

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

Coldingham Cabin, Land North of Sea Neuk, Coldingham Sands

Rob Cameron

February 2023

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INTRODUCTION

INTRODUCTION

- 1.1 This Appeal Statement is submitted on behalf of Mr. Rob Cameron ('the appellant') and sets out the grounds of appeal against the decision of Scottish Borders Council (SBC) to refuse planning application LPA ref: 22/01357/FUL by delegated decision on 14/12/2022.
- 1.2 The Full Planning Permission sought consent for the *“Erection of dwelling house and associated works at Land North of Sea Neuk, Coldingham Sands, Scottish Borders”*.
- 1.3 The reasons for the refusal of the application are set out below.
- The proposed development is contrary to Local Development Plan 2016 policy HD2 (Housing in the Countryside) and EP14 (Coastline) in that the site is not well related to the Coldingham Sands building group and the building group has no further capacity for expansion within the current plan period. The development would result in unacceptable harm to Coldingham Sands' sense of place and would cause unacceptable cumulative impact to the character of the building group and the undeveloped coast.
 - The proposed erection of a dwellinghouse at this location would be contrary to Local Development Plan 2016 policy PMD2 (Quality Standards) criterion (Q) in that the additional traffic generated by the development would have an adverse impact on road safety. The section of road between St Veda's House and the application site is considered incapable of accommodating such further traffic. In particular, the lack of forward visibility at a blind corner outside St Veda's House results in vehicles meeting on a narrow section of road with the need for one vehicle to reverse to the detriment of road and pedestrian safety.
 - The proposed development is considered contrary to Local Development Plan 2016 policies PMD2 criterion (L), EP1 (International Nature Conservation Sites and Protected Species), EP3 (Local Biodiversity) and EP5 (Special Landscape Areas) in that it has not been demonstrated that the development can be satisfactorily accommodated within the site without unacceptable harm to the Berwickshire Coast Special Landscape Area, internationally designated sites, and to the local environment. It has not been demonstrated that the risk of coastal erosion and land slippage can be avoided or mitigated in a manner without unacceptable detrimental impacts to these interests.

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

Consultee	Comment
Nature Scot	No Objection
Architectural heritage Society	No Objection
Archaeology Officer	No Objection
Scottish Water	No Objection
Ecology Officer	No Objection
Landscape Officer	No Objection
Transport Officer	Comments addressed within this Appeal Statement and accompanying Core Documents
Ecology Officer	Comments addressed within this Appeal Statement and accompanying Core Documents
Community Council	Comments addressed within the accompanying Core Documents

1.5 The remaining sections in this appeal statement comprise:

- A description of the appeal site and surrounding context (Section 2)
- A summary of the appeal proposals (Section 3)
- Grounds of Appeal (Section 4)
- Summary of the appellant's case and conclusion (Section 5).

Supporting Documents

1.6 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

- 1.7 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.

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APPLICATION SITE AND CONTEXT

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- 2.1 The site originally formed part of the Sheiling Care Home grounds which fell on both sides of the street. The site is brownfield and currently scrubland with no particular use or value.
- 2.2 The applicant was also the owner of planning application 13/00299/FUL which demolished the dilapidated care home building and constructed The Bay, an eight 2-bed apartment development split across two villas. This sits directly opposite with further houses to the north and south.
- 2.3 Adjacent to the south there is an existing brick dwelling (Sea Neuk) - its large roof the only visible part of the building when viewed from the road, as it is well concealed by a large hedgerow.
- 2.4 The subject site and the pavilion dwelling to the north are all located on the same side of the road and seek to create and complete the traditional streetscape. The proposal, in effect, is a form of infill and on general waste land used during the construction of the Bay. The building group is bottlenecked to the north by Haven Lodge and Cottages. Further context can be found within the Planning Statement and Design & Access Statement lodged with this Appeal.
- 2.5 On either side of the site existing hedgerows offer a degree of privacy and containment. There are a scattering of self-seeded trees and wild plants that form the landscape of the hillside below and which will remain. The settlement of Coldingham Sands is a linear development along the bay with the occasional house and beach huts sitting down the slope. The urban form is illustrated within Figure 1 and the aerial image within Figure 2.

