

# Comments for Planning Application 23/00492/PPP

## Application Summary

Application Number: 23/00492/PPP

Address: Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders

Proposal: Erection of dwellinghouse

Case Officer: Julie Hayward

## Customer Details

Name: Dr Anne Duguid

Address: The Hermitage, Dingleton Road, Melrose, Scottish Borders TD6 9HP

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Alterations/Demolition of wall
- Contrary to Local Plan
- Detrimental to environment
- Detrimental to Residential Amenity
- Height of .....
- Inadequate access
- Increased traffic
- Land affected
- Loss of view
- Over Provision of facility in area
- Privacy of neighbouring properties affected
- Road safety
- Trees/landscape affected

Comment: Although we were not invited to comment on this proposal, we are very close neighbours to the planned development.

We strongly object to the planning proposal for the following reasons:

1. The site affected includes a beautiful established orchard including heritage fruit trees that provides an important habitat for wildlife and a valuable social amenity for the community here. The trees are very productive and, although their upkeep has been neglected by the landowner, flourishing.

To lose this asset for the sole benefit of one large detached property, that will provide no impact on the demand for local affordable housing, seems vastly out of proportion.

2. The access road to be used by the proposed property is not suitable for regular vehicle use. It is narrow and in frequent use by walkers. High hedges and bends make it unsafe for pedestrians if vehicle use increased.

3. Properties immediately adjacent to the proposed site are traditionally stone built and their design is sympathetic to the locality and complementary to each other. We would suggest that the proposed new property will not blend into its environs and will have a detrimental impact on the appearance of this sensitive area that is frequented by visitors to Melrose as they approach The Eildons.

In summary, the detrimental impact of this proposal is far outweighed by any benefit to our community.

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Address: Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders

Proposal: Erection of dwellinghouse

Case Officer: Julie Hayward

## Customer Details

Name: Mrs Anne Rae

Address: 66 Dingleton Apartments, Chiefswood Road, Melrose, Scottish Borders TD6 9HJ

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Detrimental to environment
- Detrimental to Residential Amenity

Comment: The plan to build a home on the orchard at Dingleton will remove a valued amenity for the residents of Dingleton and the surrounding neighbourhood. Residents and neighbours enjoy the orchard and its fruit. The trees are old varieties and many orchards have already been lost in the Borders to the detriment of the environment and wildlife. The orchard can clearly be seen from the Eildons - building on this site would be to the detriment of that. The loss of this valued amenity seems a disproportionate loss for the gain of one home- particularly when plans are underway to build many homes further up the road.

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Address: Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders

Proposal: Erection of dwellinghouse

Case Officer: Julie Hayward

## Customer Details

Name: Mrs Jean Greenshields

Address: 14A Glentress Apartments, Chiefswood Road, Melrose, Scottish Borders TD6 9JY

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Detrimental to Residential Amenity
- Trees/landscape affected

Comment: Ground in question is described as 'scrubland', 'formerly an orchard for the Hospital', but this is incorrect as it is CURRENTLY an orchard - and a very productive one. Apple tree varieties are wide ranging and of Victorian vintage- sweet and juicy. How sad if this ancient Victorian orchard were to be uprooted! Dingleton apartment residents have access to this produce. In addition the orchard contains our compost bin! I visit it regularly.

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## Application Summary

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Address: Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders

Proposal: Erection of dwellinghouse

Case Officer: Julie Hayward

## Customer Details

Name: Mr Jonathan Leeming

Address: Dewdrop Cottage, Dingleton Road, Melrose, Scottish Borders TD6 9QN

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Detrimental to environment
- Detrimental to Residential Amenity
- Land affected
- Overlooking
- Privacy of neighbouring properties affected
- Trees/landscape affected

Comment: Seeing I commented on previous proposals for this site, I would have hoped to be notified about this new proposal for the same site. However, since I was not, and have only just found out about it, I'm putting forward my objections now in the hope that I'm not too late :

