

APPEAL STATEMENT



ERECTION OF HOLIDAY LET ACCOMMODATION

LAND NORTH EAST OF RUNNINGBURN FARM, STICHILL

OCTOBER 2022

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EXECUTIVE SUMMARY

- The appellant is seeking a review of the officer's decision to refuse application 22/00575/FUL at Land North East of Runningburn Farm, Stichill, Scottish Borders which sought permission for the 'Erection of holiday let accommodation'.
- The appellant seeks a review of this decision, as the appellants disagree with the conclusions reached by officers in relation to their policy assessment of the proposals. It is considered that the officer should have engaged with the agent as information has been ignored in relation to an alternative access proposal and this would have affected the conclusions reached; the assessment should have been informed by a site visit; and sufficient weight has not been applied to significant material considerations, in support of this application.
- The holiday accommodation will support and enhance the current wedding business which has made a strong recovery in the last 18 months following the pandemic and continues to go from strength to strength.
- The lodge will provide accommodation for the bridal party over wedding weekends. This is something offered by other venues and requested by both previous and future wedding bookings at Runningburn. It will give the existing wedding business a further advantage over competitors and allow the appellants to meet identified demand from their clients. It will also represent a further farm diversification project to support the wider family business.
- The appellants will run the holiday lodge themselves and have extensive experience of running their business, 'Runningburn Premier Events Venue' in recent years, as well as extensive experience in running a business (the farm) and working in hospitality for over 40 years prior to that. The Business Plan provides a substantial case that the initial infrastructure costs can be met and will provide a viable business from year 1 of operations.
- It will make a valuable contribution to Scotland's tourist economy which generated over 14.5 million visitors in 2015, and £5 billion in overnight visitor spend. The proposal will continue to support employment of three current staff outlined in the supporting Business Plan, as well as numerous local suppliers indirectly such as chair hire companies, and catering as well as those recommended by the Runningburn team to wedding parties, including

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nearby accommodation, florists, hairdressers, beauticians, transport hire, across the Borders.

- The proposal will deliver luxury accommodation on the side of a beautiful pond. The log cabin and green roof, will ensure it blends into the existing natural and rural surroundings, offering a unique experience without making an impact on the surrounding area.
- The proposed location has been specifically chosen to offer stunning views and privacy that a wedding couple are looking for, allowing guests to completely unwind.
- The cabin is designed to be entirely off-grid and as self sufficient as possible. Electricity on-site will be generated by a new solar photovoltaic array.
- The sequential assessment demonstrates there are no other suitable buildings for reuse or adaption, as they are all in use as part of the day-to-day workings of the farm or form the existing wedding venue.
- Alternative access can be provided around the farm, addressing the Roads Planning comments satisfactorily.
- There are no landscape designations on the site and therefore it is not considered to have high visual sensitivity. A visual assessment has been undertaken by the architect to support this appeal. It shows that views to the site are screened by intervening topography and landscape and tree planting. The development is for one holiday lodge and is small scale and the assessment indicates there would be little impact upon the existing landscape character and rural visual amenity in the key views identified.
- In contrast to the officer's report, we consider the proposals are in fact compliant with policies ED7 and PMD2. There are also several material planning considerations that weigh in its favour, not least the significant benefit that the proposal can bring to the existing wedding business, farm income and local tourist economy - strongly supported at a national policy level by both SPP and Draft NPF4.
- Whilst every application is decided on its merits, we also highlight several precedent examples which show similar proposals in similar settings have already been accepted by SBC elsewhere in the Borders.
- We therefore respectfully request that this appeal is therefore allowed by the Local Review Body.

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1. INTRODUCTION

- 1.1 This statement is submitted on behalf of James Neil and Son (the appellant) and sets out the grounds of appeal against the decision of the Scottish Borders Council (SBC) to refuse planning application LPA ref: 22/00575/FUL by delegated decision on 18 July 2022.
- 1.2 The detailed planning application sought the “Erection of holiday let accommodation” at Land North East of Runningburn Farm, Stichill, land which is owned by the appellant.
- 1.3 The SBC had two reasons for refusal of the application:

1. The development would be contrary to **Policy ED7** of the Local Development Plan 2016 in that insufficient information has been submitted to demonstrate that the proposal is capable of being developed and operated as a viable holiday accommodation business in this location, potentially resulting in unsustainable development in an undeveloped rural landscape. The need to site the development in this rural location has not been adequately justified.

Furthermore, the proposal has not fully assessed the requirement of Policy ED7 to reuse existing buildings, brownfield sites and/or to locate the proposal adjacent to existing buildings. The proposed development would appear divorced from the operation of Runningburn Farm and wedding venue, and within previously undeveloped land.

As a result, the proposed development would represent a sporadic and unjustified form of development in the countryside, which would set an undesirable precedent for similar unjustified proposals.

2. The development would be contrary to **Policy PMD2** of the Local Development Plan 2016 in that its siting and design would not respect and be compatible with the character of the surrounding area and would result in a significantly adverse impact upon existing landscape character and rural visual amenity.

The proposed private vehicular access to the site would pass through a working farm steading which would conflict with agricultural movements and would result in adverse impacts on road safety and design standards contrary to PMD2.

