

SCOTTISH BORDERS COUNCIL

PLANNING AND BUILDING STANDARDS COMMITTEE

5 FEBRUARY 2024

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 23/01613/FUL
OFFICER:	Euan Calvert
WARD:	Kelso and District
PROPOSAL:	Formation of new access road and entrance to farm cottages and formation of improved access to farmhouse and yard
SITE:	Baillieknowe Farm, Stichill, Kelso
APPLICANT:	F B R Seed
AGENT:	R G Licence Architect

PLANNING PROCESSING AGREEMENT

A processing agreement is in place to allow the application to be determined by Committee in February 2024.

SITE DESCRIPTION

The application site is located at Baillieknowe Farm and Numbers 1-9 Baillieknowe Farm Cottages, Stichill, Kelso. This is a traditional farm steading located to the south of Stichill. The farm buildings are located to the east of the B6364, Kelso Road. The Farmhouse, Cottages and all farm traffic are presently accessed from the same road junction which is proposed for improvement in this application. There is also an historic gated entrance to Baillieknowe Farmhouse but this has long fallen in to disuse due to the dangerous location and poor sightlines where it meets with the B-class road.

There is a farm track, 240m in length, which connects the Ednam Road to the rear of the Cottages and leads through to Baillieknowe Farm. This track is proposed to be widened and surfaced and a new junction formed on to the Ednam Road.

PROPOSED DEVELOPMENT

Full Planning Permission is required for improving the existing vehicular access serving the B6364, Kelso Road. A second vehicular entrance is proposed to serve the C46 Ednam Road. This second vehicular entrance would give a dedicated vehicular access for the Cottages and the Site Plan now shows proposals for a turning head formed west of no.1 cottage with row of 1.2 m high steel bollards closing off vehicular access to and from the farmyard.

Baillieknowe has recently changed ownership and these road changes are proposed in advance of proposals to either redevelop the traditional farm steading as a future housing development or alternatively modernise the farm buildings to support an enhanced farm business. Either proposal will require access through the steading to be closed.

The Site Plan and Layout Road Type A show proposals for a new sealed surface bellmouth in place of the hedgerow, located 42m east of the present field entrance. The bellmouth would give access to the field and a 5.5m wide sealed surface road would loop back (at a 50m arc) to the route of the existing farm track.

Site Plan and Layout Road Type B show proposals for an improved junction serving the existing farmhouse and farmyard. This would be surfaced in a bound material. Visibility splays would be created, 74 m south and 132m north. These verge changes would necessitate the removal of trees and walls for a gravel surfaced splay. Two existing steel sheds would be removed (under permitted development rights) for this road to provide access directly to the Farmhouse in future.

DETERMINATION BY PLANNING AND BUILDING STANDARDS COMMITTEE

The application requires to be determined by the PBS committee under the Council's scheme of delegation as a substantial body of opposition exceeding five objections from separate households has been received each containing material planning considerations.

PLANNING HISTORY

There is no planning history.

Preapplication discussions have been had with the Planning Authority concerning proposed redevelopment of Baillieknowe Farm.

REPRESENTATION SUMMARY

A total of 12 representations have been received comprising 11 objections and 1 support comment.

The principal grounds of objection can be summarised as follows.

- Minor road to Ednam is unsuitable for additional traffic.
- Safety and amenity impacts from increased traffic.
- Change to the character/identity of the land. Does not fit in with its surroundings.
- Loss of prime agricultural land.
- Power lines and a sewerage pipe along the existing track.
- Noise.
- Loss of residential amenity.
- Loss of open space.
- Keep traffic on the outskirts of the village.
- Danger to pedestrians
- Blind corner/ acute turn on Greenlaw Road.
- Loss of trees
- Baillieknowe traffic is much more easily and safely accommodated by the main B6364 road than it would be by the single track C46.

The Community Council object and make the following points:

- Welcome improvements to Farmhouse/ B6364
- Do not welcome closing off access to B6364 to Cottages.
- Concerned for more issues on C46 arising from farm traffic/ large vehicles/ more traffic
- Concerned for pedestrian safety on C46 - only a short stretch of maintained footpath (opposite Baird Cottages)
- Concerns that this is a first phase of wider development.
- Proposals will have significantly detrimental impact on the village as a whole and beyond.

Support comments raise the following points:

- Proposed road would serve adjacent gated paddock to allow LPG tank to be filled.