- This site is a sensitive location, among old stone buildings and behind an old stone wall. It is within the National Scenic Area, visible from the Eildons, from the Golf Course, and from busy Dingleton Road.
- The orchard on the site has presumably been there for a hundred and fifty years, and is as much part of the locality as the (protected) Dingleton Hospital buildings. It is, furthermore, part of the Statutory Tree Protection area covering the old hospital, yet this proposed development seeks to remove most of the orchard trees. Trees are seen as increasingly important, especially among buildings, for their contribution to visual amenity, air quality, ecological diversity (plant, insect, bird), wind tunnel amelioration, water soakaway and flood amelioration, land stability, and undoubtedly factors we don't even know about yet.
- More than that, the trees are still abundantly productive, and of diverse varieties. They are living repositories of genetic heritage. As an old site, the trees will be linked by a mature mycorrhizal network (a localised 'wood wide web'), which will be damaged, as well as severed and excised in large part, by the construction and future existence of the proposed house, leaving the remaining trees in a compromised and possibly irrecoverable condition. Replacement trees are never a substitute for old, removed trees; inherent history cannot be replaced.

- The construction operation itself, however carefully carried out, is bound to cause damage to the trees on the site, as well as introducing continuing stress. In these times of ecological crisis (as well as food poverty), such wanton destruction of a mature, productive orchard for the establishment of one house is deplorable. It is an asset to the locality in a variety of ways, and this small piece of land should not be viewed as an opportunity for just one more plot in the creeping suburbanisation of Melrose.
- There is little detail about the proposed house. The site is surrounded by stone dwellings of old character. Anything not in keeping with this vernacular would be an obvious and permanent eyesore within the local area.
- Beyond the destruction of most of the trees, the development also proposes the effective conversion of those left from being a common resource to being private property. Such tacit dispossession is a shabby act.

I urge you to reject the application (once again).



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Address: Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders

Proposal: Erection of dwellinghouse

Case Officer: Julie Hayward

## Customer Details

Name: Miss Judith Middleham

Address: 7 Chiefswood Court, Chiefswood Road, Melrose, Scottish Borders TD6 9FB

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Detrimental to environment
- Detrimental to Residential Amenity
- Inadequate access
- Privacy of neighbouring properties affected
- Road safety
- Trees/landscape affected

Comment: I have just discovered that yet another proposal has been made to erect a dwelling on the site of the heritage orchard within the Dingleton Apartment complex. This should not be approved for several reasons.

The loss of a productive heritage orchard which is over a century old with protected trees should not be under threat in order to build one property.

Access to this orchard is via a single width lane which is frequently used by pedestrians and would pose a clear safety risk from construction vehicles.

There is little detail on the type/construction and materials for this property.

Loss of wildlife habitat.

The orchard is a valuable amenity to the local residents and should not be sacrificed because the developer is trying to squeeze yet more profit from the site, when the same developer has previously regarded this orchard as an asset for the residents.

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Address: Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders

Proposal: Erection of dwellinghouse

Case Officer: Julie Hayward

## Customer Details

Name: Mrs Kate Prasher

Address: 5 Chiefswood Court, Chiefswood Road, Melrose, Scottish Borders TD6 9FB

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Alterations/Demolition of wall
- Detrimental to environment
- Detrimental to Residential Amenity
- Inadequate access
- Increased traffic
- No sufficient parking space
- Trees/landscape affected

Comment: The ongoing pressure to develop the orchard site in the grounds of the old Dingleton hospital is distressing - the orchard is a place of meeting and socialising for the residents of the Apartments and the Court and their friends, families and neighbours, it is an irreplaceable habitat for wild flora and fauna, it is where we keep our compost bin and it is a remnant of old Melrose. The local community will lose a valuable resource if it is turned into, firstly, a building site and, secondly, a large detached house with a garage and a private garden. There is already a lot of this kind of building in the immediate neighbourhood, but there is not another old orchard of the size and beauty of this one. We need to keep it.

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Address: Land North Of Ivanhoe Dingleton Road Melrose Scottish Borders

Proposal: Erection of dwellinghouse

Case Officer: Julie Hayward

## Customer Details

Name: Mr Keith Crosier

Address: Ivanhoe, Dingleton Road, Melrose, Scottish Borders TD6 9HP

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Designated Conservation Area
- Detrimental to environment
- Detrimental to Residential Amenity
- Inadequate access
- Increased traffic
- Privacy of neighbouring properties affected
- Trees/landscape affected

Comment:

Response to Application for Planning in Principle for one dwellinghouse on the site of the former Dingleton Hospital Orchard (described as "Land North of Ivanhoe Dingleton Road Melrose) March 2023.

