

SCOTTISH BORDERS COUNCIL

DEVELOPMENT AND BUILDING CONTROL COMMITTEE

15 OCTOBER 2007

APPLICATION FOR PLANNING PERMISSION

ITEM: **REFERENCE NUMBER:** 07/01278/OUT

OFFICER: Karen Hope
WARD: Jedburgh & District
PROPOSAL: Erection of dwellinghouse
SITE: Land south of Belses Cottage, Ancrum
APPLICANT: Mr Kenneth Bayne
AGENT: None

SITE DESCRIPTION:

The application site, which measures approximately 85m x 55m, slopes from the disused railway line to the east to the west. It is bounded by a public road and residential properties to the north, by the disused railway line to the east and by agricultural land to the south and west.

PROPOSED DEVELOPMENT

This is an outline planning application for the erection of a dwellinghouse on land to the south of Belses Cottage, near Ancrum. Vehicular access would be obtained from the north of the plot, off a bend in the existing public road. Although the application is in outline only, an indicative site plan shows that it would be the applicant's intention to erect the dwellinghouse within the eastern part of the site.

This application would normally have been determined under delegated powers but is brought before the Committee solely on the grounds that the applicant is an employee of Planning and Economic Development, Scottish Borders Council.

PLANNING HISTORY:

None.

REPRESENTATION SUMMARY

No representations received.

APPLICANTS' SUPPORTING INFORMATION

The applicant has responded to the points raised by Ancrum Community Council. The following is a summary of the points raised:

- With regard to planning policy, it is considered that a dispersed building group exists at Old Belses (to which a new house has recently been added to the north east). The proposed

site lies within the limit of that group. The group is defined to the east by the line of a disused railway which forms a man-made boundary. The site also has a backdrop of established trees and shrubs and it is intended that at the house would be set down into the slope of the site and that the design would be in accordance with the principles of sustainability; and

- The proposed access point would be located on the outside of a bend where visibility from and at the access is maximised by the configuration of the road which also results in traffic speeds being lowered.

CONSULTATION RESPONSES:

Council Departments

Director of Education and Lifelong Learning: The development falls within the catchment areas for Lilliesleaf Primary School and Selkirk High School. Education has no observations to make on this proposed development and will not be seeking a developer contribution towards the provision of infrastructure for the schools in the catchment area.

Director of Technical Services (Roads): No objections provided the access position is precisely located on the outside of the road bend at a point where a driver making a right turn into the site can see round the bend in the road and can be seen by any following driver. Parking provision for at least two cars (excluding any garaging) and car turning will be required within the curtilage of the property and a service lay-by is required.

The junction of the minor public road with the B6400 is not ideal in that forward visibility for a driver making a right turn off the B6400 is restricted by obstructions on the inside of the bend. As long as a driver undertakes this manoeuvre with caution road safety should not be compromised to any great extent and on balance he is able to recommend in favour of this planning application. I can confirm that there have been no reported injury accidents at this junction in the last 25 years.

Statutory Consultees

Ancrum Community Council: Oppose the application on the following grounds:

- It is not part of an existing group of buildings. The nearest dwellinghouse below it would probably be about 100 yards away. Above the proposed new dwelling, the nearest house would be about approximately a quarter of a mile away. Policy and Guidance Notes state that the Council wishes 'to avoid a proliferation of sporadic developments'. This area is also not a 'Remoter rural area suffering from depopulation';
- The entrance to the property would be just below a hairpin bend. It is a totally blind corner and would therefore be very dangerous; and
- The site of the proposed house would be very conspicuous as it is on a hillside and under the Council's guidance could be considered an 'obtrusive site'.

Other Consultees

None.

DEVELOPMENT PLAN POLICIES:

Scottish Borders Structure Plan 2001-2011

Policy H5 - New Housing in the Countryside - Building Groups
Policy H6 - New Housing in the Countryside - Isolated Housing

Roxburgh Local Plan 1995

Policy 7 – Additions to Building Groups
Policy 8 – Single Houses in the Countryside
Policy 58 – Protection of Trees/Woodland
Policy 63 – Siting and Design in the Countryside

Scottish Borders Council Finalised Local Plan 2005

Policy D2 – Housing in the Countryside
Policy NE4 – Trees, Woodlands and Hedgerows

OTHER PLANNING CONSIDERATIONS:

New Housing in the Borders Countryside Policy and Guidance Note 1993 as Amended April 2000 and August 2004.

PLANNING ISSUES:

The main planning issue with this application is whether or not the proposal complies with the terms of the Council's Housing in the Countryside policy.

ASSESSMENT OF APPLICATION:

Planning Policy

This application must be assessed against Policies H5 and H6 of the Approved Structure Plan 2001 – 2011, Policies 7 and 8 of the Roxburgh Local Plan 1995 and Policy D2 of the Scottish Borders Finalised Local Plan 2005. The Council's Housing in the Countryside policy requires the existence of a building group which normally consists of residential buildings comprising at least three dwelling units, including existing buildings capable of conversion to residential use.

It is accepted that a dispersed building group exists at Belses. This was demonstrated in February 2005 when an outline planning application for the erection of a dwellinghouse was granted on land within a paddock to the west of Belses Station. This dwellinghouse has recently been completed. The application site is suitably contained between the former railway embankment and the cluster of existing residential properties to the north west. The proposal must therefore be judged first and foremost against the criteria listed in Policy 7 of the Roxburgh Local Plan 1995.