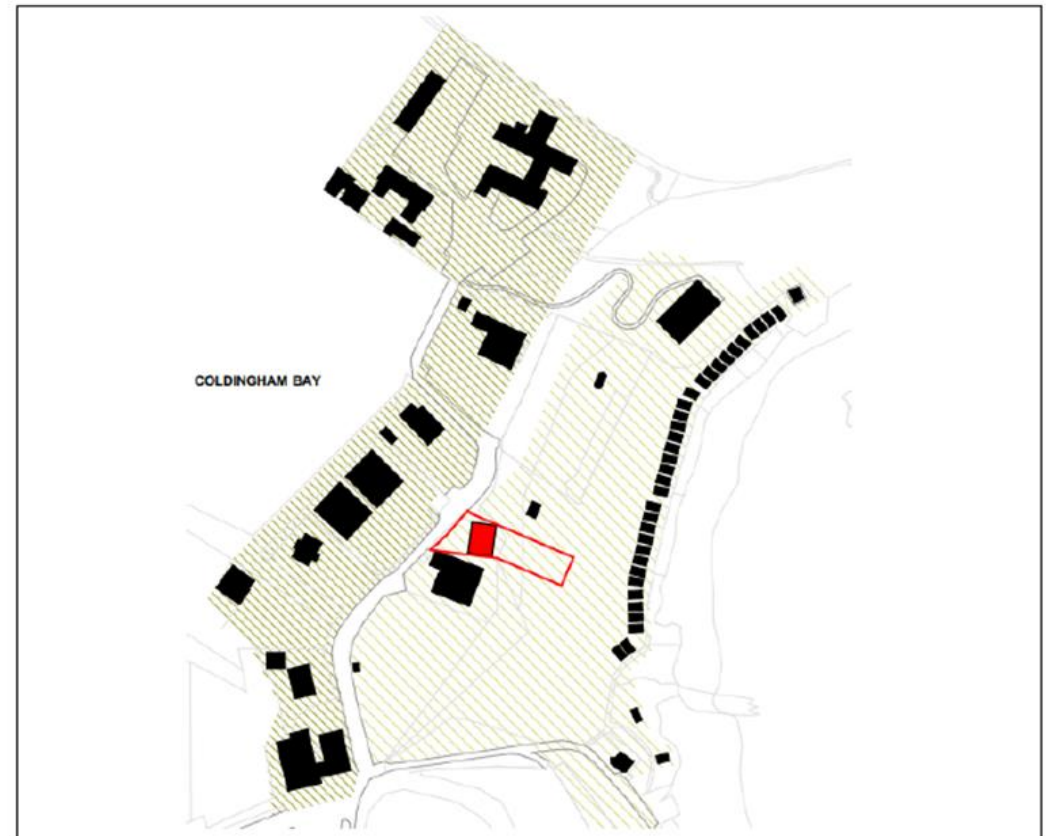


Figure 1: Site Location Plan



Figure 2: Arial Image Local Development Pattern

2.6 As shown above the subject site sits adjacent and in between built form. It will continue to retain the landscaping/headland which drops down toward the beach. The proposal sits below and within the backdrop of existing dwellings all of which are of varying heights and styles. Further detail can be found within the proposal section to follow as well as in the Drawings and Design and Access Statement (which goes into detail on design philosophy and acceptability).

Designations

2.7 With reference to the LDP Proposals Map, the site is considered white land with no value of note. While there is no defined settlement boundary for Coldingham Sands the subject site is considered to fall within and relate well to the current settlement / village profile (as shown within Figures 1 and 2 above). There is no Conservation Area of note or Listed Buildings within close proximity of the site.

2.8 The Scottish Environment Protection Agency (SEPA) are the statutory body for flood management in Scotland and maintain flood maps for public and development purposes. Looking at the map available, the Site does not fall in an area at risk to flooding. Suitable on-site drainage arrangements would be made regarding any water capture.

2.9 The site falls within the Berwickshire Coast SLA area and with applicable coastal and landscape policy guidance. The related sensitive and visual impact of any development on this site has formed a significant part of the design process and addressed later in this report. Worthy of note at this stage, however, is that Nature Scotland have been consulted and raised **no objection**.

2.10 The recommended a Construction Environmental Management Plan (CEMP) be conditioned if approved. The Appellant would accept a suitable worded condition that provides sufficient detail on the construction process and minimising impacts on any adjoining lands running toward the coast.

Planning History

2.11 There is no planning history to the subject site. A previous application was withdrawn during the time of the 'Shieling' proposal now approved and built out opposite the site in question.

2.12 The two sites have differing context with the subject site sitting much lower into the landscape and with a differing palate of materials. The 'Shieling' application was approved by the Council back in 2015. It is important to note that the consent and works started on this site before the current Local Development Plan (LDP).

2.13 It is material to note that the Roads Department also objected to this application but was overruled by both the planning department and planning committee.

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THE PROPOSAL

THE PROPOSAL

3.1 This section set out the details of the proposal. The description of which is as follows:

“Erection of Residential Dwelling together with associated Landscaping/Amenity, Parking, Infrastructure and Access at Land North of Sea Neuk.”

3.2 The proposal is for a building that is discretely and sensitively positioned in the landscape, that is simple in plan, construction and detail - a design that is contemporary in its architectural language but sensitive to its context.

