


John Hayward
Planning & Development Standards Manager

PJ Lewis
The Bothy
Castleside
Ashkirk
Scottish Borders
TD7 4PF

Please ask for:
 Brett Taylor
X6628
21/00183/PREAPP
Our Ref:
Your Ref: Brett.Taylor@scotborders.gov.uk
E-Mail:
Date: 26/04/2021

Dear Mr Lewis

PROPOSAL: Erection of dwellinghouse

LOCATION: Land adjacent to The Cottage, Castleside, Ashkirk, Scottish Borders, TD7 4PF

The evaluation on the following pages provides a written response to the above pre-application enquiry by the allocated planning officer. It does not comprise any decision made by Scottish Borders Council and its Committees and the advice is not legally binding on the determination of a forthcoming planning application.

The evaluation is the opinion of the planning officer. Should a formal application subsequently be submitted, it shall be subject to statutory consultation and full assessment by the Council. This evaluation shall not prejudice the Council's full consideration of the formal application including any consultation comments and public representations which may be received.

The information provided in this response may be subjected to a Freedom of Information Request under the Freedom of Information (Scotland) Act 2002. It will be for Scottish Borders Council to determine what, if any, information will be or not be exempt from such a request, in accordance with this legislation.

Yours faithfully

John Hayward

Planning & Development Standards Manager

SCOTTISH BORDERS COUNCIL RESPONSE TO PLANNING PRE-APPLICATION ENQUIRY

Comments provided by	Officer Name and Post: Brett Taylor Planning Officer (Development Management)	Contact e-mail / number: Brett.Taylor@scotborders.gov.uk ☎ X6628
SBC Enquiry Reference	21/00183/PREAPP	
Date	26 April 2021	
Proposed Development	Erection of dwellinghouse	
Site Location	Land adjacent to The Cottage, Castleside, Ashkirk, Scottish Borders, TD7 4PF	
Background / Site History	<p>19 September 2012 – Planning permission granted for the change of use of steading buildings to form six dwellinghouses and the erection of bio-mass boiler room and fuel store (11/00213/FUL).</p> <p>31 March 2009 – Planning permission granted for alterations and extensions to dwellinghouse (09/00119/FUL).</p>	
Planning Policies and Guidance	<p>Relevant planning policies and supplementary guidance would include:</p> <p>Scottish Borders Local Development Plan (2016)</p> <p>PMD1, PMD2, HD2, HD3, EP1, EP2, EP3, EP5, EP13, EP16, IS2, IS3, IS7, IS9</p>	

The [Scottish Borders Local Development Plan 2016](#) can be accessed online

Supplementary Planning Guidance

- Development Contributions (2018)
- Householder Development (incorporating Privacy and Sunlight Guide) (2006)
- Landscape and Development (2008)
- Placemaking and Design (2010)
- New Housing in the Borders Countryside (2008)
- Trees and Development (2008)
- Waste Management (2015)

The Approved and Draft Planning Guidance of Scottish Borders Council can be accessed [online.](#)

The following evaluation represents the informal opinion of the planning officer on the submitted pre-application enquiry. It does not comprise a decision made by Scottish Borders Council.

Assessment

The key planning issues that would be considered in the assessment of a formal planning application would be:

- the principle of the development
- layout, siting and design of the dwellinghouse
- impact on neighbouring amenity and privacy
- access and parking;
- natural heritage
- site servicing

PRINCIPLE OF DEVELOPMENT

The Scottish Borders Local Plan (2016) sets out the proposal would be considered a “Local” development under the hierarchy of development.

Accounting for the adopted policies and guidance of the Council on Placemaking and design, I can advise that erection of a dwellinghouse to serve the farm at would be assessed against Policy HD2 part A (Building Groups).

Within this policy, the proposed replacement of an existing house may be acceptable provided that:

1. the Council is satisfied that the site is well related to an existing building 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 conversion has been implemented;
2. the cumulative impact of new development on the character of the building group, and on 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;
3. any consents for new build granted under this part of this policy should not exceed two housing dwellings of a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.

In addition, where a proposal for new development is to be supported, the proposal should be appropriate in scale, siting, design, access, and materials, and should sympathetic to the character of the group.

The calculations on building group size are based on the existing number of housing units within the group as at the start of the Local Development Plan period. This will include those units under construction or nearing completion at that point.

I consider the proposal meets the requirements of this policy.

LAYOUT, SITING & DESIGN

Based upon the submitted plan I can advise as follows:

It is important to ensure that all new development is of a high quality and respects the environment in which it is contained. The site plan shows the position of the dwelling at the rear of the site with parking situated behind with the access taken from the farm track.

With respect to the site plan, given the comments from our Roads Planning Officer (see below) regarding access not being suitable. Consequently, the position of the house would have to be re-positioned so the access (with parking for two vehicles) can be taken directly of the public road.

The principle of the pitch roof design is acceptable, however, looking at the visualisations provided, I feel the proposal is too high and a single or one and half storey house would be more appropriate in this context of the immediate surrounding area. The proposals must also ensure that adequate amenity ground is incorporated into the final designs.

The external finishing materials make an important contribution to the overall character and appearance of a building and should relate to the neighbouring dwellings and be of a high quality.

The Council has supplementary planning guidance 'Placemaking and Design' emphasises that new development must integrate well with the existing pattern of development, build upon the established character of the area and contribute positively to a sense of place. The proposed development of a house is considered to respect the character of the area and would contribute to a sense of place.

