

# F E R G U S O N P L A N N I N G

7 MARCH 2023

22/00575/FUL AND 22/00039/RREF – LAND NORTH EAST OF RUNNINGBURN FARM, STICHILL  
APPELLANTS RESPONSE TO NATIONAL PLANNING FRAMEWORK 4

We have addressed those policies below from NPF4 considered relevant to the proposals.

**Policy 1 (Tackling the Climate and Nature Crises)** requires that when considering all development proposals, significant weight should be given to the global climate and nature crises. According to the policy intent, this is to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

**Appellant's Response:** *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.*

**Policy 2 (Climate Mitigation and Adaptation)** requires that development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible, and to adapt to current and future risks from climate change. According to the policy intent, this is to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

**Appellant's Response:** *As above, the building has been designed with sustainability at the heart of the project. 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.*

**Policy 14 (Design, Quality and Place)** seeks to encourage, promote, and facilitate well designed development that makes successful places whether in urban or rural locations by taking a design-led approach and applying the Place Principle. This includes ensuring that development is well connected to reduce car dependency; is in keeping with the built and natural environment of the surrounding area; and takes account of the need to use resources efficiently and ensure climate resilience. Conversely, development proposals that are poorly designed and detrimental to the amenity of the surrounding area will not be supported.

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*Appellant's Response: The proposed site seeks to site the accommodation on the side of an existing fishing pond and boat house, making best use of available resources on the farm. The building is designed so it blends in seamlessly to the local landscape, being barely visible. The nature of all rural locations means that the car is the predominant mode of transport. This will be the case for most of the self-catering accommodation located in the countryside, and particularly those on farms, where the accommodation is aiming to be off-grid. Members need to take a proportionate view on this aspect of the policy as a result given the nature of their local authority area.*

**Policy 29 (Rural Development)** seeks to encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced. Policy 29 (part a) specifically states that "Development proposals that contribute to viability, sustainability and diversity of rural communities and local rural economy will be supported including part ii. Diversification of existing businesses".

*Appellant's Response: This policy fully supports the proposals for rural diversification. Again, we reiterate that the proposals are for a holiday-let, not a full-time residence and the appellant is happy to accept a condition to that effect. This proposal has clearly demonstrated compliance with the part ii. of the above as demonstrated through the appeal statement and business plan.*

**Policy 30 (Tourism)** concerns tourism directly, and seeks to encourage, promote, and facilitate sustainable tourism development which benefits local people, is consistent with the national net zero and nature commitments, and inspires people to visit Scotland. Provision b) of Policy 30 requires that proposals for tourism related development will consider: i. the contribution made to the local economy; ii. compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors; iii. impacts on communities, for example by hindering the provision of homes and services for local people; iv. opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas; v. accessibility for disabled people; vi. measures taken to minimise carbon emissions; and vii. opportunities to provide access to the natural environment.

*Appellant's Response: The proposals are fully compliant with Policy 30. The proposals will make a contribution to the local economy; they will support the Scottish Government target to significantly increase agritourism; they will have no adverse impact on the local community; they will manage parking and traffic generation appropriately and SBC roads have no objection; the accommodation has level access to the ground floor; the design fully embraces the sustainability agenda; provide access to the natural environment whilst supporting the long term viability of the appellants existing farm and events business.*

28 MARCH 2023

Applicant's response to document entitled 'Comments of the Planning Officer in respect of NPF4' received on 14 March.

