

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

3 FEBRUARY 2014

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 13/00299/FUL
OFFICER:	Mr Scott Shearer
WARD:	East Berwickshire
PROPOSAL:	Demolition of existing nursing home and erection of two villas containing eight apartments
SITE:	The Shieling Nursing Home, Coldingham Sands Road, Coldingham
APPLICANT:	Mr Rob Cameron
AGENT:	Sutherland Hussey Architects

SITE DESCRIPTION

The application site occupies an area of ground extending to 0.19 ha on the north western side of Coldingham Sands Road, Coldingham. The site extends partly around the back of its neighbours and slopes towards the road from its rear. The site is flanked at either side by detached dwellinghouses, separated by hedging. An open field encloses the site to the rear. The site occupies an elevated position above the road and over Coldingham Bay.

A large two storey hipped roofed building with fronting corner and rear projections currently occupies the site. The structure is predominantly clad with beige rendered walls under slated roof. The building is known as The Shieling Nursing Home and appears to date from the 1920s. The building is currently empty and its garden overgrown. Access is afforded from the south eastern corner of the site from Coldingham Sands Road.

PROPOSED DEVELOPMENT

Full planning permission is sought to demolish the existing Shieling Nursing Home and construct two stand alone villas that each contain four apartments. Accommodation is split across three levels with the ground floor level buried into the sloping site.

The proposed buildings are contemporary in style with horizontal lines under a flat roof. East facing glazing and terraces are used to provide views across Coldingham Bay. A limited palette of materials is proposed with predominantly rendered walls offset by sections of glazing and some timber. The roofs are to be finished in sedum. The front of the structures will sit approximately 3.5m apart with a stepped path running between them.

The existing site access will remain, with a total of 14 communal parking spaces provided across out the site. The existing stepped access on the south western end of the site will be modified and access along the north eastern side retained.

PLANNING HISTORY

90/00240/FUL - Change of use from hotel to nursing home. Approved 27th June 1990.

91/00199/FUL - Extension to existing escape stair, staff room and boiler house. Approved 15th March 1991.

06/02293/FUL - Demolition of existing building and erection of 10 flats with associated parking. Withdrawn 10th July 2007.

The planning application, reference 13/00298/FUL, which was submitted in tandem with this submission for a single dwellinghouse on an area of ground opposite the application site next to Seaneuk has been withdrawn.

REPRESENTATION SUMMARY

Objection comments have been received from 45 different addresses. The objection comments are available in full on *Public Access* and can be summarised as follows;

- Poor design
- Breaches building line
- Contrary to development plan policies
- Contrary to New Housing in the Borders Countryside SPG
- Insufficient parking
- Construction traffic will damage access road
- Overdevelopment
- Impact on residential amenity
- Deficiencies of submitted information; deceiving 3D images, lack of Landscape and Visual Impact Assessment (LVIA)
- Proposal would increase traffic as nursing home only catered for 6 parking spaces when in operation
- Development is located outwith a settlement boundary
- Adversely impinge on the privacy of neighbouring properties by causing overlooking from balconies into neighbours gardens and windows
- Increased extent of hard and impermeable surfaces will intensify existing surface water run off problem from the site
- Adverse impact on Berwickshire Coast Special Landscape Area
- Widely and readily visible
- Fails to respect character, appearance and setting of surrounding area
- Proposal fails to meet requirements for Coastline development, Local Plan Policy EP4
- Siting and scale of development fails to respect plot ratios of neighbouring properties
- Density of site
- Road safety
- A more traditional design would better fit the locality
- Design is alien to Coldingham Bay
- Over provision of accommodation in area
- Inadequate access
- Would result in demolition of the existing building

- Site is an environmentally sensitive area which is internationally recognised for diversity and habitats proposal conflicts with requirements need to attain the Blue Flag Award
- Subsidence
- Capacity of water and sewage infrastructure to support this development
- Height, bulk and mass represents overdevelopment
- Litter
- Noise nuisance
- Loss of light
- Development will be mostly used as holiday homes
- Result in loss of open space

A petition has been submitted, signed by some 240 people. The petition invited signatories to object on the following grounds;

- Architectural design of the proposal is out of character with the area
- Detrimental and damaging impact upon an area of great landscape value
- Directly conflicts with the development plan
- Access road can not accommodate any further traffic
- Access road was seriously damaged from construction of the Pavilion

In response to the re-neighbour notification and advertisement following the submission of revised plans, 7 addresses lodged further objection comments. Comments provided have already been summarised above. The petition was also resubmitted.

APPLICANTS' SUPPORTING INFORMATION

The applicant provided a Design Statement which was revised on submission of the amended scheme. This is available for Members to view in full on *Public Access*.

