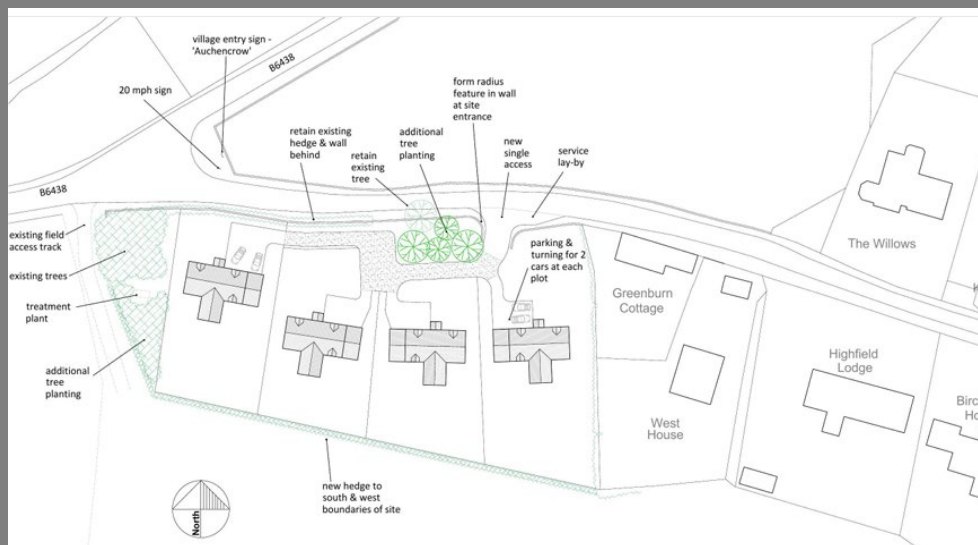


LOCAL REVIEW BODY (LRB) STATEMENT OF APPEAL

Land West Of Greenburn Cottage Auchencrow Scottish Borders



Refusal of Planning Permission by Scottish Borders Council for Erection of 4 Dwellinghouses (Ref: 22/01666/PPP)

W A Mole & Sons
February 2023

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Land West Of Greenburn Cottage Auchencrow Scottish Borders

1. INTRODUCTION

INTRODUCTION

This Appeal Statement is submitted on behalf of the W A Mole & Sons ('the appellant') and sets out the grounds of appeal against the decision of the Scottish Borders Council (SBC) to refuse planning application LPA ref: 22/01666/PPP by a delegated decision on 23/12/2022.

The Planning Permission in Principle Application sought consent for the "Erection of 4 no dwellinghouses at Land West of Greenburn Cottage Auchencrow Scottish Borders".

The single reason for the refusal of the application is set out below.

The proposed development is contrary to policy HD2 (Housing in the Countryside) of the Local Development Plan 2016 and Supplementary Planning Guidance New Housing in the Borders Countryside 2008 in that by virtue of topography and being located beyond the well established western edge of Auchencrow, the proposed site would not be well related to an existing building group of three or more dwellinghouses. The proposed development would extend beyond Auchencrow's sense of place, into an undeveloped field, and would result in ribbon development to the detriment of both the village's character and the surrounding landscape.

Report Structure

The remaining sections in this appeal statement comprise:

- A description of the appeal site, the surrounding context and a summary of the appeal proposals (Section 2)
- Ground of Appeal (Section 3)
- Summary of the appellant's case and conclusion (Section 4).

Supporting Documents

This appeal statement should be read in conjunction with all the supporting documents and drawings submitted as part of the original planning application.

Application Process

This appeal is made to the Local Review Body on the basis it was a local application, and which was determined under 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.

The Appellant

The application to which this appeal case relates was made by W A Mole & Sons, who are a well-respected, reputable local farming business. The business uses multiple other companies and sub-contractors in the local area and they are an important contributor to the local economy as a whole. The turnover of the business is well over £500k year on year, which is a significant in this agriculturally led economy. As well as employing staff exclusively from the local area, the business also has several cottages on land in their ownership which are offered to locals at a very low cost. This is important for the business as it provides regular, reliable cashflow at a time of unprecedented challenge in the agricultural industry. For various, well documented reasons in farming (Brexit, subsidies, high fuel & labour inflation, changeable extreme weather etc.) cash flow and budgeting planning is far more challenging than it ever has been. The last 2 years have shown a volatile commodities market with, for example, the cost of wheat rising from £180/t to £310/t in 2022 but down to £220/t in early 2023 to truly demonstrate the unstable markets and that the business is not truly financially secure. Input costs are escalating with AN fertiliser costing £250/t in 2020 to £750/t in 2022. The agricultural industry has become boom or bust with long term budgeting almost impossible.

Agricultural production costs e.g. fuel , fertiliser , labour , drying costs etc. depending on timing on some of those elements all have been negative over recent times. Equally, it is impossible to future predict what commodity prices and costs will do for harvests year on year. The general volatility in agriculture and nature of the business being a mixed farm means that for the farm to be a viable business it needs all the multiple elements (arable , livestock , renewables , cooperative growing and machine tie ups , rental of land to third party growers farm cottage income etc.) to work in harmony. Costs are going up significantly /spiralling (fertiliser being such an example) and prices of produce sold by the farm are either not increasing at all, or not increasing proportionately to the cost of inputs.

The dwellinghouses as proposed would accord with the same philosophy as the existing cottages and would help to ensure the sustainability of the business by providing at least some regular cashflow whilst also providing much needed, low cost family housing in the area.

