

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 23/00331/FUL

APPLICANT : Mr Peter Caunt

AGENT :

DEVELOPMENT : Erection of dwellinghouse

LOCATION: Land South Of
1 Netherwells
Jedburgh
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
A LOCATION PLAN	Location Plan	Refused
SITE SURVEY PLAN	Topographical Plan	Refused
2302-L05	Proposed Plans, Sections & Elevations	Refused
2302-L03REVB	Proposed Site Plan	Refused

NUMBER OF REPRESENTATIONS: 4
SUMMARY OF REPRESENTATIONS:

Four neighbours were notified and adverts placed in the Southern Reporter and tellmescotland.gov.uk.

There were four objections received raising the following issues:

- o Inadequate access.
- o Increased traffic/ road safety concerns.
- o There is already a house for the applicant on this site.
- o Water supply issues.
- o Communication cables on site.
- o Bio security

Consultations:

Community Council: No response.

Access Officer: No response.

Environmental Health: No response.

Roads Planning Service: No objection. The dwelling is served by a private access. The proposal allows for 2 parking spaces within the curtilage of the dwelling with a further 2 spaces provided in adjacent land owned by the applicant. It would be preferable to allow for turning so that any vehicles

can enter and exit the site in a forward gear. Given the constraints of the site boundaries and that traffic along this private road will primarily be from the farm and residents, nose in parking would however be acceptable as shown. Speed of traffic would be relatively low.

Scottish water: A public water supply is 650 meters east of site. There is no public waste water infrastructure.

PLANNING CONSIDERATIONS AND POLICIES:

National Planning Framework 4

Policy 1: Tackling the Climate and Nature Crises

Policy 2: Climate Mitigation and Adaptation

Policy 17 Rural Homes

Local Development Plan 2016

PMD1: Sustainability

PMD2: Quality Standards

HD2: Housing in the Countryside

HD3: Protection of Residential Amenity

IS2: Developer Contributions

IS7: Parking Provision and Standards

IS9: Waste Water Treatment and Sustainable Urban Drainage

Supplementary Planning Guidance

Placemaking and Design (2010)

Development Contributions (Revised 2023)

New Housing in the Borders Countryside (2008)

Landscape and Development (2008)

Householder Development (incorporating Privacy and Sunlight Guide) (2006)

Recommendation by - Euan Calvert (Assistant Planning Officer) on 25th May 2023

This is a full planning application for a dwellinghouse at Netherwells, Jedburgh.

Site Description

This site is located 2 miles east of Jedburgh. Netherwells Farm is located at the end of a 600m long surfaced drive. There are a total of 5 houses in this location; two houses are located on the north western side of the access road, The Bungalow and The Paddock; a pair of semi-detached cottages on the south eastern side of the road, no 1 and 2 Netherwells Cottages and the farmhouse at the termination of the road to the north east.

This is a chicken breeding farm with five sheds forming an agricultural complex which is located to the north west of the road. A further complex of sheds are located off to the north east of the Farm house.

Proposal

The site for consideration is adjacent to the access road and no1 Netherwells Cottage. The proposal is to be sited partially on land which is contiguous with the cottage. A triangular roadside strip adjacent to the gable functions as garden ground/ car parking and is occupied by a septic system. The majority of the proposed site would be located in a portion of the paddock which is behind and adjacent to no1. The proposal is to form a site approximately 10.7m in width by 50m in length within a post and wire fence. The site plan demonstrates a modest house, 1.5 storey in height, 6m by 11m in footprint, under a dual gabled pitched roof. The frontage would include a porch (2.4m by 1m) and this would address the road. The house would be set back from the road edge by a space wide enough to accommodate a parallel parking space. A second parking space would be located adjacent to the north east gable. Levels have been provided. A

private septic system is proposed in the private garden ground. This garden would be rectangular in shape approximately 35m by 11m or 0.128 acre. The ground rises gently.

Planning Policy

NPF4 Policy 17 identifies support for Rural Homes. "a) Development proposals for new homes in rural areas will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area.... " and the development meets the criteria listed within the policy.

The principle of development is assessed against policy HD2 of the Local Development Plan 2016 and the Supplementary Planning Guidance on New Housing in the Borders Countryside, 2008. This policy allows for new housing associated with existing building groups, conversion of suitable buildings, and in cases where economic justification is present.

