

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

NEW DWELLING AT LAND SOUTH OF GREYWALLS, FRIARSHAUGH

MR & MRS CAMERON

MAY 2023

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NEW DWELLING AT FRIARSHAUGH

EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

This Statement is submitted on behalf of Neil & Catriona Cameron “the Appellants” against the failure of Scottish Borders Council to determine Planning Application 23/00260/PPP proposing erection of a dwelling with access, landscaping, and garden space on land south of Greywalls, Friarshaugh, Gattonside. All Core Documents (CD) are referenced in Appendix 1.

The Appellants propose to build a new dwelling on land in their ownership within the agricultural unit of Friarshaugh Farm. It is agreed between the Planning Authority and the Appellants that there is a Building Group comprising eight existing dwellings at Friarshaugh. Disagreement centres on whether the appeal site is well related to the existing Building Group.

Mr & Mrs Cameron have owned the land within Friarshaugh Farm, including the application site, for more than ten years as of May 2023. In that time the land has been cultivated under a contract farming agreement, which was an arrangement inherited from Neil’s father. Hitherto the Appellants have filled their time with pre-existing business interests. Neil owns and manages a Chartered Surveying practice that has a strong focus on specialist development – especially infrastructure and energy. Catriona is a serial restaurateur with portfolio that includes buying failing restaurants, turning them around, and selling as successfully trading businesses; as well as a few chosen special venues she has invested in, retained, and kept close for the best part of twenty years.

During 2020 at the height of the COVID pandemic, Neil and Catriona decided that they wanted to take a more active role in managing Friarshaugh Farm. While the contract farming agreement has worked well, it is felt that more could be done and the Farm could be put on a sustainable long term footing if it were to be actively led on-site.

The proposed dwelling is required for the Appellants to become resident on-site. It would be a family home for Neil and Catriona as well as their two young daughters. The Laurence Gould Partnership (agricultural consultants) have been instructed to advise on strategy and business plan, with an agricultural justification statement transferred in October 2022. The business plan centres on rearing sheep within the agricultural unit. Products produced would target premium market segments, with an emphasis on high quality output.

The Appellants have already secured consent to extend the existing agricultural access track from the public road to the site (Council ref: 22/00864/PN) and erection of a shed for shearing, lambing, and other welfare uses (Council ref: 22/01176/AGN). Negotiations are ongoing for the purchase of sheep with the first agreements having been concluded.

Planning Application 21/00710/PPP proposed a new dwelling on-site and was refused by the Local Review Body in April 2022. However, Application 21/00710/PPP was made and determined without cognisance to the Appellants plans to further develop Friarshaugh Farm as well as before the new agricultural shed and track were consented (in mid-2022).

The appeal site lies together with the existing dwellings within the Building Group to the south of the B6360, sandwiched between large agricultural fields which are actively-cultivated in arable production. The appeal site, together with the rest of the Building Group, lies fully beyond the boundaries of the fields and nestles into a swathe of land a short distance outside the furthest extent of the River Tweed’s flood plain, which is set with a border to the west planted with semi-mature hawthorn and three ash trees.

During the course of the Application's determination, the following consultee responses were received from Council Officers and partners:

- **Community Council – No objection.**
- **Scottish Water – No objection.**
- **Archaeology – No objection.**
- **Ecology – No objection.**

Despite no Decision Notice having been issued, the appointed Planning Officer set out intention to refuse the Application in an email of 28th April. The assessment of the appointed Planning Officer is that the application site and proposed dwelling are not well related to the adjacent Building Group. Additionally the Planning Officer considers the Prime Quality Agricultural Land (PQAL) designation on-site to represent grounds for refusal.

It is the position of the Appellants that the application site lies in a swathe of land which sits between the large agricultural fields which define its setting and public road. The site itself lies in a disused area of land which juts out to the north of one of the large, actively-cultivated arable fields into the Building Group. The site is functionally disjointed and isolated from the rest of the field and has not been used for agriculture for more than a decade. The site sits as the only infill plot left to the south of Friarshaugh and represents completion of the local built environment. It is proposed to further **strengthen the south boundary with hedge and other shrub planting distinctly dividing the site from the large agricultural field** adjacent, in line with the guidance provided in 2.b.1 of the New Housing in the Borders Countryside Supplementary Guidance.