Land West Of Greenburn Cottage Auchencrow Scottish Borders

2. APPLICATION SITE, CONTEXT & PROPOSAL

APPLICATION SITE, CONTEXT & PROPOSAL

Site Description

The application site forms part of an arable field on the north of the C class public road, which serves the village of Auchencrow. Auchencrow is a large building group near Reston comprising over twenty dwellinghouses and a restaurant/ pub. The application site is situated to the west of a stone built, pantiled dwellinghouse known as Greenburn Cottage. The cottage lies at a high point within the building group and its western boundary defines the western edge of the building group, with the remainder of the group located to its east. The application site's northern boundary is a roadside embankment with hedging, a semi-derelict stone retaining wall, and one mature tree.

The site extends as far west as a small group of trees, within which is thought to lie the remnants of a derelict structure, and beyond which lies a field access and the B6438 road to Reston. To the south, the site boundary meets the southern boundary of West House, a two storey dwelling which was recently erected in the former garden ground of Greenburn Cottage.

In terms of topography, the site itself is relatively flat, with the topography rising beyond the site boundary to the north.

A plan showing the application site and its context is shown below in Figure 1.

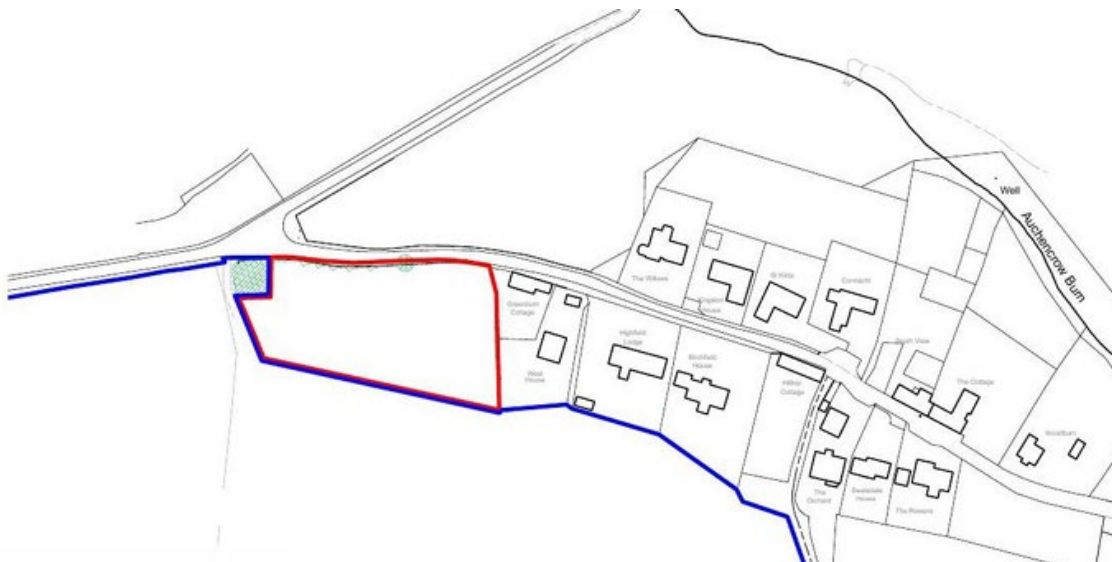


Figure 1: Location Plan

With regards to the Local Development Plan adopted proposals map, the site is situated adjacent to the undefined settlement boundary of Auchencrow.

In terms of accessibility, the site is approximately 2.3 miles (5 minute drive) to the town centre of Reston, offering a range of services and facilities, along with ongoing public transport with plentiful local bus stops the and the rail station.

In terms of Heritage, there are no listed buildings on or within proximity to the site.

The proposed dwellings are 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 easternmost border of the site, whilst not extending beyond the building line of the adjoining properties.

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.

Referring to the Scottish Borders Planning Application Portal, there have been no historic planning applications to date on the site or notable applications in the neighbouring area.

Proposal

The application seeks planning permission in principle for the erection of 4no dwellinghouses. An indicative site plan was submitted which shows how the site layout could be configured. This shows a single shared vehicular access which the three eastern-most proposed dwellings would be set well back from. The western-most proposed dwelling is positioned further forward. The site boundary does not include the existing field access or the small group of trees to the west, but does include a small triangle of land between the curtilage of the western-most proposed dwelling and the field access. The site plan earmarks this land for additional tree planting and the siting of a treatment plant for foul waste.

The indicative site layout seeks to respect the streetscape of the village, where properties are predominantly set back from the form. Detailed design of the buildings is not part of this PPP appeal; however, the buildings are envisaged as being one-and-a-half storey, constructed of a limited palette of natural materials to be sympathetic to the existing properties in the village. The houses will utilise sustainable technologies and energy efficient measures as an integral part of the design philosophy. The style of the houses will respect the site characteristics, including more glazing and a contemporary feel to the south, whilst less glazing and a more traditional feel to the north. This approach will take full advantage of passive solar gain.