Planning History

There is no history on this site.

Assessment

Policy Principle

Policy 17 of National Planning Framework 4 seeks to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations. Proposals will be supported where the development is suitably scaled, sited and designed to be in keeping with the character of the area. The policy contains a number of criteria by which to assess proposals.

Development proposals for new housing will consider how the development will contribute to towards local living, take account of local housing needs (including affordable housing), economic considerations and the transport needs of the development as appropriate for the rural area.

In respect of the criteria within policy 17 part a), the site is not allocated for housing in the Local Development Plan; the proposal will not use brownfield land; the proposal does not relate to the use of a historic environment asset; the proposal does not support the sustainable management of a viable rural business and there is no essential need for a worker to live permanently at or near their place of work; the proposal is not a single home for the retirement succession of a viable farm holding; and the proposal is not for the subdivision of an existing dwelling and does not reinstate a former dwelling or replace an existing dwelling.

The proposal does not meet any of the above criteria.

The application also requires to be assessed against policy HD2 of the Local Development Plan on housing in the countryside unless material considerations indicate otherwise.

Policy HD2 (A) allows new housing in the countryside provided that the site is well related to an existing building group of at least three houses or buildings capable of conversion to residential use. Any consents for new build granted under the building group part of the policy should not exceed two houses or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.

The cumulative impact of the new development on the character of the building group, landscape and amenity of the surrounding area will be taken into account in determining applications.

The Council's Supplementary Planning Guidance: New Housing in the Borders Countryside December 2008 states that the existence of a group will be identifiable by a sense of place which will be contributed to by natural and man-made boundaries. Sites should not normally break into undeveloped fields particularly where there exists a definable natural boundary between the building group and the field and the new development should be limited to the area contained by that sense of place. Any new development should be within a reasonable distance of the existing properties within the building group and this distance should be guided by the spacing between the existing properties in the building group. The scale and siting of new

development should reflect and respect the character and amenity of the existing building group. Existing groups may be complete and may not be suitable for further additions.

It is accepted that there is a building group at this location comprising of more than three houses, however, it is considered that the current planning application site is not well related to it. The proposed site would not respect or reflect the character and amenity of the group. The chosen site would be located predominantly in the paddock and not within any strong natural boundaries.

The site appears as a portion of grass paddock, which has no natural boundaries to provide enclosure. It would not make a cohesive addition and would not assimilate well with the group. Elongation of the garden into a grass enclosure would not reflect the neighbouring pattern of development.

This chosen layout and size of site appears contrary to the established pattern of development outwith the "sense of place."

The chosen modest scale of development does not address the fundamental issue that this chosen site breaks into an undeveloped field and would be absent of the sense of enclosure and landform which surrounds other neighbouring dwellings. This site, unlike the neighbouring dwellinghouse plots, has historically been part of the wider field system. Enclosure of the grass paddocks to the rear of no 1 and 2 is a relatively recent pattern. Giving a strip of this paddock over to a house and garden would appear discordant with the historical pattern of development. The proposal is considered to be roadside ribbon development and should be avoided in this location.

In this instance, there is no overriding reason to sever/ break the containment of garden which is contiguous with No1. This garden is an important visual feature at the entrance to the group.

Policy HD2 (F) allows housing in the countryside provided that the development is a direct operational requirement of an enterprise appropriate to the countryside and is for a worker predominantly employed in the enterprise and the presence of that worker on-site is essential to the efficient operation of the enterprise. No appropriate site should exist within a building group and there should be no buildings capable of conversion for the required residential use.

I do not identify any justification for a dwellinghouse on this particular site. No direct operational requirement has been substantiated. Even if one had been presented, the site is still at odds with Policies HD2 and PMD2 in that the choice of layout makes little cognisance to sense of place of Netherwells.

To conclude, Policy HD2 promotes appropriate sites which do not affect character of a group or the surrounding area. A dwellinghouse on this site would not be well related leading to adverse impacts to the group and area. Development would unacceptably adversely impact the landscape and amenity of the surrounding area (policy HD2 (A) criterion b).

Siting and Design

Policy 14 of NPF 4 requires development proposals to be designed to improve the quality of an area, whether urban or rural locations and regardless of scale. Proposals will be supported where they are consistent with the 6 qualities of successful places: healthy, pleasant, connected, distinctive, sustainable and adaptable.

