



SCOTTISH BORDERS COUNCIL

BERWICKSHIRE AREA COMMITTEE

27 FEBRUARY 2007

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 06/01979/OUT
OFFICER:	Mr David M Love
LOCAL MEMBER:	Councillor Law
PROPOSAL:	Erection of four dwelling houses
SITE:	Site South East of Ravelaw Farm Bungalow, Whitsome
APPLICANT:	Mr and Mrs I Gaston
AGENT:	A G Walker

SITE AND APPLICATION DESCRIPTION:

The site is located to the West of Whitsome along a minor C road which links between the B6437 and the B6460. The proposal lies to the North of Ravelaw Farm adjacent the farm bungalow with the steading and the former farm worker cottages to the south. Open fields lie to the north, east and west.

The application is for outline planning consent for the erection of four dwelling houses in a cul-de-sac style development.

PLANNING HISTORY:

An application for three conversions within the steading was submitted at the same time as this application and is on-going. In 2005 consent was given for four dwelling houses to the South of the farm cottages, as a result, a number of reserved matters applications have recently been received.

DEVELOPMENT PLAN POLICIES:

Scottish Borders Structure Plan 2001-2011

Policy H5 - New Housing in the Countryside - Building Groups

Proposals for new housing in the countryside outwith defined settlements¹ but associated with existing building groups will normally be supported where they are in accordance with the provisions of the policy guidance 'New Housing in the Borders Countryside'. Favourable consideration is more likely where development proposals:

- (i) are readily accessible to the strategic public transport network,
- (ii) employ energy efficient and/or innovative design principles,
- (iii) incorporate employment-generating uses appropriate to a countryside setting.

Berwickshire Local Plan 1994

Policy 7

Outwith the settlements identified in policies 2, 3 and 6, new housing development will be encouraged within or adjacent to the preferred building groups listed below. In addition, limited development may also be permitted within or adjacent to other building groups. All development should meet the following criteria:

¹ Defined settlements are those identified in Local Plans and Village Plans
Berwickshire Area Committee

1. No adverse effect on the viability of a farming unit or conflict with the operations of a working farm;
2. Satisfactory access and other road requirements;
3. Satisfactory public or private water supply and drainage facilities;
4. No adverse effect on countryside amenity, landscape or nature conservation;
5. No adverse impact on ancient monuments, archaeological sites or on gardens or designed landscapes in the Inventory of Gardens and Designed Landscapes in Scotland;
6. Appropriate siting, design and materials in accordance with Policies 63 and 64.
7. The safeguarding of known mineral resources from sterilisation unless this is acceptable following an assessment of the environmental implications.

Preferred Building Groups

Abbey St Bathans; Auchencrow; Chirnside Station; Cove; Cranshaws; Cumledge Mill, Preston; Edrom; Fogo; Hoprig, Cockburnspath; Horndean; Houndslow; Houndwood; Hume; Ladykirk; Polwarth; Spottiswoode.

Scottish Borders Local Plan Finalised Draft December 2005 **Policy D2 – Housing In The Countryside**

The Council wishes to promote appropriate rural housing development:

- (a) in village locations in preference to open countryside, and
- (b) in dispersed communities in the southern Borders that are experiencing depopulation in preference to areas under significant commuter pressure in the Northern Borders, Central Borders and Berwickshire.

These general principles will be the starting point for the consideration of applications for housing in the countryside which will be assessed against the Council's Policy Guidance Note "New Housing in the Borders Countryside" 1993, as amended 2000 and 2004 and Structure Plan policies H5 and H6. This policy should be read in conjunction with these other policy statements which give more detailed guidance on siting, design and interpretation.

Housing in the countryside may be approved provided that:
EITHER

(Building Group)

1. The Council is satisfied that the site is well related to an existing group of at least three houses or building(s) capable of conversion to residential use. Where conversion is required to establish a cohesive group of at least three houses, no additional housing will be approved until such conversion has been implemented.
2. In a small number of areas of the Borders where there are few building groups comprising houses and a more dispersed pattern is the norm, a lower threshold may be appropriate. A lower threshold may also be accepted in instances where the development would bring tangible environmental benefits. In these cases the existence of a sense of place will be the primary consideration.
3. Any consents for new build granted under this part of this policy should not exceed 100% of the existing number of housing units in the group. No further development above this threshold should be permitted.
4. The cumulative impact of new development on the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts on the landscape or the natural heritage, unless it can be shown that development is merited through other criteria as set out below.

