

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
CHIEF PLANNING OFFICER**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF: 22/00959/FUL

APPLICANT: Firm Of Corstane

AGENT: Ferguson Planning

DEVELOPMENT: Siting of shepherds hut and siting of cabin (retrospective) to form holiday let accommodation

LOCATION: Land South West Of Corstane Farmhouse
Broughton
Scottish Borders

TYPE: FUL Application

DRAWING NUMBERS:

| Plan Ref | Plan Type | Plan Status |
|-----------------|-----------------------------|--------------------|
| 10205-0-LP | Location Plan | Refused |
| 10205-3-01 | Existing Site Plan | Refused |
| 10205-3-02 | Proposed Block Plan | Refused |
| 10205-3-03 | Proposed Site Plan | Refused |
| 10205-3-04 | Proposed Plans & Elevations | Refused |
| 10205-3-05 | Proposed Plans & Elevations | Refused |

NUMBER OF REPRESENTATIONS: 1

SUMMARY OF REPRESENTATIONS:

One representation was submitted. That simply stated support for the proposal.

Consultation responses were received from:

Roads - no objection, subject to a condition;

Outdoor Access Officer - no objection. A recorded public right of way (BT69) runs through the site. It is recommended that consideration be given to creating a route to the village in line with BT69, which would alleviate potential pressure on the stocked fields.

PLANNING CONSIDERATIONS AND POLICIES:

In determining the application, the following policies and guidance were taken into consideration:

Scottish Borders Local Development Plan 2016

PMD2 - Quality standards;

ED7- Business, tourism and leisure development in the countryside;

ED8 - Caravan and camping sites;

HD3 - Protection of residential amenity;

EP3 - Local biodiversity;

EP4 - National scenic areas [Upper Tweeddale];

EP13 - Trees, woodlands and hedgerows;

IS5 - Protection of access routes;

IS7 - Parking provision and standards.

IS9 - Waste Water Treatment Standards and Sustainable Urban Drainage

Supplementary Planning Guidance

Biodiversity (2005);

Placemaking and design (2010);

Trees and development (2008);

Waste management (2015).

The applicant has submitted a supporting statement and I have had regard to that.

Recommendation by - Ranald Dods (Planning Officer) on 16th August 2022

Site and proposal

Corstane Farm is located approximately 400m west of Broughton and is located to the south of the B7016 and the site lies within the Upper Tweeddale national scenic area (NSA). The site is a previously undeveloped field which lies to the west of the farm buildings.

The proposal is made for the siting of a shepherd's hut and a 38 square metre building with a single bedroom / living area and separate bathroom outshot together with, retrospectively, a building described as a cabin. That building would have three bedrooms, be affixed to the ground by means a stone base, would have a double car port and a decked area permanently fixed to it. A 3.7m wide access track has been partially formed into the field to service the development and off that would be parking bays and bin storage areas.

Principle

As the proposal is for a tourism related development, the key policy is ED7. That policy supports proposals for business, tourism or leisure development in the countryside will be approved provided that, amongst other things, 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; it respects the amenity and character of the surrounding area, does not have a significant adverse impact on nearby uses, particularly housing and; the development meets all other siting and design criteria in accordance with PMD2. 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.

In this instance, although the proposal on the face of it appears to be tourism related, the applicant has not provided a business plan in support of their application. The wheeled shepherd's hut is small in scale (albeit sited in an undeveloped field) and could be easily removed from site, the inclusion of the cabin buildings and associated works are not acceptable, since the development as a whole would not comply with all the siting and design criteria set out in policy PMD2 (as explained further below). Even with a supporting business case, the siting and design of the cabin particularly is considered to be unsympathetic to the setting. Amongst other things, the buildings could be adapted to residential purposes in the future should the tourism venture fail, even were a case to have been advanced with this application. Therefore, long term sustainability and adaptability of the buildings has to be called into question.

As a result, I am not satisfied that the proposals accord with the terms of policy ED7.

Layout and design

The layout of the development is not acceptable. Rather than use a less exposed location closer to the farm, which would lead to a clear association with the farm buildings, the development breaks into an undeveloped field, extending the pattern of development away from the tight grouping of the farm. The new access track, which has been partially formed, would be 3.7m wide and would extend approximately 30m beyond the existing field boundary.

To the north of the track would be one small shepherd's hut on a wheeled base and it can be treated as a caravan although that would not lead the entire proposal being considered in terms of policy ED8. To the south of the track would be a building, with the appearance of a small Dutch barn, roughly 38 square metres in area and providing a bedroom / living / kitchen area and a separate bathroom located in an attached

outshot. The building would be permanently attached to the ground and would have an internal height of approximately 3.6m at its highest. Whilst the building looks like a small Dutch barn, its orientation and siting pays no regard to adjacent barn from which it draws influence. The track would ultimately lead to the 3 bedroomed cabin building, which has been sited in the field within the last year. It would be separated from the other structures by a fence and gate. The building is an incongruous feature in this part of the landscape. The siting is not appropriate to its surroundings and the physical separation from the rest of the development and farm buildings would give the impression and appearance of it being wholly unconnected from the farm and from the other structures proposed in the application. As noted above, the building could be adapted to residential purposes in the future, which calls into question the long term sustainability of the proposal. In summary, the layout of the development is haphazard and bears no relationship to the pattern of development exhibited in the farm building group.