In the last 12 months an access track connecting the application site to the public road has been consented as well as an agricultural shed, a short distance beyond the west boundary of the site.

Both the access track and agricultural shed will be built regardless of the outcome of the Notice of Review. The agricultural shed physically and functionally ensures continued agricultural use and prevents further residential development in that direction.

"Prime Quality Agricultural Land" is addressed by Policy ED10 of the Local Development Plan 2016. Policy 5 of NPF4 represents a partial repetition of Policy 5.

Policy ED10 permits development on "Prime Quality Agricultural Land" where:

"the development is small and directly related to a rural business".

The Appellants require the proposed dwelling to actively take control of agricultural production at Friarshaugh Farm and achieve long term sustainability. There are no existing dwellings within the farm holding and no houses available for sale in the existing Building Group. It is therefore indisputable that the proposed development is required by and directly related to an agricultural enterprise.

The site is small (0.63ha) and would not be entirely or even mainly developed. Although detailed design is deferred, the design of the new house currently extends to a footprint of less than 220m². Therefore, the development is indisputably small in scale.

It is also considered relevant that the site has not been in regular agricultural production since the first decade of the 21st Century. Use in the intervening time has amounted only to sporadic grazing. Discontinuation of active use was forced by the small size of the site – which prevents a return to active cultivation.

As the site is not in active agricultural production, is small in scale, and the proposed dwelling is directly related to securing the sustainability of Friarshaugh Farm, the proposed development accords with Policy ED10 of the Local Development Plan and Policy 5 of NPF4.

The Local Review Body, having considered the detail contained within the Planning Application package, together with the information set out herein, will be respectfully requested to allow the Notice of Review and grant Planning Permission in Principle.

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NEW DWELLING AT FRIARSHAUGH

INTRODUCTION

INTRODUCTION

- 1.1 This Statement supports a Notice of Review against the failure of Scottish Borders Council to determine Planning Application 23/00260/PPP proposing erection of a dwelling with access, landscaping, and garden space on land south of Greywalls, Friarshaugh, Gattonside.
- 1.2 The site lies within a swathe of land flanked by the B6360 to the north and the flood plain of the River Tweed to the south. This swathe of land is defined by Friars Hall, a Category B Listed Building (HES ref: LB28833) around which a cluster of existing dwellings coalesce. Four large fields to the south, east, and west define the landscape pattern and local sense of place. The site does not sit within a Conservation Area.
- 1.3 Access to the site is provided by an existing junction onto the B6360. An existing agricultural access track surfaced in tarmac concrete leads from the access to the public road towards the site. Consent was granted to extend the access track eastward to the site under Class 18 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1997 (as amended) in June 2022 (Council ref: 22/00864/PN).
- 1.4 Friars Hall is one of 8 no. existing dwellings sitting within the setting of the site. Together they form a small settlement (“Friarshaugh”) beyond the east of Gattonside.
- 1.5 The new dwelling is proposed to enable the Appellants to establish a new family home on Friarshaugh Farm, securing the future and viability of the agricultural enterprise. Hitherto the land within Friarshaugh Farm has been farmed under a contract farming agreement. It is understood that these arrangements had been in place for a number of years. The Appellants intend to take the land back in hand and rear sheep within the agricultural unit. The first agreements to purchase sheep have now been concluded. The Laurence Gould Partnership (agricultural consultants) have been instructed to advise the Appellants and have prepared an agricultural justification statement.
- 1.6 The site comprises a small field sitting south of Greywalls and north of the large agricultural field which defines the south boundary to the cluster of dwellings at Friarshaugh. The field is sporadically used for grazing. The field is set with a large border to the west planted with semi-mature hawthorn and four Ash trees.
- 1.7 The application site does not lie in the area at risk of fluvial (river) flooding and has significant potential for management of surface (rain) water flooding present in the local area by means of SuDS to stop exacerbation of fluvial flooding, which will become increasingly necessary in the years and decades to come. The Flood Zone which extends around the banks of the River Tweed dominates the land beyond the south of the site without extending over the site’s boundary.