DEVELOPMENT PLAN POLICIES:

Consolidated Scottish Borders Local Plan 2011

Policy G1	Quality Standards for New Development
Policy G5	Developer Contributions
Policy G8	Development outwith Development Boundaries
Policy NE3	Local Biodiversity
Policy EP2	Areas of Great Landscape Value
Policy EP4	Coastline
Policy H2	Protection of Residential Amenity
Policy Inf4	Parking Provisions and Standards
Policy Inf5	Waste Water Treatment Standards
Policy Inf6	Sustainable Urban Drainage
Policy D2	Housing in the Countryside
Policy R1	Protection of Prime Quality Agricultural Land

OTHER PLANNING CONSIDERATIONS:

Scottish Planning Policy 2010
 Draft Scottish Planning Policy 2013
 PAN 72 Housing in the Countryside

Supplementary Planning Guidance:

- Biodiversity 2005
- Privacy and Sunlight Guide 2006
- New Housing in the Borders Countryside 2008
- Placemaking and Design 2010
- Development Contributions 2011
- Local Landscape Designations 2012

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Development Negotiator: Recommend that Commuted Sums towards the provision of off-site Affordable Housing should be sought in this instance. Under current policies this would necessitate £1,375 per unit, net of the first.

Director of Education and Lifelong Learning: The proposed development is located within the catchment area for Coldingham Primary School and Eyemouth High School. Within the updated consultation reply, it was confirmed that Developer Contributions of £4744 (£593per unit) are being sought towards the new Eyemouth High School which replaces a previous building that was under sever capacity pressure and with facilities unsuitable for further expansion. Payment of the contribution should be received on receipt of consent or at an agreed phased schedule. No contributions are being sought towards the primary school.

Ecology Officer: Satisfied with submitted Bat and Habitat surveys. The Bat survey confirmed the presence of bat roots and that the structures had potential to be used by bats for hibernation. Bats are a European protected species, if consent is obtained the developer will be required under direction of the European Commission to obtain a European Protected Species licence from SNH. It is advised that this licensing requirement is handled via an informative. In addition to this licensing requirement it is recommended that the provision of two integrated bat slates or bricks and two bat boxes are required with mitigation work carried out by a suitably qualified person.

The Habitat survey found breeding birds to be both nesting and present within the site. Mitigation is recommended in the form of; controlling demolition/conversion or clearance/disturbance to be undertaken outwith the breeding bird season and require the provision of nest cupts/ledges/boxes to be located within and around the site to cater for breeding birds observed with the site. All work should be carried out by a suitably qualified person.

The ivy covered conifer tree and hedgerow provide habitat opportunities and should be sought for retention. It is recommended that opportunities exist to enhance the site local habitat network for bats and breeding birds. It is suggested that SNH and SEPA are consulted to seek mitigation measures to control the impact of the sites surface water and waste water measures upon the adjacent Berwickshire and North Northumberland Coast SAC and Berwickshire Coast Intertidal SSSI.

Heritage and Design Officer: The existing building is not listed nor lies within as conservation area. The existing building is not considered to be of any particular architectural or historic significance, its proposed demolition and replacements with a high quality modern building is not opposed.

A key viewpoint of the proposal will be from the beach, in particular the high tide mark where the site will be visible. The development site already forms part of an

overall “settlement”, with a varied range of building forms, heights and colours. The buildings which currently dominate this viewpoint are St Abbs Heaven and Dunlaverock as they are prominently sited and are brighter in colour.

The local area in terms of current building character is very varied with no dominant style. The preferred development choice proposes two buildings which are contemporary in style with horizontal lines under a flat roof. Their design refers to the seaside houses of the 1930s but not as simple copies of Art Deco Architecture but modern responses.

The revisions to the proposals which remove a projecting front element from the buildings reduce the built footprint of the new buildings as well as the visual impact when viewing from the approach road on both sides. These revisions significantly reduce the mass of the proposals while retaining their contemporary style. Care should be taken to ensure that the exact render colour of the new buildings is not too bright so the buildings can visually recede into the landscape, brilliant white would be too bright.

It is recommended that the proposed redevelopment of the site with a pair of contemporary villas is supported subject to a condition requiring samples of the external materials can be approved on site as this will continue the evolution of development at Coldingham Bay.

Local Plans (Re-consultation response): Do not support the application. Identify Local Plan Policy D2, section A Building Groups to be the primary policy consideration. On assessing the proposal against the numerical criteria of the specified policy, it is considered that;

1. The site is well related to a building group.
2. The existing building group consists of 17 housing dwellings and there has been no housing permissions granted during the current Local Plan period (after January 2011) at this group. Therefore a 30% increase in addition to the group would provide potential for 5 housing dwellings ($17 \times 30 / 100 = 5.1$). Therefore the application for 8 dwelling units, even when treated on its own, would not be permissible under this policy point.
3. Content that the cumulative impact of the new development on the character of the building group, and on the landscape and amenity of the surrounding neighbours is not objectionable. If approved, request that any render is not too prominent.

In response to policies NE1 international Nature Conservation Sites and NE2 National Conservation Sites, the recommendations of the Councils Ecologist should be adhered to.

