

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
CHIEF PLANNING OFFICER**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 21/01210/FUL
APPLICANT : Mrs Gladys Benton
AGENT : Vellow Wood Architecture
DEVELOPMENT : Erection of dwellinghouse and formation of new access
LOCATION: Land North West Of Strathmyre Old Belses
Jedburgh
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
4025/001	Location Plan	Approved
1016/002	Design Strategy	Other Approved
1016/003	Proposed Site Plan	Approved
1016/004	Proposed Plans & Elevations	Approved
1016/005	Proposed Plans & Elevations	Approved
Ground Assessment Report		Report Approved

NUMBER OF REPRESENTATIONS: 1

SUMMARY OF REPRESENTATIONS:

One letter was received from a neighbouring property objecting to the application. Specific areas of concern relate to design, overlooking and drainage.

Consultations

Access Officer: No objections to the application.

Ancrum Community Council: Have not responded at the time of writing this report.

Education and Lifelong learning: Have not responded at the time of writing this report.

Roads Planning Officer: No objections to the application.

Scottish Water: No objections to the application.

PLANNING CONSIDERATIONS AND POLICIES:

Local Development Plan 2016

PMD2 - Quality Standards

HD2 - Housing in the Countryside
HD3- Protection of Residential Amenity
EP1: International Nature Conservation and Protected Species
EP2: National Nature Conservation Sites and Protected Species
EP3 - Local Biodiversity
EP13 - Trees, Woodlands and Hedgerows
IS2 - Developer Contributions
IS7 - Parking Provision and Standards
IS9 - Waste Water and Treatment Standards and Sustainable Urban Drainage

Supplementary Planning Guidance

Developer Contributions 2021
Householder Development (Privacy and Sunlight) 2006
Landscape and Development 2008
New Housing in the Borders Countryside 2008
Placemaking and Design 2010
Trees and Development 2008
Waste Management 2015

Scottish Planning Policy 2014

Recommendation by - Brett Taylor (Planning Officer) on 4th November 2021

Site and application

The application site is a relatively level undeveloped field located to the north-west of Old Belses Cottage and opposite the property at Braeside. The village of Ancrum is approximately 6km to the east. The current boundary treatments consist of hedging and post and wire fencing. The site would be served by an existing road the B 6400 which forms the north-eastern boundary of the site. The submitted location plan shows an entrance located on the north-eastern corner of the site.

Proposed development

The applicant is seeking planning permission for a two storey house with a rectangular footprint of approximately 132m². Access would be taken half-way along the north-eastern boundary of the site opposite the existing access to the property at Braeside. The site would have a private access track with an area of hardstanding including a turning area and parking for two vehicles. The area to the north-west would remain as a paddock amenity ground.

The proposed house would have a traditional 45 degree pitched roof at the front with gable ends and a double hipped roof to the rear. The front principle elevation facing the public road would have three dormer windows with the main front door. The materials would comprise of white rendered walls, slate roof tiles, and timber windows/doors. The house will incorporate a utility room, snug, sitting room, family area, kitchen, dining room on the ground floor, four bedrooms (one with an en-suite), bathroom and study on the upper floor.

The boundary treatments will be a mixture of new and repaired stock fencing with hedging.

Principle

The principle of a dwellinghouse in this location has been established with the granting of planning permission on appeal by the Council's Local Review Body for the erection of a dwellinghouse with detached garage (20/00022/RREF) in December 2020. I therefore consider this to be relevant and a material consideration in the determination of the application. As such, the redevelopment of the site for a single dwellinghouse is considered to be acceptable in principle and is fundamentally agreeable.

Relevant Planning History

02 December 2020 - Planning permission granted on appeal for the erection of a dwellinghouse with detached garage (20/00022/RREF).

30 July 2020 - Planning permission refused for the erection of a dwellinghouse with detached garage (20/00486/FUL).

Assessment

Policy PMD2 aims to ensure that any development is of the highest quality and would be compatible with the existing buildings and surrounding area. The site is large enough to accommodate the house, garden ground and parking and as such it is contended that the proposed development would not constitute an overdevelopment of the site. It has been positioned to take into account the footprint of the previous approved permission. Given the surrounding area is characterised by a mix of modern and old house types and materials, and a variety of window materials and designs, this sets the background to allow for the design, form and scale for the proposals.