- 1.4 Other technical consultees commented as follows:

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Consultee	Response
Roads Planning	Some concerns regarding the access to the site via the working farm. An alternative solution was proposed prior to the decision by the agent, but not acknowledged by the planning officer. We address this in Section 5.
Landscape Architect	Not consulted - the site has no landscape designations, and the site is not considered to have high visual sensitivity.

- 1.5 There was no opportunity afforded to the appellant or their agent to address any of these concerns or queries during the determination period. The application was refused without any discussion or request for further information, despite the agent requesting correspondence during the determination period by email and phone.
- 1.6 The appellant has now provided the additional information as part of this appeal submission which addresses these concerns. This could have all been made available to the officer during the determination period if communication had been forthcoming and a request had been made. We therefore request that the LRB accept the following documents as part of their review.

Appendix	Appeal Document Description
1	Business Plan - Confidential
2	Sequential Site Assessment and Photos
3	Visual Impact Study
4	Proposed and Alternative Access Route and Photos

- 1.7 The remaining sections in this appeal statement comprise:
- A description of the appeal site and surrounding context (Section 2).
 - A description of the proposed development (Section 3)
 - The need for the development (Section 4)
 - The appellant's grounds for appeal (Section 5)
 - Material considerations in favour of the appeal proposals (Section 6)



- Summary of the appellant’s case (Section 7)
- 1.8 This appeal statement should be read in the context of all supporting evidence documents submitted as appendices to this appeal statement above, and all those from the previous planning application which are listed below:

Document from Original Planning Application	Author
SBC Decision Notice and Officers Report	SBC
Architectural Drawings <ul style="list-style-type: none"> ▪ Location Plan ▪ Proposed Site Plan ▪ Proposed Plans 	Caledonian Logs
Supporting Design Statement	Caledonian Logs

- 1.9 This appeal is made to the Local Review Body on the basis it was a local application, which was determined by 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. On that basis, we respectfully request that this appeal is allowed.

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2. SITE LOCATION AND PLANNING CONTEXT

- 2.1 Runningburn farm has been owned and run by the appellant, James Neil (Jim) and his partner, Yvonne since 2010. It is located on the outskirts of the village of Stichill, approximately four miles north of the nearest town of Kelso, in the Scottish Borders.
- 2.2 The appellant's farm is predominantly arable, and extends across 60 acres, within the blue ownership boundary shown in Figure 1 below.

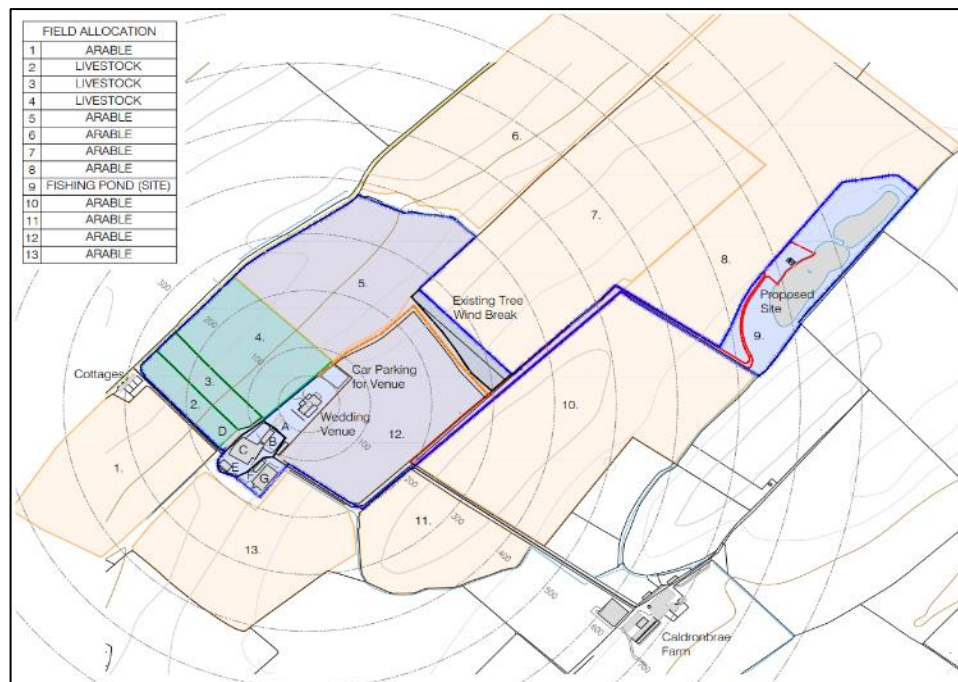


Figure 1: OS map of appellant's existing farm holding

- 2.3 The proposed development site for the new holiday accommodation is located to the northeast of the existing farm and wedding venue, shown in Figure 1 above. In planning terms, the site is within the countryside. It is not within a designated 'Special Landscape Area'.
- 2.4 The holiday accommodation will be located on the banks of the pond, used, and stocked as a private fishing pond by the appellant. It will replace the existing boat shed on the site (Figure 3).
- 2.5 The pond and wooden jetty are already used as central part of the current wedding business as a popular spot with the wedding party for photographs (Figures 4 and 5) and is easily accessed via the well-established grass track as shown in Figure 2 below.