3.3 The applicant is applying to build a single storey two-bedroom dwelling on the site. The brief is for an open-plan living, dining and kitchen space that can open up to a terrace overlooking the bay. By carefully designing the buildings to be constructed off-site, the effect on the neighbours and ecology is kept to an absolute minimum. A Pre-Planning Application consultation was made on this site for a larger 2-storey house (20/00758/PREAPP). The proposals under this application are significantly reduced. It is single storey, and tucked into the slope so that it is concealed from the road and neighbouring properties. The design is also split, to allow pre-fabrication, but also to break up the overall mass of the building, making it closer to the scale of the beach huts and outhouses on the shore than the large Victorian houses immediately around it.

3.4 Along the street side is thick hedging on either side of the site again which would soften the buildings impact and providing privacy to the neighbours. The rear and the side which slopes down to the beach is proposed to be left as it is today.

3.5 The proposal is single-storey with a flat sedum roof largely concealed from the street. A stair descends down between thick hedge planting to a small courtyard space, from which the house is entered. The two blocks of the house are more closed to the back, containing the bedrooms and the bathrooms, then open to the view across the bay to the east where the living room and kitchen/dining space are positioned. These spaces open out onto a timber-decked veranda which is carved out of the thick coastal vegetation, which will naturally layer and hang over the edges of the deck and building to conceal it from the beach and soften the edges, bedding the house into the landscape.

3.6 The front facade is single-storey and discrete with black timber cladding. The separation of the blocks means the one building reads as 2 smaller scale pieces, similar to garden pavilions or the beach huts on the shore. The single glazed element between them is the entrance, which opens to the sea view beyond. The whole arrangement is set back from the road both to allow space for two off-street parking spaces behind a thick hedge and a gate, which is not only discreet but links the site to the adjacent gardens on either side, providing soft landscaping at the boundary edge.

3.7 The east facade is largely glazed to take advantage of the spectacular views to the sea. The existing trees, shrubbery and boundaries are retained to maintain the existing character of the site. The appearance of the proposal are discreet and small in scale. The position of the building frontage is dug into the site and set back from the slope line. The perspective means that the frontage is not visible from down the slope. Positioned between Sea Neuk to the left and the garden pavilions of Ebbastrand and Dunlaverock the proposals address this change in scale and material.

- 3.8 The proposal seeks to use natural and sustainable materials. The core palette includes natural timber boarding, local whinstone, sedum roof and glazing. The materials show sensitivity to the surrounding landscape and seeks to largely go unnoticed when taken with the wider built form that surrounds it.
- 3.9 The following images (Figures 4-6) provide a brief overview of the dwelling from key angles such as from the approach road and looking up from the Beach. A number of internal images are shown and that demonstrates the high-quality design being applied (Figure 7).
- 3.10 Two car parking spaces are proposed to the southwest of the site, adjoining the access road. Advice was sought from an independent transport consultant who confirmed the access and parking provision to be acceptable.
- 3.11 Careful consideration has been taken in the design of the proposal to ensure the dwelling is sensitively positioned into the upper portion and with minimal intrusion into the coastline. A sensitive engineering/build solution has been considered with further detail contained within the Design & Access Statement.



Figure 3: Street View



Figure 4: Aerial View (Looking North)

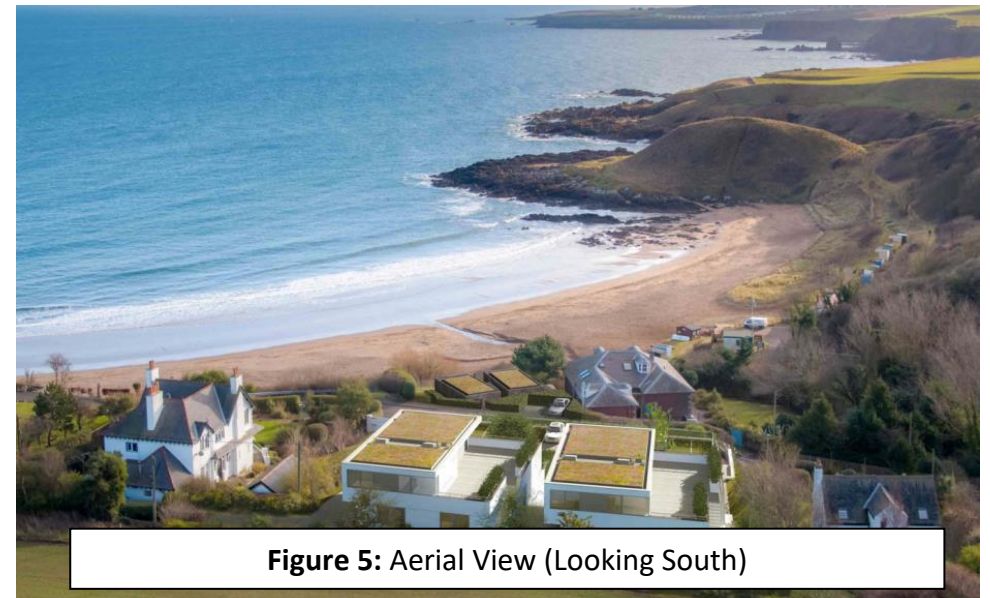


Figure 5: Aerial View (Looking South)

