

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
SERVICE DIRECTOR REGULATORY SERVICES**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 15/00424/FUL

APPLICANT : Messrs Morgan Partnership

AGENT : Cockburn's Consultants

DEVELOPMENT : Erection of dwellinghouse

LOCATION: Land South Of Riding Centre
Newlands
Sunnyside
Reston
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY: No Reason

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
6022.SP	Site Plan	Refused
6022PL2	Site Plan	Refused
6022PL1	General	Refused

NUMBER OF REPRESENTATIONS: 1
SUMMARY OF REPRESENTATIONS:

Education: The proposed development is located within the catchment area for Reston Primary School and Eyemouth High School.
A contribution of £5275 is sought for the Primary School and £4512 for the High School, making a total contribution of £9787.

SEPA: No objection. Informative advised in respect of contact details for regulatory advice.

Roads Planning: No objection subject to condition in respect of access visibility improvements and parking/turning requirements.

Visibility to the left at the junction with the public road to be improved to provide a splay of 2.4m by 120m and maintained thereafter in perpetuity. This requires the removal of a short section of hedge, and minor alterations to the fence.
Two parking spaces and turning to be provided within the curtilage of the site and retained in perpetuity thereafter.

Community Council: No objection Concerns raised include:

Consideration to be given to passing place
Selection of materials
Consideration of reflection from glazing south elevation

Economic Development: No objection. Two aspects of agricultural economic case are considered - labour requirement and financial viability of the unit. The farm is of a size and output to demonstrate that current labour force of 3 in terms of standard man days (SMD) is satisfied. With the retirement of Mr Morgan and replacement by Mr Hewitt the number of labour units will remain at 3. Accounts demonstrate farm unit is viable. No consideration has been given for Disabled Riding School - it does not constitute an economic benefit.

A third party comment has been received supporting the proposals: Main points raised include:
No objections from the Berwickshire Group RDA
The site will increase security for the riding facility and equipment
The proposal will be of benefit to the RDA operation as the occupants will be on hand to facilitate access to the arena, to ensure security and to ensure welfare of the horses used by the group

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Council Consolidated Local Plan 2011

G1 Quality Standards for New Development
G5 Developers Contributions
D2 Housing in the Countryside
H2 Protection of Residential Amenity
NE3 Local Biodiversity
NE4 Trees, Woodlands and Hedgerows
Inf4 Parking Standards

Supplementary Planning Guidance
New Housing in the Borders Countryside

Recommendation by - Lucy Hoad (Planning Officer) on 22nd June 2015

Site

Newlands Sunnyside Farm, is located 2.4km to the west of Reston and 0.7km north of Auchencrow. The landscape is characterised mainly by an open landscape comprising a series of undulating hills. The farm complex sits on rising land and comprises the main farmhouse located to the north, three farm cottages to the north west, and a bungalow to the north east. There is a mixture of traditional and modern sheds immediately adjacent and central to the group. The site lies to the south of the indoor riding arena directly visible from the B6437 to the east and south. Access is to be taken via the southern private access route off the public road. The site is not within any natural heritage designations

History

14/01288/FUL An earlier application for the erection of a dwellinghouse for a farm worker on the site was withdrawn by the applicant. The applicant was advised at the time that the site did not relate well to the existing group extending beyond the limits of the group, and that preferable alternative sites within the farm complex existed.

Proposal

This application seeks planning consent in full for the erection of a dwellinghouse on land to the south of the indoor riding arena. The site (7260 sqm) is roughly rectangular in shape and comprises arable grassland. The application is accompanied by plans, elevations and a supporting planning statement.

The layout plan illustrates the footprint of a house, set back within the plot (north) with provision of a new access, parking area, and amenity space. The plans depict a single storey house (pitched roof) with full height projection (south elevation). External materials include a mixture of render, and timber with slate roof.

The planning statement sets out the case that the house is justified on the following grounds.

