

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 22/01739/FUL
APPLICANT : Mr Ian Swann
AGENT : MAKAR
DEVELOPMENT : Erection of dwellinghouse with detached garage
LOCATION: Land West Of The Old Barn Westwater
West Linton
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
PL-90-101	Location Plan	Refused
PL-90-100	Proposed Site Plan	Refused
PL-00-100	Proposed Plans	Refused
PL-00-101	Proposed Plans	Refused
PL-00-200	Proposed Sections	Refused
PL-00-201	Proposed Sections	Refused
PL-00-102	Proposed Plans, Sections & Elevations	Refused
PL-00-300	Proposed Elevations	Refused

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

No representations received. Consultation responses received from: Roads - no objection, subject to conditions; Scottish Water - no objection. There is capacity at the Rosebery Water Treatment Works. There is no public waste water infrastructure in the vicinity; community council - no objection.

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
HD2 - Housing in the countryside
HD3 - Protection of residential amenity
EP13 - Trees, woodlands and hedgerows
IS2 - Developer contributions
IS7 - Parking provision and standards

Supplementary Planning Guidance
Development contributions;

New housing in the Borders countryside;
Placemaking and design;
Privacy and sunlight guide;
Sustainable urban drainage systems;
Trees and development;
Waste management.

Recommendation by - Ranald Dods (Planning Officer) on 14th December 2022

Site and proposal

The site lies some 900m south of West Linton and is located on a private road to the east of Bogsbank Road. It is currently rough grazing located between the properties known as The Old Barn and Westwater Cottage. Mature trees bound the western edge of the site with Bogsbank Road and also to the south with the private access avenue. Although the trees are not protected, they are of high amenity value to the area. To the south west lies Westwater Cottage, a single storey former lodge house and immediately to the east is The Old Barn, a new build on the footprint of an agricultural building, the design being similar to a previous permission for conversion (references 16/01368/FUL; 15/00674/FUL; 12/00298/FUL). Further to the east lies Lymefield House, a one and a half storey house (reference 19/00165/FUL) and Westwater, which is also a one and a half storey house (reference 15/0003/FUL).

The application proposes the erection of a dwellinghouse in a T shape plan form, comprising two storey and single storey elements. A detached double garage would also be erected. There is planning history associated with the site. 21/00285/PPP, which was for the erection of dwellinghouse, was granted by LRB on 22 Nov 21 (reference 21/00010/RREF). That permission is a material consideration although the proposal under consideration is a full application rather than an application for matters specified in conditions.

In determining the application, the following factors were considered:

Policy

The principle of development on the site has been accepted through the grant of 21/00285/PPP as noted above. The key policies against which this proposal is assessed are HD2, housing in the countryside and PMD2, quality standards.

HD2

The site is within a recognised building group and, therefore, section A of HD2 applies. The policy states that where a proposal for new development is to be supported, the proposal should be appropriate in scale, siting, design, access and materials and should be sympathetic to the character of the group. As the principle of development on the site has been accepted, what is at issue here is design and siting concerns and those are considered below.

PMD2

The placemaking and design criteria set out in that policy, amongst other things, require that a proposal: creates developments with a sense of place, based on a clear understanding of the context, designed in sympathy with Scottish Borders architectural styles, whilst not excluding appropriate contemporary and/or innovative design; is of a scale, massing and height appropriate to its surroundings; is finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality and; is compatible with and respects the character of the surrounding area and neighbouring built form.

As set out below, the proposal does not comply fully with the terms of these key policies.

Visual impact

Policy PMD2 aims to ensure all new development is of the highest quality and respects the environment in which it is contained. That policy aim does not restrict good quality modern or innovative design. What is at question here is whether the proposal is good quality or innovative design; whether it would be in keeping with the scale, extent, form and architectural character of the existing buildings and; whether or not the proposed dwelling would make a positive contribution to the character of the area.

The character of the area is single houses of traditional proportions and materials set within generous grounds, with mature trees lining the access avenue. There is, as noted above, variety in the heights of the buildings in the area but the closest properties, Westwater Cottage to the south west and The Old Barn to the east, are single storey and it is those which have the greatest bearing on the setting of this site.

The proposal would see a timber framed and clad house with a T shape planform based on a standard kit and it could not reasonably be described as contemporary or innovative design. The building would be set in the north eastern corner of the site, two the two storey element orientated north south, leading to the long elevation facing east, the appearance of which would be more solid than void and, combined with the multiple styles and dimensions of windows, would give an unappealing and overbearing appearance when viewed from the adjoining property. The proportions of this element lend the building an odd appearance. The width is too narrow and, when combined with the length and two storey height, the apparent height of the building is exaggerated.