Reference 23/00492/PPP; online reference 100622909-001.

The above refers to a third Application relating to the described site, following rejection of (1) a proposal lodged in March 2021 for two houses to be built on a larger portion of the same broader site and (2) a revised proposal again for two houses lodged in November 2021. The key difference is that one house is now proposed for the same site as in the second application, in place of two. All three applications were lodged by Aitken Turnbull, Edinburgh as agents for Rivertree Residential Ltd., Hertfordshire.

We note the feedback in the Pre-Application Discussion section of the Application Form, in which the agent says: "The site was subject to a previous application for two detached dwellings. The

Local Review Committee felt two properties was over development, but agreed that the plot was a natural infill plot for a single dwelling". We do not agree for the reasons that follow below, categorised according to SBC's six "material planning considerations".

The appearance of the proposal in terms of design

This is the third Application to include no description or illustration of the design or size of the proposed house or houses: number of storeys; height to roof peak; building materials; treatment of door and window frames; colour of render, if any. All immediately neighbouring buildings (Ivanhoe, Woodstock, Lammermuir, Chiefswood Court, Dingleton Cottages) are in uniform stone. Since reproduction of that design would be impractical today, assurance is needed that permission "in principle" (meaning in Scotland since 2019 that final approval is subject to the condition that certain matters have to be approved before the work begins) would in fact relate only to location, scale and footprint and that there would be a later opportunity for local reaction to the external appearance of the house proposed to occupy the site. Any design similar to the vernacular pastiche of the adjacent Trimontium Heights by the same developer, for instance, would be an unacceptable intrusion into the consistent visual amenity of the area covered by the Location Plan document.

The eventual design will have an especially strong visual impact on us at Ivanhoe but equally on the residents of numbers 1-8 Chiefswood Court. The List of Neighbours Notified comprises only Ivanhoe and numbers 4, 5 and 6 Dingleton Cottages; the Chiefswood Court residents have not been invited to comment. We are aware that "material planning considerations" excludes the impact on "views from a property" but believe it would be wrong to give final approval without appropriate constraints on the appearance of the proposed house, given the site's location on the foothills of the Eildons: see Impact on the natural or built environment, below.

Siting and materials

The area enclosed within the red dotted lines in the Site Plan is not "scrubland" despite the three views in the Site Photos document. The description "Formerly an orchard for the Hospital" in the Existing Use section of the Application Form furthermore gives the clear impression that the 30 fruit trees (25 apple, three plum, one blackthorn, one hawthorn) it contains are defunct. They are in fact still abundantly productive despite not having been tended by Rivertree, the owner since the sale of the hospital site.

We note that one of the Site Plans acknowledges the felling of seven of those trees to make room for the large house it is proposed to build: one U-category and six C-category specimens. Not mentioned is the fact that several of those are heritage species dating from the creation of the Orchard in the early 1870s, including *Malus domestica* 'Melrose'. The same document notes that those losses are to be mitigated by the introduction to the site of eight "new ... native fruit trees of various sizes to compliment the existing planting arrangements in keeping with the original

Orchard use of the site". We suggest it must be a condition of approval that those replacements for the 150-year old existing trees are rigorously approved by your Planning and Landscape officers, especially since their future care would be in the hands of homeowners not necessarily sympathetic to the history or future of the orchard ambience of what will become their "garden". (Though it may well be beyond the Planning remit, we would also hope that the eventual deeds of sale would include some obligations to be custodians of that ambience.)

Rivertree's original sales prospectus for the 110 Dingleton & Glentress Apartments promoted the Orchard as a significant mutual social amenity for the new residents, as it did turn out to be for many. The trees may in future be out of bounds but their visual amenity must continue to be a collective asset.

On the wider scale, a survey by Scottish Natural Heritage recorded that the Borders region had lost a third of its established orchards since the 1950s. To sacrifice so much of a surviving one in order to build a single house would be a scandalous additional loss. Another, at Cherrytrees, a couple of hundred metres further north on Dingleton Road, is already under threat by a different developer.