Fig 1: Extract from AH129-PP01 Site Location Plan
(Source: Aidan Hume Design).

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DETERMINATION OF APPLICATION BY SCOTTISH
BORDERS COUNCIL AND PLANNING POLICY

DETERMINATION OF APPLICATION BY COUNCIL AND PLANNING POLICY

2.1 Planning Application 23/00260/PPP has not been determined as of 18th May 2023. No Decision Notice has been issued however the appointed Planning Officer identified intention to refuse the Application in an email of 28th April (C10). The substance of that email is copied below:

“Having assessed the proposal, I can advise that it does not comply with the Local Development Plan 2016 housing in the countryside policy or Supplementary Planning Guidance on New Housing in the Borders Countryside, which is consistent with the previous refusal. In addition, the proposal does not comply with the criteria set out in policy 17 of National Planning Framework 4.

National Planning Framework 4 adds additional weight to protecting soils and in particular prime quality agricultural land (policy 5). The site is within prime quality agricultural land and would result in the permanent loss of such land and the proposal does not meet the exception criteria within policy 5 or Local Development Plan 2016 policy ED10.”

Local Development Plan

2.2 Policy HD2 contains six sections, each of which details circumstances in which new houses will be considered acceptable. Section (A) which addresses development relating to Building Groups is considered to represent the pertinent material consideration in the determination of the appeal proposal.

2.3 Section (A) of Policy is replicated below:

“(A) Building Groups

Housing of up to a total of 2 additional dwellings or a 30% increase of the building group, whichever is the greater, associated with existing building groups may be approved provided that:

- a) the Council is satisfied that the site is well related to an existing group of at least three houses or building(s) currently in residential use or capable of conversion to residential use. Where conversion is required to establish a cohesive group of at least three houses, no additional housing will be approved until such a conversion has been implemented,*
- b) the cumulative impact of new development on the character of the building group, and on the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts,*

- c) *any consents for new build granted under this part of this policy should not exceed two housing dwellings or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.*

In addition, where a proposal for new development is to be supported, the proposal should be appropriate in scale, siting, design, access, and materials, and should be sympathetic to the character of the group."

- 2.4 Policy ED10 states that "development, except proposals for renewable energy development, which results in the permanent loss of prime quality agricultural land or significant carbon rich soil reserves, particularly peat, will not be permitted unless:
- the site is otherwise allocated within this local plan
 - the development meets an established need and no other site is available
 - the development is small and directly related to a rural business.

National Planning Framework 4

- 2.5 The National Planning Framework 4 was adopted in February 2023. The document addresses national planning policy and the Government's approach to achieving a net zero sustainable Scotland by 2045.
- 2.6 Criterion b) of **Policy 5** Soils addresses development on Prime Quality Agricultural Land. The adopted text states that "*development proposals on prime agricultural land, or land of lesser quality that is culturally or locally important for primary use, as identified by the LDP, will only be supported where it is for:*

- Essential infrastructure and there is a specific locational need and no other suitable site;*
- Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite;*
- The development of production and processing facilities associated with the land produce where no other local site is suitable;*
- The generation of energy from renewable sources or the extraction of minerals and there is secure provision for restoration; and*

In all of the above exceptions, the layout and design of the proposal minimises the amount of protected land that is required."

- 2.6 **Policy 16** Quality Homes is relevant to the proposal. Criterion c) states that "*development proposals for new homes that improve affordability and choice by being adaptable to changing and diverse needs, and which address identified gaps in provision, will be supported. This could include:*
- self-provided homes;*
 - accessible, adaptable and wheelchair accessible homes;*
 - build to rent;*
 - affordable homes;*
 - a range of size of homes such as those for larger families;*
 - homes for older people, including supported accommodation, care homes and sheltered housing;*
 - homes for people undertaking further and higher education; and*
 - homes for other specialist groups such as service personnel."*

Supplementary Guidance

2.7 The Supplementary Guidance '**New Housing in the Borders Countryside**' includes the following criteria for any new housing in the countryside:

- No adverse effect on the viability of a farming unit or conflict with the operations of a working farm;
- Satisfactory access and other road requirements;
- Satisfactory public or private water supply and drainage facilities;
- No adverse effect on countryside amenity, landscape or nature conservation;
- No adverse impact on ancient monuments, archaeological sites, or on gardens or designed landscapes;
- Appropriate siting, design and materials in accordance with relevant Local Plan policies.
- The safeguarding of known mineral resources from sterilisation unless this is acceptable following an assessment of the environmental implications.

