

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 21/01982/FUL

APPLICANT : Mr Graeme Forsyth

AGENT : Andrew Walker

DEVELOPMENT : Change of use from agricultural store, alterations and extension to form dwellinghouse with garage

LOCATION: The Blue House Near Swansfield Farm
Reston
Eyemouth
Scottish Borders
TD14 5LN

TYPE : FUL Application

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
	Location Plan	Refused
21-028-001	Proposed Plans	Refused
21-028-002	Proposed Plans	Refused
21-028-003	Proposed Elevations	Refused
21-028-004	Proposed Elevations	Refused
21-028-005	Proposed Site Plan	Refused
21-028-006	Proposed Elevations	Refused
21-028-007	Existing Elevations	Refused

NUMBER OF REPRESENTATIONS: 1

SUMMARY OF REPRESENTATIONS:

One member of the public provided comments in support of the application, commenting as follows:

- the proposal would tidy a derelict area, especially if the Council does something to improve the bin park which currently attracts rats.

CONSULTATIONS

SBC Access: No response.

SBC Archaeology: The existing building is first shown by the later 19th century Ordnance Survey second edition mapping of the area. There is an early building in the general area in the earlier Ordnance Survey mapping. The existing building and plot would therefore benefit from recording. Should the application be consented it would be recommended that a historic building recording condition be carried out for the existing building.

SBC Education: No response.

SBC Environmental Health: No response.

SBC Roads Planning: The site has had previous consent for alterations to form a dwelling (05/01259/FUL and 00/00183/COU). The site has a public road to the north east and a private road to the south. As the principle of a dwelling has already been established in the site, I shall have no objections to this application provided conditions similar to the ones below are attached in any consent given. Conditions for parking, access and drainage to road requested.

Community Council: The community council have received no comments/concerns from the public in relation to this application. The community council discussed this application and are supportive as it seeks to reinstate and rebuild a once derelict eyesore into an aesthetically pleasing family home. This is a great example of a house incorporating eco-friendly solutions, i.e., an independent stand alone home, with off-grid utilities, the use of solar arrays and ASHP or GSHP is an encouraging sign, one where other developers can learn from in this example. What is not clear but having spoken with the applicant is the water supply; the water supply is to be sourced via private water supply independent and with no detrimental impact upon the nearby supply at 'Warlawbank'. Their intentions also to provide passing places if deemed required by roads planning is encouraging, due to the narrowness of this road access points.

Scottish Water: There is no public water or waste water infrastructure within the vicinity of the site therefore private options should be investigated.

PLANNING CONSIDERATIONS AND POLICIES:

Local Development Plan 2016:

PMD1: Sustainability
PMD2: Quality Standards
ED9: Renewable Energy Development
ED10: Protection of Prime Quality Agricultural Land and Carbon Rich Soils
HD2: Housing in the Countryside
HD3: Protection of Residential Amenity
EP1: International Nature Conservation Sites and Protected Species
EP2: National Nature Conservation Sites and Protected Species
EP3: Local Biodiversity
EP8: Archaeology
EP13: Trees, Woodlands and Hedgerows
IS2: Development Contributions
IS7: Parking Provision and Standards
IS9: Waste Water Treatment and SUDS
IS13: Contaminated Land

Other Considerations:

Biodiversity Supplementary Planning Guidance 2005
Development Contributions Supplementary Planning Guidance 2011 (Updated 2021)
Landscape and Development Supplementary Planning Guidance 2008
New Housing in the Borders Countryside Supplementary Planning Guidance 2008
Privacy and Amenity Supplementary Planning Guidance 2006
Placemaking and Design Supplementary Planning Guidance 2010
Renewable Energy Supplementary Guidance 2018
Sustainable Urban Drainage Systems Supplementary Planning Guidance 2020
Trees and Development Supplementary Planning Guidance 2008
Use of Timber in Sustainable Construction Supplementary Planning Guidance 2009
Waste Management Supplementary Guidance 2015