It should be noted that, in March 2022, the Council's Landscape Architect objected to the impact that the second Application "would have on the historic orchard and the loss of trees within the Designated Landscape and National Scenic Area". The proposal for two houses on the site was therefore rejected in favour of one house "adjacent to the access road ... [see next item] ... a house surrounded by an orchard". Although a pre-application plan did show a single house in that location, the Planning Department cautioned that acceptance would be "dependant on a tree survey being completed and the comments of our Landscape Architect", who had cited specific concerns about the spacing of replacement trees, future occupants' attitude to the historic orchard they now owned, degradation of the remaining trees and effects on the water table. Resistance against any further damage to the natural environment of the Scottish Borders must therefore be vital in the Planning Committee's deliberations.

While we accept that the latest Application addresses these caveats to some extent, we are far from convinced that it has properly respected those important landscape considerations.

#### Traffic parking or access problems

The various Site Plan documents make it clear that the only access for builder's traffic and eventually for future residents' own vehicles and delivery vans servicing them will be via the unmarked existing pedestrian access from the un-named lane running along the western boundary of the site, which gives onto the grey-shaded area in the Site Plan (presumably the hard-standing area in front of the house). A 150-year-old beech hedge, carefully maintained by the estate's gardening and landscaping team, prevents access at any other point. We fiercely oppose any proposal to grub up some of that in pursuit of wider access.

That lane was described in the second Application as an "existing road". The 1:1250 location plan in the Landownership Plan gives the completely false impression that it is in fact as wide as the B6359 passing the eastern boundary of the site, but it is in fact only 3.7 metres wide at its widest point, at a blind bend. Far from being a "road", it is thus completely unsuitable for the commercial and residential traffic in and out of the site that would result from acceptance of Rivertree's proposal. It is significant that the lane has been used every day since the development of the Apartments by numbers of dog-walkers and exercisers, who would in future have to be alert to an increased number of motor vehicles at all times of day. (It was originally an exercise walk for the hospital's patients).

Not included in the Application or any of its accompanying documents is the fact that a two-metre section of the stone wall at the opposite eastern edge of the site, just north of number six Dingleton Cottages, collapsed several years ago and has ever since been filled only by a few wooden planks. We suggest as strongly as possible that this must be sympathetically restored in any future development of the site, either by Rivertree or SBC according to ownership, on the grounds of amenity and safety.

Residential amenity (noise, overshadowing)

Significant loss of residential amenity has already been amply demonstrated in the comments under other headings above.

Overshadowing is an issue mainly with regard to the relationship with Ivanhoe (and vice-versa). That cannot be properly addressed until the required information about the height of the new house is furnished by the developer, certainly before any final permissions are given.

Drainage and infrastructure

A dotted red line on the main Site Plan delineates the line of a domestic sewer originating at Ivanhoe, passing through the whole site and continuing north past the rear of Dingleton Cottages. The latest submission shows it connected by a short spur to the rear of the proposed house. Since before the previous Application there has been a fenced-in area, visible in Site Photos, marking where a child fell into what was presumably an inspection chamber. The warning notice reads "Danger: keep out". In the current Application document, the developer's agent answers "yes" to the question "Will your proposal require new or altered water supply or drainage requirements?" whereas the answer had previously been "no". Future owner-occupiers would need assurances that those "arrangements" will be made safe.

Impact on the natural or built environment

Rivertree Residential should be required to explain how a single large detached house (neither

footprint nor number of bedrooms stated) in a long-established rural landscape 1.2 km from Melrose Market Square would contribute positively to the general policy of providing affordable housing, rather than adding to suburban sprawl on the outskirts of a rural community. The existing orchard is clearly visible from Eildon North Hill and Mid Hill, located within Eildon and Leaderfoot National Scenic Area and on the routes of the Southern Upland Way, Borders Abbeys Way and St Cuthbert's Way. Unless there is significant sensitivity in design and building materials, the visual impact on tourists and recreational walkers of the proposed large house standing within it will be damaging to the image of Melrose and the Central Borders in general.

## Conclusion

We strongly oppose this third proposal (both the previous two having been refused) on the grounds that it still compromises the ambience of the sensitive Dingleton Orchard site. Members of the Planning Committee made a site visit after the submission of the second Application in 2021. We sincerely hope their findings will be taken fully into account in the deliberations with respect to this third application.