2.6 The location on the farm adjacent to the pond has been chosen for its unique location with panoramic views across open fields.



Figure 2: Proposed site and existing grass track



Figure 3: Proposed site and existing fishing hut (to be replaced by appeal proposals)

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Figure 4: Existing Pond and jetty used by wedding parties for photographs



Figure 5: Example of location currently being used for wedding photography

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3. NEED FOR DEVELOPMENT

- 3.1 The appellants have been running a very successful wedding and events company on the farm, known as 'Runningburn Premier Events Venue', since 2016. Prior to that, they have amassed vast experience in the hospitality industry and farming business. Due to the success of the venue, they have also employed an experienced part-time weddings and events manager to support them with the day-to-day administration and co-ordination of events, all outlined in the Business Plan.
- 3.2 The appellants currently host weddings in a brand new, modern barn which was approved by the Scottish Borders Council in April 2020 (Ref 20/00123/FUL) and labelled 'wedding venue' on Figure 1 and shown in the images below (Figure 6).
- 3.3 Prior to this, the events were held in a temporary marquee. However, growing demand, due to the business unique location led to need for a permanent insulated and heated structure which would allow the appellants to host weddings all year round, despite the weather conditions.



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Figure 6: Photographs of the Existing Wedding Venue (Source: Runningburn Facebook Page and ukbride.co.uk)

3.4 They regularly receive glowing recommendations from past clients, with both the appellants mentioned for their level of service and the location highlighted as being the key selling points. In 2019, the appellants won 'Best Scottish Countryside Wedding Venue 2019'. We have highlighted some of this feedback below (source: ukbride.co.uk):

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- *Review 1 - "Yvonne and Jim made it such an easy process to organise our wedding...couldn't be more helpful caring and professional...a stunning perfect place for our wedding, all of our guests commented on how beautiful it was".*
- *Review 2 - "Yvonne and Jim know how to take the stress out of organising a wedding...add the location and view and it is just the perfect place".*
- *Review 3 - "Runningburn was my first and only choice for our wedding last year. The location is just simply amazing. Yvonne and Jim were just first class".*
- *Review 4 - "The setting is stunning - beautiful views which we were lucky to have as the backdrop for our outdoor ceremony. Being able to slip away in the 4x4 for a wee while with the photographer for some special photos was wonderful".*

3.5 The appellants are now seeking to build upon their existing wedding business and enhance their wedding offer to clients by offering overnight accommodation on site. The need for the accommodation is driven by the following:

- *Direct client feedback requesting the opportunity to stay on site the night before and after the wedding itself, to prolong their wedding experience. We have provided testimonials to this effect in Appendix 3 of the Business Plan.*
- *To offer a significant attraction to guests to further promote the wedding offer at Runningburn, in line with other similar venues. An enhancement to the overall client experience, setting the venue apart from other competition.*
- *A unique offer to returning couples for anniversary / special occasions, that again provides a differential for clients of Runningburn over other venues.*
- *It will complement the 'exclusive use' hire that clients expect, by offering the ability to stay over the night before to set up the marquee as desired, and after the wedding to unwind.*
- *It represents a further farm diversification project which will support the existing wedding business, which is growing from strength to strength, maintaining local jobs for staff and all local suppliers.*
- *The need for the location is evidenced by the successful growth of the business to date. The demand and feedback from customers, is largely about the rural views and location, which clients are attracted to for the 'wow' factor. The*

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appellant wants to add to this experience, by offering clients the opportunity to spend a night or two in this fantastic location too.

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4. PROPOSED DEVELOPMENT

4.1 The proposals seek planning permission for the following:

“Erection of holiday let accommodation”

4.2 The proposal will deliver a highly sustainable, environmentally sensitive, innovative, and enjoyable holiday location, complementing and enhancing the high amenity farm surroundings and their accessibility to the public. It will be entirely off grid and powered by the proposed solar photovoltaic array, as shown on the site plan in Figure 7 below.