From a policy perspective against Policy D2 Housing in the Countryside, section (A) Building Groups it is concluded that the proposal is not permissible as it would extend the building group beyond the 30% threshold.

Roads Planning Service: Acknowledge that concerns over the public road that serves the site have previously been raised; however this proposal is supportable on the basis that it represents the redevelopment of a brownfield site. The resulting traffic generated by the proposals is considered to be comparable to the vehicle movements associated with the nursing home. The development would still necessitate the need for improvements to the restricted section of road between Coldingham and the beach. A scheme of details for localised widening of the

carriageway that allow two vehicles to pass at up to four locations will need to be implemented prior to construction work commencing on the site.

The proposed parking provision complies with our standard for communal parking of 175%. The parking spaces are not permitted to be allocated to individual properties. The parking must be a proper consolidated bituminous surface or approved equivalent with all bays clearly marked.

Concerns over the structural integrity of the public road are noted. It is recommended that if consent is granted, a condition survey of the road between the properties known as St Vedas and Dunlaverlock should be undertaken prior to development and after completion of the construction process. The developer must undertake any identified remedial work or emergency repairs in agreed timescales and at their own costs.

Urban Design: On assessment of the proposal against the Councils Placemaking and Design SPG, the proposal demonstrates a contextual design that fits within the landscape and works with the landform, site features and outward views. The scale, massing and form of the proposal achieve a balanced and clear design concept. It is recommended there are no grounds for refusal on matters of placemaking and design.

Statutory Consultees

Community Council: Express serious concern which is centred on design, inadequate parking provision and impact on public road. Following concerns were reflected in response;

- Contemporary design is completely out of keeping with traditional character of dwellings and irreplaceable landscape value of Coldingham Sands.
- 1.75 parking spaces per units is wholly inadequate.
- Nature and volume of site construction traffic would be incompatible with present condition and on going deterioration of Coldingham Sands Road.
- Impact of residential and construction traffic represent reasons for refusal. If any consent is granted conditions are needed to overcome these issues.
- If consent given, development should be required to improve the public road and any changes/variation are requested to be brought to the attention of the community council and consultees.

A minority of the community council (2) felt design was acceptable, concerns over parking and construction traffic could be addressed by condition

Other Consultees

Berwickshire Civic Society: Object. Two well designed villas may have been acceptable but proposal for eight apartments which requires 14 parking spaces represents a much higher density of development than already present in site. Existing road is insufficient to cope with increased traffic. Question the stability of the site following construction of the nearby Pavilion. While there is no conservation area or Listed Buildings, the starkly modern and bulky pavilion has introduced a discordant element among its Victorian and Edwardian neighbours. This proposal would further detract from the character of the bay.

KEY PLANNING ISSUES:

The main determining planning issues relevant to the consideration of this application are;

- Whether the proposal represents a suitable re-development of the former Shieling Nursing home site against development plan policy relating specifically to New Housing in the Borders Countryside, including in terms of scale and number of units;
- Whether the design of the proposal respects the character and appearance of the surrounding area including the Berwickshire Coast Special Landscape Area;
- Whether the proposal would adversely affect residential amenities;
- Whether adequate access and parking can be achieved.

ASSESSMENT OF APPLICATION:

Planning Policy

The application site is located within an area which is often strongly associated with the village of Coldingham. The Local Plan process of identifying Development Boundaries of settlements in the Scottish Borders has not included this location within the Development Boundary of its own or that of Coldingham or the nearby village of St Abbs. For the purpose of planning policy, then, this location is rural and as the proposal relates to housing, it therefore falls that this proposed development must be primarily considered against Local Plan Policy D2 which specifically relates to the development of housing in the countryside.

Local Plan Policy G8 considers Development Outwith Development Boundaries, this policy applies to application sites that are on the edge or close to settlements and would represent a logical expansion of the settlement. This application site is too far detached from the settlement of Coldingham or St Abbs for policy G8 to apply.

The Forward Planning Section have identified Section A (Building Groups) of Policy D2 to be the primary consideration. This policy advises that additional dwelling units should only be permitted where the site relates well to an existing building group of at least three houses and will only result in the addition of two dwellings or a 30% increase to the group during the Local Plan period. The properties on Coldingham Sands Road stretching from St Vedas to St Abbs Heaven form a distinct building group of 17 dwellings, representing one of the larger Building Groups in the Borders. This application site is located firmly within this building group. Ordinarily, the percentage increase that a group of 17 houses could grow by would be 5 during the period of the Local Plan. Clearly a proposal for 8 units exceeds this growth capacity. However, this application is not a new build development on a green field site, instead representing the redevelopment of a building that itself may have the potential to be converted.

Housing in the countryside provision would permit for a building to be converted to residential units without policy placing a limitation on the number of permissible new units under Section C (Conversions) of Local Plan Policy D2. This is significant in establishing the baseline position in this particular building group and it is therefore prudent to consider the potential that the existing building has for conversion.

Conversion of the Existing Building

Policy D2 sets out the criteria against which a proposal to convert the existing building would be assessed.