Figure 6: Beach View



Figure 7: Interior Design



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Grounds of Appeal

Grounds of Appeal

- 4.1 The Local Authority's decision to refuse the application is challenged on the basis of the three reasons cited within the Decision Notice. It is asserted that the Proposal accords with the relevant policies and intentions of the Local Development Plan, Supplementary Planning Guidance and related material planning considerations. We outline below why we consider, on balance, the application should be approved.
- 4.2 The Appellant sets out the following five Grounds of Appeal (GOA).
- **GOA 1:** The proposed development accords with Policy HD2 of the Local Development Plan 2016, in that the proposal is considered to be well related to the existing Building Group and there is capacity for a further dwelling within this current plan period.
 - **GOA 2:** The proposed development accords with Policy EP14 of the Local Development Plan in that the development would not result in significant or unacceptable harm to Coldingham Sands sense of place and would not cause an unacceptable impact to the character of the building group and the undeveloped coast.
 - **GOA 3:** The proposed development accords with Policy PMD2 (Q) of the Local Development Plan in that the proposal would not generate adverse impacts on road safety.
 - **GOA 4:** The proposed development accords with Policy PMD2 (L), EP1, EP3 and EP5 in that the proposal can satisfactorily be accommodated on site without unacceptable harm to the Special landscape Area, Internationally Deigned Sites, and to the local environment.
 - **GOA 5:** There are no other material considerations which warrant refusal of the application. Wider material considerations have not fully been taken into account. The NPF4 supports and promotes further rural housing and investment in the coastal communities such as this.
- 4.3 **GOA 1:** *The proposed development accords with Policy HD2 of the Local Development Plan 2016, in that the proposal is considered to be well related to the Building Group, and there is capacity for a further dwelling within this current plan period.*
- 4.4 **LDP Policy HD2:** This Policy directs rural housing to village locations in preference to open countryside. It seeks a strong relationship with existing building groups of three or more houses.
- 4.5 It allows for a 30% increase in that building group and seeks to ensure that the development is of appropriate scale and design together with appropriate access.
- 4.6 The policy states the calculations on building group size are based on the existing number of housing units within the group as at the start of the Local Development Plan period. This will include those units under construction or nearing completion at that point.
- Appellant's Case**
- 4.7 We have set out below the circumstances for why this development should proceed in line with policy, setting out how the proposal complies with Policy HD2 Part A in that Coldingham Sands does have capacity for a further dwelling within this current plan period and the proposal is well related to the existing Building Group.
- 4.8 The site in question is sitting within the village and built form of Coldingham Sands. It sits on brownfield/scrub land and addresses and relates well to the existing built form, adjacent to existing residential properties. It represents a logical infill development and which will sit well within the streetscape.
- 4.9 Coldingham Sands represents a large building group or village. It is considered to have approximately 25 dwellings in total. There is an allowance for a 30% increase under Policy HD2 of the LDP which equates to some seven dwellings. That proposal is for one dwelling.

4.10 The apartments located opposite known as ‘The Bay or Shieling’ were considered and determined under the auspices of the previous LDP (LPA ref: 13/00299/FUL) and determined in 2015. A general timeline of this proposal is below, demonstrating that construction began during the previous LDP period and we consider it reasonable for that development to be counted under the previous LDP and at the time it was determined. It should form part of calculating the building group size of the LDP 2016 as set out within Policy HD2. Again, the next LDP is at examination so again would be compliant with that within a very short period of time.

Progress of 13/00299/FUL Application	Date
Application Validated	18 th March 2013
Approved at Planning Committee	7 th February 2014
Demolition Building Warrant Granted	15 th August 2014
Road Improvements Commencing	1 st October 2014
Planning Decision Issues	14 th July 2015
Building Warrant Granted	17 th July 2015
Demolition and Construction works began	1 st March 2015
Road Widening Completion	February 2016
Adoption of Current LDP	12 th May 2016

4.10 In conclusion, it is considered the construction for application LPA Ref: 13/00299/FUL began prior to the adoption of the existing LDP and therefore included within the calculations on the building group size. Policy HD2 states the calculations are based upon the existing number of housing units within the group at the start the newly adopted LDP, **including those under construction.**

4.11 From a review of the Scottish Borders online planning register, no development has been consented within Coldingham Sands under the current 2016 Local Development Plan, as such we consider the existing building group has the capacity for a further dwelling in which this appeal relates. The proposal is therefore considered to be in accordance with Section A of LDP Policy HD2.