2.8 The section of the Guidance, which covers the expansion of existing Building Groups, states that all applications for new houses at existing Building Groups will be tested against an analysis of:

- a) the presence or, otherwise of a group; and
- b) the suitability of that group to absorb new development.

2.9 The Guidance sets out that the existence of a Building Group "will be identifiable by a sense of place which will be contributed to by:

- natural boundaries such as water courses, trees or enclosing landform, or
- man-made boundaries such as existing buildings, roads, plantations or means of enclosure."

2.10 When expanding an existing building group, the Guidance includes the following points:

- The scale and siting of new development should reflect and respect the character and amenity of the existing group;
- New development should be limited to the area contained by that sense of place;
- A new house should be located within a reasonable distance of the existing properties within the building group with spacing guided by that between the existing properties;
- Ribbon development along public roads will not normally be permitted.

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GROUNDS OF APPEAL AND
CASE FOR APPELLANT

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3.1 It is submitted that the Planning Application should be approved on the basis of the Grounds of Appeal set out below. It is the submission of the Appellants that the proposal accords with the relevant adopted policy of the Local Development Plan and Supplementary Guidance and that there are no material considerations which justify the refusal of the Application.

GROUND 1: The proposed development represents the erection of a dwelling on a site which is well related to the existing Building Group at Friarshaugh and would contribute positively to the local sense of place and setting.

GROUND 2: The proposed development does not contradict Policy ED10 as it is small scale, required to support the agricultural enterprise at Friarshaugh Farm, and is not capable of returning to agricultural production.

3.2 During the course of the Application's determination, the following consultee responses were received from Council Officers and partners:

- **Community Council – No objection.**
- **Scottish Water – No objection.**
- **Archaeology – No objection.**
- **Ecology – No objection.**

GROUND 1: THE PROPOSED DEVELOPMENT REPRESENTS THE ERECTION OF A DWELLING ON A SITE WHICH IS WELL RELATED TO THE EXISTING BUILDING GROUP AT FRIARSHAUGH AND WOULD CONTRIBUTE POSITIVELY TO THE LOCAL SENSE OF PLACE AND SETTING.

3.3 It is the Appellants' position that the appeal site lies within the setting and forms part of an existing Building Group at Friarshaugh and defined by natural boundaries and that the proposed dwelling would enhance the defined sense of place.

3.4 It is common ground between the Appellants and the Planning Authority that a Building Group exists at Friarshaugh and that capacity does exist for expansion by one more dwelling. However, Report of Handling 21/00710/PPP states "it is considered that the proposed development is not well related to the building group". The appointed Planning Officer considers that "the site would have no relationship" with the "two existing accesses from the public road" which serve the existing dwellings within the Building Group. The email of the appointed Planning Officer dated 28th April confirms that this remains her position.

3.5 Disagreement centres on the landscape feature which defines the Building Group's sense of place. The Appellants do not agree with the appointed Planning Officer that it is the two existing access tracks which define the sense of place. Rather the Appellants consider that it is the field pattern of the surrounding area which defines the sense of place and setting of Friarshaugh.



Fig 2: Aerial image of Friarshaugh with natural boundary (in orange) of the Building Group lying between the large agricultural field to the south, east, and west.