Within the Design Statement, floor plans have been submitted illustrating how a conversion of the existing structure could be undertaken. These plans show a range of eight, 1 to 3 bedroom apartments being achievable from the existing structure. Each unit appears to provide a reasonable level of accommodation. This illustrates that the existing building is in fact physically suited to a residential use. This confirms that the first criterion is satisfied.

Criterion two of the conversion section of Policy D2 requires that the building stands substantially intact and the existing structure requires no significant demolition. Page 7 of the Design Statement lists the physical works required to be undertaken to the building. While some structural work is required, fundamentally the existing building meets the policy obligation of being suitably intact to provide potential for conversion. Criterion two is therefore fulfilled.

Criterion three requires any proposed extension or alteration to be in keeping with the scale and architectural character of the existing building. It is not suggested that any extension is required to secure the conversion of the Shieling building. This final criterion is therefore satisfied.

If such a conversion were achievable and acceptable, it is reasonable that the potential for expansion of the group is informed by the number of units of that conversion. It should not be necessary for an applicant to have to apply to convert the building (merely to establish suitable numbers) only to have to again apply for permission separately for their intended project.

In conclusion, this exercise has confirmed in physical terms that the principle of redeveloping this building through conversion can satisfactorily achieve up to 8 residential apartments within this structure.

If that is accepted, the figure becomes significantly material in determining further housing numbers both on the site and within the wider group.

Principle

The following sections will firstly appraise the natural and built context of the site. Thereafter, the report proceeds to consider the merits of the four development options referred to within the Design Statement principally in terms of scale, design and landscape and visual impact. This in turn leads to an assessment of whether the preferred option represents an appropriate re-development of the site.

The Former Shieling Nursing Home is located within an established residential area and occupies a position midway along what is effectively a street. A proposal to create residential accommodation at the site would not, in principle, conflict with the established use of this area.

The site is located within the Berwickshire Coast Special Landscape Area SLA protected by Local Plan Policy EP2. The visual impact of the proposal will be seen within what is already a developed area of the SLA. The visual impact of the proposal

will generally be seen aside other existing buildings and not entirely on its own. However it is the impact, particularly on the character and appearance of the SLA and specifically as a result of its design, which is likely to be pivotal and will be considered in more detail later in this assessment.

The site also falls within the designated Coastline area, covered by Policy EP4. The proposed will not result in the development on any undeveloped part of the coast as an existing building has been long established on this site which generally Policy EP4 seeks to protect.

Having regard to the existence of a well-established and sizeable building group at Coldingham Sands and the presence of a not insubstantial building on the site already, the principle of some form of residential development here is considered acceptable.

The Design Statement which has been submitted to accompany the proposal provides four development Options, including the conversion of the existing building.

Landscape / Architectural Context

To understand the merits of the various development options that have been referred to within the Design Statement, it is important to first establish the context of the setting in which the proposals are being located within.

Coldingham Bay is specifically listed within the Berwickshire Coast SLA as being a very tranquil Bay set within an otherwise surrounding section of cliff features to provide a very distinctive and attractive section of the south east Scottish coast. This part of the coastal landscape is a valued tourist destination that is particularly popular with beach activities and walkers who in particular frequent the coastal path which runs along the beach.

Coldingham Sands Road extends upwards along the top of a steep embankment that descends down towards the beach. The rear of the site is visible from the B6438 (Coldingham to St Abbs road) across an open field. On approach to Coldingham Sands from the village the site is sporadically seen from points on this access. The application site can be seen from the beach, in particular from the high water mark. This is probably the principal view of the site within its surroundings that would be appreciated by most visitors. Moving towards the beach huts at the base of the slope, the site becomes less visible and then disappears owing to the height of the embankment.

The architectural character of the Coldingham Sands area is very varied with no single dominant style, a view expressed by the Heritage and Design Officer. In particular, there is a significant range of building styles on Coldingham Sands Road, ranging from traditional villas to pastiche replications of traditional buildings to modern houses and a converted hotel.

From the principal vantage point of Coldingham Bay back towards the site, St Vedas and St Abbs Haven at either end of the Building Group with, in between, Dunlaverock are the buildings that dominate the skyline from the beach. This is largely a result of their siting, scale and colour. The Shieling is one of the less prominent buildings, despite its relatively large scale.

Option 1 - Conversion of Existing Building

This option details the conversion of the existing building through its refurbishment with accommodation provided across three levels. Some significant work to the building is required to enable its conversion, in particular a new internal structure and new roof. There is however nothing to suggest that these works are not achievable and as previously confirmed the conversion option does seem to satisfy the determining criteria for conversions of existing buildings in the countryside., Section C (Conversions) of Local Plan Policy D2.

