



8<sup>th</sup> November 2022

Paul Duncan  
Development Management  
Regulatory Services  
Scottish Borders Council  
Newtown St. Boswells  
Melrose  
TD6 0SA  
[paul.duncan@scotborders.gov.uk](mailto:paul.duncan@scotborders.gov.uk)

Application Ref: 22/01357/FUL

BY EMAIL

Dear Paul,

**ERECTION OF DWELLINGHOUSE AND ASSOCIATED WORKS AT LAND SOUTH OF EBBASTRAND COLDINGHAM, SCOTTISH BORDERS.**

As you are aware, Ferguson Planning Ltd is instructed to act on behalf of Mr. Rob Cameron (the 'Applicant') and in relation to the above 'live' planning application (22/01357/FUL).

At this juncture in the planning process we deem it necessary to write to you to respond and provide clarity on the representations made to date. We have focused our response on key topic matters raised by statutory consultees and / or public comments.

To date, in addition to your own observations, we have received statutory consultee responses from:

Community Council;  
Ecology;  
Scottish Water; and  
SBC Roads Planning.

In addition to the above, a number of public comments have been received, including those in support of the proposal noting the development would be an improvement on land that is currently considered to be 'wasteland'. It is also acknowledged residents raised concerns in relation to the proposal and the nature of the comments can be broadly summarised as follows:

Highways Impact;  
Protection of adjoining trees;  
Drainage impact  
Environmental Impact  
Visual impact with inadequate screening



Landscape impact  
Noise disturbance; and  
Location outside the settlement boundary

We have considered the relevant comments made to date and would respond as follows:

### Roads

Scottish Borders Council Roads Planning Submitted their comments in relation to the above application on the 22<sup>nd</sup> September 2022 where the following comments were raised in relation to:

- The road is considered to be narrow and tortuous
- No capacity to accommodate the increase in traffic this new development will generate.
- Increased traffic generation given the proposal is for a new build property

It is important to note similar comments were raised on the planning application for the recently completed development at The Bay, and subsequently an approval was granted.

In addition to the comments made within this letter, the applicant has appointed a SWECO, dated 2<sup>nd</sup> November 2022, and the response can be found within Appendix 1. To inform this response, a site visit was undertaken on 24<sup>th</sup> October 2022, followed by a review of the proposals, local objections and previous planning consents in the vicinity of the proposed site.

### The existing characteristics of the road serving the site

SBC Roads Planning noted the road serving the site is considered to be narrow and tortuous. The supporting technical note provides a description of the existing characteristics of the road, noting it provides access to all 23 properties and amenities within Coldingham Sands.

The site itself benefits from an existing drop kerb access, suggesting that the site already has an established point of access, or that the recent road upgrades undertaken by SBC are future proofed to provide access to the site. We understand the road immediately adjacent to the site benefits from recent large-scale improvement works to ensure a strong embankment and high-quality road surface.

Figure 1: Proposed Access into the site



Figure 2: Image of Adopted Road



While SBC design this road section of road as 'narrow and torturous', its width, alignment, and forward visibility is fully conducive to, and promotes, a low-speed environment. The road characteristics reflects the ideology as outlined in national policy 'Designing Streets, 2019'. Indeed, the policies and guidance for street design set out with Design Streets to reduce vehicle speeds include:

- Street Dimensions
- Reductions in forward visibility (as low as 9m from a 10-mph area)
- Changes in priority
- Physical Features

In summary, the road geometry provides no reason for objection to the proposals.

#### The capacity of the road network

In relation to the concerns regarding the capacity of the road network SWECO have analysed the residential vehicle trip generation for both the morning and evening to way trips. As Table 1 demonstrates within the accompanying supporting letter prepared by SWECO, there is a very low predicted maximum traffic flow on the existing road between the site and St Vedas, and the increase of the uplift in car trips from one dwelling is minimal.

It is considered that the trip generation from a single dwelling when added to a very low baseline flow would create no capacity issues. The estimates of the existing traffic on the road should also be taken in the context of many of the properties being holiday accommodation, therefore during many hours of the day, and indeed days of the week, they will generate no trips whatsoever.

In summary, the capacity of the road provides no reason for objection to the proposals.



## Road Safety

In relation to the road safety within the area, SWECO have reviewed the CrashMap records which highlight incidents over the past seven years from 2015-2021 on the local road network. The results showed that there have been no recorded accidents on either the road between Coldingham and Coldingham Sands, or on the road leading to the site from St. Vedas.

The impact on road safety from the increase in traffic from a single dwelling on a road network which enforces low speeds through its geometry leading to the site, or on the road connecting Coldingham and Coldingham Sands which accommodated 1,000s of visitors a year, cannot be considered as a valid reason to object to this proposal.

## Conclusions

The response prepared by SWECO accompanying this letter concludes, there is no road safety or capacity issue with the existing road from St Vedas to the site. The road conforms to the principles set out within national planning policy, designed streets, and the nature is conducive to a low speed.

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.

## Landscape and Ecology

### Ecology

Scottish Borders Council Ecology Officer submitted their comments in relation to the above application on the 14<sup>th</sup> October 2022 where the following comments were raised in relation to how the proposal would affect the ground stability of the site and the surrounding land. Most of the development is upon scrub land, focused on the upper part of the site. It is acknowledged the lower part of the site may hold potential ecological value and will remain untouched.