APPLICANT'S SUPPORTING INFORMATION

In support of the application, the following was submitted:

- Clarification of Roads Department Comments

DEVELOPMENT PLAN POLICIES:

National Planning Framework 4 (NPF4)

Policy 1 – Sustainable places

Policy 2 – Climate mitigation and adaptation

Policy 13 – Sustainable transport

Policy 14 – Design, quality and place

Policy 15 - Local Living and 20-minute neighbourhoods

Policy 18 – Infrastructure first

Scottish Borders Local Development Plan 2016

PMD1 – Sustainability

PMD2 – Quality standards

PMD4 – Development Outwith Development Boundaries

HD3 – Protection of residential amenity

IS9 – Wastewater treatment standards and SUDS

OTHER PLANNING CONSIDERATIONS:

Supplementary Planning Guidance:

Placemaking and Design (2010)

CONSULTATION RESPONSES:

Full responses have been published online and the consultee response is summarised below.

Scottish Borders Council Consultees

Roads Planning Service: Further information required; A traffic statement considering:

- Current / anticipated traffic movements from cottages.
- Current / anticipated traffic movements from Baillieknowe Farm.
- Larger potential effects of diverted traffic on the town.
- Clarification of potential agricultural vehicular movements, either from farm or to access nearby fields.
- Exact proposed location, and method, of termination of access from Farm to cottages.
- Clarification of road types, these appear to be mislabelled.
- Justification for new accesses - are they to service existing properties only or are further phases of development anticipated and if so, to what level.

Second response: Broadly supportable. No objection subject to conditions requiring the precise construction details and visibility splays being provided prior to works commencing:

- Construction details of each access to be agreed prior to work commencing
- The existing access to Baillieknowe Farmhouse from B6364 to be stopped up. Details to be provided and agreed, to be implemented within 3 weeks of new access becoming operational.
- Clarification required on whether pedestrian link between cottages and farm is to be retained.

Suggested applicant informative note:

The Roads Authority advise that should a subsequent application for residential development of the Baillieknowe site be received, suitable consideration to be given to a vehicular link between the cottages and farm.

KEY PLANNING ISSUES:

The key planning issue is whether the proposed development in this location constitutes appropriate development in accordance with the National planning Framework 4 (NPF4) and the Scottish Borders Local Development Plan 2016, particularly as regards landscape impact and road safety considerations.

These proposals are limited to widening an existing farm track, creating a new junction and improving an existing junction. Account should be taken for the fact that Class 27 of the GDPO allows the carrying out on land within the boundaries of a private road or private way of works required for the maintenance or improvement of the road or way.

ASSESSMENT OF APPLICATION:

Policy Principle

Local Development Plan 2016

Road Type A – Baillieknowe Cottages to Ednam Road

The development proposals are beyond the Development Boundary of Stichill therefore the primary consideration must be criteria of Policy PMD4: Development Outwith Development Boundaries of the Local Development Plan 2016. The policy states that development shall usually be refused outwith this boundary, where not on allocated sites. Criteria for exceptions to the Policy are identified and it is appropriate to consider whether there are significant community benefits arising within these proposals.

It is considered that the public road safety benefits of this proposal offer significant community benefit that outweigh the need to protect the Development Boundary. The Cottages have historically been part-and-parcel of the farm operation and the existing domestic vehicular movements through the working farm steading have been accepted. However, Baillieknowe Farm is now in different ownership and it is understood that proposals are in place to enhance and enlarge the farm operation or potentially progress a housing development at this location. Either way, this application proposes to separate vehicular movements for obvious road safety and future farm operational reasons. The nine Cottages are proposed to be given a dedicated access road served directly from the minor public road to Ednam – the design of Road Type A is considered compliant with Road Authority standards. The change will have net road safety improvements, both for Farm safety and for the owner/occupiers of the Cottages.

Development Boundary

The Cottages, farmyard and Farmhouse are presently enclosed by the Development Boundary whereas the track in question runs parallel to the rear gardens of residential properties which form the extent of Stichill Development Boundary. The track is an unbound stone surface which is contiguous with the adjacent field system.

The track is considered a logical extension of the built-up area. This proposal (at 5.5m in width) is considered appropriate in scale for the village and these proposals would not prejudice the character, visual cohesion or the built-up edge of the settlement, although given the heavily engineered nature of the proposed road, mitigation is recommended. This is discussed in more detail later in the report.