4.12 The bespoke single home is fundamentally part of the settlement pattern. The morphology diagrams provided within the Design and Access Statement (Addendum) express this as the road is not the determining factor in positioning houses and plots. It is the edge of the steep slope and the fields. It is proportionately contextual but at the same time the design seeks to conceal the buildings as much as possible.

4.13 The visualisations provided (refer Fig. 3-6) clearly show the house is barely visible in the wider context of the settlement and can in no way be considered to have any significant landscape impacts. Related verification is provided in Nature Scotland’s no objection consultation.

- 4.14 **GOA 2:** *The proposed development accords with Policy EP14 of the Local Development Plan in that the development would not result in unacceptable Harm to Coldingham Sands sense of place and would not cause an unacceptable impact to the character of the building group and the undeveloped coast.*
- 4.15 **LDP Policy EP14 Coastline:** Designed proposals at a coastal location will only be permitted where:
- a) The proposal is located within the Burnmouth, Eyemouth and St Abbs settlement boundary; or
 - b) The proposal is appropriate under Local Development Plan policies; or
 - c) The development requires a coastal location; and
 - d) The benefits of the proposal clearly outweigh any damage to the landscape character or to the nature conservation value of the site as assessed under other relevant Local Development Plan policies.

Appellant's Case

- 4.16 We have set out below the circumstances for why this development should proceed in line with policy, setting out how the proposal complies with Policy EP14 in that the proposal protects the sense of place of Coldingham Sands and would not cause an unacceptable impact on the character of the building group and coastline.
- 4.17 As demonstrated within Figures 3-6 above, the proposed dwelling sits within the hillside, being single storey in height and small footprint together with the rural palate of materials will ensure that the proposal will sit well within its surroundings. There will be no residential amenity concerns with regards to matters such as overshadowing. The properties opposite again will continue to see over the top of the dwelling and views will largely be as they are today.
- 4.18 It is considered the dwelling would be pre-fabricated off-site and then cranes in, further minimising the impact of the surroundings during the construction phase, ensuring a speedy and efficient process.

- 4.19 The proposed site is considered to be scrubland and seen as a form of infill plot. It is currently screened by existing landscaping and vegetation which is proposed to be further enhanced to ensure it integrates well into the surrounding landscape.
- 4.20 Materials, such as, a sedum roof and use of timber cladding again seeks to ensure the design is sensitive and reflective of the local landscape. As the Planning Statement found in Core Document 6 notes, considerable thought and detail has gone into the positioning of the dwelling which will be set within the hillside to ensure it beds in and sits lower than all other houses in the vicinity as demonstrated within Figure 8 below.



Figure 8: The image illustrated the proposed dwelling sits lower in the landscape in comparison to the adjoining properties.

- 4.21 The drawings and significant visualisations provided show how the proposal will sit within the local built form and wider landscape. When one refers to those taken from the road on approach and looking up from the Beach it is clear that the proposal will not have a significant impact on the local landscape or coastline.

4.22 The building will go largely unnoticed due to its positioning and clever use of natural materials. It sits well below the ridge line of the rising landform and residential properties that sit beside and behind the site. The landscape impact from public receptor points is considered to be low taking due consideration of the related land and built form which surrounds the site.

4.22 The construction of the house is engineered with minimal to no impact on the slope or adjacent plots. Sheet piling will be strategically used where required from within site offset at least 1m from boundary and over clad where visible. Careful excavation of areas to drop site where necessary will be undertaken with formation of small scale foundations to carry pre-fab units.

4.23 Drainage of the site surface water, including the roof which is proposed to be sedum blanket, will be collected and stored for grey water use within the building and planted areas. The run off will be collected along the retaining wall edge, so that no water run-off occurs down the slope. The water from the adjacent road does not run off onto the site and adjacent properties are drained within their curtilage. Foul drainage levels have been considered and there are options to drain back into the main sewer in the road. Once the drainage and ground works are completed the pre-fabricated units can be delivered to site and positioned on the pads. The final finish is the decking over the terrace, which allows the protrusion of the space to the east facing the sea without the impact to the slope, keeping the natural scrub and coastal landscape intact and right up to the edge of the deck.

4.24 Further information can be found within the Design and Access Statement and associated drawings found within Core Documents 3 and 4. An Ecology Survey has been undertaken, demonstrating there is little ecological value of note on the part of the site which is proposed to be development. Mitigation has been provided where necessary. Further information can be found within Core Document 5.

