



PLANNING STATEMENT

**16 HENDERSYDE DRIVE, KELSO, SCOTTISH
BORDERS.**

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

APPLICANT: JAMES HEWITT

JANUARY 2022

CONTENTS

1.	Introduction	1
2.	Site Context and Key Planning History	2
3.	The Development	5
4.	Planning Policy	7
5.	Development Consideration	11
6.	Conclusion	13

Appendices:

Appendix 1: Site Location Plan

Author	Date
Lucy Moroney	18/01/2022
Approved	Date
Tim Ferguson	20/01/2022



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 James Hewitt for the erection of a new dwelling house with associated infrastructure, located in an infill plot on the land adjacent to 16 Hendersyde Drive, Kelso. A site location plan can be found in within Appendix 1.
- 1.2 The proposal will provide much needed residential homes within the Scottish Borders and represents the most suitable and sustainable form of development within the settlement boundary of Kelso, enabling the proposal to contribute to the vitality and viability of Kelso's local services and facilities.
- 1.3 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.
- 1.4 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

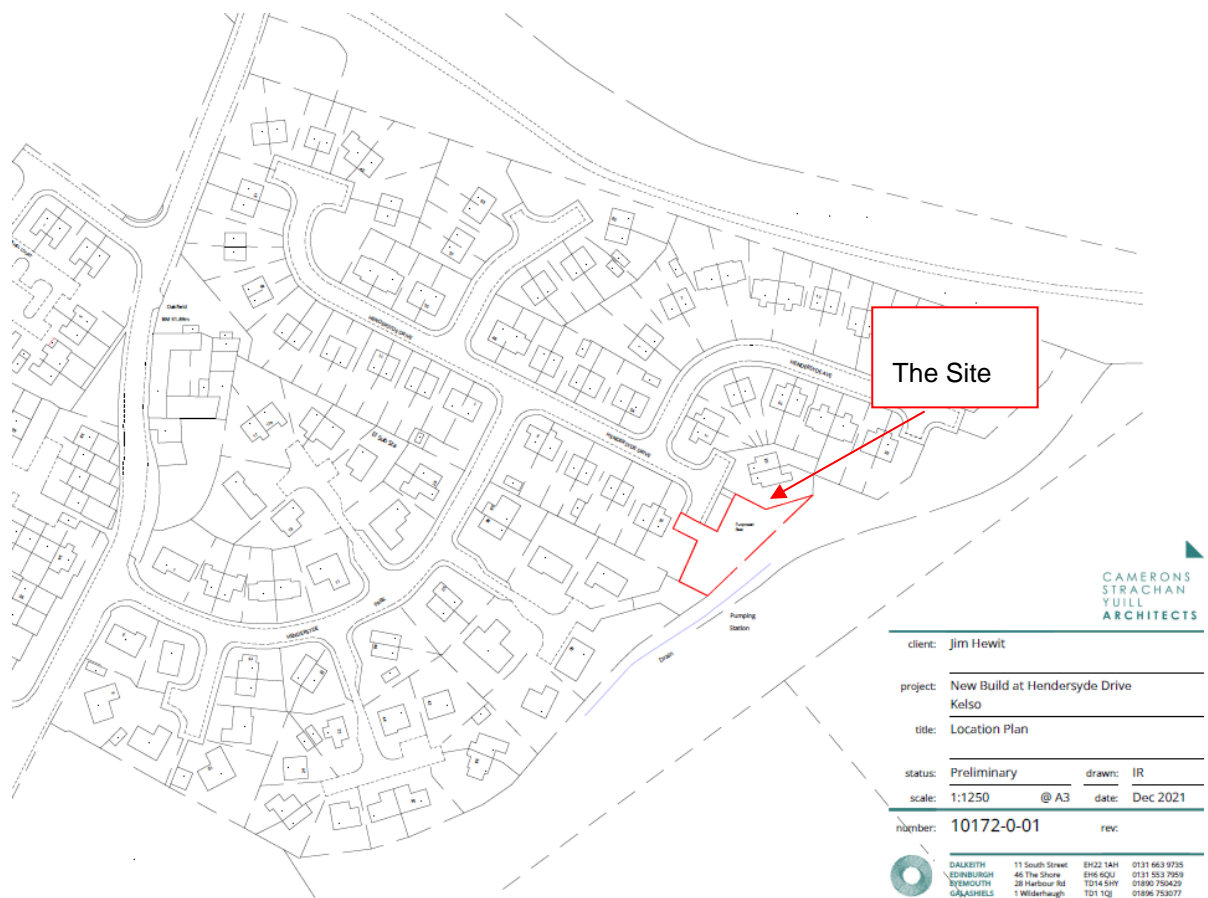
Table 1.2 Planning Application Drawings/ Plan

Drawing	Consultant
Site Location Plan	CSY
Existing Plans	CSY
Indicative Proposed Plans	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 adjacent to 16 Hendersyde Drive.
- 2.2 The site is located within the Settlement Boundary of Kelso, to the far east of Hendersyde Drive, at the end of the cul-de-sac. At present, the site is currently laid to grass, with trees along the western border. Adjoining the site to the north and west are residential properties along Hendersyde Drive.

Figure 1: Site Location



- 2.3 In terms of topography, the site itself is relatively flat, with the topography rising beyond the site boundary to the north.
- 2.4 With regards to the Local Development Plan adopted proposals map, along with being situated within the Settlement Boundary of Kelso, the site also falls within a designated landscape area as illustrated in Figure 2 below.