The proposed house would reasonably be in keeping with the scale, character and appearance with the adjoining properties particularly the property opposite (Braeside) and whilst the site is exposed, in the context of the neighbouring properties, it would be an acceptable in its visual relationship to the area. In terms of the site itself, it slopes from south-east to north-west (though finished levels for the site should be confirmed by condition), and when viewed from the public road it would be appropriately positioned with a similar height to the property opposite. Overall, the proposed dwelling would be a suitable addition to the locality and, by comparison, an improvement on the previously approved house design.

In terms of design, it will have rectangular plan with both a traditional roof pitch and a double hipped roof on the rear elevation. The house proportions, eaves and fenestration would reflect the modern design of the property opposite, as such, I consider this to be satisfactory. A condition has been attached to require an amended design for the upper windows on the front and rear elevations in order to safeguard the visual amenity of the area. The choice of materials is considered to be acceptable and would be similar to the other properties in the location. Nevertheless, to ensure compliance with policy PMD2 of the Scottish Borders Local Development Plan 2016, the details of the external finish of the proposal will require to be controlled via planning condition as insufficient details have been provided submitted plans.

With regards to boundary treatments, both new hedges and existing hedges will be retained with an existing gate fronting onto the public road removed. The boundary between the site and the two properties at Old Belses Cottage and Strathmyre will remain unchanged. In terms of the other boundaries, a new boundary treatment in the form of fencing and hedging are proposed. This will help assimilate the development with the surrounding built and natural environment. Nevertheless, it would be prudent to attach a condition to require full detailed specifications of all boundary treatments.

Overall, the proposal accords with Policy PMD2 and the aims of Placemaking and Design standards sought by the SPG, in that this development will assimilate well with the surrounding built and natural environment.

Access and parking

Provision for turning and two parking spaces are shown that meet the Roads Planning Service's size requirements and LDP standards. A condition can secure provision before occupancy and their construction details, as per Roads Planning Service requirements. The RPO has also requested standard condition and informative relating to the access and construction specifications with all works within the public boundary are required to be undertaken by a contractor first approved by the contractor. Though it is not clear if visibility splays fall within the applicant's scope, the condition reflects that imposed on the previous consent.

Policy IS5 aims to protect routes available to the public. The Council's access officer was consulted and has stated that the adjacent core path located on the public road. This core path is outwith the application site boundary and is therefore considered to comply with Policy IS5.

Air quality

Two chimneys are shown on the new dwelling building and although Environmental Health were not consulted a standard informative referencing a 45kw limit has been applied here.

Cultural and Natural Heritage.

The site is located outwith any cultural and natural heritage assets.

Developer Contributions

No developer contributions would be required in respect of education provision and affordable housing.

Ecology

With respect to ecology, given the site is not subject to any natural heritage designations nor nearby any, no buildings would be lost, mature trees removed, or substantial amounts of hedging needing removed, it is, therefore, considered that the proposal will have a limited impact on ecology and biodiversity of the surrounding area.

Landscape and Trees

Policy EP13 states that the Council will refuse applications that would cause the loss of or serious damage to the woodland resource unless the benefits of the development clearly outweigh the loss of landscape, ecological, recreational, and historical or shelter value. Given the site is currently a field with no trees of note and to further integrate the development with its surroundings, it will be sensible to attach a condition requiring details of all soft landscaping works and a programme for completion and subsequent maintenance.

Overall, it is considered that the proposal will fit comfortably within the immediate landscape setting without significant adverse impacts on the on the surrounding area. It is considered that the proposals would comply with policy EP13.

Residential Amenity

Policy HD3 states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted.

The Council's Supplementary Planning Guidance: Guidance on Householder Developments July 2006 contains guidance on privacy, overlooking and access to light that can be applied when considering planning applications for new developments to ensure that proposals do not adversely affect the residential amenities of occupants of neighbouring properties.

There would be no unacceptable loss of light or privacy to the existing houses due to the distances, existing boundary treatments, topography and orientation of the proposed house. With regards to outlook, the main outlook from the front principal rooms of the properties at Old Belses Cottage and Strathmyre would be unaffected by this application.

Overall, I consider the proposals comply with policy HD3.