4.25 We consider the landscape officer's objection is without foundation and not in line with the comments received by Nature Scotland during the Public Consultation. Nature Scotland has no objection and recommends the preparation of a Construction Environmental Management Plan. This being by way of a condition on any permission granted (which the applicant is happy to adhere to).

4.26 In conclusion, it is considered the proposal would not result in unacceptable harm to the villages sense of place, nor would it cause unacceptable impact on the character of the building group and coastline, in accordance with LDP Policy EP14.

Appellant's Case

4.28 ***GOA 3: The proposed development accords with Policy PMD2 (Q) of the Local Development Plan in that the proposal would not generate adverse impacts on road safety.***

4.29 We have set out below the circumstances for why this development should proceed in line with policy and setting out how the proposal complies with section Q of Policy PMD2 in that the proposal does not result in adverse impacts on road safety. It is important to note that the Roads Department raised similar comments on 'The Bay' application and was overruled by the Planning Department and the Planning Committee.

4.30 The appeal is supported by a transport technical note prepared by SWECO, who act as highways consultants and advise on a large number of highways-sensitive projects throughout Scotland. The accompanying Transport Note can be found within Core Document 10.

Additional Traffic Generated

4.31 Within the Officers Report concerns have been raised that the proposed level of traffic generated will be a road safety issue. To determine the predicted uplift in vehicular trips, SWECO have referenced the TRICS database which has concluded that the trip generation for a single private residential dwelling for morning and evening peaks would be 0.47 two-way trips, and 0.46 two-way trips in the evening per home.

4.32 As demonstrated within the original supporting statement found in Core Document 6, the predicted uplift in trips is at a maximum of one during the morning and evening peak hours. It is deemed an additional car will neither create nor exacerbate any potential issues relating to road safety. It should also be noted that these times are not the busiest times for visitors to Coldingham.

4.33 As previously noted, there are 25 homes located within the Building Group, giving a typical two-way traffic volume of 12 vehicle movements in each of the morning and evening peaks. An additional car would make these 13 two-way trips, averaging a volume of one car movement every five minutes. This is considered to be an extremely low level of traffic, with the potential increase of a single vehicular trip being negligible.

- 4.34 The above estimate of existing traffic on the road should also be taken in the context of many of the other properties being holiday accommodated, therefore, at certain days of the week and times of the year, there will be no trips generated.
- 4.35 With reference to the trips generated during the summer season it is worth noting the bay car park is accessed further west than the St Vedas junction, as demonstrated within Figure 9 below, and will therefore not produce any opposing vehicles at the junction.
- 4.36 The pedestrian access to the car park exits onto the lane to the east. The forward visibility at the St Vedas junction will allow for vehicles to see the pedestrians travelling to and from the car park.
- 4.37 It is important to note that the highways consultant undertook a traffic count whilst on site for one hour and counted zero cars on the road at that time.



Figure 9: Image of Traffic Movement at St Vedas Junction

Road Safety

- 4.38 Within the original transport response found within Core Document 6, it was outlined that there has been no accidents on the surrounding road network in the past five years based on data generated from Crashmap. Meaning the road currently operates with no safety concerns.
- 4.39 Any suggestion of accidents not recorded on Crashmap are deemed to be purely speculative and cannot form a basis for any objection. Any refusal should be evidence-based, and the evidence indicated there is no road safety issue on any of the surrounding roads or at the St Vedas junction.
- 4.40 From a review of the adjoining planning history for the building group, it is evident that during consultee responses on applications over recent times, the road serving the site has experienced a change in the level of demand.
- 4.41 Recent examples include the development at the Bay, where an 18-bed care home was replaced with eight luxury apartments (LPA Ref: 13/00299/FUL), and Dunlaverock guest house returning to a private dwelling. Both examples would have caused a net decrease in traffic demand off the road network. As the accident record shows, the roads could safely accommodate the level of vehicles when the demand was higher and there are no areas of concern.
- 4.42 The impact on road safety from the increase in traffic from a single dwelling on the road network which enforces low speeds through its geometry leading to the site cannot be considered as a valid reason to object to this proposal.

Road Layout

- 4.43 The section of road leading from the St. Vedas Hotel is relatively inconspicuous and not an obvious continuation of the main road. It is signed as No Through Road for Vehicular Traffic, with further signage indicating that there is No Turning Area Ahead. These measures are already assisting to ensure traffic flows are low in this area.

4.44 The section of road servicing the site is only ever likely to be used by vehicles requiring access to one of the properties thereon and is conducive to a low-speed environment.