1 The house is required for an agricultural worker under policy D2(E) (retiring farmer with son-in law taking over his duties).

2 There is an existing building group at this location, and the proposed dwelling would be a suitable addition to the group

3 There is a requirement for on-site supervision of the riding school facilities utilised by the Berwickshire branch of the RDA.

Policy

Under Policy D2(E) Housing in the Countryside, housing with a location essential for business needs may be acceptable if the Council is satisfied that

1 the housing development is a direct operational requirement of an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and it is for a worker predominately employed in the enterprise and the presence of that worker on-site is essential to the efficient operation of the enterprise. Such development could include businesses that would cause disturbance or loss of amenity if located within an existing settlement or,

2 it is for use of a person last employed in an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and also employed on the unit that is the subject of the application, and the development will release another house for continued use by an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside and

3 the housing development would help support a business that results in a clear social or environmental benefit to the area, including the retention or provision of employment or the provision of affordable or local needs housing and

4 no appropriate sites exists within a building group and

5 there is no suitable existing house or other building capable of conversion for the required residential use

The Council's Supplementary Planning Guidance: New Housing in the Borders Countryside states that the existence of a group will be identifiable by a sense of place which will be contributed to by natural and man-made boundaries. Sites should not normally break into undeveloped fields particularly where there exists a definable natural boundary between the building group and the field and the new development should be limited to the area contained by that sense of place. Any new development should be within a reasonable distance of the existing properties within the building group and this distance should be guided by the spacing between the existing properties in the building group. The scale and siting of new development should reflect and respect the character and amenity of the existing building group.

Assessment

The planning statement explains that the proposed dwelling is for the son-in-law Mr Hewitt who intends to take over the running of the business from the principle farmer who intends to retire (Mr Morgan). In addition the statement advises that Mrs Hewitt intends to take over the management of the adjacent riding school currently used by the Berwickshire RDA group.

The farm business includes the original stone farmhouse occupied by a family member (daughter), a bungalow occupied by Mr Morgan, and 3 further residential properties, 2no occupied by farm workers and a third rented out to non-farm worker. On Mr Morgan's retirement it is intended that he shall remain in the existing bungalow. The farm sheds are all in use in connection with the operation of the farm and the riding school. Economic Development has been consulted on the application and is supportive of the proposals.

Under Policy D2(E) it is accepted that there may be a direct operational need for a dwelling under these circumstances, the retirement of the principal farmer (Criteria 1 and 2). The farm unit requires 3 farm workers (taking into account standard man hours). Thus with Mr Morgan retiring and Mr Hewitt taking over the management of the business, the workers required on the farm would remain static at three. However, under Policy D2(E) it is recognised that consideration should also be given to the siting of the proposed dwelling. The policy requires an examination of the building grouping, to establish the fact of whether no appropriate site already exists within the group (Criteria 4), and the matter of whether there is no suitable existing housing available for the required residential use (Criteria 5).

Taking into account the pattern of development at the farm up to this point in time, the proposed plot has a weak relationship to the group. The site would break into the undeveloped field to the south of the riding school, and extend/enlarge the group of agricultural buildings southward towards the roadway. A walk over of the farm was undertaken by the applicant and the planning officer during the site visit. It appeared that there were alternative sites within the group that could provide for a more logical expansion of the group, for example land adjacent to the existing farm cottages lying to the north west of the grouping. However, during the site visit the applicant advised that the current site was the preferred location for the new dwelling in order to provide security to the riding school.

In consideration of the issue of siting, it is noted that criteria four of Policy D2 has not been met, given the existing pattern of development at the farm.

It is the councils understanding that there is 1 property under the control of the farm which is rented out to non-farm workers within the group which raises the issue of whether there is a shortfall of accommodation at the farm. It appears that there may be availability of another property on the farm that could provide accommodation for a farm worker contrary to criteria five of Policy D2.