- 3.6 The Appellants' position is that the application site lies on a disused plot of land which juts out to the north of a large, actively-cultivated arable field into the Building Group and is functionally disjointed and isolated from the rest of the field. It is considered that the application site is the only infill plot left to the south of Friarshaugh and represents completion of the local built environment.
- 3.7 The large arable fields represent a distinct landscape feature enclosing the Building Group to the south of the B6360. The south boundary is further reinforced by proposed hedge and other shrub planting. The west boundary benefits from an established tree belt comprising numerous semi-mature hawthorns and three ash trees. These landscape features are considered to easily satisfy the guidance provided in 2.b.1 of the New Housing in the Borders Countryside Supplementary Guidance.
- 3.8 It is agreed by the Appellants and the Planning Authority that Friars Hall is the original and dominant component of the local built environment at Friarshaugh. The existing dwelling is a Category B Listed Building (HES ref: LB28833) which Report of Handling 21/00710/PPP describes as "the main house ... surrounded by a number of houses". This description is considered to be accurate as it is likely that all other existing dwellings have been constructed around Friars Hall within the land parcel fitting between the large surrounding agricultural fields.
- 3.9 In this context the two access tracks which exist in the local area today are considered to be tertiary features which have been laid to service desire lines – movement of people and vehicles, both before and after motorisation. It is material to note that construction of a third access track (connecting the site to the B6360) was approved on 23rd June 2022. The approved track will be laid and surfaced regardless of whether consent is obtained for the proposed dwelling.
- 3.10 Therefore it is considered that the field pattern defining local land use represents the distinct landscape feature defining the existing Building Group at Friarshaugh.
- 3.11 Given the location of the site within the land parcel which sits between the large agricultural fields at Friarshaugh to the south of the B6360 and adjacent relationship with the existing dwelling 'Greywalls', the site is considered to be contained within the sense of place of the existing Building Group at Friarshaugh and well related to other existing dwellings including both Friars Hall and Greywalls. The proposed development is therefore considered to accord with criteria a) of section (A) of Policy HD2.
- 3.12 The appeal proposal is for the erection of a single detached dwelling in a relatively large plot – 0.63ha (1.55ac). The density of proposed development is considered to be broadly representative of the existing pattern of development at Friarshaugh and commensurate with a 'rounding-off' opportunity which completes the south portion the Building Group.

- 3.13 Views of the site from the west are screened by the existing tree and shrub planting which would be reinforced as part of the proposal. Views from the east are screened by a number of existing buildings, including the Walled Garden of Friars Hall, and an established, mature tree belt beyond. Views from the north are essentially precluded by a small body of woodland together with the sloping topography.
- 3.14 Existing views from the south are defined by five existing dwellings – Greywalls, Friars Hall, Friarshaugh View, Old Farm House, and Sunny Brae House. It is considered that the addition of a single dwelling to this vista represents a negligible landscape impact. Given the limited landscape impacts associated with the proposed development, it is considered that an “*unacceptable adverse impact*” would not be created and that the proposal accords with criteria b) of section (A).
- 3.15 The Building Group at Friarshaugh comprises eight existing dwellings, extension by two additional dwellings is allowed for by the Policy. The proposal is considered to accord with criteria c) of section (A) as one new dwelling has been consented within the current LDP period and a further one new dwelling is proposed.
- 3.16 The Planning Authority and Appellants agree that there is an existing Building Group at Friarshaugh as defined in section (A) of Policy HD2. It is considered that the proposed development is well related to the existing Building Group lying within the local setting and defined sense of place, fully beyond the large agricultural field adjacent to the south. There have been no new dwellings consented within the current LDP period and it is considered that there are no significant cumulative impacts associated with the proposed development. Therefore, the appeal proposal is considered to accord with section (A) of Policy HD2.
- 3.17 Contradiction has previously been claimed between the proposed development and Policy EP6 which protects “*Countryside Around Towns*” – essentially the Council’s local greenbelt designation protecting against coalescence of Galashiels with the towns and villages surrounding it, including Melrose, Gattonside, and Newstead. The extent of land designation by the Policy can be seen in Fig.3.
- 3.18 Report of Handling 21/00710/PPP outlines the risk of “the opportunity for further housing development” from the proposed access track extending westward towards Gattonside. It is not accepted that this assessment is accurate.
- 3.19 It is the Appellants’ position that the appeal site represents the furthest west site which is well related to the existing Building Group at Friarshaugh. Any application on a site to the west of the appeal site would certainly lie in the main body of the adjacent agricultural field which is actively cultivated and would also likely sit in an area afflicted by fluvial flood risk from the River Tweed (as forecast by SEPA).