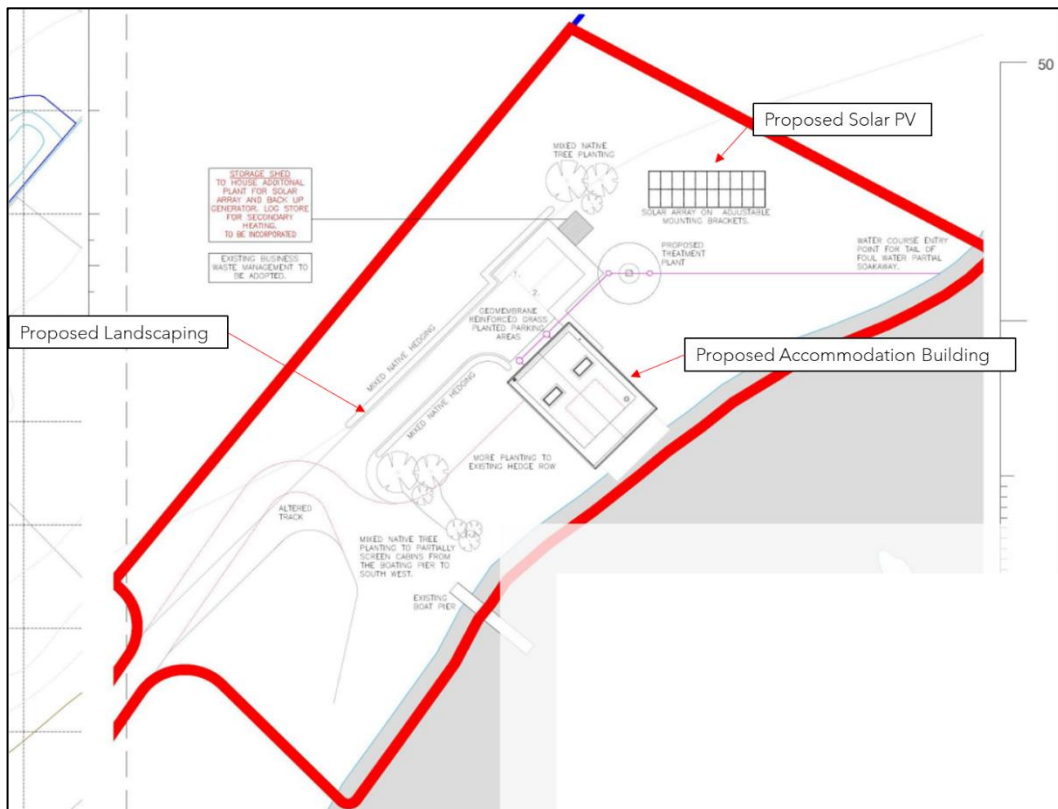


Figure 7: Proposed Site Layout Plan

4.3 The proposed dwelling is a timber 'Post and Beam' house, to be delivered by Caledonia Log Homes, Scotland's premier log home building, hand sourcing Scottish timber for their builds. The proposed design and elevation of the property is set out below (Figure 8).

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Figure 8: Elevation of Property (SDA)

Design, Appearance and Materials

- 4.4 The accommodation will comprise two bedrooms, with open plan kitchen/dining/living space on the main level.
- 4.5 The materials selected compliment the site and over time will help blend the house into the environment. The 'Post and Beam' structure will be pre-manufactured offsite, handcrafted using materials sourced from local forests that are Forestry Stewardship Council (FSC) approved. All the timber cladding, soffits, fascia, and internal finishes are locally sourced and cut to size in Caledonia's Sawmill based in Liliesleaf.
- 4.6 The wood's natural greying process can be prevented by applying a transparent protection oil. Alternatively, the log work and cladding can be left untreated to allow the wood to age naturally and blend into its surroundings. The panels between the posts will be clad using locally sourced FSC approved larch cladding. All windows and doors will be aluminium clad windows with an extruded aluminium exterior, powder-coated with industrial-strength paint for superior resistance to fading and flaking.
- 4.7 The pitched grass roof with extended overhang to protect the structure from the element. It also helps to ground the building and blend into its surroundings (as shown in the example in Figure 9).

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Figure 9: Typical example of a 'post and beam' cabin by Caledonia Log Homes at Eildon Melrose Holiday Cottages

Sustainability

- 4.8 The desire is to be 'off-grid' and as self-sufficient as possible, with a sustainable energy solution for environmental comfort. The high level of insulation within the building fabric help create a highly efficient building. Electricity will be generated on site through a solar array. Any excess electricity generated will be stored in batteries and distributed around the site. The lighting within the building will be low energy using LED lamp sources that have 8+ years of lamp life and low energy consumption.

Access

- 4.9 The existing private track on the site will be upgraded with the inclusion of new passing places. Crushed aggregate will be used to allow any excess surface water to drain away, preventing ponding. Car parking spaces will be provided adjacent to the cabin. The proposed property would be completely private, and given its location, off grid. The appellants are keen to use green building techniques, technology, and practices to make it as environmentally responsible as possible.

Landscaping

- 4.10 Improvements to the existing hedge row and new native tree planting is proposed to partially screen cabins from the boating pier to the south west.

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5. GROUNDS OF APPEAL

SBC'S REASON FOR REFUSAL #1

- 5.1 *The development would be contrary to Policy ED7 of the Local Development Plan 2016 in that insufficient information has been submitted to demonstrate that the proposal is capable of being developed and operated as a viable holiday accommodation business in this location, potentially resulting in unsustainable development in an undeveloped rural landscape. The need to site the development in this rural location has not been adequately justified.*
- 5.2 *Furthermore, the proposal has not fully assessed the requirement of Policy ED7 to reuse existing buildings, brownfield sites and/or to locate the proposal adjacent to existing buildings. The proposed development would appear divorced from the operation of Runningburn Farm and wedding venue, and within previously undeveloped land.*
- 5.3 *As a result, the proposed development would represent a sporadic and unjustified form of development in the countryside, which would set an undesirable precedent for similar unjustified proposals.*

APPELLANT'S RESPONSE

- 5.4 Proposals are required to satisfy only one criteria of Policy ED7 Part 1 (criteria a), b) or c)) and all criteria of Policy ED7 Part 2 (criteria a) to f)). We assess each of the relevant criteria in turn below.

