

22/00575/FUL AND 22/00039/RREF - LAND NORTH EAST OF RUNNINGBURN FARM, STICHILL

## APPELLANT'S RESPONSE TO SBC COMMENTS

Below we address each of the officer's comments contained in the letter received on 21 February 2023. These comments are highlighted in bold, and the appellants response to each is set out below (non-bold).

"The Sequential Site Assessment with Photographs has been considered. The new pond (featuring an arched pedestrian bridge) located in Field 12 has not been considered. This would be within 100-200m of the wedding venue as opposed to this site at 800-900m from the venue".



Figure 1: Location of Field 12 and ponds in relation to the farm and the appeal site

The location of Field 12 as suggested by the officer, is shown in Figure 1 above, which is currently in arable use. This was considered and had already been discounted in the 'Sequential Site Analysis' on the basis, this field is still in agricultural use and therefore not available for development. The appellant's land holding is relatively modest, as shown in blue shading on the 'Farm Allocation Drawing' submitted with the appeal and copied again below for ease in Figure 2. They have deliberately chosen the appeal site on the basis it is not used as arable land.

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# FERGUSON PLANNING

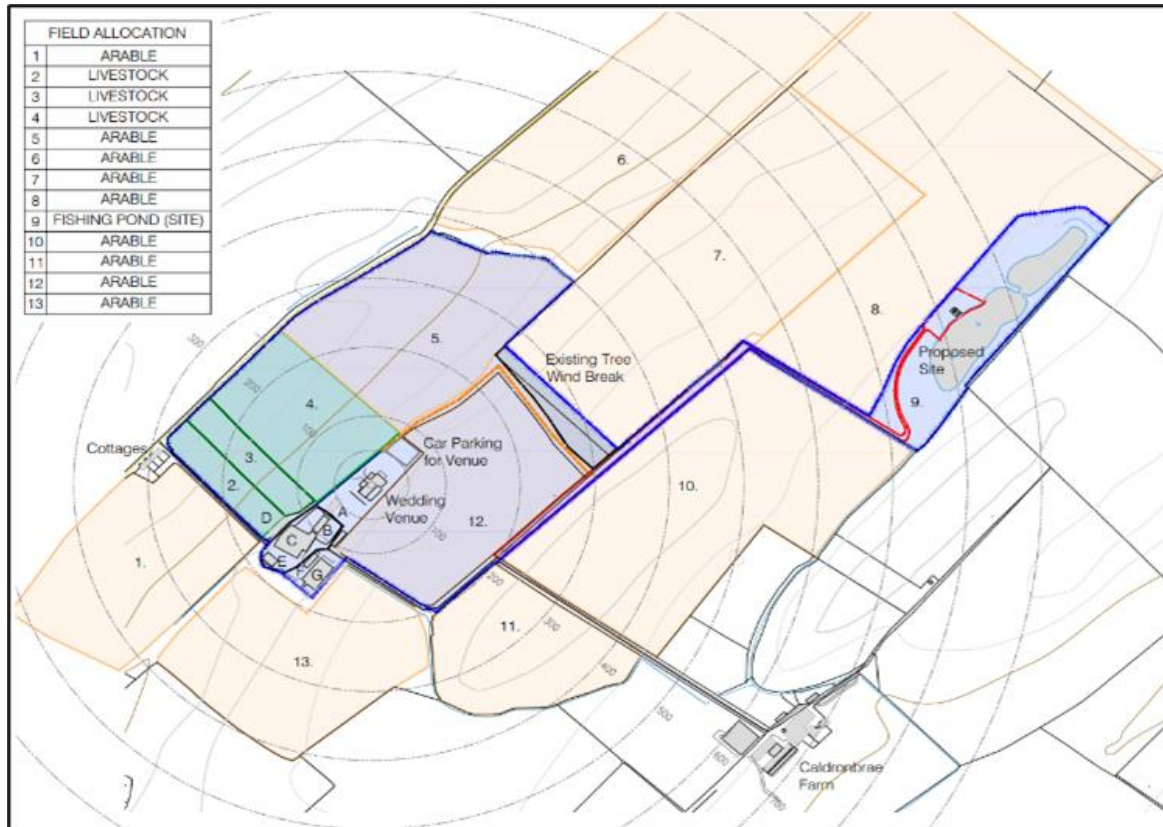


Figure 2: Farm Allocation Drawing submitted with the Sequential Site Analysis

Furthermore, any development in Field 12 would be overlooked by the wedding venue itself, as the marquee has large windows and a terrace which look across this field. This open vista and the incredible view of the surrounding landscape is a significant selling point to guests of the marquee when they visit as prospective wedding couples.