In terms of landscape impact, 190m of widened and surfaced roadway would follow the alignment of existing field boundary and hedgerow. There would be no loss or damage to trees/ hedgerow. The first 75m of road would arc into the field - This realigned junction is necessary to achieve forward visibility for vehicles emerging on the C46. The location of the present junction on to the Ednam Road is sub-standard in terms of junction visibility (towards Ednam) and cannot be supported for improvement.

The proposals for a dedicated vehicular access to serve No1-9 Baillieknowe Farm Cottages can be supported by Local Planning Policy PMD2 (criteria o to s) in that they are acceptable in road design standards (Accessibility). It is considered that this proposal is compliant with criteria of Policy PMD4 and can be treated as an exceptional approval in so much as this will represent a logical addition to the built-up area of the village and will not have an adverse effect on the surrounding road infrastructure. It is perhaps worth noting that Policy PMD4 is primarily aimed at larger scale developments such as new housing developments or employment generating uses, but the principles remain the same for small scale developments such as this.

The Roads Planning Officer has estimated the frequency of movement as only four vehicles an hour arising from these nine Cottages and, contrary to third party objections, this will have negligible impact on road safety of the surrounding public road network. The road safety and sufficiency concerns of the objectors are noted, specifically for the increased use of the road and the Greenlaw junction in Stichill.

Members should be aware that these concerns for increased traffic and adverse road safety have been fully considered by the Roads Authority. The C46 is considered sufficient in design for this limited increase in traffic movements. No off-site road improvements are required to accommodate the additional trips from the cottages on to the public road. This decision must also be cognisant of the road safety improvements arising for the owner/ occupiers of Cottages 1-9 as they will be able to access the public road network without having to travel through a working farm steading.

Members should be aware that under the General Permitted Development Order, there are permitted development rights for the applicant to improve this private track without planning consent. Provided certain criteria are met, the existing track could be improved with deemed consent allowing vehicular access to and from the cottages using the existing field access and track onto the Ednam Road.

The Roads Planning Service has now considered the amendments and remain broadly supportive. Further details however can be secured by planning condition:

- The existing access to Baillieknowe Farmhouse from the B6364 to be stopped up. Details to be provided and agreed, to be implemented within 6 weeks of new access becoming operational.
- A pedestrian link between the farm cottages and farm is to be retained.

Road Type B – Baillieknowe Farm and Farmhouse.

The proposed improvements to the existing road junction from the farm steading to the B Lass Kelso Road are supported both by the Roads Planning Service and members of the public. It is proposed to introduce significantly improved junction visibility to the B6364 to ensure forward visibility in both directions resulting in road safety improvements for all road users.

The proposals will require a number of mature trees and hedgerow to be removed as well as relocation of an existing dry-stone dyke/retaining wall. This is likely to require compensatory planting and mitigation, but this is discussed in more detail later in the report.

The objections received from third parties on road safety grounds must be weighed against the development plan, material planning considerations and the professional advice of the Road Planning Service. The objections based on road safety and sufficiency are not found to be valid by the road engineers and it is accepted that the nominal additional vehicle movements (four per hour) can be accommodated on the C46.

It is considered that the potential impacts to road safety in the village will not be significant given the level of use proposed. These proposals will be a safety improvement for the Cottages and will provide direct vehicular access to the nearby school and to the village without a circuitous route through a working farm steading.

National Planning Framework 4

The application is considered to be compliant with National Planning Framework 4 specifically Policy 13 – Sustainable Transport; Policy 14 - Design, quality and place; Policy 15 - Local Living and 20 minute neighbourhoods; and Policy 18 – Infrastructure first.

Policy 13 – Sustainable Transport

It is clear that there are sustainable transport benefits arising from these proposals including the improved links for Baillieknowe Cottages to Ednam School, Stichill Village Hall and the nearby public park.

Policy 14 - Design, quality and place

The proposals are considered to be compliant with the “qualities of successful places” in so much as these changes will create a well-connected network that make moving around the village easier and reduce car dependency.

Policy 15 - Local Living and 20-minute neighbourhoods

These road improvements are acknowledged to be primarily for the benefit of vehicular movements, but they will encourage, promote and facilitate walking, wheeling or cycling or using sustainable transport options.

Policy 18 – Infrastructure first

This policy aims to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking. It is considered that these road improvements are in accordance with this approach given the future aspirations for further development at Baillieknowe.