4.45 There is also no evidence that reversing is common practice on this road and given the very low predicted vehicle demand, it is anticipated to only occur in isolated cases. The Road Officers response should not be based on 'hearsay' but should however be based on factual evidence.

4.46 The road layout that is in place will encourage slow vehicle speeds through the following existing features:

- Street Dimensions/ Width
- Limited forward visibility
- Changes in priority; and
- Physical Features.

4.47 In conclusion, there is no road safety or capacity issues with the existing road from St Vedas to the site. The road layout aligns to the overarching principles set out within transport guidance and as noted there is an overall net decrease in traffic movements following the closure of the care home and hotel that once used the access in question.

4.48 It is considered that there is no factual or measurable basis to refuse the application on the grounds of road geometry, road capacity or road safety. **As a result, the proposal is deemed to be compliant with section Q of Policy PMD2 in that the proposal does not result in adverse impacts on road safety.**

4.49 ***GOA 4: The proposed development accords with Policy PMD2 (L), EP1, EP3 and EP5 in that the proposal can satisfactorily be accommodated on site without unacceptable harm to the Special Landscape Area, Internationally Deigned Sites, and to the local environment.***

4.50 We have predominantly addressed landscape matters within our Grounds of Appeal 2 previously. It has demonstrated clearly that there are no significant impacts on the landscape or intrusion to the coastline.

4.51 It will go largely unnoticed seeing within a lower profile of the existing built form that sits around and above it. The visualisations provide a clear indication as to our position on this matter.

4.52 In relation to impact on the local impact again the objections are without foundation. The subject site is brownfield/scrubland that was previously used to store construction materials and the like.

4.53 An Ecological survey was undertaken of the site and found there to be no areas of strong conservation or protected species. NatureScotland again were consulted and had no objection. The Appellant is more than happy to take up their suggestion of a Construction Environmental Management Plan Condition.

4.54 The proposals are carefully positioned on the site so as to avoid any disturbance to any valuable habitats, such as the existing trees and hedgerows, or the scrub further down the slope, which forms the edge between the Coldingham Bay settlement and the Berwickshire and North Northumberland Coast Special Area of Conservation (SAC).

4.55 Figure 10 provides an overview and shows the adjoining shoreline will remain as it is today.

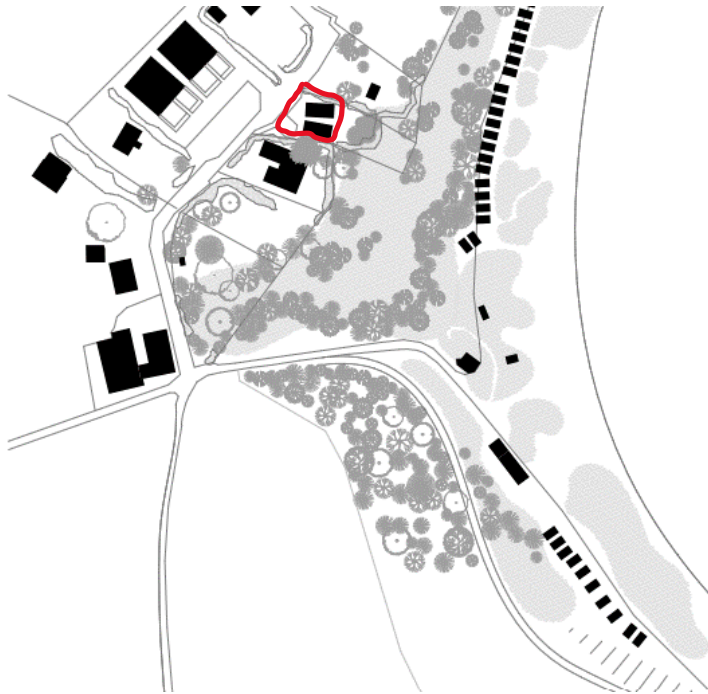


Figure 10: Retained Coastline

4.56 Not only is the position of the proposals carefully considered, the construction disturbance of the proposals is also minimal. The majority of the build will be off-site, prefabricated and delivery to site in an 90% completed state, limiting on-site activities to the readyment of the foundations and ground works. Apart from minimising impact to the ecological environment of the area, this was also considered the most suitable solution in terms of neighbour disturbance. It keeps site activity to the smallest programmed period possible.

4.57 **GOA 5:** *There are no other material considerations which warrant refusal of the application. Material considerations have not fully been taken into account. In particular Scottish Planning Policy (SPP). The, soon to be adopted, NPF4 supports and promotes further investment in housing and in the rural coastal community.*

4.58 Our clients' aspirations are for this site to provide a modest residential dwelling within an infill location, situated within an existing Building Group, whilst representing an opportunity to invest in the rural area of Coldingham Sands, keeping up with the housing demand. The proposal would be built by the applicant who is committed to deliver the development as soon as possible and is therefore considered to be effective and deliverable.