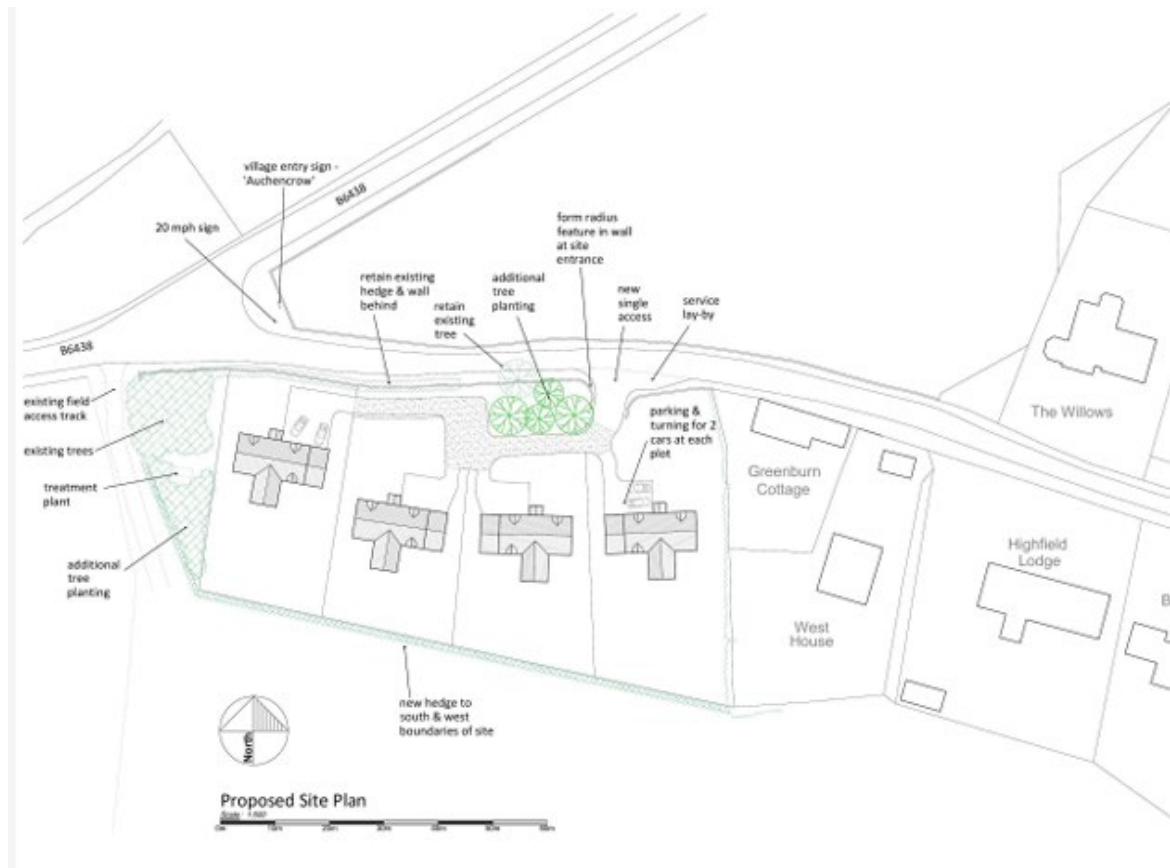


Figure 2: Site Plan

The existing hedge running along the front of the wall adjacent to the road will be retained. The existing isolated tree will be retained and enhanced with the planting of additional trees adjacent. It is an attractive characteristic of the semi-rural nature of the village that there are trees and shrubbery along the street length adjacent to the road. Further hedging will be planted around the perimeter of the site along the south and west boundaries, this will help to integrate the development into the wider rural landscape. Additional trees will be added to the south of the existing small area at the west side of the site. These will help to ‘book-end’ the site within the perceived village boundary.

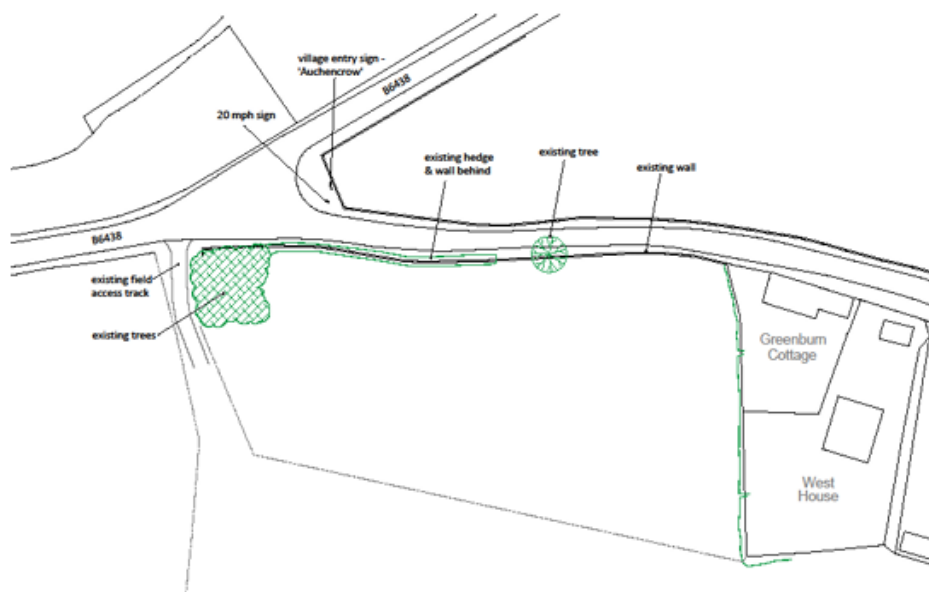


Figure 3: Landscape Plan

Access will be by a shared access serving all properties drive off the village street (C113). This position will take advantage of the site topography, since the level differential between the site and road is much less at this point. A service layby will be formed at the junction of the shared drive with the public road. The existing wall will be reshared drive with the public road. This wall will be re-aligned, and radius curves formed at the entry point, to maintain and enhance the character of the village street. The position of the proposed access will allow the existing tree and hedge to remain in totality.

Planning Context/History

Referring to the Scottish Borders Planning Application Portal, there have been no historic planning applications to date on the site or notable applications in the neighbouring area.

Consultees & Representations

The table below provides a summary of the technical consultee responses:

Consultee	Comment
Roads Planning	No Objection. Detailed plans to be submitted at AMC stage
Contaminated Land	No Objection, requests a remediation strategy and verification plan
SEPA	No Objection
Community Council	No Objection
Archaeology Officer	No Objection, requests a developer funded archaeological evaluation of the site
Ecology Officer	No Objection
Flood Risk Officer	No Objection
Scottish Water	No Objection

A single objector to the application came from a neighbouring property and raised the following issues:

- visual impact;
- road safety;
- pedestrian safety/ no pavement;
- limited amount of parking or turning points;
- insufficient demand;
- site is well used for crops such as potatoes, sprouts and cereals;
- new development detracts from the character of the village;
- noise;
- light pollution;
- environmental impact;
- site not occupied by previous dwelling since perhaps 1800s; and
- limited public transport/ reliant on private car to access services.