Residential Amenity

Concerns for loss of residential amenity are noted but no adverse effects are identified from improving an existing farm track for the existing dwellinghouses. It is accepted that there is the potential for an increase in noise/ vehicle activity and light, but this can be accommodated in this edge of village location. The location for development is close to existing residential dwellings to the south of the village but it is felt that they are sufficiently distant from the

proposed road (serving the cottages) and will be screened by an existing mature hedgerow that separates the site from nearby properties.

Visual impact

A heavily engineered design is proposed over the length of Road Type A. However, it is not considered that the visual impact of this will be significantly detrimental to the local area. The alignment is on the route of existing track (which can be improved under permitted development rights) and would be close to the field edge/ existing hedgerow. It is felt that the road will be a discrete addition and will not be overly prominent in the landscape. However, in order to ensure assimilation with the wider rural surroundings, acknowledging that a new junction will be formed and existing roadside hedging on the Ednam road will be removed to provide junction visibility splays, a landscaping scheme, which may include hedgerow and specimen tree planting (including compensatory measures for loss of roadside hedgerow) is recommended.

In the case of Road Type B there will be visual impacts arising from the loss of trees, vegetation and lowering or removing natural stone walls. This will open up views into the farm steading from the public road and should be suitably mitigated. Any loss of visual amenity must however be weighed against improvements to road safety, and it is considered that these changes can be accepted, given the presently poor standards of visibility and consequential road safety issues of both junctions. A landscape scheme should also be a condition of approval to ensure that the boundary treatments and compensatory planting (2 for 1 replacements) is suitably designed, and implemented, for these proposals.

Any ecological impacts arising from the removal of these trees can be managed through a suitably worded condition requiring pre-commencement surveys and ensuring the trees are removed before the bird breeding season, or in accordance with a species protection plan.

Services

Concerns for impacts on services and drainage are noted but these issues are non-determinant to the application. The road construction proposals include an acceptable surface drainage scheme.

Waste Storage

The plans submitted with the application do not show proposals for waste storage. Further details are required as to the future collection of bins associated with the existing dwellings and this can be covered by suitably worded planning condition.

Road safety and Parking

The Council's Roads Planning Service has offered conditional support to the scheme. There is no road adoption required in this instance as the Cottages are historic and the proposals will benefit road safety for the owner/ occupiers and visitors of the Cottages. It is anticipated that the calculated journeys through the village will not generate a level of traffic that would negatively affect the nearby public roads. The applicant has confirmed that the field to the east of the steading and cottages is presently served from the C46 through the extant gate and there will be no more or less agricultural movements arising from these proposals.

It is recommended that stopping-up of the road between the farm and the Cottages is a condition of approval to ensure the route does not become a through route (for vehicles) and to ensure no additional farm movements through the village. Stopping up of the existing

farmhouse drive and junction is also recommended. This can also be covered by appropriately worded condition.

Following the submission of the supporting information and amended plans, the proposed development is now considered to be in compliance with NPF4 and LDP 2016 in that the road improvements would represent a logical addition to the village without adversely impacting the character and appearance of the village. The new access routes and junction improvements will significantly improve road safety and junction visibility on the public road network.

CONCLUSIONS

The development will accord with the relevant provisions of the Development Plan and there are no material considerations that would justify a departure from these provisions. The development is considered to be a justified exception to Policy PMD4. Subject to conditions ensuring road design standards and stopping up of the farm road, the application is, on balance, considered acceptable.

RECOMMENDATION BY CHIEF PLANNING AND HOUSING OFFICER:

I recommend the application be approved subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Local Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
3. No development shall commence until;
 - a. precise construction details of the proposed road between Baillieknowe Cottages and C46;
 - b. precise details of the proposed turning head and stopping-up of the road adjacent to no.1 Baillieknowe Cottages; and
 - c. precise details of stopping up of the existing vehicular access to Baillieknowe Farmhouse from the B6364have first been submitted to and approved in writing by the Planning Authority.
Thereafter the approved in writing scheme of details shall be fully implemented within 6 weeks of the new access becoming operational, unless otherwise agreed in writing with the Council.
Reason: To ensure the access is formed to an appropriate standard and the existing substandard access is closed off.
4. Prior to works commencing, visibility splays of 2.4m by 97m north-west and 100m south-east at the junction with the carriageway of the C46 Ednam Road (as shown in DSW PA03) must be provided and retained thereafter in perpetuity unless otherwise agreed in writing with the Planning Authority.
Reason: To ensure the development is served by an acceptable form of access.
5. No development shall commence until precise construction, landscape and boundary treatment details (plan, elevation and section) of visibility splays of 2.4m by 132m north and 73m south at the junction with the carriageway of the B6364 (as shown in DSW PA04) have been submitted to and approved in writing by the Planning Authority. Thereafter the