Policy ED7 – Part 1 – Criteria b) requires that “the development is to be used directly for leisure, recreation, or tourism appropriate to a countryside location and, where relevant, it is in accordance with the Scottish Borders Tourism Strategy and Action Plan”. “Where a proposal comes forward for the creation of a new business including that of a tourism proposal, a business case that supports the proposal will be required to be submitted as part of the application process”.

- 5.5 The appellant's agent was not given the opportunity to provide a Business Plan as part of the determination process, as there was no communication from the case officer despite the agents attempts to seek feedback in advance of the determination. The appellant has now provided a detailed Business Plan with this appeal.
- 5.6 The officer has already noted however that, *“I am content that a tourist development in the countryside could be possible in the correct location”.*



- 5.7 The Business Plan provides detailed information on the extensive experience that both the appellants and their appointed staff have in running a wedding business, and that they can successfully apply to running the proposed holiday accommodation.
- 5.8 Prior to setting up 'Runningburn Premier Events Venue', the appellant James Neil (Jim) has successfully worked in farming for over 45 years and previously also worked within the hospitality sector, owning, and managing a pub with onsite restaurant for 5 years. His partner, Yvonne can draw upon extensive experience in the hospitality sector (over 40 years) including experience running 6 high-end houses, with responsibility for all aspects of booking administration, guest services and maintenance.
- 5.9 Now successfully running 'Runningburn Premier Events Venue' alongside the farming business, the few testimonials (of which there are many more) in Section 3, serve to highlight how capable and experienced the appellants are in running a wedding and events business.
- 5.10 The Business Plan also outlines costs of the development against projected income. It provides a substantial business case that the initial infrastructure costs can be met by the appellant and the accommodation will provide a viable holiday accommodation business from year 1 of operations. All costs for income for the holiday let relate to the pricing and occupancy rates provided by the appellant's team market research.
- 5.11 The project is entirely aimed as further farm diversification and to support the existing wedding business, addressing an identified demand from guests to date, who seek accommodation on site. It would not promote the establishment of a permanent residential unit, as this land form part of the appellant's farm holding and there is no intention to do this. As the officer confirms in his report, planning conditions can be imposed to ensure that this use is regulated.
- 5.12 The appeal proposal therefore clearly fits with the Scottish Borders Tourism Strategy (2013) and meets all five strategic targets:
- Increasing volume of overnight visitors
 - Increasing level of visits to visitor attractions and activity venues
 - Increasing level of spend across visitor attractions
 - Increased visitor demand through extension of season

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- Increasing overnight visitor spend,

5.13 It also meets the strategies action plan for accommodation which seeks to:

- Ensure a relevant range of types of accommodation is available across the region to meet evolving market demand and expectations. Identify opportunities where better quality and new products can 'lead' and generate new demand and continue to raise average quality quotient across all forms of accommodation.

5.14 The officer has already acknowledged the diversification aims and potential fit with the Tourism Strategy. With the addition of a Business Plan, the appellants have now provided complete reassurance on the viability of the proposals and its support to the wider family farm business. The proposals are therefore compliant with Part 1 (b).

5.15 Policy ED7 - Part 2 - Criteria a) requires that development respects the amenity and character of the surrounding area.

5.16 The architect from Caledonia Log Homes, has prepared a visual impact assessment, which has been provided at **Appendix 3**. It provides several viewpoints towards the proposed development site. It clearly shows that the proposal will have very limited visibility from any neighbouring sensitive receptors or within the wider landscape.

5.17 The only viewpoint from which the proposal may be visible is from the public road to the north east, adjacent to Stichill Eastfield Farm and the farm itself. However, there is an existing boat shed on site in the same location, and the design of the proposal has been deliberately chosen to blend in with the current landscape by choice of materials, and the proposed green roof.

5.18 The amenity and character of the surrounding area will therefore not be impacted by the proposals and is compliant with criteria a).

5.19 Policy ED7 - Part 2 - Criteria b) the development must have no significant adverse impact on nearby uses, particularly housing.

5.20 There are no immediately neighbouring uses or neighbouring housing, which would be affected by the proposed development. Views are limited and addressed in reference to Criteria a) above. The development will therefore have no adverse impact and is considered compliant with Criteria b).

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5.21 Policy ED7 – Part 2 – Criteria c) where a new building is proposed, the developer will be required to provide evidence that no appropriate existing building or brownfield site is available.