Fig 3: Countryside Around Towns designated by Policy EP6. Galashiels and Melrose are both visible fully enveloped by the designation which continues out towards other villages to the east of Melrose (Source: Scottish Borders Local Development Plan (2016)).

- 3.20 The same insurmountable constraints would also apply to any site south of the appeal site. Therefore, it is considered that any additional housing beyond the site would be demonstrably unacceptable in planning terms and could be easily resisted by the Planning Authority.
- 3.21 It must be noted also that an agricultural shed has been approved a short distance beyond the west boundary of the site. The agricultural shed was approved on 25th August 2022 (Council ref: 22/01176/AGN) and will be built and operated in agricultural use regardless of whether the proposed dwelling is approved. The approved shed physically prevents further residential development to the west.
- 3.22 It is considered that the appeal site shares a strong relationship with the existing Building Group at Friarshaugh and is functionally disjointed and isolated from the agricultural fields to the south and west. To this end – in addition to fitting with the spirit of Policy EP6 as set out paragraph 3.14 – the proposed development is considered to lie within the sense of place and setting of the existing Building Group at Friarshaugh and therefore accord with criterion c) of Policy EP6.

GROUND 2: THE PROPOSED DEVELOPMENT DOES NOT CONTRADICT POLICY ED10 AS IT IS SMALL SCALE, REQUIRED TO SUPPORT THE AGRICULTURAL ENTERPRISE AT FRIARSHAUGH FARM, AND IS NOT CAPABLE OF RETURNING TO AGRICULTURAL PRODUCTION.

- 3.24 The appointed Planning Officer has outlined her interpretation that the proposed development is unacceptable as the site lies on Prime Quality Agricultural Land (PQAL) and therefore would contradict Policy 5 of National Planning Framework 4 (NPF4).
- 3.25 While the reference to NPF4 policy is noted, it must be borne in mind that the adopted Local Development Plan contains Policy ED10 Protection of Prime Quality Agricultural Land and Carbon Rich Soils – a detailed policy that sets a strategy for the management of development in high value soils. Therefore, while it is accepted that both policies are relevant – the local policy (Policy ED10) is considered to be more pertinent than the NPF4 policy.
- 3.26 It is important to note that Policy ED10 permits development on land designated as “Prime Quality Agricultural Land” in cases in which criterion c) is satisfied:
- “c) the development is small and directly related to a rural business.”*

- 3.27 Firstly, it is considered that 0.63 hectares is a small parcel of land. The large agricultural field adjacent to the south of the application site nominally lies extends to approximately 6.8 hectares. Therefore the application site represents 9% of the field only. The field represents significantly less than half – approximately a quarter – of the agricultural unit of Friarshaugh Farm. The application site and wider field represent an even smaller proportion of the belt of Prime Quality Agricultural Land which extends across this part of the Borders – from the edge of Melrose, down the River Tweed to Kelso, and opening out across Berwickshire to the coast.
- 3.28 Furthermore, the footprint of the house itself (while deferred to the next stage of the planning process) extends to less than 220m² in the most recently drafted plans. The rest of the site would be occupied by garden space and retained tree belt which could, hypothetically, return to agriculture. Importantly, the proposed dwelling would be contained entirely within the west portion of the site. The east portion would be retained in full as garden space, free from development.
- 3.29 The proposed dwelling is required to enable the Appellants to take the land back in hand and rear sheep at Friarshaugh Farm. There are no existing dwellings within the farm holding and no houses available for sale in the existing Building Group. It is therefore indisputable that the proposed development is required by and directly related to an agricultural enterprise. The agricultural enterprise would be unable to further develop and achieve long term sustainability without securing a new house within the landholding.
- 3.30 It is considered essential to note also that the site is not in regular agricultural production. While small numbers of livestock were grazed on-site infrequently in the previous decade, the site has not been in active production since the first decade of the 21st Century. The small extent of the site, combined with constant increases in the sizes of equipment used for arable cultivation make the return of the site to active production ever more unlikely.
- 3.31 It is therefore factually inaccurate to understand the proposed development to represent the removal of land from agricultural production. The site has already been removed from agricultural production and is very unlikely to return.
- 3.32 Policy 5 of National Planning Framework 4 is considered to represent a partial repetition of Policy ED10. Within Policy 5 item ii. of criterion b) states that proposed development on Prime Quality Agricultural Land will be supported where it represents:
- “ii. Small-scale development directly linked to a rural business, farm or croft or for essential workers for the rural business to be able to live onsite”.*
- 3.33 As Policy 5 repetitions the “direct link” to a farm it is considered to be materially alike Policy ED10 of the Scottish Borders Local Development Plan 2016. Substantiation of a direct link is sufficient to achieve accordance with both adopted policies.
- 3.34 The proposed development is considered to be small scale, located on the field margin, and directly related to a rural business (Friarshaugh Farm). Therefore, the proposed development is considered to accord with Policy ED10 of the LDP and Policy 5 of NPF4 and to support Friarshaugh Farm in achieving viability and sustainability.