### **Officer's Comments**

*It is considered that the proposed development would be contrary to NPF4 Policies 1, 2, 14, 15, 18, 29 and 30 in that it would result in an unsustainable development in an undeveloped rural landscape; and constitute a sporadic and unjustified form of development within a previously undeveloped field, while its siting and design would not respect or be compatible with the character of the surrounding area and would result in a significantly adverse impact upon the existing landscape character and rural visual amenity of the surrounding area.*

*It is not considered that the Appellant has demonstrated any significant benefits which would outweigh these deleterious impacts.*

### **Conclusion**

- 1. The neighbouring development pattern is positioned in association with the local road network and/or building clusters. High amenity ponds have recently been created in Field 12 and locating this tourism development closer to the venue would ensure sustainability principles are met in both siting and layout, negating requirement for new roads.*
- 2. Excessive weight is placed in the Appeal Statement on achieving privacy and views for guests over and above sustainability principles of NPF4.*
- 3. This is a greenfield and entirely car dependent site for all interactions, especially future servicing, and security, contrary to policies of NPF4.*
- 4. NPF4 places emphasises on sustainability and placemaking and this is not considered to comply with requirement for efficient use of land and resources. The proposals remain unacceptable in siting having considered NPF4 and it is respectfully requested that the review is dismissed, and the application refused.*

### **Appellant's Response**

We disagree with the Council's comments that the proposed development is contrary to policies 1,2,14, 29 and 30 of NPF4 for the reasons outlined above.

We have not considered Policies 15 (Local Living and 20 Minute Neighbourhoods) and 18 (Infrastructure First) because they are not considered to be relevant.

Policy 15 requires that consideration be given to the existing settlement pattern, and the level and quality of interconnectivity of the proposed development with the surrounding area, including local access to everyday facilities. The underlying intention is to create connected and compact neighbourhoods where people can meet most of their daily needs within a reasonable distance using green and/or sustainable transport options. Policy 15 is not considered to be

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relevant in this case, as it broadly relates to the creation of homes and 20-minute neighbourhoods. This proposal is for a holiday-let, not a permanent residence.

Policy 18 seeks to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking. Again, given the scale of the proposed development, it is questionable whether this policy is strictly relevant to the proposals. As a farm diversification project, the location of the site is directly linked to the existing farm holding and available land. The proposals will have minimal impact on existing infrastructure, and there will be no requirement to upgrade or provide for infrastructure out with the development boundary because of the development.

We do not consider that the officer has demonstrated any evidence to show there will be 'deleterious impacts', whereas the benefits of the proposals to farm diversification, the existing events business, and the growth in the accommodation sector more widely in the Scottish Borders, which address a particular shortfall in the Kelso area, are significant and cannot be overlooked.

We address each of the points raised in the Officer's conclusion as follows:

1. As detailed more fully in our document 'Response to SBC Comment, 7 March', Field 12 has been discounted in the sequential site analysis because this is still in agricultural use. The officer's requirement to locate near this road, also directly conflicts with the advice of the SBC roads officer who have specifically asked the applicant to re-direct traffic away from the existing farm buildings. Alternative access drawings were therefore provided as part of the appeal to address this matter, and SBC Roads have now removed their objection.
2. We entirely disagree that excessive weight has been placed on privacy and views over sustainability. The proposals are well related to the natural environment and have sustainability at the heart of the designs. The sense of privacy is however an important factor and key attraction for guests which cannot be overlooked and is key to the success of some of the most popular holiday destinations in the Borders e.g. Rink Hill, Tiny House, Fiddle Cottage.
3. The site already benefits from a boat shed, adjacent to a private fishing lake. The existing site and farm track leading to it, is already well used by both the appellants, and as part of the wider wedding package for photographs. The nature of rural locations in the Borders, means that the car is the predominant form of transport. It is unlikely, however, that the proposed development will generate significant car trips given the scale of the accommodation (typically to be occupied by couples) and the fact that these journeys would already be made to the wedding venue in any case. An advantage of the accommodation is that it enables the wedding couple to remain overnight, or the night before, thereby arguably reducing car trips for those couples that wish to visit the venue and set up decorations etc in the days before.

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4. As outlined in our response to NPF4 Policies 1, 2 and 14 above, we argue that the proposals do in fact emphasise placemaking and sustainability and entirely disagree with the officer's conclusion, which do not appear to take any account of the merits of the scheme.