- 1.1 A sequential site analysis has been provided with this appeal. Please refer to **Appendix 2**.
- 1.2 There are eight existing buildings on the farm, including the existing wedding venue. The photographs appended to the sequential plan, clearly shows that the buildings are all in use as either the appellant’s own home, or as sheds/workshops associated with the farm itself. The appellant has no other brownfield sites available, as the remainder of the land is in use as fields for arable crop, which remains a key part of the appellant’s income. This clearly shows that there are no suitable existing buildings or brownfield sites available within or near Runningburn Farm.
- 1.3 We would rebut the comments from the Officer entirely that the proposal is divorced from the operation of Runningburn Farm and wedding venue. This is not the case and in fact, the pond is an integral part of both. The pond seemed the natural choice for such a development. Most of the time, it provides a private fishing pond with boat house, stocked by the appellant. However, during events and weddings, it is one of the key selling points of the venue and is offered as part of the wedding package, to bridal parties for their photographs during the day. Due to both uses, it therefore benefits from well established access.
- 1.4 One of the most important selling points of this proposal is the views, and tranquil setting that is on offer by the pond. Placing a holiday lodge next to farm operations, existing buildings, or the wedding venue itself would significantly diminish the value of this lodge as a relaxing retreat for guests.
- 1.5 The location of the proposal offers unrivalled views of the surrounding countryside. The appellants are seeking to provide guests with a unique opportunity to relax before their wedding and be near their venue to make those final finishing touches or spend time with family and loved ones ahead of their day, as well as a beautiful honeymoon suite, in complete privacy where the couple can unwind after their wedding.
- 1.6 Policy ED7 recognises that some tourism developments may not be able to be easily accommodated within settlements and may be satisfactorily located in certain countryside locations. The appellant has ruled out all potentially more suitable alternatives. The proposals are therefore considered compliant with criteria c. There

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are no opportunities to reuse existing buildings, brownfield sites or locate the proposal adjacent to existing buildings at Runningburn Farm.

5.22 **Policy ED7 – Part 2 – Criteria d) *the impact of the expansion or intensification of uses, where the use and scale of development are appropriate to the rural character of the area.***

5.23 The scale of the proposal is designed to specifically blend seamlessly into its surroundings, without impact on the local landscape.

5.24 The Officer recognised that the *“contemporary design of [the] building is responsive in minimising the visual impact”*. However, he had concerns that, *“the isolated site is incompatible for the use proposed and would conflict with the remote characteristics of the area”*.

5.25 As noted above, and shown in the Visual Impact Study, the chosen location of the proposed development would ensure that the modest scale development will be largely hidden from most view points in the wider area.

5.26 We also consider the officers description of the site fails to address the fact that there are already several dispersed farms, small holdings, across the wider area. As also noted above, the location is very much part of the existing work farm and wedding venue.

5.27 We disagree that it would be out of character with the wider area on this basis. The proposals are therefore compliant with criteria d).

5.28 **Policy ED7 – Part 2 – Criteria e) *The development meets all other siting and design criteria in accordance with Policy PMD2, and***

5.29 Please refer to the response under the second reason for refusal below.

5.30 **Policy ED7 – Part 2 – Criteria f) *the development must take account of accessibility considerations in accordance with Policy IS4.***

5.31 The Roads officer raised some concerns regarding the access to the site via the working farm. An alternative solution was proposed prior to the decision by the agent, but not acknowledged by the planning officer.

5.32 We discuss the two access proposals in answer to SBC’s Reason for Refusal 2 below. The applicant would be willing to accept either. The development is therefore considered compliant with criteria f) and Policy IS5.



SBC'S REASON FOR REFUSAL #2

- 5.33 *The development would be contrary to Policy PMD2 of the Local Development Plan 2016 in that its siting and design would not respect and be compatible with the character of the surrounding area and would result in a significantly adverse impact upon existing landscape character and rural visual amenity.*
- 5.34 *The proposed private vehicular access to the site would pass through a working farm steading which would conflict with agricultural movements and would result in adverse impacts on road safety and design standards contrary to PMD2.*

APPELLANT'S RESPONSE

Impact on Existing Landscape Character and Visual Amenity

- 5.35 The Officer states at the start of his report that, *"there are no landscape designations on this land, or in the immediate surroundings"* and that, *"the site is not considered to have high visual amenity"*.
- 5.36 The Council's Landscape Architect was not consulted, presumably because the site has no landscape related designations on the site. The Officer also goes on to say that *"There are few opportunities for views to the site from the surrounding road network, or from residential receptors"*. We would agree with this point entirely.
- 5.37 It therefore seems entirely contradictory that the Officer says that his main concerns are principally, *"the landscape and visual impacts of expansion of the business at this remote site"*.
- 5.38 The Officer has already accepted the site is not visible. The visual impact assessment submitted with this appeal, confirms that fact. It shows that views to the site are screened by intervening topography and landscape and tree planting. The development is for one holiday lodge and is small scale. The visual impact assessment provided by the architect clearly shows how limited viewpoints are of the proposed development site, and that there will be a low landscape and visual impact. The log cabin is ideal for such a rural setting, and the roof will be a green roof, and blend into the wider landscape.
- 5.39 The Officers' comments also seem at odds with those made in relation to the previous application (20/00123/FUL) for 'The Barn', the venues current wedding building. In the Council's report in support of the application, the Officer says that *"The site is well concealed in the surrounding landscape setting. It is in a hillside backdrop, below the level of the public road and is not readily visible from the wider public domain to the north. The surrounding convex/ concave landform and*



significant distance to other visual receptors ensures that there is limited effect on the amenity and character of the wider rural landscape. There is certainly no harm to visual amenities of the rural locality"

- 5.40 We consider that the description of this location as 'remote' is also a mischaracterisation and does not represent a full understanding of the proposal and its relationship to the farm and wedding venue. We feel it is remiss that the officer has not undertaken a site visit yet based their refusal on this judgement. If a site visit had been undertaken, we believe their conclusion would be different.
- 5.41 The Officer goes on to say that the "visual appearance and rurality of the chosen location would be adversely affected by this development. The machined track associated fencing and potential for overhead services and a change in the maintenance regime of the pond will all compound to appear less rural".
- 5.42 The comments above make incorrect assertions and do not reflect a thorough understanding of the proposals. There are no fencing or overhead services proposed as the lodge is proposed to be effectively off-grid. There will be no change to the maintenance regime of the pond.
- 5.43 The access track already exists and will be predominantly formed for a low impact natural farm style hardcore, carefully following the existing track to prevent any further encroachment into the existing fields.
- 5.44 The aim of Policy PMD2 is to ensure that all development is of high quality, in accordance with sustainability principles and respects the environment in which it is contained. Based on the above, and the further justification put forward in the supporting documents to this appeal, we consider the proposals compliant with PMD2.