Scottish Planning Policy 2014

Recommendation by - Paul Duncan (Assistant Planning Officer) on 3rd March 2022

Site Description

The proposed site is located on the lower slopes of Horsely Hill around 2.5km west of Reston, at a junction between the public road to Horsely Farm and the long private road up to Warlawbank. The site comprises two adjoining but distinct parcels of land. The first is a roughly triangular area of scrub on the north side of the private road. It is enclosed by post and wire fencing and marked in the landscape by mature perimeter trees. It hosts a small single-storey stone building with no roof. The second is a small portion of a much larger undeveloped arable field to the north. It is bound to the east by mature hedging but has no clearly defined boundaries to the west or north. A field drain, partially covered, runs along the boundary between the triangular portion of land and the arable field to the north. A bin storage compound for Warlawbank is located along to the east of the site, along the side of the public road to Horsely Farm. Swansfield Farm is located 200m to the north.

Proposed Development

The application proposes the erection of a new two storey building, which would provide primary accommodation for a new dwellinghouse. The new building would be located to the north-west of the existing stone building, and would extend into the adjoining arable field, requiring a cut into the hill slope. It would connect to the existing stone building via a new single-storey, flat-roofed link. The existing stone building would be converted to provide ancillary accommodation to the new dwelling in the form of a games room/ gym, and a first floor bedroom (NB the latter is shown on the ground floor plan only).

A large 9m by 6m detached triple-garage would be erected to the west of the new dwelling, on higher ground, cut into the hillside.

Two new vehicular accesses with service laybys are proposed to the south and north-east, connected by a drive and turning area.

Supporting Information

A short supporting statement was submitted. This states that the proposal complies within Local Development Plan (LDP) policy HD2(C) Housing in the Countryside - Conversions. The points made in the supporting statement have been fully considered.

Assessment

- Planning History

The application supporting statement asserts that planning history at the property supports these new proposals.

Planning history at the property is limited to three previous applications. In 2000 an application was approved for change of use to convert the existing building to a dwellinghouse (00/00183/COU). The report of handling of a later 2005 application (reference 05/02159/FUL) indicates that the same scheme was resubmitted and approved again five years later. There is no indication that any form of extension was approved under either scheme, nor did either application site boundary extend into the adjacent undeveloped field. Furthermore, both permissions predate our New Housing in the Countryside SPG and LDP. They are therefore of limited relevance to this new application, which must be assessed against current policies. In 2012 a further application was withdrawn prior to validation (12/00935/FUL).

Planning history at the site is judged to be a material consideration of limited weight in this instance.

- Principle

The proposed site is located outwith any settlement designated in the Local Development Plan (LDP) so must be assessed against LDP policy HD2 (Housing in the Countryside). 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. The proposed site is distant from any recognised building group so HD2(A) does not apply. Nor does HD2(F), as there is no economic or business justification for the dwelling. HD2 (B), (D) and (E) also do not apply.

Policy HD2(C) states that in principle, the change of use of a building in the countryside to a house may be acceptable provided that: (a) the building has architectural or historic merit, is capable of conversion and is physically suited for residential use; (b) the building stands substantially intact and requires no significant demolition; and (c) the conversion is in keeping with the scale and architectural character of the existing building.

The existing building is considered to have some historic merit but is very small in scale. It is not clear how physically suited it would be for today's standards of residential accommodation without recourse to significant extension that would no longer be supported by current planning policies and guidance. Furthermore, it is not clear whether the building remains structurally sound as no structural survey was submitted with the application. The building has fallen into a state of significant dilapidation and has now lost its roof. Recent storms have brought mature trees down at the site and one of these appears to have landed upon the building, potentially causing further harm.

Notwithstanding these points is the more fundamental issue that the application to the large part is seeking permission for what would be tantamount to a new-build dwellinghouse. The small stone building proposed for conversion (approx 7.9m by 5.9m in footprint) would simply offer ancillary accommodation to the new two storey building (approx. 14.3m by 7.3m in footprint). It is therefore questionable whether the proposals meet the most basic requirement of the conversion policy. Regardless, the new building is clearly not in keeping with either the scale or the character of the modestly sized existing building. By virtue of its excessive height and greater footprint, the proposed new building would dominate the existing building, contrary to the purpose and aims of HD2(C). The existing building would be subservient to the new building, whereas the reverse of this should apply. The overall effect would be of a new build dwellinghouse in the open countryside linked to a more subservient old stone outbuilding. The contrasting architectural styles, material finishes and approaches to glazing would exacerbate this. The development would therefore contribute to a sense of sporadic residential development in the countryside, to the detriment of the character of the site, the existing building, and the surrounding landscape.