OR

Berwickshire Area Committee

(Anchor point)

The Council is satisfied that the site lies within a recognised "dispersed community" that functions effectively as an anchor point in the southern Borders. These dispersed communities are to be found in areas of rural depopulation and comprise the Etrick and Yarrow valleys and southern Borders as indicated on Policy Maps P0-P5. Any consents granted under this part of this policy will not normally exceed 100% of the

existing number of housing units in the dispersed group. The design of housing will be subject to the same considerations as other types of housing in the countryside proposals.

OR

(Economic Requirement)

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; such could include businesses that would cause disturbance or loss of amenity if located within an existing settlement, or
2. 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

3. no appropriate site exists within a building group, and
4. there is no suitable existing house or other building capable of conversion for the required residential use, and

EITHER

5. a) it is for a worker predominantly employed in an enterprise which is itself appropriate to the countryside and the presence of that worker on-site is essential to the efficient operation of the enterprise,

OR

- b) 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.

The applicant and, where different, the landowner, may be required to enter into a Section 75 agreement with the planning authority: to tie the proposed house (or, in the case of 5b). above, 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.

A Business Plan, supported by referees or independent business adjudication, may be required in some cases.

OR

(Conversion)

The proposed development is a change of use of a building to a house, provided that:

1. the Council is satisfied that the building has architectural or historic merit or is physically suited for residential use; and
2. the building stands substantially intact (normally at least to wallhead height) and the existing structure requires no significant demolition. A structural survey will be required where in the opinion of the Council it appears that the building may not be capable of conversion; and

3. the conversion and any proposed extension or alteration is in keeping with the scale and architectural character of the existing building.

OR

(Rebuilding)

The proposed development is the rebuilding or restoration of a house, provided that either:

1. the existing building makes a positive contribution to the landscape
2. the walls of the former residential property stand substantially intact (normally at least to wallhead height), and
3. no significant demolition is required (A structural survey will be required where it is proposed to fully demolish the building, showing that it is incapable of being restored); and
4. the restoration/rebuilding and any proposed extension or alteration is in keeping with the scale, form and architectural character of the existing or original building,
5. Significant alterations to the original character will only be considered where it can be demonstrated that these provide environmental benefits such as a more sustainable and energy efficient design

or:

6. the proposal relates to an established policy/parkland setting, not normally comprising part of a designed landscape, and
7. there is evidence of the existence of the building in terms of criteria 1-3 above, or, alternatively, sufficient documentary evidence exists relating to the siting and form of the previous house and this evidence is provided to the satisfaction of the Council, and
8. the siting and design of new buildings reflects and respects the historical building pattern and the character of the landscape setting, and
9. the extent of new building does not exceed what is to be replaced.

In **ALL** instances there shall be compliance with the Council's Policy and Guidance Note on 'New Housing in the Borders Countryside' and must not negatively impact on landscape and existing developments. The cumulative effect of applications under this policy will be taken into account when determining impact.

Policy G1 – Quality Standards For New Development

All new development will be expected to be of high quality in accordance with sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings. As a general principle, the Council will encourage full planning applications in preference to outline. The standards which will apply to all development are that:

1. It is compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form,
2. it can be satisfactorily accommodated within the site,
3. it retains physical or natural features or habitats which are important to the amenity or biodiversity of the area or makes provision for adequate mitigation or replacements,
4. it creates developments with a sense of place, designed in sympathy with Scottish Borders architectural styles; this need not exclude appropriate contemporary and/or innovative design,
5. in terms of layout, orientation, construction and energy supply, the developer has demonstrated that appropriate measures have been taken to maximise the efficient use of energy and resources, including the use of renewable energy and resources and the incorporation of sustainable construction techniques,
6. it incorporates appropriate hard and soft landscape works, including structural or screen planting where necessary, to help integration with its surroundings and the wider environment and to meet open space requirements. In some cases agreements will be required to ensure that landscape works are undertaken at an early stage of development and that appropriate arrangements are put in place for long term landscape/open space maintenance,