approved scheme of details shall be fully implemented within 6 weeks of the new access becoming operational, unless otherwise agreed in writing with the planning authority.
Reason: To ensure the development is served by an acceptable form of access and suitable levels of compensatory planting is provided.

6. Measures to be put in place to prevent the flow of water onto the public road boundary.
Reason: It is an offence to deposit water on to the public road and in the interest of road safety.
7. Prior to the commencement of development, a scheme of details for hard and soft landscaping and boundary treatments shall be submitted to and approved in writing by the Planning Authority. The scheme of details shall include:
 - a. A site plan showing all proposed hard and soft landscaping, including the location of new trees, shrubs, hedges and grassed areas, and fencing/ walling.
 - b. A schedule of plants to comprise species, plant sizes and proposed numbers/density. (Two for one replacement of removed trees)
 - c. Details of fence/ wall materials and heights; and
 - d. Details of hardstanding materials.Thereafter, all planting, seeding or turfing comprised in the approved scheme of landscaping shall be carried out in the first planting and seeding seasons following completion and shall be maintained thereafter and replaced as may be necessary for a period of two years from the date of completion of the planting, seeding or turfing, and fencing/ walling shall accord with the agreed details.
Reason: To ensure satisfactory form, layout and assimilation of the development.
8. Prior to commencement of development, a pre-development survey for bats, breeding birds and barn owls (and any corresponding Species Protection/ Mitigation Plan) shall be submitted to and approved in writing by the Planning Authority. No development shall be undertaken except in accordance with the approved in writing SPP.
Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.
9. No development shall commence until further details of bin storage facilities are submitted to and approved in writing by the planning authority. Thereafter the roads hereby approved shall not come in to use until the agreed bin storage facilities are in place. The waste storage facilities shall remain in perpetuity.
Reason: To ensure suitable bin storage arrangements are provided, in the interests of visual amenity.
10. Prior to the commencement of development, details of a scheme of post-construction ecological enhancements, including timescale for implementation, have been submitted to and approved in writing by the Planning Authority. The approved details shall be implemented within the approved timescale.
Reason: To provide a reasonable level of ecological enhancement relative to the environmental impact of the development in accordance with the statutory development plan.

Informative note:

The Roads Authority advise that should a subsequent application for residential development of the Baillieknowe site be received, suitable consideration to be given to a vehicular link between the cottages and farm.

DRAWING NUMBERS

DSW PA06 A LOCATION PLAN
DSW PA02 PROPOSED SITE PLAN
DSW PA03 SITE PLAN ROAD TYPE A
DSW PA04 SITE PLAN ROAD TYPE B
DSW PA05 CONSTRUCTION DETAILS

Approved by

Name	Designation	Signature
Ian Aikman	Chief Planning and Housing Officer	

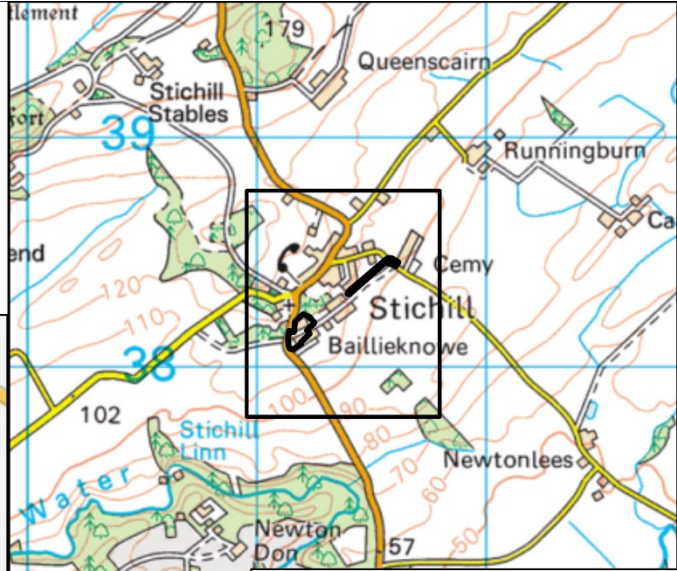
The original version of this report has been signed by the Chief Planning and Housing Officer and the signed copy has been retained by the Council.