Design

The scale, mass and form of the proposed dwelling reflects the design of new modern housing recently approved within the Scottish Borders countryside, with use of traditional materials.

Amenity

In terms of neighbouring amenity, the proposal raises no privacy or daylight issues.

Access and parking

The Roads Officer has been consulted on the application and has no objection to the proposals subject to works to improve visibility at the junction with the public road which will require removal of a short section of hedging along the road side boundary and minor fence alterations. He requires 2 No parking spaces and turning to be provided within the curtilage of the site and retained in perpetuity. The plot provides ample room for turning and parking as required by roads standards.

Landscaping

It is intended to retain the existing field boundaries and erect a new post and wire fence to the western boundary of the site. No additional planting has been proposed.

Services

The applicant has indicated that the development will receive its water from a public mains supply. A new sewage treatment plant/septic tank and related private foul and surface water drainage system is proposed within the plot. Drainage proposals would require to be assessed by the Building Standards Officer via the building warrant process. Connection to the public mains water supply would be assessed by application to Scottish Water.

Representations

A letter of support has been received from the Secretary of the Berwickshire Group RDA.. The group is supportive of the proposed development as the siting of the house will provide security for the riding facility and equipment inside. In addition the occupants would be on hand to facilitate access to the arena, to ensure security, and to help ensure welfare of the horses used by the group.

There has been no further third party comments/representation received in respect of this application.

Legal

In line with supplementary guidance, developer contributions are sought for local education provision (Reston Primary and Eyemouth High Schools). A Legal Agreement would be required to tie the housing to the farm.

In terms of occupancy the submitted planning statement requests that there should be no requirement placed upon the applicant to have any consent unduly restricted by S75 agreement. A condition on occupancy is preferred.

Policy D2 states that the applicant or landowner may be required to enter a Section 75 agreement with the authority to tie the proposed house or any existing house to the business for which it is justified, and to

restrict the occupancy of the house to a person solely or mainly employed, or last employed, in that specific business, and their dependants.

Conclusion

In terms of the criteria of policy D2(E), it is considered that a sufficient case has been made to demonstrate that a house may be justified at this farm in terms of employment need. This is assessed on the basis that the farm requires 3no workers and taking into account the fact that Mr Hewitt intends to take over the management duties of Mr Morgan on his retirement. However, it has not been adequately demonstrated that another dwelling on the farm could not be utilised for his accommodation.

The form of development layout does not relate well to the existing group at Newlands. In considering the extent of the site, and the footprint of the proposed development, it was felt that the site and footprint of the house extended beyond the limits of the group, bounded on the southern side by the agricultural sheds. The applicant was advised to consider an alternative site to ensure the new house would sit comfortably within the limits of the group.

The applicant has sought to keep the development close to the riding stables and at a distance from the existing residential properties at the farm. The proposed site is located within an area of land that is clearly visible from the public road. No planting has been proposed to help screen or integrate the development into the existing group.

The proposal is not considered acceptable under the criteria of policy D2(E) as the site extends the group outwards into the unbroken field with related adverse effects on the landscape and amenity of the surrounding area. Alternative sites that are better related to the existing buildings and sense of place created by the group, exist within the farm complex and these should be tested through the planning process. Furthermore, an existing farm cottage, albeit occupied but a non-farm worker, could be made available for the required residential use.

REASON FOR DECISION :

The proposal is contrary to policies G1 and D2 of the Consolidated Local Plan 2011, in that the site would break into a previously undeveloped field outwith the identifiable boundaries of the building group giving rise to an adverse visual impact on the setting, appearance and character of the established building group.

Recommendation: Refused

- 1 The proposal is contrary to policies G1 and D2 of the Consolidated Local Plan 2011, in that the proposed dwellinghouse would break into a previously undeveloped field outwith the natural boundaries of the building group giving rise to an adverse visual impact on the setting, appearance and character of the building group.

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