4.59 The proposed development supports the ethos of the forthcoming NPF4 through the 20-minute neighbourhood concept, as well as development on brownfield, low quality land. The NPF4 seeks to encourage housing proposals within a 20-minute walk from local shops and services within Coldingham, encouraging development to contribute to the viability, sustainability and diversity of rural economies and communities. The proposal would be developed on brownfield scrub land and would support the existing local services and facilities.

4.60 The SPP under which this application was determined 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 SPP principles in Paragraph 29 which we address in turn within the table below.

Table 1: SPP Principles

Policy Principle	How the Proposal Complies
Giving due weight to net economic benefit;	The proposal will deliver much needed investment and delivery of housing that is fit for purpose within an infill plot within an existing Building Group at Coldingham Sands. 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 rural community through the creation of jobs during the construction, whilst ensuring there is a generous supply of housing land that is fit for purpose 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 a high quality residential dwelling, utilising sustainable technologies and materials.
Making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;	The proposal will capitalise on the existing investment made in Coldingham, attracting more residents to the area who will continue to 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 form a much-needed family sized dwelling that is fit for purpose.
Supporting delivery of infrastructure, for example transport, education, energy, digital and water.	The proposal will contribute to local infrastructure through entering into a financial contribution legal agreement.
Supporting climate change mitigation and adaptation including taking account of flood risk.	The proposed residential property will capitalise on renewable technologies.

SPP Table Continued...

Policy Principle	How the Proposal Complies
Improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation.	The property is situated within an existing building group, within walking distance to local shops and services within Coldingham and the beach encouraging an active lifestyle supported by the NPF4.
Having regard to the principles for sustainable land use set out in the Land Use Strategy;	As previously mentioned, the proposed site is in a sustainable location within an existing Building Group of Coldingham Sand, within walking distance to 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 its surroundings within its coastal setting within the Building Group.
Protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment.	The proposal is largely positioned on shrub land within an infill location, and not considered to result in the loss of any green open space.
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.

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

Coldingham Cabin, Land North of Sea Neuk, Coldingham Sands

CONCLUSION

CONCLUSION

- 5.1 The submitted appeal, supported by this statement, seeks to overturn the Council's decision to refuse planning permission relating to the erection of a residential dwelling on Land North of Sea Neuk, Coldingham Sands, Scottish Borders.
- 5.2 In summary:
- The site is brownfield and represents a sustainable location within Coldingham Sands, within walking distance to local shops and services. The proposal supports new rural homes and the 20-minute neighbourhood philosophy set out within the NPF4.
 - The site is within an existing residential area and therefore our proposal will represent a compatible use without impacting upon residential amenity.
 - The proposal represents a development that integrates with the surrounding residential land use and contributes to the streetscape and sense of place.
 - The site boundaries are enclosed by distinct mature landscaping, resulting in views from public receptor points to be negligible as illustrated in the visualisations provided.
 - The proposal has been carefully positioned and designed ensuring there is a good level of amenity for future occupiers and providing good quality standards using sustainable methods in accordance with Policy PMD1, PMD2 and HD3. It again will be a high-quality building material and supported by renewable technology.
 - The proposal will be built off site, with little impact on the ground. It has been deemed to have no significant ecological or landscape impacts as supported by Nature Scotland raising No Objection to the scheme.
- 5.3 As we have demonstrated through this statement, we consider that the proposal complies with the development plan, and in particular LDP Policies HD2, EP14, PMD2, EP3 and EP5 against which the original application was refused.
- 5.4 There is a presumption in favor of applications that accord with the development plan unless there are significant material considerations that indicate the development plan should be followed.
- 5.5 In addition to the above, the proposal will deliver local investment in trade employment, whilst providing much need rural housing and supporting the Scottish Borders housing requirements. It will again support more residents to live in the area while expanding purchasing power in the local economy and supporting existing rural services.
- 5.6 The proposal is considered to fall within the guiding principles of the NPF4 and we do not consider that there are any significant impacts and thus can not outweigh the presumption in favor of the development. We therefore respectfully request that the appeal be allowed.

APPENDICIES: CORE DOCUMENTS

Core Doc 1: Decision Notice and Officer Report

Core Doc 2: Location Plan

Core Doc 3: Proposed and Existing Plans and Visualisations

Core Doc 4: Design and Assess Statement

Core Doc 5: Ecology Statement

Core Doc 6: Planning Statement

Core Doc 7: Planning Response Letter

Core Doc 8: Appeal Statement

Core Doc 9: Design Statement Addendum

Core Doc 10: Transport Appeal Note

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