These issues are addressed in Section 3 of this appeal statement.

Land West Of Greenburn Cottage Auchencrow Scottish Borders

3. GROUNDS OF APPEAL

GROUNDS OF APPEAL

Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

In the context of the above it is worth making reference to the House of Lord's Judgement on the case of the City of Edinburgh Council v the Secretary of State for Scotland 1998 SLT120. It sets out the following approach to deciding an application under the Planning Acts.

- identify any provisions of the development plan which are relevant to the decision;
- interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies;
- consider whether or not the proposal accords with the development plan;
- identify and consider relevant material considerations, for and against the proposal; and
- assess whether these considerations warrant a departure from the development plan.

The development plan in this case comprises:

- SESplan, as modified and approved, (June 2013)
- Scottish Borders Local Development Plan (adopted 2016)

Other key material considerations in the determination of the application include the National Planning Framework; Scottish Planning Policy and Circulars and previous planning history and consultation responses. The proposal raises no strategic issues and therefore the policies within SESplan are not considered to be relevant in this case.

Grounds of Appeal

In the officer's report of handling, it is acknowledged that Auchecrow is a large building group, however it is not identified as a settlement within the Council's Local Development Plan (LDP). The principle of the development must therefore be assessed primarily against LDP policy HD2 (Housing in the Countryside) and its Supplementary Planning Guidance (the HITC SPG).

The Supporting Statement that was accompanied with the application as refused goes some way in discussing this point, focusing on compliance with section (A) of policy HD2, which relates to building groups. However, this LRB appeal statement has a wider remit and sets out the following three Grounds of Appeal.

- **Ground of Appeal 1 (GOA1): The development is not contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 because it would constitute housing in the countryside that would relate well to a building group, within a contained site**
- **Ground of Appeal 2 (GOA2): The resulting visual impact of the development would not be adverse and, would not conflict with policy PMD2.**
- **Ground of Appeal 3 (GOA3): There are no other material considerations which warrant refusal of the application. The material considerations, including the single letter of representation, have not fully been taken into account. The SPP and NPF4 both support and promote further rural housing and investment in the communities.**

Ground of Appeal 1 (GOA1): The development is not contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 because it would constitute housing in the countryside that would relate well to a building group, within a contained site

The development is not contrary to the very central policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 because it would constitute housing in the countryside that would relate well to a building group, within a contained site and whilst it does break to an existing field, it is not open and has been developed previously.

We have set out below the circumstances for why this development should proceed in line with policy. We first demonstrate that the site relates well to the existing building group, in line with Part a of this policy.

We then provide justification for the proposed development of the site being in keeping with the surrounding area whilst being within a building group which has capacity for a further dwelling, in accordance with Part b and c of this policy. The policy is set out in full below:

Policy HD2: Housing in the Countryside

Section A of Policy HD2 addresses development proposals for housing related to existing Building Groups. The adopted text of section A has been copied below:

(A) Building Groups Housing of up to a total of 2 additional dwellings or a 30% increase of the building group, whichever is the greater, associated with existing building groups may be approved provided that:

- a)** the Council is satisfied that the site is well related to an existing 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 a conversion has been implemented,
- b)** 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,

c) any consents for new build granted under this part of this policy should not exceed two housing dwellings or 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 be sympathetic to the character of the group.”

Part a)

Policy HD2 A Part a) the site is well related to an existing group of at least three houses or building(s) currently in residential use or capable of conversion to residential use.

The officer acknowledges that there is a large established building group at Auchencrow, which has numerical scope for expansion. The size of the building group is well in excess of twenty dwellinghouses and, taking cognisance of development since the start of the plan period and the absence of outstanding permissions, in simple numerical terms there is capacity for the dwellings as proposed.

There are no vacant properties or buildings that are capable of conversion within the building group, within the applicant’s ownership. It is considered the proposal complements the character of the building group with the dwellings positioned on both sides of the adopted road serving the properties with built form surrounding the site, situated within the heart of the grouping. As such the chosen location is therefore deemed the most appropriate location for the properties.

The Council's New Housing in the Countryside Supplementary Planning Guidance document states that building groups will be identifiable by a sense of place, which will be contributed to by natural boundaries such as water courses, trees or enclosing landform, and manmade boundaries such as existing buildings, roads, plantations or means of enclosure. New development should be limited to the area contained by that sense of place.

As the officer acknowledges in the Report of Handling, an assessment of the application site's relationship to the building group firstly demands an analysis of Auchencrow's sense of place and existing development pattern. The historic core of the village is located at its eastern entry, where a group of older buildings are clustered to the north and south of the public road. A burn runs to the north. The buildings step up slightly as the main road rises through the village to the west, lined in the most part on either side by stone walling and increasingly more modern dwellings as the road rises through the village. It passes the last dwelling to the north, The Willows, and West House to the south, until it reaches an old stone dwelling known as Greenburn Cottage. From Greenburn Cottage, the road begins to descend as it continues west down to the crossroads with the main B6438 road, where the existing farm access and a small group of trees are located. Greenburn Cottage therefore marks a high point along the road and has long formed an effective bookend to the village. Beyond it, the minor road drops down fairly abruptly towards the B6438. The proposed site is situated off this section of the road, defined by an existing stone wall, which would be

retained. The western boundaries of also marking the south Greenburn Cottage and West House are primarily defined by hedging, with trees west corner of West House's garden ground. These features provide the existing western edge to the building group, but this is more robustly defined by the apex of the road and the significant tree belt that runs north to south.