The roofs of the two elements would both have a pitch of only 29 degrees, which would be out of keeping with the predominant pitch of roofs found in the Borders. In addition, both roofs would have generous overhangs, a characteristic not seen on the neighbouring buildings. In terms of finishing, the two storey element would be finished in profile steel sheeting, whilst the single storey element would be sedum. Neither of those materials is found on the neighbouring properties nor on houses in the surrounding area.

The detached garage would be 9.6m by 4.8m on plan and 4.3m to ridge and it would be sited in the centre of the site, well forward of the proposed house and, indeed, forward of the other properties to the east. The roof pitch of that would match that of the house at 29 degrees and it would also have excessive overhangs. The siting, design, proportions and fenestration give the garage building a very suburban appearance which would be out of keeping with the area.

The lack of contextual understanding would lead to an ill-fitting development with the immediate area. This incongruity is exacerbated by the orientation of the house itself and the location of the detached garage, such that the proposed development pays no obvious regard to the pattern of houses here, their relationship with the access avenue and with each other. This reinforces the lack of visual sympathy between the development and the existing context.

The location of the buildings on the site and, in relation to the house, the form, height and massing of the design, together with the proportions, proposed materials, shallow roof pitch with generous overhangs and the fenestration pattern do not respect either the properties with which it would be most closely associated or the built form and pattern of the surrounding area. Whilst I have little doubt that the buildings would be designed to be highly insulated and energy efficient, they would vary from the existing development pattern in terms of height, massing, proportions, materials, fenestration pattern, orientation, detailing and style. On that basis, I conclude that the proposed development cannot be said to demonstrate a clear understanding of the context and would not be appropriate in scale, siting, design, access and materials and, as it is not designed in sympathy with its surroundings, it would not be sympathetic to the character of the group.

Taking all of the above factors into consideration, the proposal does not comply with the terms of policies PMD2 and HD2.

Amenity

Policy HD3 aims to protect the amenity. It states that development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted and, to protect the amenity and character of these areas developments will be assessed against, amongst other things, the details of the development, particularly in terms of:

- o the scale, form and type of development in terms of its fit within a residential area;
- o the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking and loss of privacy and;
- o the level of visual impact.

As set out above, the scale and form of the development would not fit within the existing pattern of development in the area and the design would have a undue visual impact on the area and, in particular, the existing property to the east where the appearance of the east elevation would be overbearing. In addition, the fenestration layout, siting of the house and its orientation in relation to the property to the east would

lead to an unacceptable adverse impact on privacy through overlooking. That issue could not be mitigated through landscaping or fencing. As a result of those factors, the proposal would be contrary to policy HD3.

Daylight and sunlight

The proposal would not result in overshadowing or loss of light.

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. Were the proposal to be otherwise acceptable, I would have required the submission of an arboricultural impact assessment prior to determination. However, the trees on the avenue are worthy of protection and the application takes 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 EP13.

Developer contributions

Were the proposal to be acceptable, developer contributions would be payable towards education provision. Those would require to be secured by a legal agreement.

Roads issues

There is ample space within the site for turning and parking of two vehicles. Roads did not object, subject to the imposition of conditions.

Services

The application form states that a connection would be made to the public water supply network. Foul drainage would be by means of a private system. Were the development to be otherwise acceptable, conditions relating to these matters would have been recommended. Finally, there is sufficient space within the site to site waste and recycling containers away from the front elevation.

Conclusion

The design of the proposed house is unsympathetic to the surrounding context in terms of siting, orientation, form, scale, height, massing and materials and it would have an overbearing appearance and unacceptable adverse impact on the privacy of the existing property to the east. The proposal has taken no account of the trees within the site. It is therefore contrary to policies PMD2, EP13, HD2 and HD3.

REASON FOR DECISION :

The development would be contrary to policies HD2 and PMD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside guidance in that the proposed development is unsympathetic to the adjoining buildings and the surrounding context in terms of siting, access, orientation, form, scale, height, massing and materials. Furthermore, no account has been taken of the trees within to the site meaning the proposal is also contrary to policy EP13. 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 development would be contrary to policy HD3 of the Local Development Plan 2016 and New Housing in the Borders Countryside guidance in that the scale and form of the development would not fit within the existing pattern of development in the area and the design would have a undue visual impact on the area and, in particular, the existing property to the east. In addition, the fenestration layout, siting of the house and its orientation in relation to the property to the east would lead to an unacceptable adverse impact on privacy through overlooking. 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 policies HD2 and PMD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside guidance in that the proposed development is unsympathetic to the adjoining buildings and the surrounding context in terms of siting, access, orientation, form, scale, height, massing and materials. Furthermore, no account has been taken of the trees within to the site meaning the proposal is also contrary to policy EP13. 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 development would be contrary to policies HD2 and PMD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside guidance in that the proposed development is unsympathetic to the adjoining buildings and the surrounding context in terms of siting, access, orientation, form, scale, height, massing and materials. Furthermore, no account has been taken of the trees within to the site meaning the proposal is also contrary to policy EP13. 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”.