Services

Policy IS9 states that the preferred method of dealing with waste water associated with new developments would be the direct connection to the public sewerage system and SUDS is required for surface water drainage. The applicant has indicated on the submitted application form and the ground assessment report that the proposal would utilise private drainage arrangements (in the form of a package sewage treatment plant) and will be connected to the mains water supply. Confirmation of the mains connection will be required although Scottish Water have confirmed that they have no objections to the application and that there is no foul connection. Surface water will be contained within the boundary of the site with the provision of SUDS the precise details of which (and of foul drainage) will be agreed at building warrant stage.

Waste Management

The submitted plans show the bin stances to be suitably positioned next to the two parking spaces. I consider this to be acceptable in this case.

Letter of representation

One letter of representation has been received in respect of the application. The material considerations concerning road safety have been addressed in the above sections.

Conclusion

It is recommended that the application is approved for the reasons given above.

REASON FOR DECISION :

Subject to compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

Recommendation: Approved - conditions & informatives

- 1 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority, unless otherwise required by any other condition in this schedule.
Reason: To ensure that the development is carried out in accordance with the approved details.
- 2 No development shall commence until precise details of the boundary treatments surrounding the site have first been submitted to and approved by the Planning Authority. The development shall be completed wholly in accordance with the approved details thereafter.
Reason: To ensure a satisfactory form of development which contributes appropriately to its setting.
- 3 No development shall commence until details of the finished floor level of the dwellinghouse and finished ground levels of the site, in addition to the existing ground levels, all related to a fixed off-site datum, have been submitted to and approved in writing by the Planning Authority. The development shall be implemented in accordance with the approved levels.
Reason: To visually integrate the development sympathetically with the context.
- 4 A sample of all materials to be used on all exterior surfaces (including building and hard surfacing materials) of the development, hereby permitted shall be submitted to and approved in writing by the Planning Authority before development commences. The development shall be implemented using the approved materials.
Reason: The materials to be used require further consideration to ensure a satisfactory form of development, which contributes appropriately to its setting.
- 5 No development shall commence until written evidence is provided to the Planning Authority on behalf of Scottish Water to confirm that a mains water connection shall be made available to serve the development. The mains water supply and approved foul drainage scheme shall be operational prior to occupancy of the dwellinghouse, and surface water drainage shall be managed using sustainable measures in a manner that maintains greenfield run-off levels.
Reason: To ensure the development can be adequately serviced.
- 6 No development shall take place except in strict accordance with a scheme of landscaping, which shall first have been submitted to and approved in writing by the Planning Authority, and shall include:
 - i. location of all new trees, shrubs, hedges and grassed areas;
 - ii. schedule of plants to comprise species, plant sizes and proposed numbers/density;

iii. programme for planting 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.

- 7 No development to be commenced until further details of the site access are submitted to, and approved in writing by, the Planning Authority. Thereafter the development to be completed in accordance with the approved details prior to occupation of the dwellinghouse unless otherwise agreed. The details shall include:
- i. A visibility splay of 2.4m x 120m to be formed in both directions at the junction of the site entrance with the public road;
 - ii The site entrance to be designed as per DC3 standards for a service lay-by;
 - iii Drainage, levels and construction proposals.
- Reason: To ensure satisfactory form of access and in the interests of road safety.
- 8 The dwellinghouse not to be occupied until parking and turning sufficient for two cars is provided within the site, excluding the garage, and maintained thereafter in perpetuity.
Reason: In the interests of road safety.
- 9 Notwithstanding the upper floor window designs as shown on drawing no: 1016/004, no development shall commence until amended window designs for the upper floors for the front and rear elevations are submitted to, and approved in writing by, the Planning Authority. Once approved, the development shall then be completed in accordance with those details.
Reason: To safeguard the visual amenity of the area.

Informatives

It should be noted that:

- 1 The access to the site from the public road should be constructed as a vehicular crossing to my standard specification DC-10. All work within the public road boundary must be undertaken by a contractor first approved by the Council.
- 2 If the stove has an output of more than 45kw, the applicant should contact the Council's Environmental Health Service and provide further information in order that a screening assessment can be carried out. Stove installations can cause smoke and odour complaints and any Building and Planning Consents for the installation do not indemnify the applicant in respect of nuisance action. In the event of nuisance action being taken there is no guarantee that remedial work will be granted a Building Warrant/Planning Permission, including changes to the height and position of the flue.

“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.