The proposed development would extend beyond the confines of the existing building group on land that, by virtue of topography and the strong western edge to the building group, will contribute to the sense of place of the undefined settlement. This form of enclosure and natural 'rounding off' of this building group would fully comply with part a of the Council's New Housing in the Countryside Supplementary Planning Guidance document.

In modern arable practice, regular, geometric spaces are best suited to the automated machinery that help with efficiency. So, whilst the site has been most recently used as an arable field, its irregular shape is not suitable for said machinery currently utilised in intensive farming practise. Going forwards, the site in its entirety will become redundant land. There is no specific reference to this in the Council's New Housing in the Countryside Supplementary Planning Guidance document, in conflict with the officer's report.

The existing development pattern within the building group is entirely linear to the north and south of the public road. The site is positioned within and adjacent to the setting of the existing Building Group at Auchencrow. The Building Group comprises circa 20 dwellings, immediately to the east of the site, with further dwellings to the north west, in a linear pattern as illustrated on Figure 4 below.

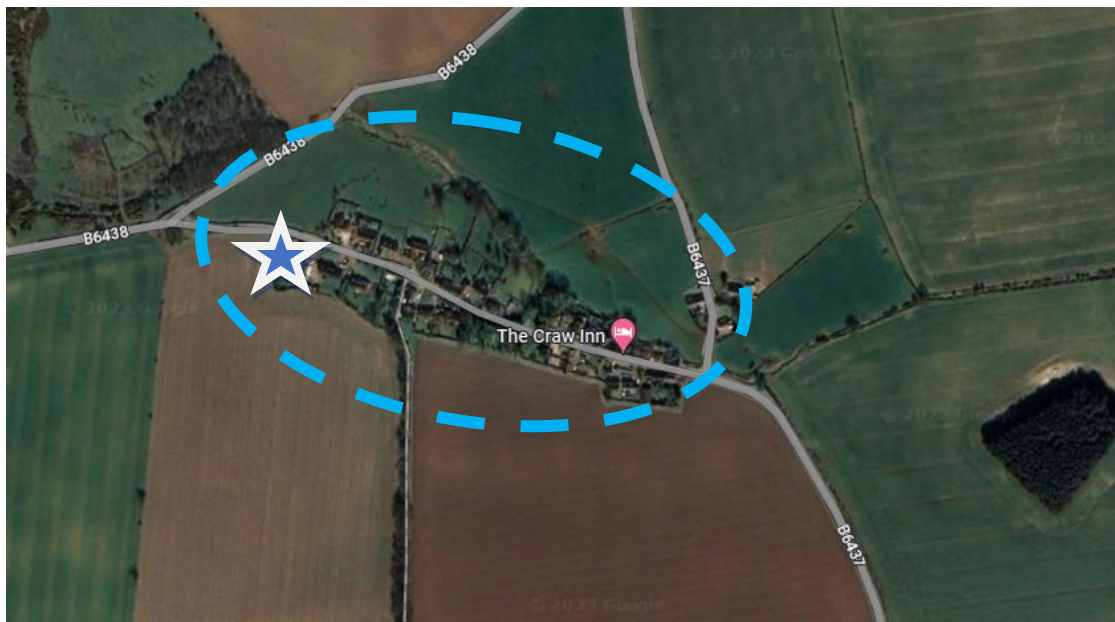


Figure 4: Oval Graphic, Showing Indicative Building Group Capacity

By applying a flattened oval capacity to the Auchencrow building group, we can understand a rough capacity for any extension or rounding off. This logic was accepted in the determination of LRB case 15/00424/FU at Sunnyside Farm, in nearby Reston. The appeal site lies to the west of this indicative flattened oval indicative capacity graphic. The oval is shown as a blue dotted outline whilst the site is roughly shown by the star graphic. There is capacity to meet the capacity of all 6

new units per part c) of the policy (as explained below) within the western part of the building group, 4 of which would be delivered through this appeal case, leaving the northern part able to deliver the remaining 2 units, should that be something that landowner seeks to pursue. That is not something that is material to this LRB case.

Overall, it is considered that the site sits very well with the shared sense of place of the building group which is a requisite of the H2 guidance; but importantly not falling foul of other areas such as skyline, roofline and slopes/landform.

Assessing this further, it is clear that the proposal would continue the linear development pattern within the application site, which would be logical. Whilst the proposed development would extend the existing group it would be up to its most logical and appropriate termination point, that being the defined north to south tree grouping (to be enhanced) to the west of the site. It is noted that four dwellings were approved in the early 2000s and have since been erected on the north side of the public road. These dwellings are located upon a plateau within the building group to the east of the obvious termination point of the village (Greenburn Cottage). The case officer acknowledged that traffic signs identifying the village and the local 20mph speed limit are located beyond the proposed site at the cross-roads with the B6438 (Figure 6). They provide forward notice of Auchencrow's location and help slow road users in advance of the built up area. These may be relatively minor considerations but they do contribute to assessing the overall sense of place of Auchencrow in terms of its defined boundaries in particular. The remnants of a derelict structure within the group of trees to the west of the site, and possible early 19th century works or buildings on the site are significant and highlight the previous built nature of this plot, as well as reinforcing the lack of agricultural value of the site in modern farming practice.

The foregoing demonstrates that the proposal is therefore considered to satisfy criteria a) of Section (A) of Policy HD2.

Part b)

Policy HD2 A Part b) The cumulative impact of new development on the character of the building group, and of 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.

The existing and proposed enhancement to the landscaped boundary bordering the site further ensures the proposal does not impinge upon the local character of the area, sitting well within the setting of the building group, whilst reducing the visual impact of the dwellings and safeguarding the amenity of residents from the adjoining properties to the south.