Visually, the existing building is not one of the dominant structures when viewed from the key vista from the beach. At closer quarters from within the building group, the elongated appearance of the building is inconsistent the scale of its neighbours. It is considered that the Shieling building has limited architectural value and contributes little to the built environment of Coldingham Bay. Therefore, while the physical condition of this building does lend itself favourably for conversion, the architectural contribution of the existing building is not judged to be as positive with the Heritage and Design Officer not opposing its demolition. There is therefore an argument that the conversion of a building that makes only limited contribution to the group is not the most satisfactory solution for the site.

Had the building been listed or otherwise considered worthy of retention, a decision to demolish may have been resisted but, for reasons already outlined, the principle of redevelopment is not considered inappropriate, in which case, attention turns to whether a new building is acceptable.

Option 2 – A New Single Volume Building

Option 2 entails removing the existing building and erecting almost a like for like replacement. It is suggested that this Option would be simpler than re-modelling work of the existing building associated with the conversion. In principle, this proposal would sit favourably against some of the tests applied by Local Plan Policy D2 Section (D) Rebuilding, as the proposal would likely be in keeping with the scale, form, extent and architectural character of the existing building which could be converted.

The developer has, however, decided against this approach and has dismissed the option.

As with each of these cases, it is not appropriate for the Council, as planning authority, to resist a proposal because it considers there to be better options. It must consider the development for which permission has been sought.

Option 3 – Two Smaller Volumes Containing 10 Apartments

Option 3 considers splitting the accommodation into two separate villas, each containing five apartments with accommodation provided on three levels. It is considered that the subdivision of development into two buildings as opposed to one singular large building does respond better to the established built context of Coldingham Sands Road by re-enforcing the villa status of the street.

This Option does however provide for a volume of accommodation which extends to 10 residential units. This level of accommodation is clearly greater than the 8 residential units that the conversion of the Shieling has been demonstrated to

comfortably provide. It is therefore not considered that this is an appropriate redevelopment choice as the number of residential units exceeds the volume of accommodation that the conversion of the existing building can achieve, and may also fall foul of the accepted expansion of building groups allowed by policy.

Furthermore, in terms of appearance this Option does result in a development which is of a size and bulk which does not sensitively respect the scale and massing of the surrounding area and is judged to detract from the contribution Coldingham Bay makes to the Berwickshire Coast Special Landscape Area. It may therefore represent an overdevelopment of the site as well as raising other direct impacts.

Option 4 – Two Smaller Volumes Containing 8 Apartments

This is applicant's preferred design and the Option which has been submitted for determination and will therefore form the bulk of this assessment.

Each villa will provide the following accommodation:

- The ground floor level will supply a single, two bedroom apartment that is buried into the sloping site. Enclosed garden ground is provided at its front, which is also the point of this levels access.
- The upper ground level provides two, two bedroom apartments with a shared fronting balcony. The access to each apartment is provided from the sides of the buildings.
- At first floor level a single two bedroom apartment is proposed with uncovered terraced balcony at its side. Access to this level is provided via an external staircase.

Through the course of this submission, the proposals have been amended which has entailed the removal of ground floor projections from each of the buildings' frontages.

The development provides a volume of accommodation that comprises of eight individual residential units, each with two bedrooms. On purely accommodation capacity terms, the current option provides a comparable level of accommodation that conversion of the Shieling building would achieve.

Turning to scale and mass of the proposals, this is a redevelopment of a site that should be considered in the context of the scale and mass of the existing building. The proposals achieve a reduction in height from the scale of the existing Shieling building as illustrated by Drawing Nos. GA-07, GA-10 and GA11. Concerns were expressed regarding the impact of a ground floor front projection to each building as these resulted in a proposal that exceeded the scale of the existing building, with these projections appearing inappropriately dominant on approach to the site. They also left little in the way of undeveloped amenity space around each building. The removal of these extensions reduced the footprint of the proposal to that of the extent of the existing building and also to reduce its mass. As the proposed redevelopment compares favourably to the extent and level of accommodation of the existing building, it cannot reasonably be adjudged to represent the overdevelopment of this site.

Having established that the broad principle and the scale and extent of the development is generally acceptable, attention turns to the issue of design, which is unarguably the most challenging aspect of this application.

The design the preferred Option is unashamedly contemporary in its approach. Its architecture is quite different to any of the architectural styles of the houses that are located on Coldingham Sands Road, particularly given the flat roofs proposed. In assessing traditional architecture against contemporary approaches, the Council's Placemaking and Design SPG states;

“Contemporary forms without a firm design intent or contextual understanding can be often be ill fitted to their surroundings. Equally, attempts to reproduce historic styles with modern materials can result in a weak interpretation of the original character. All new housing should therefore seek to be clear and honest in its aspiration – the concept for any new design should be made clear from the outset. Regardless of the approach adopted, new housing development should always respect the most positive defining characteristics of the local area.” (page 52)

It has been established that there is in fact no prevailing architectural style which any new development at Coldingham Bay is automatically guided by. There are however key characteristics of the locality that influence development, including the seaside location. In this case, site specific factors are considered to be: Positioning within the site; orientation; building line and a general stepping in height of buildings down Coldingham Sands Road towards St Vedas.