A more minor point also of concern is that the new building and garage would extend into a previously undeveloped field. The development does not respect the historic field boundaries at the site and would not be contained within the triangular site's sense of place. This would cause further harm to the character of the site and the surrounding landscape.

- Siting, Layout and Design

Given that the principle and approach of the proposed development is so clearly contrary to relevant planning policies and guidance, it would be inappropriate to comment extensively on siting, layout or design. However it is noted that the design of the new dwellinghouse and garage have not avoided the need for excavations into the hillside, with cut and fill required to create flat platforms. Furthermore, no proposed or existing site levels have been provided to demonstrate the extent of these works. The orientation of the new dwelling is at odds with the existing building, exacerbating the latter's sense of subservience. In addition, the proposed garage is located in a dominant position on higher ground and is also excessive in scale. Indeed, the proposed garage is also larger in footprint than the existing building proposed for conversion.

- Trees

No tree survey has been submitted. The boundary of the triangular portion of the site is marked by fine mature trees. The garage and southern vehicular access to the site are likely to harm the mature trees. The new vehicular access to the north-east would result in the removal of hedging. It is not clear why two vehicular accesses are required. The proposals are considered contrary to LDP policy EP13 (Trees, Woodlands and Hedgerows), though as it may be possible to avoid or mitigate adverse impacts this is not a reason for refusal.

- Ecology

The existing building would appear to have habitat potential to for protected species such as bats and breeding birds. No ecological reports have been submitted. It has not been demonstrated that the development would not harm nationally or internationally protected species or their habitats, or local biodiversity. The proposals are therefore contrary to the Council's planning policies EP1, EP2 and EP3.

- Other Matters

The following matters would not affect the overall outcome of the application and could be dealt with, where necessary, by condition or legal agreement:

Two new vehicular accesses with service laybys are proposed to the private road to the south and the public road to the north-east, connected by a drive and turning. There are no significant vehicular access or road safety concerns. The Roads Planning Service requests conditions for parking, vehicular access and drainage to the road.

Private water supply and foul drainage arrangements are required. No supporting information has been provided regarding water supply. Given the limited information provided, a robustly worded planning condition would be required. For foul waste, a septic tank is proposed with outfall to a soakaway or field tiles.

The Council's Archaeology Officer was consulted as the application proposes the conversion of a building with potential historic interest. The Officer recommends that a record of the building is secured by planning condition on account of such interest, however no further archaeological work is deemed necessary at this site.

The application has been discussed with the Contaminated Land Officer. There is insufficient information available to rule out possible contamination issues at the site. Further information as to the previous uses of the property is needed. This could be secured by condition.

Development contributions would have been sought towards Eyemouth High School and Reston Primary School had the proposals been acceptable.

Issues associated with the existing bin storage area for Warlawbank would not be matters for this application.

REASON FOR DECISION :

The proposed dwellinghouse would be contrary to Policy HD2 (C - Conversions) of the Local Development Plan 2016 in that the proposed conversion and extension would not be in keeping with the scale and character of the existing building. The development would have the appearance of a new building dwellinghouse in the open countryside linked to a more subservient outbuilding which is proposed for ancillary use. The development would therefore contribute to the sense of sporadic residential development in the countryside, to the detriment of the character of the site and surrounding area. Other material considerations have been accounted for but these do not outweigh the harm that would result from the development.

Recommendation: Refused

- 1 The proposed dwellinghouse would be contrary to Policy HD2 (C - Conversions) of the Local Development Plan 2016 in that the proposed conversion and extension would not be in keeping with the scale and character of the existing building. The development would have the appearance of a new building dwellinghouse in the open countryside linked to a more subservient outbuilding which is proposed for ancillary use. The development would therefore contribute to the sense of sporadic residential development in the countryside, to the detriment of the character of the site and surrounding area. Other material considerations have been accounted for but these do not outweigh the harm that would result from the development.

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