Policy PMD2 requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders townscapes and to integrate with its landscape surroundings.

The Council's Supplementary Planning Guidance: New Housing in the Borders Countryside December 2008 states that the scale and siting of new development should reflect and respect the character and amenity of the existing building group

The proposed size and form of dwelling would mirror the basic dual pitched form of no1 and 2 but the development site would appear contrary to the natural setting and pattern of development of Netherwells. The new dwelling would be visually prominent and dominant on the approach to the group. Whilst the scale can be accepted, the design is lacking in architectural interest and quality; the fenestration (poorly proportioned windows) and poor wall-to-window ratios would be a disappointing contribution to the building

group, detracting from the character of this group. The chosen roadside layout and narrow plot width would leave little space for necessary landscape containment, reading as overdevelopment. The proposal would be out of keeping with other houses and plot sizes within the building group.

Impact on Residential Amenity

Policy HD3 and Supplementary Planning Guidance on Householder Development, 2006 sets out standards for protection of neighbours. There are no significant amenity concerns in terms of overlooking, privacy, overshadowing or loss of light.

Concerns have been raised by neighbours regarding bio-security at the farm. In principle, I do not identify this choice of site to conflict with the direct operation of the farm. The adjacent cottages are not related to the operation of the farm. An additional house at this site would not create greater bio-security concerns than these neighbouring dwellings.

Access, parking and Road Safety

Road safety and design standards have been considered by the Roads Planning Officer. They have no objections to the choice of parking layout provided this was retained in perpetuity. They do have preference for a layout which would provide in-curtilage turning but this is not a mandatory requirement on a private road.

I acknowledge the concerns of objections but the additional traffic and parking layouts are deemed to satisfy minimum requirements in this instance.

Policy IS7 can be met concerning safety and parking provision albeit to a minimum standard.

Water Supply and Drainage

Scottish Water confirm a public water supply is available in the public road verge 650m away. Proposals for foul water to a septic/ treatment plant and soakaway would require standard planning conditions to ensure details are considered in terms of protecting the water environment and public health (policy IS9).

Developer Contributions

The property would be within catchment of Jedburgh High School. No contributions are required.

No affordable housing contribution would be due.

Conclusion

It is considered that the proposals are contrary to National Planning Framework 4 policy 17 and policy HD2 of the Local Development Plan 2016 and Supplementary Planning Guidance New Housing in the Borders Countryside (2008). No material considerations are identified which outweigh requirement for the Planning Authority to determine otherwise in strict accordance with policy.

REASON FOR DECISION :

It is considered that the proposals are contrary to National Planning Framework 4 policy 17 and policy HD2 of the Local Development Plan 2016 and Supplementary Planning Guidance New Housing in the Borders Countryside (2008) in that the proposed development would be sited within a previously undeveloped field, beyond the natural and man-made boundaries of the Netherwells building group, outwith the sense of place of the building group and out of keeping with the character of the building group resulting in an unacceptable adverse impact on the landscape and amenity of the surrounding area.

Accordingly, the proposed development would represent a sporadic and unjustified form of development in the countryside, which would set an undesirable precedent for similar unjustified proposals.

In addition, the proposal would be contrary to policy PMD2 of the Local Development Plan 2016 as the poor quality design, over development of the site and inappropriate ribbon development would not be compatible with or respect the character of the surrounding area or building group to the detriment of the character and amenity of the building group.

No material considerations are identified to make this the subject of any exceptional approval.

Recommendation: Refused

- 1 It is considered that the proposals are contrary to National Planning Framework 4 policy 17 and policy HD2 of the Local Development Plan 2016 and Supplementary Planning Guidance New Housing in the Borders Countryside (2008) in that the proposed development would be sited within a previously undeveloped field, beyond the natural and man-made boundaries of the Netherwells building group, outwith the sense of place of the building group and out of keeping with the character of the building group resulting in an unacceptable adverse impact on the landscape and amenity of the surrounding area.

Accordingly, the proposed development would represent a sporadic and unjustified form of development in the countryside, which would set an undesirable precedent for similar unjustified proposals.

- 2 The proposal would be contrary to policy PMD2 of the Local Development Plan 2016 as the poor quality design, over development of the site and inappropriate ribbon development would not be compatible with or respect the character of the surrounding area or building group to the detriment of the character and amenity of the building group.

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