In assessing how this proposal responds to these characteristics, it is considered that:

- The sloping constraint of the site is handled by digging the rear of the ground floor accommodation into the embankment so this landform is exploited in a more responsive manner than the existing building.
- The siting of the proposals remains towards the rear of the site with a south easterly orientation and outlook which corresponds with the positioning of its neighbours.
- The roof heights retain the general stepping of heights down Coldingham Sands Road. The removal of the front extensions enables the proposals to fit in to the building line governed by the neighbouring buildings.

It is therefore considered that the proposal does account for contextual cues of the local area.

The Heritage and Design Officer supports the design approach of this Option which is judged to make reference to 1930s Art Deco villas which an observer would expect to find in other seaside locations. The proposal is however not seen to be a pastiche of this architectural style but a modern response, which is assisted by large glazed sections and sedum roofs.

Visually, the lower areas of the proposals will be screened when seen from the key viewpoint of the beach by the existing vegetation of the Bay's embankment. This means that the whole of these buildings will not be visible, particularly as new planting establishes. The upper areas that will be visible fit into the general sequence of buildings stepping down the slope along the top of the embankment. From this view point the proposals do not appear to dominate the setting or character of Coldingham Bay. Their intended render colouring responds to some of the lighter finishes of the existing buildings. This physical appearance of the proposals is replicated from the longer view of the wider area from the B6438.

It is considered that through the removal of the front projections, significant improvements to these proposals have been made in shorter distance views on approach from both sides on Coldingham Sands Road. This reduction enables the scale and mass of the proposals to remain more in keeping with the scale of its neighbouring properties. The Heritage and Design Officer does however recommend that care will have to be taken with the exact render colour of the walls to ensure that its finish is not too bright and potentially overly apparent from the surrounding area. It is recommended that if Members are minded to approve this proposal then a condition should be added to require that samples of external materials are approved on site.

The visual impact of the contemporary design approach will without question introduce a different architectural style on Coldingham Sands Road. A degree of risk is always attached when undertaking something new; however, in this instance, the Heritage and Design Officer does consider this scheme to represent progress of architectural styles within the area. In line with the Council's Placemaking and Design Guidance on contemporary proposals, the contemporary design is judged to be honest in its approach while accounting for the positive characteristics the locality.

The proposed design is a bold departure which will not be to everyone's taste, that much is certain. Whether that makes the development unacceptable in design terms is, however, another matter. Having addressed other matters pertaining to scale, massing and extent of development, the determining factor will be that of design. Any assessment on this aspect must include a judgement over whether this is an appropriate location for contemporary design and, as noted, because of there is no single defining architectural style at Coldingham Sands, there is an argument that it is.

There undoubtedly reservations over the approach to design and Members may have sympathy with those reservations; however, whether these concerns amount to legitimate reasons for rejecting the proposal is key in reaching a decision. A decision on the appropriateness of design should not be driven by whether the design accords with individual taste. Members must therefore restrict their determination to whether the scheme is acceptable or unacceptable on its own merits.

It is considered that, on balance, the amended proposals represent a form and scale of development which accords with Placemaking and Design Guidance principles and does not detract from the setting of Coldingham Bay within the Berwickshire Coast SLA as protected by Local Plan Policy EP2 or the visual attraction of this area of the Coastline.

Protection of Residential Amenity

Policy H2 supplemented by the Council's SPG on Privacy and Daylight seeks to ensure that development does not an adverse impact on the amenity of existing properties.

The SPG stipulates that new development should not result in unacceptable loss of daylight to habitable rooms of neighbouring properties. The proposed building is slightly closer to the neighbouring property of 'The Gagen' to the south west than the existing. However, the neighbouring property does not have any windows on its side elevation facing towards the proposed development. The proposed development is will not therefore cause any loss of light or sunlight to this neighbour. The north eastern side of the proposal is also marginally closer to 'Ebbastrand', the house to this side. This neighbour has windows of habitable rooms on its elevation facing

towards the application site. However, the height of the proposal and the distance between the respective neighbours, ensures that the proposal will not result in causing any loss of light to any principal rooms of this property.

Taking into account privacy, there are no windows on the side of these proposals that face towards any neighbours. Therefore, there will be no overlooking caused from any rooms of the proposed buildings. Balconies provide amenity space for the proposed accommodation. The central level accommodation of each villa has had its balcony area reduced as a result of a reduction to the front projections. There is still a narrow unobstructed outer edge to these balconies which could conceivably permit for views in to respective neighbour's garden ground in the case of The Gagen and garden and habitable rooms of Ebbastrand. However, this negative impact can be readily overcome through the erection of a screen at the edges or small re-design to these sides by continuing the walls in a manner that does not detract from the architectural concept of the proposals. If Members are minded to approve these proposals it is recommended that these revisions can be agreed via an appropriately worded suspensive condition.

The upper floor balcony of the villa which shares its boundary with 'The Gagen' has incorporated planting to prohibit any overlooking from this terraced level into this neighbour's garden. If Members are minded to approve these proposals a condition is recommended that this screen is implemented prior to occupation of the unit.

