaeologist: No objections. There are no known implications for this proposal.

Contaminated Land Officer: No objection. An informative is advised in respect of the potential for land contamination from former use.

EHO: Details of water supply and drainage sought pre-determination. The applicant advised that private water supply and drainage (septic tank) proposed.

Roads: The access road will require to be upgraded to an acceptable standard prior to occupation of the dwelling. Thereafter the road must be maintained to the agreed standard in perpetuity. In addition a passing place along the track is to be agreed and provided.

Education: The proposed development is located within the catchment area for Newlands Primary School and Peebles High School. A contribution of £1051 is sought for the High School.

Ecologist: The Ecologist recommends mitigation following review of the ecological surveys. No species licence is required. An informative is advised regarding potential for encountering bats during works. A condition is required regarding works outwith the bird breeding season. A species protection plan is required for works within the bird breeding season.

Access Officer: No response received to date.

Community Council: No response received to date

### **PLANNING CONSIDERATIONS AND POLICIES:**

Scottish Borders Council Local Development Plan 2016

PMD2 Quality Standards

HD2 Housing in the Countryside

HD3 Protection of Residential Amenity

EP3 Local Biodiversity

IS13 Contaminated Land

IS2 Developer Contributions

IS9 Waste water Treatment Standards and Sustainable Urban Drainage

"New Housing in the Borders Countryside" SPG

**Recommendation by** - Lucy Hoad (Planning Officer) on 4th August 2017

This application seeks full planning consent for the change of use of agricultural building, together with alterations, in order to provide a dwellinghouse at Ladyurd Farmhouse, West Linton. The application is accompanied by detailed plans, elevations and a structural survey.

Principle of the development

The building is a traditional unlisted C19 steading building constructed of stone and slate. Whilst the building is in a derelict condition, it is considered to be of architectural merit with the potential for to be converted into a dwelling. The submitted layout details the extent of the original building that is to be retained, together with a lesser element of dountaking and rebuild. The agent has confirmed that the remaining walls are to be retained to wall head height.

As the details indicate that a significant portion of the overall structure, is to be secured without demolition, the proposal would represent a suitable conversion of the building - with the smaller element of dountaking/ rebuild acceptable in this instance. Thus the principle of the development has been demonstrated and accepted in compliance with policy HD2.

Design

The steading building forms an L-shaped development and forms part of a courtyard layout to include the main farmhouse and separate outbuilding. It is intended to retain the northern portion of the building and take down and rebuild the southern section of the building respecting the existing footprint. The roof of the structure is to be removed and replaced. The drawings indicate that new windows and doors are to be inserted into the existing openings to the south elevations of the building. The window openings proposed to the east elevation will respect the original facade when rebuilt. New window and door openings are to be created in the north and west elevations. It is intended to use natural slate for the roof and natural stone for wall rebuild/repairs. The frames of the windows and doors are to be powder coated aluminium, no colour detailed.

The proposed alterations are in keeping with the scale and character of the building. There is potential for re-use of existing materials. The internal layout of the proposed house will provide a lounge and kitchen area, 2 bedrooms and toilet facilities.

The scale and proportions of these alterations are considered to be visually acceptable in terms of restoring the building for its new use and in the complimentary relationship with the adjacent outbuilding. The proposed external materials are appropriate for the location. Visually the proposed development is deemed to be acceptable, in compliance with Policy PMD2.

#### Amenity

There are no issues with regard to loss of light or privacy stemming from this development in compliance with Policy HD3. There have been no third party representations/comments received on this proposal

#### Ecology

Ecological surveys were submitted in support of the application. The biodiversity interest has been established and mitigation methods can be secured through use of a condition and informative, in compliance with Policy EP3. The council's ecologist has advised that she is content with the submitted Bat Survey which demonstrates that no bat roosts or bat activity were found in the building at the time of the surveys. A bat licence is not required in this instance. However, an informative is advised in respect of the potential for encountering bat presence during works. The bird survey noted the presence of nesting birds and mitigation is therefore sought via condition with works to be undertaken outwith the bird breeding season. A species protection plan would be necessary should works be undertaken during the bird breeding season.

#### Contaminated Land

The building formed part of a former steading for agricultural use and an informative is advised to ensure the applicant is made aware of encountering potential land contamination during works stemming from this historic use.