Proposed Vehicular Access

- 5.45 The proposed access route is currently through the farm buildings, as shown in Figure 8 below and **Appendix 4**.

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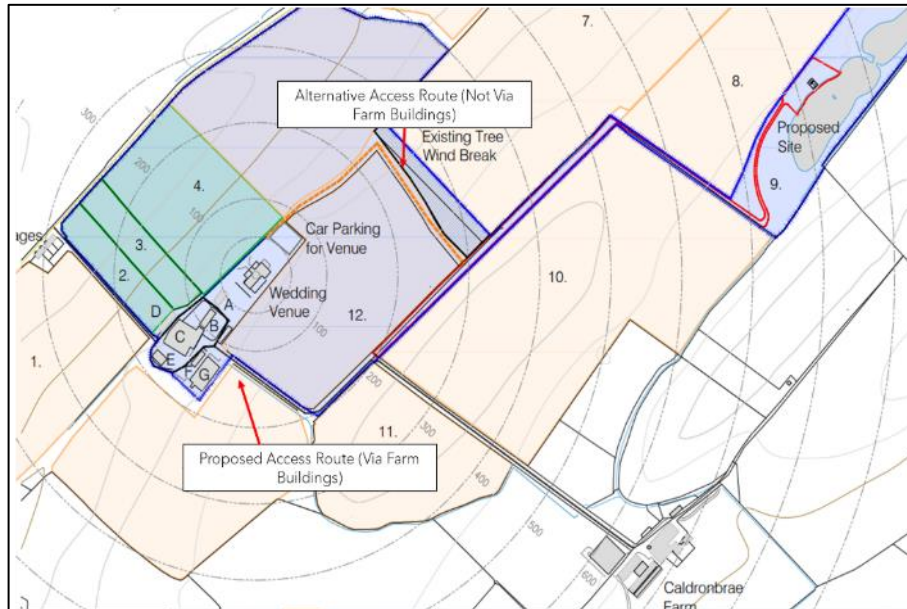


Figure 10: Map illustrating proposed and alternative access route

- 5.46 We understand that the Roads Planning Service raised concerns with visitors to the holiday let having to drive through the middle of a working farm.
- 5.47 Whilst this is the case, the working farm is entirely owned and operated by the appellant. The hours of operation and ability to clear the yard when weddings and visitors to the holiday let are expected, is entirely within their control. The yard is wide and clear and provides plenty of passing space should farm vehicles be using the track at the same time. The same track through the farm is already used as a right of way for the livery stables and dwellings at 'Caldronbrae' to the south. The farm track is therefore already used safely and with respect to domestic traffic.
- 5.48 If this still does not provide sufficient comfort to Roads Planning, the appellant has already offered to re-route the proposed access. The alternative access point is shown with a dashed orange line in Figure 8 and would follow the existing track past the wedding venue and car park. Please refer to **Appendix 4** for further details.
- 5.49 The appellant would be happy to use either access point, subject to SBC confirmation at appeal. It is our view that either access would provide safe access and egress for visitors to the holiday accommodation. As such, there would be no adverse impacts on road safety and the application would be compliant with PMD2.



6. MATERIAL CONSIDERATIONS IN FAVOUR OF THE APPEAL PROPOSALS

Economic Benefit

- 6.1 Visit Scotland has produced many reports which offer support for this appeal proposal. Their Visitor Management Strategy for Scotland (2021) identifies that the COVID-19 pandemic has resulted in unprecedented visitor demand in many parts of Scotland, highlighting both the enormous potential of our tourism sector and the significant challenges we face to develop the capacity of our current visitor infrastructure.
- 6.2 Their Tourism Development Framework for Scotland (2016) (a refresh of the 'Role of the Planning System in delivering the Visitor Economy') is referred to as a key document within Scottish Planning Policy (SPP). It identifies that tourism is a key component of Scotland's economy and is one of Scotland's growth sectors. The country attracted over 14.5 million visitors in 2015, which generated £5 billion in overnight visitor spend. It also notes that the sector is a major economic enabler, supporting over 196,000 jobs (9% of all Scottish employment) in Scotland.
- 6.3 Theme 3 of the Framework refers to 'Accommodation'. The report says that Scotland's tourist accommodation supply, particularly at the higher end of the market, helps support the growth of the visitor economy. It identifies that there are some gaps at the higher quality end of the market in self-catering tourist accommodation in the countryside.
- 6.4 We are aware of several closures of self-catering accommodation in Kelso, and this proposal will make a positive contribution to providing high quality accommodation for wedding and event guests to meet known demand.