Overall, the scale of this proposal (which is lower than the existing building) will not detrimentally affect the access to light or sunlight of any surrounding properties and the incorporation of the safeguarding conditions will ensure that the development will not cause any detrimental overlooking implications allowing the proposal to comply with Local Plan Policy H2.

Access and Parking

The Roads Planning Officer has not objected to these proposals on grounds that this application represents the re-development of a previously developed site. Comments made in representations by third parties suggest this proposal will result in more traffic to the detriment of the integrity and safety of the public road. However, the Roads Planning Officer advises that the traffic movements associated with the former nursing home should not be significantly dissimilar to those associated with this redevelopment. It should be borne in mind that the road leading to this application site is a public road where there is no limitation on the volume and size of traffic which can use this public way. Therefore opposing this development on grounds that this development may result in more traffic does not appear to be supported by evidence.

No concerns have been raised with regard to the site's access from the Roads Planning Officer.

It has been acknowledged that this proposal would necessitate improvements to the restricted section of road between Coldingham Beach and Coldingham village. A scheme of details for localised widening of the carriageway to allow two vehicles the opportunity to pass, at a maximum of four locations is recommended to be required. It is understood the discussions upon this aspect have already been held by the developer's representatives and the Roads Planning Officer, indicating a willingness to achieve these improvements.

The multi-occupancy type of development dictates that Council parking standards seek for Communal Parking provision to be provided within the site. The Roads Planning Officer is satisfied with the volume and layout of parking. It is recommended parking bays should not be allocated and all parking areas consolidated and marked to ensure they are utilised to their full potential.

Due to concerns of damage to the structural integrity of Coldingham Sands Road between St Vedas and Dunlaverock, as a result of its use by construction traffic unrelated to this site, it is recommended that this section of road is surveyed prior to and after development. If any remedial works or emergency repairs to the road as a result of damage by construction traffic are subsequently required, these works should be undertaken by the developer in agreement with the Planning Authority.

It is therefore considered that there are no grounds to oppose this proposed development against Local Plan Policy Inf4 or road safety grounds. If Members are minded to approve this proposal it is recommended that appropriately worded planning conditions can be used to require the undertaking of the Roads Planning Officers further recommendations relating to; road improvement works, construction and maintenance of parking areas and pre and post development survey undertakings with any attributable remediation works as a result of these surveys.

Ecology

The site has no natural heritage designations, the Berwickshire Coast and North Northumberland SAC and Berwickshire Coast intertidal SSSI are however close by. The Ecology Officer suggests a need to further consult with SNH and SEPA regarding the impact of surface water run off and waste management measures. Given that this proposal relates to the redevelopment of the site with a comparable level of development where it is not proposed to alter the drainage arrangements it does not appear proportionate for there to be any detrimental impacts as a result of waste disposal. In terms of surface water run off, it is acknowledged that there is potential for a lot of hard surfaces as a result of this development. Opportunity exists to use permeable ground surface to avoid any unwelcomed impact on the nearby designated areas. Further details can however be sought via condition if Members are minded to approve with a recourse to SNH and SEPA at this juncture. There is nothing to suggest this can not ultimately be overcome.

The submitted species surveys have concluded that the demolition of the existing building will not have a significant ecological effect, though the development will require a European Protected Species Licence from SNH, an informative can be used to advise of this. Provision of bat slates or bricks in the development and nest cups, ledges or boxes for breeding birds around the development, are recommended. Any site clearance works is recommended to be controlled outwith the breeding bird season.

Development Contributions

The development of eight residential units will be required to comply with Local Plan Policy G5 on developer contributions and with the relevant SPG. The housing proposed does not constitute Affordable Housing; however, the Council's Development Negotiator has intimated that a Commuted Sum financial contribution towards the provision of off site Affordable Housing is acceptable in this instance.

The Director of Education is seeking financial contribution towards the new Eyemouth High School. In addition a commuted will be required for play area provision amounting to £500 per unit.

If Members are minded to approve this proposal, these financial contributions will need to be secured through Legal Agreement.

CONCLUSION

Subject to conclusion of a legal agreement, and subject to compliance with the schedule of conditions, it is considered that, having regard to the existing building that occupies the site, there is potential for redevelopment of the scale proposed. On balance, the design of the proposed development considered acceptable within the setting of Coldingham Bay without causing significant demonstrable harm the character and appearance of the surrounding area. The proposal is considered consistent with the Consolidated Local Plan 2011 and Supplementary Planning Guidance having accounted for other material considerations.