It is agreed silt mitigation such as silt fencing and following general good practice on site will minimise any runoff that has the potential to impact on the nearby SAC. Silt mitigation should be installed at the start of the development but continually reviewed and maintained to ensure it is adequate and is able to cope with any runoff. Construction effects will be mitigated via a standard measures set out within a Construction Environmental Management Plan with control actions secured by a suitably worded condition.

It is also acknowledged the PEA submitted are part of the original planning application recommends that nesting boxes are installed on the dwellinghouse to mitigate the loss of potential nesting habitat. The detail of the proposed nest boxes can also be secured by a suitably worded condition.



The reinstated land could be graded to avoid any future slippage by using rock armouring/armoured toe installed at intervals on the slope. This could add some refugia and hibernacula to the site providing habitat for small mammals, invertebrates and amphibian/reptile species. Planting of the land with a more native species mix will help stabilise the ground and Jute matting could also be used to help stabilise the ground until the vegetation is sufficiently formed. Jute matting can be sourced with a seed mix already present and this may help to increase the reinstatement/restoration period following which the jute matting is biodegradable usually within a couple of seasons.

### Wildlife

We note there have been concern has been raised by the Community Council and Local residents with the regards to the impact the proposals will have on the local wildlife.

An Extended Phase 1 Habitat Survey has been prepared by Ellendale Environmental and formed part of the submission package for the planning application. In summary, the survey concludes the grassland within the site does not provide suitable cover for reptiles or ground nesting birds.

There has been no evidence of protected species during the survey, and there are no ecological reasons that would limit the development of the site.

### Trees and Vegetation

In relation to comments made regarding the loss of trees and vegetation, it is acknowledged the proposed site benefits from being screened by existing landscaping and vegetation. The proposal seeks to retain the existing trees adjoining the site boundary, whilst providing further enhancement to ensure it integrates well into the landscape. The details of a tree protection plan during the construction phase, along with the proposed planting plan can be secured by a suitably worked condition.

### Landscape

It is acknowledged the Community Council and local residents raised concerns with regards to the landscape impact the proposal may have on the local area. As discussed in the original application, measures such as a sedum roof and use of timber cladding again seeks to ensure the design is sensitive and reflective of the local landscape. Careful consideration in the design and positioning of the property has ensured the dwelling sits lower than all other housing in the vicinity as illustrated within Figure 3 below.

Figure 3: Beach View



Figures 4 and 5 below further demonstrates the proposal will sit within the local built form and wider landscape. Figure 4 illustrates a view from the road on approach, noting the proposal will not have a significant impact on the local landscape or coastline.

Figure 4: Street View



Figure 5: Aerial View (Looking North)



It is considered 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 the public receptor points is considered to be low taken due consideration of the related land and built form which surrounds the site.

### Noise disturbance

Concern has been raised by local residents regarding the level of noise expected to be generated during the construction phase.

Construction effects will be mitigated via standard measures such as fixed and enforced hours of construction working, as well as noise and dust management and control actions secured by a suitably worded condition.

### Drainage Impact

We note the concern raised by local residents regarding the drainage implications the proposal may have on the local area. It is important to note the site is not considered to be at risk of flooding and a sustainable urban drainage (SUD's) arrangement will be made on site and can be secured by a suitably worded condition.



## Building Group

We note resident issues regarding the site being situated outside the settlement boundary which is not applicable to this application as the proposed site is situated within a Building Group. Much of the matters surrounding the sites position within the large building group have been addressed within the Planning Statement lodged with the application.

Coldingham Sands is considered to represent a large building group which has approximately 25 dwellings in total and therefore policy HD2 of the LDP is considered to be applicable in this instance. Policy HD2 sets out an allowance for a 30% increase within the Local Development Plan Period. The proposal in question is for a single dwelling and therefore well within the capacity of the Building Group.

From review of the neighbouring planning history, the apartments located opposite the site were considered and determined under the previous LDP and no dwellings, as part of the Building Group have been consented under the current LDP.

It is considered the proposal represents a small addition to the current building group and one that represents an infill plot that relates well to the existing built form and in accordance with LDP policy HD2.

## Conclusion

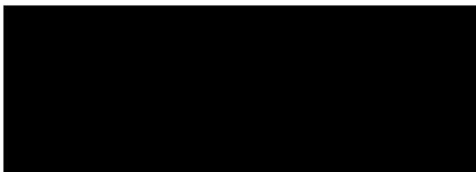
We trust the above provides you with sufficient information to address the comments raised by representations received to date.

We would greatly appreciate, prior to determination, the opportunity to have a meeting with you to discuss the proposal and representations made to date.

We reserve the right to comment further should any further representations be received following the date of this letter.

If you have any queries regarding the above, please do not hesitate to contact Tim Ferguson ([tim@fergusonplanning.co.uk](mailto:tim@fergusonplanning.co.uk)) or Lucy Moroney ([lucy@fergusonplanning.co.uk](mailto:lucy@fergusonplanning.co.uk)).

Yours Sincerely



**FERGUSON PLANNING**



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



## Appendix 1: Transport Response

Ferguson Planning Ltd  
Main Office:  
Shiel House | 54 Island Street | Galashiels | TD1 1NU  
NI Office:  
61 Moyle Road | Ballycastle | Co. Antrim | BT54 6LG

T 01896 668 744  
M 07960 003 358  
E [tim@fergusonplanning.co.uk](mailto:tim@fergusonplanning.co.uk)  
W [www.fergusonplanning.co.uk](http://www.fergusonplanning.co.uk)



Company Registration Number: 614302 (Registered in Scotland)