Draft National Planning Framework 4 (NPF4)

- 6.5 The Scottish Government, (Pg 90) wants places to inspire people to visit Scotland, and to support sustainable tourism which benefits local people and is consistent with our net zero and nature commitments.
- 6.6 Draft Policy 17 (Tourism) says that development proposals for new or extended tourist facilities or accommodation, should be supported in locations that can contribute to the viability, sustainability, and diversity of the local economy.
- 6.7 The Scottish Government (Pg 105) also wants our rural places to be vibrant and sustainable. Rural economic activity innovation, and diversification should be encouraged, whilst ensuring that the distinctive character of the rural area, is safeguarded and enhanced.

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6.8 Draft Policy 31 (Rural Places) (part d) says that development proposal that contribute to the viability, sustainability and diversity of the local economy should be supported, including:

- Diversification of farms, crofts or other land use businesses, where use of good quality land for development is minimised and businesses viability is not adversely affected
- Diversification of existing businesses
- Improvement or restoration of the natural environment.

6.9 Given the above, it surely therefore must be concluded that the proposals fully support the ambitions of NPF4 by allowing for the diversification of an existing business.

Existing Precedent

6.10 Whilst all proposals are considered on their merits, we believe the three proposals below, demonstrate that a different (and more positive) approach has been taken to the assessment of the impact of the design and development on the rural area. In these cases, it was considered that the log cabins / shepherds hut designs would minimise visual impact and we believe the same conclusions should have been reached in this case.

Eildon Melrose Holiday Lodge 19/00924/FUL



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6.11 In the case of application reference 19/00924/FUL for the erection of two holiday lodges on land to the south east of Dingleton Mains Farm, the proposed buildings were located with a farm more sensitive location, being at the foot of the Eildon Hills and within a National Scenic Area. In this case, sedum roofs were considered to minimise any visual impact. A detailed planting scheme was also proposed to integrate the development into the landscape as this was an open field.

Fiddle Hill Cottage Log Cabin - 16/00842/FUL

6.12 In relation to compliance with Policy ED7 in this instance, the Officer concluded that, *“The Council encourages a variety of holiday accommodation, and this development would contribute to that aim”*.

6.13 In terms of design and impact on visual amenity, the Officer concluded in this case, that *“the site is in an isolated position, and is well contained by the surrounding topography and mature woodlands. The proposed cabin would not be prominent when viewed from the public road. Due to its materials and scale, it is considered that the proposal would not be unduly prominent in the landscape and would not harm the visual amenities of the area”*.



Billerwell Farm, Hawick - 21/00854/FUL

6.14 The application sought planning permission for the installation of a shepherd’s hut for holiday accommodation with decking, access, and associated works. Unlike the appeal site, this site sits within the Teviot Valleys Special Landscape Area.

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6.15 In this case the Officer concluded, *"The site is well related to the natural environment. This would be a small-scale development and will be hidden by the topography and nearby trees when viewed from the B635...given the topography of the site, the proposal would not be prominent in the landscape and as such I consider the proposals would not harm the visual amenities of the area". He goes on to say that "the installation of the solar panels is a minor element of the application and have no adverse impact on the character of the surrounding area".*



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7. CONCLUSIONS

7.1 The submitted appeal, supported by this statement, seeks the Local Review Body's approval for the '*Erection of holiday let accommodation*' at Land North East of Runningburn Farm, Stichill, Scottish Borders.

7.2 For the reasons outlined in this statement and summarised below we believe the LRB should allow this appeal because:

- The proposed site offers a unique opportunity for the formation of a luxury holiday let in the Scottish Borders, which will support and enhance an existing and successful wedding business.
- The application is supported by a business plan which confirms the viability of the proposals and its support to the wedding business, as well as an identified need and demand for such accommodation on-site.
- The appellant has demonstrated that there are no more appropriate sites within the appellant's control, including both existing buildings and brownfield land.
- The location has been purposefully chosen to provide guests with the complete escape and to take advantage of the stunning views, over an existing fishing pond.
- The proposal will not be visible from most short and long-distance views, as it designed to blend into the landscape setting. New landscaping in the form of additional hedgerow and tree planting will also support this.
- The proposal will be entirely off-grid and powered by a solar array.
- The proposal will continue to support employment of three current staff outlined in the supporting Business Plan, as well as numerous local suppliers indirectly such as chair hire companies, and catering as well as those recommended by the team to wedding parties, including nearby accommodation, florists, hairdressers, beauticians, transport hire firms.
- The proposal would not set a precedent as each case is assessed on its merits, and in this case, there is a clear link to the existing wedding business and justification for the proposed site. However, we have highlighted several examples where we consider the Council have taken a positive approach to very similar proposals, both in terms of design and location and a similar stance should have been taken here.

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7.3 In contrast to the officer's report, we consider the proposals are in fact compliant with policies ED7 and PMD2. There are also several material planning considerations that weigh in its favour, not least the significant benefit that the proposal can bring to the existing wedding business, farm income and local tourist economy. We respectfully request that this appeal is therefore allowed by the Local Review Body on that basis.

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