RECOMMENDATION BY HEAD OF PLANNING AND REGULATORY SERVICES:

I recommend the application be approved subject to a legal agreement addressing affordable housing, schools, play space requirements, and subject to the following conditions and informative:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Local Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
3. No development shall commence until amended plans which incorporate measures to provide a screen on each of the north eastern and south western outer balcony edges has been submitted to and approved in writing with the Planning Authority. Thereafter no development shall take place except in strict accordance with those details.
Reason: In the interests of protecting the amenity of neighbouring properties.
4. A sample of all materials to be used on all exterior surfaces of the development hereby permitted shall be submitted to and approved in writing by the Planning Authority before development.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
5. Prior to occupation of accommodation at Level 1, balcony screening intimated on Drawing Numbers GA-05, GA-09 and GA-11 shall be implemented to the satisfaction of the Planning Authority.
Reason: In the interests of protecting the amenity of neighbouring properties.

6. No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the planning authority. Details of the scheme shall include;
- i. existing and finished ground levels in relation to a fixed datum preferably ordnance
 - ii. existing landscaping features and vegetation to be retained and, in the case of damage, restored
 - iii. location and design, including materials, of walls, fences and gates
 - iv. soft and hard landscaping works
 - v. A programme for completion and subsequent maintenance.
- Reason: To ensure the satisfactory form, layout and assimilation of the development.
7. No development shall commence until a scheme of details for localised widening of the carriageway on the road between Coldingham Sands Road and Coldingham village has been submitted to and approved in writing by the Planning Authority. The agreed improvements shall be completed prior to construction work commencing on site.
- Reason: To ensure sufficient access to the site can be achieved.
8. The parking illustrated on Drawing Numbers GA-05 shall be a properly consolidated bituminous surface or approved equivalent and must be provided within the site before the occupation of the first dwellinghouse and retained in perpetuity. The spaces shall be clearly marked and not allocated to individual property.
- Reason: In the interests of road safety.
9. No development shall commence until a survey of the condition of Coldingham Sands Road between St. Vedas and Dunlaverock has been undertaken and submitted to and verified by the Planning Authority. On completion of the development a post construction survey of this length of public road shall be undertaken and submitted to the Planning Authority, any remedial works to this road identified in the post construction survey which are a result of this development shall be undertaken by the developer to the satisfaction of the Planning Authority within three months. During construction, any emergency repairs requiring to be undertaken to this length of Coldingham Sands Road as a result of damage from this construction must be undertaken to the satisfaction of the Planning Authority by the developer within one week of identification or any subsequently approved timescale.
- Reason: In the interests of road safety.
10. No demolition/conversion works or clearance/disturbance of habitats which could be used by breeding birds, such as hedgerows and trees, shall be carried out during the breeding bird season (March-September) without the express written permission of the Planning Authority. Checking surveys will be required if any demolition works or habitat clearance are to commence during the breeding bird season.
- Reason: To safeguard the ecological interests of the site.
11. The following ecological mitigation measures shall be incorporated into the development in suitable locations on the building or within the redevelopment site and must be carried out by a suitably qualified person;
- i. Two bat slates or bricks within the construction
 - ii. Two Schwegler woodcrete boxes

- iii. Three nest cups or ledged for swallows
 - iv. Three house martin nest boxes
- Reason: To safeguard the ecological interests of the site.

12. No development shall commence until detailed schemes to confirm the surface water drainage within the development and means of foul drainage have been submitted to and agreed by the Planning Authority.
Reason: To ensure the sustainable and suitable disposal of site services

Informatives

1. The developers will require a European Protected Species (EPS- bats) licence from Scottish Natural Heritage prior to the commencement of works and will need to meet the terms of such a licence.
2. With reference to Condition 11, opportunities exist to enhance the local habitat network for by incorporating bird nest boxes such as the Schwegler 1N Deep Nest Box can be attached to mature trees to provide nesting opportunities for a range of bird species which are likely to be present in the area, and provide protection against predators.

DRAWING NUMBERS

GA-01	Location Plan	18.10.2013
EX-01	Exiting Site Plan	13.03.2013
EX-02	Existing Sections	13.03.2013
GA-07	Existing Elevation	13.03.2013
GA-02	Site Plans	18.10.2013
GA-03	Site Plans	18.10.2013
GA-04	Site Plans	18.10.2013
GA-05	Floor Plans	18.10.2013
GA-06	Floor Plans	18.10.2013
GA-07	Floor Plans	18.10.2013
GA-08	Elevation/Section	18.10.2013
GA-09	Elevations	18.10.2013
GA-10	Elevation/Section	18.10.2013
GA-11	Elevation/Section	18.10.2013
GA-12	Section	18.10.2013
GA-13	Elevation	18.10.2013
GA-14	Elevation	18.10.2013
GA-15	Elevation	18.10.2013
GA-16	Floor Plan	18.10.2013
GA-17	Floor Plan	18.10.2013
GA-18	Floor Plan	18.10.2013

Approved by

Name	Designation	Signature
Brian Frater	Head of Planning and Regulatory Services	

The original version of this report has been signed by the Head of Planning and Regulatory Services and the signed copy has been retained by the Council.

Author(s)

Name	Designation
Scott Shearer	Assistant Planning Officer

13/00299/FUL

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Coldingham
Eyemouth