Figure 2: Adopted Proposals Map



- 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 infill plot and retain the trees towards the eastern border of the site, whilst not extending beyond the building line of the adjoining properties to the north.
- 2.6 In terms of accessibility, the site is approximately 0.8 miles (17-minute walk) 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. Hendersyde Park (6-minute walk from the site) is listed as gardens and designated landscape which is not visible from the site.

Figure 3: 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 have been no historic planning applications to date on this site or notable applications in the neighbouring area.

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 land adjacent to 16 Hendersyde Drive, Kelso”.

3.2 The proposed development involves the provision of a single detached residential property with associated infrastructure, adjoining 16 Hendersyde Drive, to the east of the Col-de-sac, within the settlement boundary of Kelso. The indicative site layout plan is identified below and within Appendix 1 of this report.

Figure 4: Proposed Site Plan



3.3 In terms of layout, the access is proposed off Hendersyde Drive, adjoining number 16 Hendersyde Drive to the west of the plot. The existing parking area is to be retained as illustrated in figure 4 above with two parking spaces proposed for the new dwelling, and the relocation of two new parking spaces for residents at 16 Hendersyde Drive.

3.4 Careful consideration has been taken in the positioning of the proposed dwelling within the site, ensuring there is reasonable separation distances to the existing dwellings adjoining the western and northern borders, safeguarding the daylight and sunlight provision and privacy of residents.

- 3.5 The proposed built form is set back from the road and is considered to not impinge upon the streetscape of the suburban area. This is further supported by the height of the proposal, not existing being the height of the neighbouring two storey dwellings.
- 3.6 Private outdoor amenity provision for the proposed dwelling would be substantial, complimenting the designated landscaped area to the rear. The site benefits from being bordered by existing trees and vegetation to the southeast which will be retained where possible, minimising the visual impact and safeguarding the adjoining Special Landscaped Area.
- 3.7 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.

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 farms 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 PMD2: Quality Standards
 - LDP Policy HD3: Protection of Residential Amenity
 - LDP Policy HD4: Meeting the Housing Land Requirements/ Further Housing Land Safeguarding
 - Policy EP5: Special Landscape Areas
- 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 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.

4.9 **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.”

- 4.10 **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

- 4.11 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.

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 site in question is positioned within the settlement boundary of Kelso, adjacent to existing residential properties along Hendersyde Drive. Policy HD2 states the Council aims to encourage a sustainable pattern of development focused on defined settlements in accordance with the need to support existing services and facilities and to promote sustainable development.
- 5.3 The principle of development is considered to be acceptable as the proposal comprises the erection of a single dwelling together with access, landscaping and associated works on an infill site within a settlement boundary where residential development is encouraged within Policy HD2, further supported by the Draft NPF4 and 20-minute neighbourhoods.

Residential Amenity

- 5.4 The proposal has been prepared to provide a good level of amenity for future occupiers of the proposed dwelling whilst safeguarding the amenity of residents within existing neighbouring properties at Hendersyde Drive and the wider settlement of Kelso. Although the detail off the proposal is deferred for future consideration, the indicative layout and location of the property within the site has ensured adequate separation distancing between properties can be reached, meaning there will be no adverse impacts on overshadowing and daylight/ sunlight provision whilst protecting privacy of residents.
- 5.5 It is considered the indicative scale of the proposed dwelling up to two stories in height is appropriate to the site and the local area. The building height does not extend beyond those of the neighbouring dwellings and the proposal is set back, enclosed within its infill location.
- 5.6 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.

Sustainable

- 5.7 While this application is for Planning Permission in Principle, 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.
- 5.8 The site is within a 17-minute walk into the town centre of Kelso, providing access to a wide range of services and facilities including a 5-minute walk to Broomlands Primary School and a 13-minute walk to Kelso High School, and is therefore considered to encourage a sustainable mode of transport with residents being less reliant on the car, supported by the Draft NPF4.

Access and Parking

- 5.9 The proposal includes a new access directly onto Hendersyde Drive to the west, onto a private driveway with the provision of two car parking spaces deemed adequate for a proposal of this nature.

Housing Need and Economic Benefits

- 5.10 We consider, while modest in scale, will 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.
- 5.11 Again, the proposal will support local jobs, creating economic benefits during the construction process.

Landscaping

- 5.12 As discussed above, it is considered the private outdoor amenity provision for the proposed dwelling would be substantial, complimenting the designated landscaped area to the rear. The site benefits from being bordered by existing trees and vegetation to the southeast which will be retained where possible, minimising the visual impact and safeguarding the adjoining Special Landscaped Area in accordance with Policies HD3 and EP5.

6. Conclusion

- 6.1 Ferguson Planning has been appointed by James Hewitt (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 at land adjacent to 16 Hendersyde Drive, Kelso, TD5 7TZ.
- 6.2 Whilst the proposal utilises this sustainable site, enclosed within the landscape, it will also contribute to the housing land supply with the borders supported by Policy HD4.
- 6.3 The proposed dwelling has been carefully positioned and designed ensuring there is a good level of amenity for future occupiers whilst safeguarding the privacy of the neighbouring dwellings and providing good quality standards using sustainable methods in accordance with Policies PMD1, PMD2 and HD3.
- 6.4 It is proposed to create one new vehicle access point off the adjoining Hendersyde Drive to the west to serve the new dwelling. The proposed development is considered to be acceptable in transport terms. As the site is within walking distance to the local services and facilities, the proposal would support the idea of the 20-minute neighbourhood encouraged within the Draft NFP4.
- 6.5 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