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CONCLUSION

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- 4.1 The Notice of Review, supported by this Statement, requests that the Council resolves the non-determination of Planning Application 23/00260/PPP by granting Planning Permission in Principle for the erection of a dwelling with access, landscaping, and associated works on land south of Greywalls, Friarshaugh near Gattonside.
- 4.2 The proposed development is for the erection of a new dwelling on a site which is well related to and within the setting of the existing Building Group. The proposed dwelling both reflects the existing pattern of development and respects the local character of Friarshaugh. The proposed dwelling would have minimal impact on the amenity of surrounding properties and local landscape. Lastly as the Building Group has capacity to expand by two dwellings over the LDP period with only one new dwelling having been approved to date – the Building Group has capacity to expand in line with adopted policy. Therefore the proposal is considered to accord with section (A) of Policy HD2.
- 4.3 The proposed development represents the expansion of the existing Building Group at Friarshaugh by a single dwelling. Further the site sits to the south of existing dwellings at Friarshaugh and does not extend westward towards Gattonside. It is the final suitable plot within the Building Group, along its south boundary and additional future development could be easily resisted. Therefore, the proposed development is considered to retain the physical separation between Friarshaugh and Gattonside, according with Policy EP6.
- 4.4 The application site is considered to be small scale (0.63ha) and directly required for an existing agricultural enterprise. The footprint of the house (at less than 220m²) represents a very small portion of Friarsahugh Farm. The application site itself is not in active agricultural production, which has been the case for significantly longer than ten years. As the proposed dwelling is required by the Appellants to become resident on-site and start rearing sheep on Friarshaugh Farm – which is necessary for the Farm to become sustainable – it is directly related to a rural business. Therefore, the proposed development is considered to accord with Policy ED10 as well as Policy 5 of NPF4 and to represent sustainable development.
- 4.5 Should Planning Permission in Principle be granted, approval of the deferred details will be required at the next stage of the planning process. Therefore the scale, layout, appearance of elevations, and landscaping can be controlled by the Planning Authority.
- 4.6 The Local Review Body is respectfully requested to allow the appeal and grant planning permission for the erection of a dwellinghouse at Woodend Farm.

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CORE DOCUMENTS

CORE DOCUMENTS

The following drawings, documents, and plans have been submitted to support the Notice of Review:

- Notice of Review Form;
- CD1 Local Review Statement;
- Application Form;
- CD2 (Application) Planning Statement;
- CD3 AH129-P01-E Site Location Plan, prepared by Aidan Hume Design;
- CD4 AH129-S01-B Ground Floor & South Elevation Plan, prepared by Aidan Hume Design;
- CD5 AH129-S02-B Indicative Plan and Elevations, prepared by Aidan Hume Design;
- CD6 Update to Preliminary Ecological Appraisal prepared by The Wildlife Partnership;
- CD7 Preliminary Ecological Appraisal prepared by The Wildlife Partnership;
- CD7 Climb & Inspect Assessment prepared by The Wildlife Partnership;
- CD8 Tree Survey prepared by Caledon Tree Surveys;
- CD9 AH129-P01-D Site Location Plan, prepared by Aidan Hume Design; and
- CD10 Email from appointed Planning Officer to Appellants' agent of 28/04/2023.

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

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