It is accepted that the proposal would not have an adverse effect on the viability of a farming unit or conflict with the operations of a working farm. Matters relating to the supply of water and drainage would require to be investigated and it is accepted that the proposal would not have an adverse impact upon ancient monuments, archaeological sites or upon a garden or designed

landscape. It is therefore considered that the requirements of criteria 1, 3, 5, and 7 could be met.

Policy D2 of the Scottish Borders Finalised Local Plan 2005 allows for the expansion of existing building groups by up to 100% of the existing number of houses during any local plan period, provided suitable sites can be identified in compliance with other parts of the policy and the Housing in the Countryside Policy and Guidance Note. The erection of a dwellinghouse at this located would not exceed 100% of the existing building group.

Access

Criterion 2 requires that satisfactory access and other roads requirements can be met. The Director of Technical Services (Roads) has raised no objections to the proposal provided the access position is precisely located on the outside of the road bend at a point where a driver making a right turn into the site can see round the bend in the road and can be seen by any following driver. Parking provision for at least two cars (excluding any garaging) and car turning would also be required within the curtilage of the property as well as a service lay-by. These matters could be dealt with by attaching suitably worded conditions/informatives to any consent granted.

Landscape and Natural Heritage

Criterion 4 requires that there would be no adverse effect on countryside amenity, landscape or nature conservation. The Housing in the Countryside Policy and Guidance Note highlights that it is important to retain existing trees wherever possible both within a site and on its boundaries. Although no trees exist within the site, there is a well established hedge extending along the northern and eastern boundaries of the site. There is also a wooded area upon the embankment of the former railway line to the north east. A small number of trees would need to be removed in order to form the access to the site. It is considered that a suitably worded condition should be attached to any consent granted requiring that no trees are lopped, topped or felled without the prior approval of the Planning Authority and requiring the retention of the existing hedgerows. Furthermore, appropriate planting along the southern boundary of the site would be required in order to provide an attractive boundary to the dispersed building group.

Criterion 6 requires appropriate siting, design and materials. Although these matters would need to be investigated as part of any future application(s) for reserved matters / full planning consent, I consider that the proposed dwellinghouse should be located more centrally and lower within the site. This matter should be brought to the attention of the applicant by means of an informative. Existing properties within the vicinity of the site are located within relatively large garden grounds and a dwellinghouse on the site would reflect this.

Developer Contributions

The Director of Education and Lifelong Learning has confirmed that a financial contribution towards would not be required. No contribution is sought from a single house development toward affordable housing provision.

CONCLUSION

It is therefore considered that this application complies with the requirements of Policy 7 of the Roxburgh Local Plan and Policy D2 of the Scottish Borders Finalised Local Plan 2005 and it is

therefore recommended that this application is approved subject to conditions and an informative.

RECOMMENDATION BY HEAD OF PLANNING AND BUILDING STANDARDS:

It is recommended that this application is approved subject to the following conditions:

1. The subsequent approval by the Planning Authority of the means of access, the layout of the site, the design and siting of any buildings and the landscape treatment of the site.
Reason: Approval is in outline only.
2. The means of water supply and of both surface water and foul drainage to be submitted to and approved by the Planning Authority before the development is commenced.
Reason: To ensure that the site is adequately serviced.
3. A vehicle turning area and two parking spaces, excluding any garaging, to be provided within the site and must be retained in perpetuity.
Reason: In the interests of road safety.
4. The development hereby approved shall have a natural slate roof. Any alternative roofing material shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site.
Reason: To ensure a satisfactory form of development, which contributes appropriately to its setting.
5. No development shall take place except in strict accordance with a scheme of soft landscaping works, which shall first have been submitted to and approved in writing by the Local Planning Authority, and shall include:
 - i. indication of existing trees, shrubs and hedges to be removed, those to be retained and, in the case of damage, proposals for their restoration
 - ii. location of new trees, shrubs, hedges and grassed areas including a tree belt along the southern boundary of the site
 - iii. schedule of plants to comprise species, plant sizes and proposed numbers/density
 - iv. programme for completion and subsequent maintenance.Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.
6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the dwellinghouse and shall be maintained thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing.
Reason: To ensure that the proposed landscaping is carried out as approved.
7. Details of all proposed means of enclosure shall be submitted to and approved in writing by the Local Planning Authority before work on the site is commenced.
Reason: To enable the proper effective assimilation of the development into its wider surroundings.
8. A service layby must be provided to the specification of the Local Planning Authority before the dwellinghouse is occupied.
Reason: In the interests of road safety.

9. Before any part of the permitted development is commenced, the hedging along the northern and eastern boundaries of the plot to be retained and shall be protected by a chestnut paling fence 1.5 metres high placed at a minimum distance of 2.0 metres from the edge of the hedge, and the fencing shall be removed only when the development has been completed. During the period of construction of the development the existing soil levels around the boles of the hedges so retained shall not be altered.
Reason: In the interests of preserving the hedges which contribute to the visual amenity of the area.

Informative: Please note that the access must be precisely located on the outside of the road bend at a point where a driver making a right turn into the site can see round the bend in the road and can be seen by any following driver.

It should be noted that the dwellinghouse should be located more centrally within the site in order that it relates sufficiently to the existing dwellinghouse and in order to reduce its visual prominence.

Approved by

Name	Designation	Signature
Brian Frater	Head of Planning and Building Standards	

Author(s)

Name	Designation
Ms Karen Hope	Area Development Control Officer (Peripatetic)

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Land South Of Belses Cottage
Ancrum