Author(s)

Name	Designation
Euan Calvert	Assistant Planning Officer

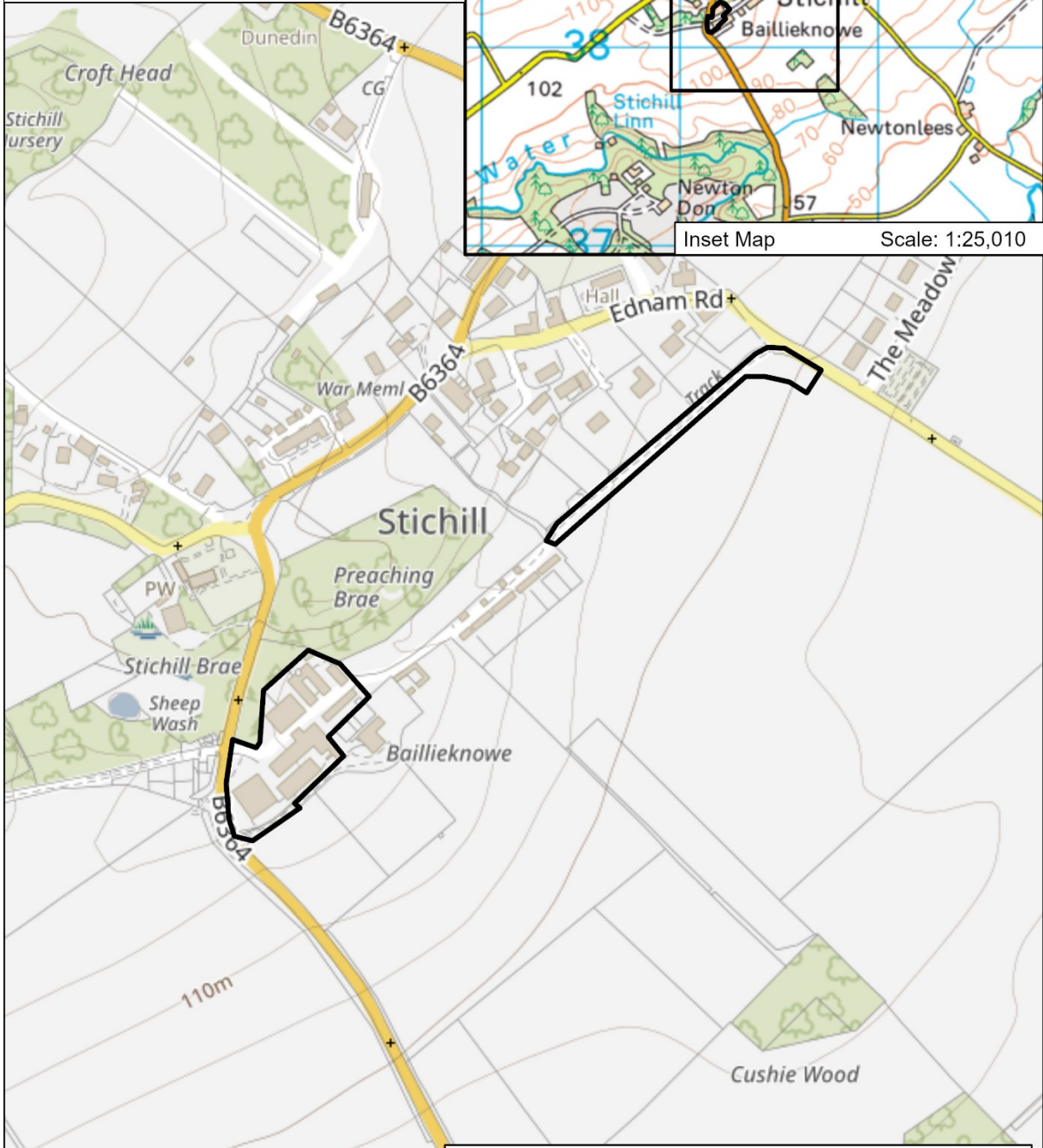


23/01613/FUL
Baillieknowe Farm
Stichill



Inset Map

Scale: 1:25,010



Scale: 1:4,010