#### Access and parking

Access to the site is to be taken from the A72 Peebles road via a minor single track private road. The Roads officer advised in his initial response that the road would require to be upgraded to a standard suitable for residential use and sought a meeting to review the track on site. Subsequently the officer advised that works had been undertaken to an acceptable standard post his initial visit. The officer requires a passing place to be agreed and provided on the access track.

As the land falls outwith the ownership of the applicant the council sought comfort that this element could be delivered but to date the applicant has not provided confirmation from the landowner at this stage. The upkeep of the road and final details of the passing place can be secured via condition, providing additional time for the applicant to negotiate delivery. There is adequate room for parking provision within the steading complex.

#### Services

The EHO requested clarification of the water and drainage details. It is proposed to use a private water supply and make private drainage arrangements via a septic tank/soakaway. The EHO was updated but no further response was received. A standard condition regarding water supply would be prudent to ensure that development is adequately serviced with water without a detrimental effect on the water supplies of surrounding properties. The drainage proposals will require to be assessed by the Building Standards Officer/SEPA via the building warrant process.

#### Legal matters

The Education Department has sought developer contributions in respect of school provision and a legal agreement is required in this instance.

#### Summary

The proposed development will ensure that a dilapidated building of historic interest is returned to use and the design respects the agricultural form/character of the structure with minimum intervention. It is recommended that the application be approved subject to the satisfactory conclusion of a legal agreement in respect of developer contributions, and conditions in respect of materials, access, drainage and water supply.

## **REASON FOR DECISION :**

Subject to a legal agreement and compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions

### **Recommendation:** Approved - conditions, inform & LA

- 1 No development shall commence during the breeding bird season (01 March- 31 August inclusive) unless the development is implemented wholly in accordance with a Species Protection Plan for breeding birds that shall be submitted to and approved by the Planning Authority. Any development shall, thereafter, be carried out in accordance with the approved Species Protection Plan.  
Reason: In the interest of preserving biodiversity.
- 2 No development is to commence until a report, by a suitably qualified person, has been submitted to and approved in writing by the Planning Authority, demonstrating the provision of an adequate water supply to the development in terms of quality, quantity and the impacts of this proposed supply on surrounding supplies or properties. The provisions of the approved report shall be implemented prior to the occupation of the building(s)/dwellinghouse(s) hereby approved.  
Reason: To ensure that the development is adequately serviced with water without a detrimental effect on the water supplies of surrounding properties.
- 3 The dwelling shall not be occupied until works for the disposal of sewage and surface water have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.  
Reason: To ensure that satisfactory arrangements are made for the disposal of surface and foul water.
- 4 The dwelling hereby approved shall not be occupied until a single passing place is formed and implemented, to an agreed specification, and at an agreed location on the access track from the A72 to the development. The access track shall be maintained to ensure a smooth free draining running surface in perpetuity.  
Reason In the interests of road safety.
- 5 The external walls of the building as detailed on Drawing 13 and accompanying photo dated 25 July 2017 shall be retained to wall head height and the remaining walls repaired and renewed with salvaged materials, or those that are similar in age, colour and texture to the original, unless the prior written consent of the Planning Authority is obtained for any variation thereto.  
Reason: To ensure that the proposed development does not have an adverse effect upon the appearance of the buildings to be converted.
- 6 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.  
Reason: To ensure that the development is carried out in accordance with the approved details.

### **Informatives**

It should be noted that:

- 1 The applicant is advised to be aware of unexpected potential land contamination that may have occurred prior to site ownership. Should unexpected ground conditions e.g. made ground extending to depth, discolouration or malodorous substances be encountered in excavations or evidence of potential contamination e.g. underground structures, remains of buried wastes or equipment be

encountered during site works Environmental Health Section of the council should be immediately consulted.

- 2 In the event that bats are discovered following the commencement of works, works should stop immediately and the developer must contact SNH (tel: 01896-756652) for further guidance. Works can only recommence by following any guidance given by SNH. The developer and all contractors to be made aware of accepted standard procedures of working with bats at [www.bats.org.uk](http://www.bats.org.uk). Further information and articles available at: [http://www.bats.org.uk/pages/bats\\_and\\_buildings.html](http://www.bats.org.uk/pages/bats_and_buildings.html)  
[http://www.bats.org.uk/pages/existing\\_buildings.html](http://www.bats.org.uk/pages/existing_buildings.html)  
[http://www.bats.org.uk/publications\\_download.php/1404/Bats\\_Trees.pdf](http://www.bats.org.uk/publications_download.php/1404/Bats_Trees.pdf)

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