In terms of design, the smaller building and the shepherd's hut would be acceptable, albeit their siting could be improved markedly. The cabin building on the other hand, is of no architectural merit and is of a style found commonly on mobile home sites across the country. No effort has been made to demonstrate an understanding of the context or the local architectural style nor could it be said to be of the highest quality of architecture which would complement that found in the locality. Other than the existing hedge on the northern boundary of the site, nothing is proposed in the way of boundary treatments to help integrate the development in to the surroundings and, even if proposed, that would not be sufficient mitigation for the incongruous visual impact of the cabin in particular. Taken as a whole, the development is not acceptable in layout and design terms and would not comply with policy PMD2.

Amenity

The proposal is remote from housing and would not result in amenity concerns. The buildings would not result in overshadowing.

Ecology

The applicant provided an ecological report. The land is an undeveloped field which has served as grazing. No ecological interests would be affected by the proposal.

Effect on NSA

The site is approximately 150m from the western boundary of the Upper Tweeddale NSA. Whilst it would not be detrimental to the overall integrity of the NSA, the development would not be visually appealing within the landscape, especially when entering the NSA from the west along either the B7016 or the C7 to the south of the Biggar Water. This would result in an adverse impact on the landscape quality of the NSA. The development would not relate sympathetically to the landscape setting of the NSA. Even were landscaping proposals to have been included, they would not address the unsympathetic nature of this development.

Trees

There is a tree within the site but that would not be affected by the proposal. The access track passes close to the existing hedgerow on the current field boundary, although only the south eastern end of the hedgerow would be affected. As the track has already been substantially formed, the opportunity to offer that a degree of protection has passed. Had the hedge been more substantial, then the likely negative impact on it may have been an additional reason for refusal.

Protection of access routes

The Outdoor Access Officer commented that there is a right of way (BT69) recorded as running runs through the site. A recommendation was made that consideration be given to creating a route to the village in line with BT69, which would alleviate potential pressure on the stocked fields. The applicant has suggested an alternative route which the Outdoor Access Officer considers to be acceptable. Had the application been otherwise acceptable, a condition would have been imposed relating to the diversion of the right of way.

Access and parking

Access would be taken directly off existing farm tack, itself accessed from the B7016 public road. Four parking bays would be provided within the site (although the application form states that 6 parking spaces would be provided). Those would be one each for the shepherd's hut and smaller building and two within a car port, integral to the cabin building. Roads did not object but recommended a condition requiring the submission and approval of drawings showing the construction specification, geometry and levels of the access. I have no reason to question that assessment and a condition would have been imposed had the application been otherwise acceptable.

Services

The buildings would be connected to a private water supply and foul drainage system. Waste and recycling containers would be located within bin stores in the site. The design and siting of those would require further consideration and conditions would have been imposed had the application been otherwise acceptable.

REASON FOR DECISION:

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 a rural location. The need to site the development in this particular location has not been adequately justified. The proposed development would be isolated and physically segregated from the operation of Corstane Farm and would break into a previously undeveloped field. As a result, the proposed development would represent a sporadic and unjustified form of development in the countryside. No overriding case for the development as proposed has been substantiated. This conflict with the development plan is not overridden by other material considerations.

The proposal would be contrary to policy PMD2 of the Local Development Plan 2016 in that: The cabin development does not respect the character of the surrounding area and the neighbouring built form. It would be an incongruous development which would not create a sense of place based on a clear understanding of the context and has not been designed in sympathy with Scottish Borders architectural style. Furthermore, the development would not relate sympathetically to the landscape setting of the NSA, conflicting with the terms of policy EP4. These deficiencies could not be addressed by means of conditions or by landscaping. No overriding case for the development as proposed has been substantiated. This conflict with the development plan is not overridden by other material considerations.

Recommendation: Refused

- 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 a rural location. The need to site the development in this particular location has not been adequately justified. The proposed development would be isolated and physically segregated from the operation of Corstane Farm and would break into a previously undeveloped field. As a result, the proposed development would represent a sporadic and unjustified form of development in the countryside. No overriding case for the development as proposed has been substantiated. This conflict with the development plan is not overridden by other material considerations.
- 2 The proposal would be contrary to policy PMD2 of the Local Development Plan 2016 in that: The development would not respect the character of the surrounding area and the neighbouring built form, particularly the cabin. It would be an incongruous development, extending into an undeveloped field, that would not create a sense of place based on a clear understanding of the context and the cabin has not been designed in sympathy with the design and character of the existing buildings. Furthermore, the development would not relate sympathetically to the landscape setting of the NSA, conflicting with the terms of policy EP4. These deficiencies could not be addressed by means of landscaping or other mitigation. No overriding case for the development as proposed has been substantiated. This conflict with the development plan is not overridden by other material considerations.

“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.