The proposed built form does not extend beyond the building line of the neighbouring properties to the east, ensuring they do not impinge upon the open landscape. This is further supported by the contained landscape in which the site lies and the indicative height of the proposal, anticipated to be one and a half storey dwellings, not exceeding beyond the height of neighbouring dwellings that extend up to two storeys in height.

The proposal will largely be unnoticed in landscape impact terms and from public receptor points (i.e., public roads and footpaths) as illustrated in Figure 5, below. The existing hedgerow/shrubbery/random rubble wall adjoining the public road to the north of the site is sought to be retained and enhanced, acting as a natural shield, restricting the view from passers-by. The site is roughly shown within the red dotted line. The context for this image from the location plan is shown as 1 on Figure 7, looking directly eastwards.



Figure 5: Approach to Auchencrow from East, at point 1 on Location Plan

Figure 6 below, highlights the entrance to the undefined settlement, as shown by the signage for Auchencrow and the 20mph speed indicator. Context for this in respect of the location plan (figure 7) is number 2, again looking east.



Figure 6: Approach to Auchencrow from East, at point 2 on Location Plan

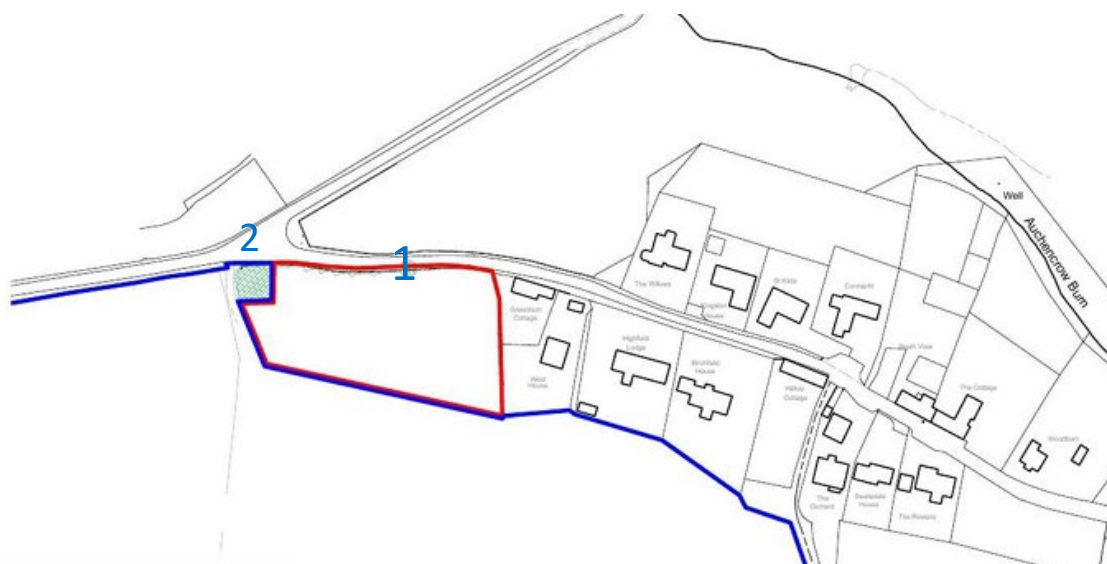


Figure 7: Location Plan, Showing Image Approach locations

The proposed landscaping from the west will further soften the approach from afar, complying with the New Housing in the Countryside SPG where man-made boundaries are considered acceptable. Again, the new access will contain the plots in question.

Overall, it is considered the site proposal is compliant with Policy HD2 A Part b).

Part c)

Policy HD2 A Part c) any consents for new build granted under this part of this policy should not exceed a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted. The group comprises circa 20 existing dwellings so the theoretical capacity through this policy lifetime, stands at 6 new dwellings. The proposal for 4 new dwellings is in compliance with this aspect of the policy.

Having reviewed the online planning portal, there have been no new plots within the Building Group within the current Local Development Plan period, as outlined above. We, therefore, consider there is scope for an additional four dwellings within the plan period in accordance with section (A) of Policy HD2 Part c. As such, we consider the site to be a logical location and a sustainable form of development relating well to the existing building group which has capacity for further dwellings.

GOA 2: *The resulting visual impact of the development would not be adverse and, would not conflict with policy PMD2 (as set out in full below).*

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.*

We have set out below the circumstances for why this development should proceed in line with policy. We first demonstrate that the proposal is in keeping with the surrounding area whilst being within the settlement boundary on a site which has capacity for the dwellings as sought, in accordance with Policy PMD2.

We then provide justification for the proposed development of the site respects the character of the

surrounding area and its context within an infill location in line with Policy PMD5.

The proposed site is positioned as a logical extension to the undefined settlement boundary of Auchencrow, adjacent to existing residential properties. Planning Policy seeks 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.

The proposal has been prepared to provide a good level of amenity for future occupiers of the proposed dwellings whilst safeguarding the amenity of residents within existing neighbouring properties at Auchencrow and the wider area. Although the detail of the proposal is deferred for future consideration, the indicative layout and location of the properties 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.

It is considered the indicative scale of the proposed dwellings up to two stories in height is appropriate to the site and the local area. The building heights would not extend beyond those of the neighbouring dwellings and the proposal is set back, enclosed within its infill location.

While this appeal relates to an application for Planning Permission in Principle, the proposal intends to support a sustainable form of development through renewables such as solar panels, air source heat pumps and electrical charging points.

The site is within a 30-minute walk into the settlement of Reston, providing access to a wide range of services and facilities including a Reston Primary School with onward links to Eyemouth High School, and is therefore considered to encourage a sustainable mode of transport with residents being less reliant on the car.