Locating the accommodation in Field 12 would neither overcome the requirement for the creation of a new access to the property, as the SBC Roads Officer has objected to any access to the accommodation via the existing farm utilising the existing road that runs around Field 12. Furthermore, as that access would still be used by both farm traffic and for access to the neighbouring dwellings to the south, the accommodation would be afforded little privacy in this location and would be far more conspicuous in the landscape. We therefore entirely disagree with the officer that this is a suitable alternative site and considered that we have justified the chosen location sufficiently in line with policy requirements.

“It is not accepted that such an isolated and sporadic situation is necessary to achieve privacy and isolation for guests. This site does not respect the pattern of development locally and would diminish amenity and character of the local area long term. There are no credible environmental benefits arising from changing the use of this greenfield site to residential use. An existing pattern of development is identified clustered around the wedding venue and positioning the

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proposal in close association with the existing road network and building clusters is the recommended approach in this instance, thereby preserving the ponds as undeveloped land”.

We have identified above that through following the Sequential Site Analysis process, the proposed site is the most suitable for the development.

The sense of privacy and isolation is an important factor and key attraction for their guests which cannot be underestimated. This is key to the success of some of the most popular holiday destinations across the Borders e.g., Rink Hill, Tiny House, Fiddle Hill Cottage as well as Scotland as a whole.

The location is not sporadic and forms an integral part of the existing farm holding as can be seen in Figure 2, as well as an established part of the existing package for wedding guests as a site for photographs. The site already provides a private fishing pond and existing boat house, and the latter would be replaced by this proposal. The proposals are well related to the natural environment and have the protection of the landscape character and quality at the heart of the designs. This is the entire ethos behind choosing a log cabin design which will blend into the natural environment. The accommodation has also been designed to be off-grid, and a solar array is proposed to power the cabin. These are clearly very credible environmental benefits; in the face of the real climate change emergency, we face.

As we have identified in the appeal statement and Sequential Site Analysis and noted above, there are no suitable existing buildings or brownfield sites within or near the farm. The officer’s suggestion to site the building in Field 12, would neither meet the appellant’s desire to provide accommodation with privacy and tranquillity for guests, or SBC Roads officer to direct traffic away from the existing farm roads.

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. We believe this proposal complies with ED7 in that regard.

*It is considered that the proposed development would result in an unsustainable development in an undeveloped rural landscape; and constitute a sporadic and unjustified form of development within previously undeveloped land. The siting and design would not respect or be compatible with the character of the surrounding area or pattern of development locally resulting in erosion of the rural visual amenity of the surrounding area.*

As we have noted above, the proposal is on the site of an existing boat house, associated with the pond. As described in the appeal statement, the location is already very much part of the existing farm and wedding venue, used frequently by couples as a stunning setting for their photographs on the day.

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The development is for a single log cabin for holiday accommodation. It will not be used as a permanent residential dwelling, and the appellant is happy to accept a planning condition to that effect. The siting and design of the proposal have been deliberately chosen to ensure that the cabin blends into the surroundings. The officer in fact stated as part of their original decision, that the *“contemporary design of the building is responsive in minimising the visual impact”*. The Visual Impact Study submitted, also shows the chosen location will be largely hidden from most view points in the wider area. The access track already exists and will be predominantly formed from a low impact natural farm style hardcore, carefully following the existing track to prevent any further encroachment into the existing fields. The proposals will therefore be compatible with the surrounding area and will not result in erosion of the rural visual amenity as a result. We therefore consider the proposals are fully compliant with Policy PMD2.

*It is not considered that the Appellant has demonstrated any significant benefit to the local economy which would outweigh the deleterious impacts that the proposal would have upon the amenity and environment of the site and surrounding area, and by the unnecessary levels of greenhouse gas emissions that would be generated by the construction and operation of this development.*

The officer also says in their response that they *“acknowledge[s] the business plan”* and recognise that *“the plan proposes that this accommodation will increase use/revenue of the wedding venue”*. The officer also accepts that, *“a growing financial surplus is demonstrated which will be supplemented by holiday rentals when the accommodation is not being used as part of the wedding business”*.

Given the above, it therefore seems odd, that the officer has then concluded that the appellant has demonstrated no significant benefit to the local economy. Not only do the proposals support the continued diversification of the farm which drives the ambition behind this development, but the proposals, as the officer acknowledges, clearly supports the continued growth of the existing Runningburn events / wedding business and continued employment of three current staff. This, together with the proposals contribution to the accommodation sector more widely in the Kelso area which has faced the recent closure of several self-catering businesses, as well as support for numerous local suppliers in the area such as chair hire companies, florists, hairdressers etc, means that the local economic benefits of the proposals, are significant and cannot be overlooked.