7. it provides open space that wherever possible, links to existing open spaces and that is in accordance with current Council standards and incorporating as a minimum, the National Playing Fields Association "Six Acre Standard". In some cases a developer contribution to wider neighbourhood or settlement provision may be appropriate, supported by appropriate arrangements for maintenance,
8. it provides appropriate boundary treatments to ensure attractive edges to the development that will help integration with its surroundings,
9. it provides for linkages with adjoining built up areas including public transport connections and provision for bus laybys, and new paths and cycleways, linking where possible to the existing path network; Green Travel Plans will be encouraged to support more sustainable travel patterns;
10. it provides for Sustainable Urban Drainage Systems where appropriate and their after-care and maintenance,
11. it provides for recycling, re-using and composting waste where appropriate,
12. it is of a scale, massing, height and density appropriate to its surroundings and, where an extension or alteration, appropriate to the existing building,
13. it is finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality and, where an extension or alteration, the existing building,
14. it incorporates, where required, access for those with mobility difficulties,
15. it incorporates, where appropriate, adequate safety and security measures, in accordance with current guidance on "designing out crime".

Developers may be required to provide design statements, design briefs or landscape plans as appropriate.

OTHER PLANNING CONSIDERATIONS:

- New Housing in the Borders Countryside Policy and Guidance Note 1993 as Amended April 2000 and August 2004.
- Scottish Borders Council's Supplementary Planning Guidance on Affordable Housing dated 16 June 2005.
- Scottish Borders Council Supplementary Planning Guidance on Developer Contributions May 2006.

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Director of Technical Services (Roads) – No objections provided that two parking spaces and a turning area are provided within the curtilage of each plot. Additionally required are two passing places at agreed locations on the public road leading to the site.

Director of Education and Lifelong Learning – No objections provided the relevant contribution towards education contribution is submitted. This will need to be agreed if the Committee opt for approval.

Statutory Consultees:

Edrom, Allanton and Whitsome Community Council – Objected on the grounds of conflict of use with the steading, the adequacy of the existing access road and over development of the site.

Scottish Environment Protection Agency – Objected on the grounds of lack of information relating to the disposal of foul drainage.

Scottish Water – No objections as the Rawburn Water Treatment Works currently has sufficient capacity to service this proposal and there are no known issues within the present Water Network that would be problematic to this proposal.

OTHER RESPONSES:

No other responses.

PLANNING ISSUES:

The planning issues relevant to the consideration of this application are:

- Does the proposal satisfy the 'Housing in the Countryside' policy with regards to the '100% Rule'?
- Does the proposal relate comfortably to the current building group?

ASSESSMENT OF APPLICATION:

There is a history of development at Ravelaw Farm with conversions and new builds having been granted consent previously. The current application, however, will take the number of new build housing units at Ravelaw over the designated 100% capacity figure for the group during the current plan period. In the circumstances the development can not be supported as it would be contrary to the Council's 'Housing in the Countryside Policy', specifically policy D2 of the Scottish Borders Local Plan Finalised December 2005 and 'New Housing in the Borders Countryside' Policy Guidance Note December as amended in 2004.

Whilst the application is in outline the applicant has submitted indicative plans illustrating a how the site could be development. It is considered that the cul-de-sac type layout proposed would sit uncomfortably with the form of the current building group and is inappropriate. It reflects rather too suburban a design approach which is inconsistent with this rural locality. If members were minded to approve the application the development would need to be subject to then it would be recommend that a design statement is submitted with any reserved matters application seeking approval for the a more appropriate design approach to be approved. Similarly a legal agreement would be required to secure appropriate financial contributions towards affordable housing and education facilities in the locality.

RECOMMENDATION BY HEAD OF PLANNING AND BUILDING STANDARDS:

I recommend that the application be refused for the following reason:

The proposal is contrary to Policy D2 of the Scottish Borders Local Plan : Finalised December 2004 and the advice contained in the Housing in the Borders Countryside Policy and Guidance Note December 1993 as amended April 200 and August 2004 it that it will result in new build housing development at the building group being exceeded by more than 100%.

Original copy of report signed by
BRIAN FRATER (Head of Planning and Building Standards)