

From: Dods, Ranald <Ranald.Dods@scotborders.gov.uk>
Sent: 03 May 2023 13:09
To: localreview
Cc: Henderson, Fiona
Subject: RE: Land West of Old Barn, Westwater, West Linton -
22/01739/FUL and
23/00012/RREF

Response to your request of 18th April for further information relating to the impact of NPF4 on the above planning application and subsequent review.

The consideration of this proposal is limited only to the acceptability of the proposed house. The policies from NPF4 relevant to that consideration are noted, with commentary and a conclusion below.

Policy
Commentary
6 - Forestry, woodland
and trees

Policy 6 aims to protect and expand forests, woodland and trees.

The site has a number of mature trees within it. Although not protected, those add to the landscape setting, particularly those trees which line the common avenue. Indeed, all trees within the site and along the common avenue are worthy of consideration for protection. No report was submitted into the condition of those trees or the likely impact of the development on them. The proposed site plan indicates clearly that access to the site would have a direct impact on at least one of the trees along the avenue, despite the fact that the driveway within the site does not appear to form a connection with it. The application took no account of those other than a passing mention in the supporting statement and, as a result, the proposal has to be found contrary to policy 6.

14 - Design, quality and
place

The aim of this policy is to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle and aims to ensure development does not undermine the amenity of existing homes and places. Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

This requires that developments improve the quality of an area in their design impacts and that they meet the six qualities of successful places. In this case, most relevant is that the development is 'distinctive'. This requires that developments support "attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity." The proposed development would not comply with this policy since it

demonstrates an apparent lack of attention to local architectural styles within the building group in its design and external materials. Further, the fact that the house would be sited to have a direct overview of the garden of the adjoining property would have a direct and significant impact on privacy and amenity of that property.

17 - Rural homes

The aim of this policy is to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations.

This policy supports homes in rural areas where they are suitably scaled, sited and designed to be in "keeping with the character of the area" and where the development meets one of the criteria. This proposal is not appropriately scaled, sited and designed to be in keeping with the character of the area and it is not compliant in principle with policy 17 as it does not fit with any of the policy criteria.

18 - Infrastructure first

The policy aim is to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

This requires that impacts on infrastructure be mitigated. This could be addressed by a legal agreement for a contribution to education provision, as noted in the Report of Handling.

The principle of the proposed development is not supported by NPF4 since rural housing in the countryside requires compliance with criteria in policy 17, which this proposed development does not meet. However, as NPF4 is only part of the statutory development plan, this does not undermine the principle of development, since Local Development Plan policy HD2 supports housing within building groups. Given that LDP policy HD2 is not directly contradictory to policy 17 but complementary to it, the principle of the development is compliant with the development plan as a whole.

Further policy 14 does not lend support to Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places. The design, massing and siting of the proposed house would be detrimental to the amenity of the adjoining property and therefore the proposal is not compliant with this policy.

However, as noted above, the proposal is not considered compliant with policies 14 and 17 because the siting, design, massing and materials of the proposed development are not appropriate to the character of the building group and the amenity of the area. NPF4, therefore, reinforces the reasons for refusal

already stated in the original decision notice and officer's Report of Handling.

Ranald

From: localreview <localreview@scotborders.gov.uk>
Sent: 18 April 2023 09:04
To: Dods, Ranald <Ranald.Dods@scotborders.gov.uk>
Subject: Land West of Old Barn, Westwater, West Linton - 22/01739/FUL and 23/00012/RREF
Importance: High

Good Morning

Further to the Local Review Body held on 17 April 2023, as you will be aware the Scottish Government adopted, with effect from 13 February 2023, the National Planning Framework 4 (NPF4). As this supersedes previous guidance and has been incorporated into the Local Development Plan, we must, in terms of Section 25 of the Planning Act 1997, ensure that Planning Decisions and Reviews take account of this new Framework.

To this end, comments on the impact of NPF4 on the above planning application and subsequent review are being sought from the Officer and Applicant. In order that the application be continued to the earliest Local Review Body Meeting, the further information must be provided by Wednesday, 3 May 2023 and be sent to the Clerk of the Local Review Body by email to localreview@scotborders.gov.uk. This will then be forwarded to the Applicant for comments and they have further 14 days in which to respond.

Should you require any further assistance, please do not hesitate to contact me.

Thanks Fiona

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