In a wider context, Scotland’s Agritourism Strategy<sup>1</sup>, Mairi Gogean, the Cabinet Secretary for Rural Affairs and Islands, also identifies Agritourism as a fantastic growth opportunity for our rural economy. She states that *“By diversifying operations, farmers and crofters generate a stable income and this, in turn, helps to sustain their businesses. But it doesn’t stop there as diversified*

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<sup>1</sup> <https://www.visitscotland.org/binaries/content/assets/dot-org/pdf/about-us/what-we-do/agritourism-strategy-final-4.pdf>



*activity also provides an economic boost to the wider rural community by attracting tourists from urban areas to our countryside". "Scottish Agritourism has a long-term sustainable future that delivers a high quality, authentic visitor experience with agriculture and food and drink at its core, sustaining the future of family farms in Scotland, contributing to the rural economy and positioning Scotland as a key player in agritourism".*

We draw Members attention to the recently published Scottish Agritourism Growth Tracker<sup>2</sup> (December 2022) which identifies that:

- The majority (56%) of agritourism businesses were legally part of the farm business.
- A significant proportion of the respondents' agritourism activities included on-site self-catering accommodation in farm cottages (46%) or in lodges (16%)
- In the Scottish Borders, self-catering accommodation in lodges (4%) accounts for a smaller proportion of agritourism than other popular tourist locations like the Highlands (16%), Fife (28%) and Dumfries and Galloway (8%).
- Of the farm assets utilised for agritourism respondents included land (63%), family members with specific skills (49%), panoramic views (56%), wildlife (49%), environmental features - green tourism (41%).
- Initial findings suggest that profitability associated with agritourism far exceeded that reported for farm activities, particularly with the impact of Covid-19 and the consequences of Brexit on the supply chain.
- Agritourism is worth at least £60 million to the Scottish economy and supports 1,684 FTE jobs. The Scottish Government are aiming to double this by 2030, to £125 million and support 3,200 jobs by 2030.
- The planning system could be more welcoming to rural diversification.

All the above provide evidence of significant local benefits that would arise because of permitting the appeal proposals.

With regard to the amenity and environment of the site, the officer only states that the 'visual impact study is acknowledged' but provides no other informed commentary. The landscape officer provided no comments on the original application either. In fact, the officer states in his original 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"*.

The visual impact study submitted, clearly demonstrated that the proposal would have very limited visibility from any neighbouring sensitive receptors or within the wider landscape. The appellants have chosen a log cabin design purposefully to ensure that there will be a low landscape and visual amenity impact. The log cabin is ideal for such a rural setting and the roof will be green roof, helping it to further blend into the wider landscape.

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<sup>2</sup> <https://www.visitscotland.org/binaries/content/assets/dot-org/pdf/news/core-5467-agritourism-tracker-2022-final-report-revised.pdf>

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We do not consider the officer has provided any substantive evidence to support his assessment that the proposal would have significant impact on the amenity and environment of the site, that rebuts the information submitted by the appellant outlined above.

Regarding greenhouse gas emissions, the officers' comments do not reflect the off-grid nature of the proposed development. Electricity will be generated on site through a solar array and the high level of insulation within the building fabric will help to create a highly efficient building.

*This is a greenfield and entirely car dependent site for all interactions, especially future servicing, and security.*

Given the rural nature of the location, the existing farm and wedding venue is unavoidably car dependent, as is the case for all rural farms and similar venues / accommodation across the Scottish Borders, several which we have highlighted in the appeal statement.

## ALTERNATIVE ACCESS

SBC Roads Officer: *"I am content that the newly proposed access route removes the need for visitors to the site having to drive through the working farm and therefore I will not object to the new proposals.*

*Whilst on site, I noted that the conditions relating to junction visibility and the provision of passing places which were attached to the previous consents for the wedding venue (20/00123/FUL & 16/00336/FUL) have not been implemented. Therefore, I would stress that these conditions should either be enforced through the previous consents or included in the consent of the current application if the decision is overturned".*

## Appellant's Response:

The appellant is happy to accept conditions relating to junction visibility and the provision of passing places, and these works will be completed as part of any new consent.

## CONCLUSIONS

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 excellent sustainability credentials of the proposals themselves, and the significant contribution that the proposal can make to both the farm income and wedding business, and the local tourist economy, by providing luxury accommodation in the Kelso area of the Scottish Borders. We respectfully request that this appeal is therefore allowed by the Local Review Body on that basis.