AMENITY AND PRIVACY

The Council has adopted supplementary guidance and planning policies which seek to protect residential amenity.

Any new development should ensure that it does not conflict with neighbouring properties to the northeast, particularly in terms of daylight, sunlight, overshadowing, overbearing and privacy. Given the size of the plot I envisage no issues in respect of amenity and privacy.

LANDSCAPE

In order to comply with policy EP13 (Trees, Woodlands and Hedgerows) and given the context of the site with hedgerows and mature trees a tree survey with a tree protection plan will be required for any future application.

A landscape plan should be included giving details of plant species and locations. This would help integrate the development with the surrounding area.

ROAD SAFETY

The Council's Roads Planning Officer has been consulted regarding the proposals.

The proposed site is situated on an unrestricted section of rural road. Recent development has seen the conversion of the steading to residential dwellings to the north-east of the proposed site with two existing cottages in between the two development sites.

An agricultural access lies immediately to the south of the proposed development site however the construction of this is not suitable for residential traffic and I have concerns over the visibility afforded to this access and the potential mix of use between residential and agricultural traffic. Providing suitable sightlines can be achieved it may be more advantageous to have direct access from the public road and turning within the site to allow vehicles to re-join in a forward gear.

Should the planning department be minded to support a dwelling at this location then the following points would need to be satisfactorily addressed at detailed planning stage;

- Appropriate access to the plot for residential traffic.
- Adequate visibility splays, appropriate to the speed of traffic at this location.
- Parking and turning for two vehicles within the plot.

ENVIRONMENTAL HEALTH

Environmental Health would be consulted and it is likely that further information/conditions regarding the proposed water supply and waste water systems would be requested/recommended. Evidence from Scottish Water would be required if the proposed site can be connected to the public mains and the public sewer.

If the proposals are to include a flue for a woodburning stove, a standard condition to safeguard neighbouring residential amenity would be attached to any future permission.

FLOODING

The Council's Roads Planning Officer has been consulted regarding the proposals. Their comments are provided below:

In terms of information that this Council has concerning flood risk to this site, I would state that The Indicative River & Coastal Flood Map (Scotland) known as the "third generation flood mapping" prepared by SEPA indicates that the site is at risk from a flood event with a return period of 1 in 200 years. That is the 0.5% annual risk of a flood occurring in any year.

The Indicative River & Coastal Flood Map (Scotland) has primarily been developed to provide a strategic national overview of flood risk in Scotland. Whilst all reasonable effort has been made to ensure that the flood map is accurate for its intended purpose, no warranty is given. Due to copyright restrictions I cannot copy the map to you however, if the applicant wishes to inspect the maps they can contact me to arrange a suitable time to come in and view them.

The SEPA indicative flood mapping shows a 1 in 200 year flood envelope for the Ale Water encroaching onto the area of the proposed development and the only access/egress road to the site. I would therefore require that a Flood Risk Assessment (FRA) is undertaken to develop a 1 in 200 year plus climate change flood level and assess if the new development is at risk of flooding and if appropriate how much flood plain storage is lost. The FRA should include the access road to the property. Should the FRA show that compensatory storage is required the FRA should include measures to provide this.

Ideally a Finished Floor Level (FFL) above the 1 in 200 year plus climate change level should be developed with an appropriate allowance for freeboard.

The FRA should provide details of the flood risk associated with a 1 in 200 year flood event plus 35% climate change at this site and any level and survey information should be provided in metres Above Ordnance Datum.

The FRA should include:-

- Flow velocities
- Flood depths
- Flow paths
- Details of mitigation measures to reduce flood risk including details of compensatory storage

Additionally site boundary drainage will be required specifically to the rear of the proposed property. This is because the land to the rear of the property is a steep banking and could potentially cause some surface water run off towards the proposed house.

Please note that this information must be taken in the context of material that this Council holds in fulfilling its duties under the Flood Risk Management (Scotland) Act 2009.

CONTAMINATED LAND

Policy IS13 advises that where development is proposed on land that is contaminated or suspected of contamination, appropriate site investigation and mitigation will be required.

If the site has been previously used for agricultural purposes the Council's Contaminated Land Officer may require investigation into any potential contamination and mitigation, if necessary. This may be a condition of the Planning Permission, if approved.

HERITAGE AND ARCHAEOLOGY

I anticipate no issues in respect to this.

DEVELOPMENT CONTRIBUTIONS

Developer contributions will be required in respect of Waverley-Line restatement. This currently stands at £2093.

I envisage no contributions would be required for affordable housing or education provision, although this may change.

A legal agreement would be necessary to secure these contributions in the event that planning permission is granted.

ECOLOGY

The Council's Ecology Officer would be consulted regarding the suitability of the proposals.

Given the site appears to be in an open field which is bounded by a steep bank to the rear with a number of mature trees located adjacent to the site with the Ale Water (part of the River Tweed Special Area of Conservation located opposite). Breeding birds, bats may use trees and shrubs and

these may be affected by the development. The habitats may support commuting and foraging badgers.

Ideally planning applications should be supported by at least a preliminary ecological appraisal (<https://www.cieem.net/guidance-on-preliminary-ecological-appraisal-gpea->). Planning conditions are likely to be required to safeguard breeding birds, bats and possibly badgers.

WASTE MANAGEMENT

Scottish Borders Council's Waste Services collection vehicles will only collect waste and recycling from the nearest public road. Therefore provision should be made for a properly designed collection point at the junction with the public road.

Officer's conclusion

Object

Do not object

Do not object, subject to advice above being followed