

Paddock West of Hardens Hall, Duns - 22/01740/PPP and 23/00013/RREF

This document has been prepared in response to the Local Review Body request for further information – comments on the impact of National Planning Framework 4 (NPF4) on the planning application and subsequent review.

The relevant policies from NPF4 are listed in the table below, with officer commentary on their relevance to the application, and a conclusion below.

Policy 5 – Soils	<p>This policy aims to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development.</p> <p>The application site is identified as being an area of prime quality agricultural land. The application site is currently domestic garden ground that is associated with the dwellinghouse, Hardens Hall. The proposed development would not result in the loss of prime quality agricultural land. Therefore, the development is not in conflict with Policy 5.</p>
Policy 6 – Forestry, woodland and trees	<p>This policy aims to protect and expand forests, woodland and trees.</p> <p>As mentioned in the report of handling, there is an area of trees to the north east section of the application site which appear to be fairly young in age. There are also trees to the south west of the application site which relate to a large tree belt. A section of the roadside hedge would also require to be removed to form vehicular access to the site.</p> <p>No information has been provided at this stage in respect of trees. It is anticipated that the trees to the north east section of the application site would be required to be removed to accommodate the dwellinghouse. The loss of these trees would be regrettable but they could be compensated for through additional planting. The issues surrounding the loss of some trees and a section of roadside hedge could be mitigated against through a condition requiring details for compensatory planting.</p> <p>The trees to the south west of the application site should be retained and protected. A condition would be required to ensure that these trees are offered sufficient protection during the construction phase of the development.</p> <p>The proposed development would not conflict with the general aims of this policy.</p>
Policy 13 – Sustainable transport	<p>This policy aims to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.</p> <p>Roads Planning Service objected to the application on the grounds that the application site is somewhat detached from the settlement of Duns. The absence of a footway at this location is a road safety concern</p>

	<p>and this combined with the detached nature of the site would encourage the use of a motor vehicle for access to local services.</p> <p>Therefore, the proposed development fails to comply with the general aims of Policy 13 which discourages unsustainable travel.</p>
Policy 14 – Design, quality and place	<p>This policy requires that developments improve the quality of an area in their design impacts, and that they meet the six qualities of successful places.</p> <p>As mentioned in the report of handling, the application if for planning permission in principle and aspects such as the layout, siting, design of the proposed dwellinghouse and the impact it may have on amenity or privacy cannot be adequately assessed at this time.</p> <p>Notwithstanding the above, the proposed development would fail to meet one of the six qualities as it would encourage the use of a motor vehicle due to the absence of a footway at this location.</p> <p>The proposed development fails to comply with Policy 14.</p>
Policy 17 – Rural homes	<p>This policy aims to encourage, promote and facilitate the delivery of more high quality and affordable and sustainable rural homes in the right locations.</p> <p>This policy supports homes in rural areas where they are suitably scaled, sited and designed to be in keeping with the character of the area and where the development meets one of the criteria outlined within this policy. The proposed development has been considered against all of the criteria outlined in Policy 17 and the proposal fails to comply with this policy. Therefore, the principle of the development is not considered to be acceptable.</p>
Policy 18 – Infrastructure first	<p>This policy aims to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.</p> <p>This requires that impacts on infrastructure be mitigated, including education. This could be addressed by a legal agreement, as mentioned in the report of handling.</p>
Policy 22 – Flood risk and water management	<p>This policy aims to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.</p> <p>Sub-section c) of this policy advises that development will not increase the risk of surface water flooding to others, or itself be at risk; manage all rain and surface water through sustainable urban drainage systems and seek to minimise impermeable surfaces.</p>

	<p>As identified in the submitted application, the proposed development would make provision for sustainable drainage of surface water. No further details have been provided at this stage. However, this information could be sought by way of condition. The approach identified for surface water would comply with the general aims of sub-section c) of Policy 22.</p> <p>Sub-section d) of this policy advises that development will be supported it can be connected to the public water mains. As indicated in the application, the proposed development would be connected to the public water supply network. This approach accords with sub-section d) of Policy 22.</p> <p>The proposed development meets the general aims of Policy 22.</p>
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Conclusion

The development fails to comply with Policy 13, Policy 14 and Policy 17 of NPF4. In consideration of the above, National Planning Framework 4 reinforces the reasons for refusal already stated in the original decision notice and officer's report of handling.