The proposed dwellings have 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 Policy PMD2.

The proposal is therefore considered to satisfy criteria set out in Policy PMD2 when taking into account the detailed design elements are reserved for approval of matters specified in conditions (AMC) stage.

Ground of Appeal 3 (GOA3): There are no other material considerations which warrant refusal of the application. The material considerations, including the single letter of representation, have not fully been taken into account. The SPP and NPF4 both support and promote further rural housing.

On a modest development site of this scale, analysis shows that that a significant proportion of houses built in the Scottish Borders range between 1-4 units and that many are non-allocated / windfall sites. The importance of smaller sites in delivering housing in the Scottish Borders should therefore not be overlooked and this site in question can help meet the housing land.

Our clients' aspirations are for this site to provide 4 no. new properties, representing an opportunity

to utilise an infill plot adjacent to an undefined settlement boundary where the Local Development Plan encourages development and to help address the current housing shortfall. The proposal would be built by the applicant who is committed to deliver the development as soon as possible and is therefore effective and deliverable.

The proposed development supports the ethos of the Draft NPF4 with being situated adjacent to the undefined settlement boundary of Auchencrow, but only some 13 minutes by car to the larger settlement of Eyemouth, supporting the 20-minute neighbourhood concept, creating sustainable communities.

SPP advises that the planning system should support economically, environmentally, and socially sustainable places by enabling development that balances the cost 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. This means that policies and decisions should be guided by the following principles in Paragraph 29 which we address in turn:

Policy Principle	How the Proposal Complies
Giving due weight to net economic benefit;	The proposal will deliver much needed investment and delivery of family housing within the settlement boundary of the desirable settlement of Auchencrow. The applicant will also seek to appoint local tradesmen during the construction process, contributing to the local economy.
Responding to economic issues, challenges and opportunities, as outlined in local economic strategies;	The proposal supports the growth of the community, ensuring there is a generous supply of housing land to cater for the increase in people and families living in the Scottish Borders.
Supporting good design and the six qualities of successful places;	The proposal will deliver high quality new family homes, utilising sustainable technologies such as PV panels and air source heat pumps.
Making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;	The additional residents the proposed dwellings will bring to the town will contribute to local services and facilities through having a higher footfall in the local area.
Supporting delivery of accessible housing, business, retailing and leisure development;	The proposal will deliver much needed family sized dwellings.
Supporting delivery of infrastructure, for example transport, education, energy, digital and water;	The proposal will make a financial contribution through a s.69 or s.75 agreement, as deemed necessary by SBC.
Supporting climate change mitigation and adaptation including taking account of flood risk;	The future proofing of homes for climate change will be agreed during the detailed planning application stage and will include renewable technologies.

Improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;	The proposed garden within the site offers an opportunity for an array of activities as well as nearby walks and cycle routes. The site is also well located for the existing amenities provided by nearby Reston.
Having regard to the principles for sustainable land use set out in the Land Use Strategy;	The proposed site is in a sustainable suburban location, within reasonable walking distance to Reston Town Centre, offering sustainable access to a extensive bus routes, rail station, school, shops, services and leisure facilities.
Protecting, enhancing and promoting access to cultural heritage, including the historic environment.	The sensitive approach to the design seeks to safeguard the character of dwellings within the building group.
Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;	The safeguarding of the existing tree on site and the provision of additional landscaping will provide a level of beneficial effects, such as enhanced biodiversity and additional screening through the introduction of locally appropriate hedgerow and trees within the proposed development.
Reducing waste, facilitating its management and promoting resource recovery; and	Suitable provision for waste collection can be demonstrated.
Avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.	The low-density scale of development is considered appropriate for a site of this nature.

Objector Comments

In this section of the report, we address the issues raised in the single letter of objection made in relation to the planning application.

Visual Impact

Objector Comments:

- new development detracts from the character of the village;
- visual impact;
- new development detracts from the character of the village;

Response:

This proposal is considered to have no detrimental impact on the character and amenity of the surrounding area. As discussed above, careful consideration has been taken in the positioning of the proposed dwellings 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

Road Safety and Parking

Objector Comments

- road safety;
- pedestrian safety/ no pavement;
- limited amount of parking or turning points;
- limited public transport/ reliant on private car to access services.

Response:

The application proposes that a single new vehicular access would serve the four dwellinghouses from Auchencrow's C113 road. As per objector comments, pedestrians and motor vehicles are not segregated along the C road by dedicated footways or footpaths, with pedestrians relying on intermittent grass verge, parking and accesses to step off the road. However, the development and access would be within the village's 20mph zone, and the Roads Planning Service does not object to the principle of the proposed development.

Environmental Comments

Objector Comments:

- noise;
- light pollution;
- environmental impact;

Response:

The proposal raises no noise, light or environmental impact issues in the context of town planning considerations and Environmental Health have not objected. Habitat potential at the site is limited, but should this be considered an issue, it can be dealt with by suitable condition as part of the AMC process.

Other Comments

Comment: Insufficient demand.

Response: This is not a material planning consideration.

Comment: site is well used for crops such as potatoes, sprouts and cereals.

Response: This part of the site is not currently efficient, and is not efficient for modern farming techniques/machinery.

Comment: site not occupied by previous dwelling since perhaps 1800s.

Response: The previous use of the site is discussed in the foregoing.

Other Material Considerations

Contaminated Land

The Contaminated Land Officer has studied historic mapping for the area and advises that the site once housed a saw pit and gravel pit. There is no evidence of this on the ground, nor on historic mapping dating from the late 19th century onwards. A planning condition would be required in the event of approval through the AMC process to secure site investigation, risk assessment, and potential remediation of any contamination identified on the site.

Archaeology

Planning history for nearby application sites makes reference to local archaeological interests and the Archaeology Officer was latterly consulted on account of this. The Officer has detailed the potential archaeological interests that extend to the site itself in his consultation response. Mitigation would be required in the form of a site investigation, including evaluation trenching on the site, and would need to be secured by planning condition to ensure LDP policy EP8 (Archaeology) is met.

Development Contributions

Contributions would be sought towards the local primary school (Reston PS) and high school (Eyemouth HS). These contributions could be secured by means of a legal agreement.

Affordable Housing

A commuted sum towards off-site affordable housing would be sought and could also have been secured by legal agreement.

Business & Local Housing Needs

The business uses multiple other companies and sub-contractors in the local area and they are an important contributor to the local economy as a whole. The turnover of the business is well over £500k year on year, which is a significant in this agriculturally led economy. As well as employing staff exclusively from the local area, the business also has several cottages on land in their ownership which are offered to locals at a very low cost. This is important for the business as it provides regular, reliable cashflow at a time of unprecedented challenge in the agricultural industry. For various, well documented reasons in farming (Brexit, subsidies, high fuel & labour inflation, changeable extreme weather etc.) cash flow and budgeting planning is far more challenging than it ever has been. The last 2 years have shown a volatile commodities market with, for example, the cost of wheat rising from £180/t to £310/t in 2022 but down to £220/t in early 2023 to truly demonstrate the unstable markets and that the business is not truly financially secure. Input costs

are escalating with AN fertiliser costing £250/t in 2020 to £750/t in 2022. The agricultural industry has become boom or bust with long term budgeting almost impossible.

Agricultural production costs e.g. fuel , fertiliser , labour , drying costs etc. depending on timing on some of those elements all have been negative over recent times. Equally, it is impossible to future predict what commodity prices and costs will do for harvests year on year. The general volatility in agriculture and nature of the business being a mixed farm means that for the farm to be a viable business it needs all the multiple elements (arable , livestock , renewables , cooperative growing and machine tie ups , rental of land to third party growers farm cottage income etc.) to work in harmony. Costs are going up significantly /spiralling (fertiliser being such an example) and prices of produce sold by the farm are either not increasing at all, or not increasing proportionately to the cost of inputs.

The dwellinghouses as proposed would accord with the same philosophy as the existing cottages and would help to ensure the sustainability of the business by providing at least some regular cashflow whilst also providing much needed, low cost family housing in the area.

Other Matters

Matters such as residential amenity, water supply, foul drainage and SUDS can all be suitably addressed adequately within the proposed site as required at the AMC stage.

Land West Of Greenburn Cottage Auchencrow Scottish Borders

4. CONCLUSION

CONCLUSION

The submitted appeal, supported by this statement, seeks to overturn the Council's decision to refuse planning permission for the Planning Permission in Principle Application relating to the proposed development of 4 no. new residential dwellings at Land West of Greenburn Cottage Auchencrow Scottish Borders.

The three Grounds of Appeal have all been addressed in the foregoing section, but are set out below, for clarity:

1. Ground of Appeal 1 (GOA1): The development is not contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 because it would constitute housing in the countryside that would relate well to a building group, within a contained site
2. Ground of Appeal 2 (GOA2): The resulting visual impact of the development would not be adverse and, would not conflict with policy PMD2.
3. Ground of Appeal 3 (GOA3): There are no other material considerations which warrant refusal of the application. The material considerations, including the single letter of representation, have not fully been taken into account. The SPP and NPF4 both support and promote further rural housing and investment in the communities.

A more detailed summary is provided, as follows:

- i. The proposal represents a logical extension of the Building Group adjoining the existing built-up area, which has the capacity to accommodate six additional dwellings, of which this case proposes four, within this local plan period, in accordance with Policy HD2.
- ii. The proposal is sympathetic to the character of the building group, positioned in a logical location and will have no detrimental impact upon the amenity of neighbouring residents, ensuring there are adequate separation distances between the existing properties resulting in no overlooking or loss of daylight/ sunlight.
- iii. The site is primarily visible from the adopted road to the south of the site upon approach from the west, noting the visibility will be restricted due to the low-lying topography in which the site lies and the existing neighbouring dwelling shielding the plot. In addition, the existing and proposed landscaping along the western and southern boundaries, further enhancing the aesthetics, screening views from all approaches. Overall, the visual impact of the proposal on the local area is considered to be minimal.
- iv. The dwellinghouses as proposed would help to ensure the sustainability of this important local business by providing at least some regular cashflow whilst also providing much needed, low-cost family housing in the area.
- v. The proposal will provide high-quality family-sized dwellings within this desirable and sustainable location, within reasonable walking distance to Reston Town Centre

- which benefits from a school, shops, cafes, bus services, rail station and other local services, supported by the Draft NPF 20-minute neighbourhood.
- vi. The proposal will utilise sustainable renewable technologies.
 - vii. The proposal will assist in meeting the strong demand for homes within the desirable immediate area and wider Eyemouth vicinity.
 - viii. There are no road safety concerns or objections from the Roads Officer or any other consultee.

As we have demonstrated through this statement, we consider that the proposal complies with the development plan, and LDP Policies HTD2 PMD2 and the HITC SPG document against which the original application was refused.

There is a presumption in favour of applications that accord with the development plan unless there are significant material considerations that indicate the development plan should not be followed.

In addition to the above, the proposal will deliver local investment in trade employment, whilst expanding purchasing power in the local economy and supporting existing services.

The proposal is considered with the guiding principles of the SPP, and we do not consider that there are any impacts which are significant and demonstrably outweigh the presumption in favour of development.

Taking the above into consideration, it is respectfully requested that, on account of the foregoing and the planning permission in principle be granted, subject to conditions to be the subject of a future approval of matters specified in conditions (AMC) application as required.