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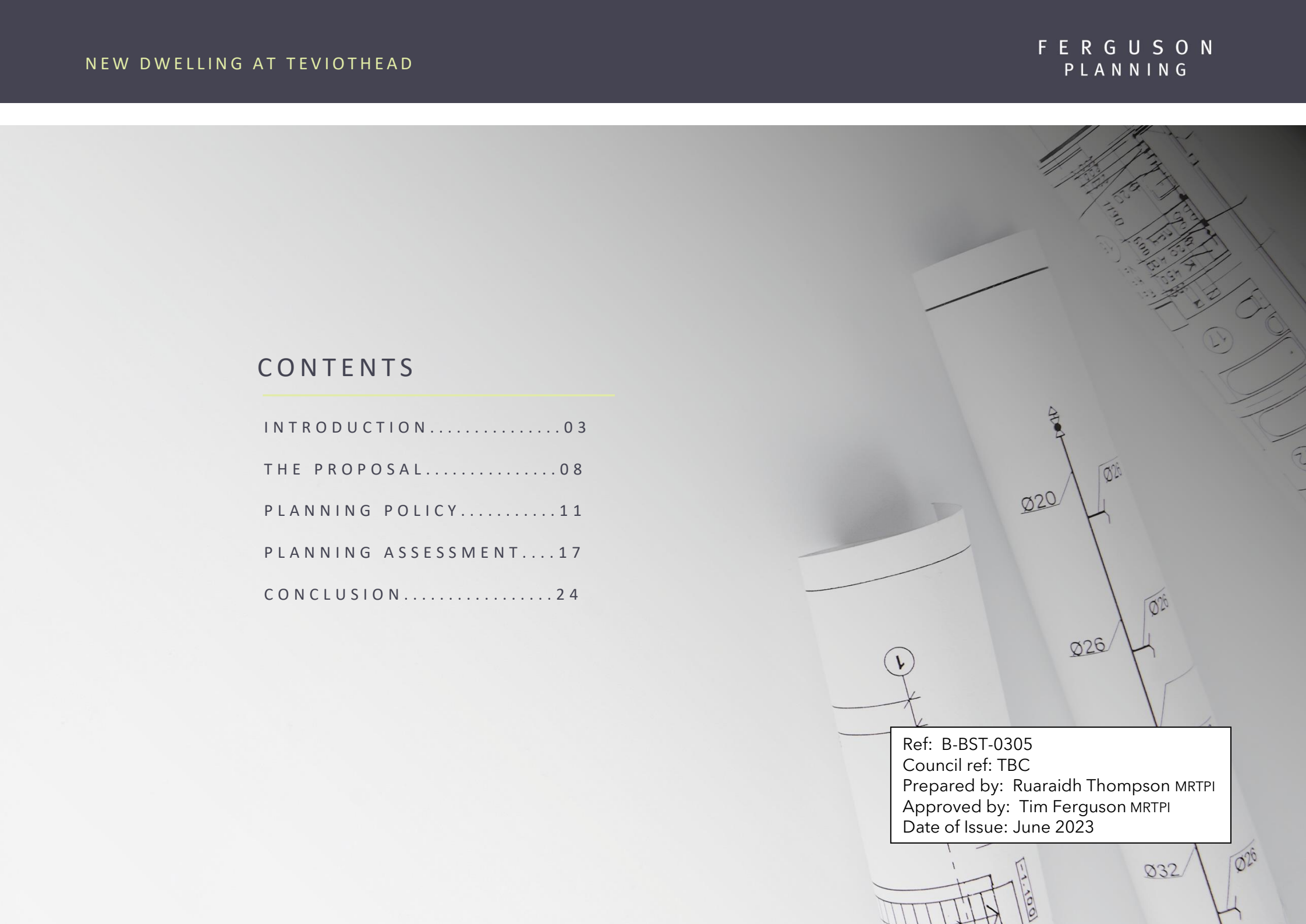
NEW DWELLING NORTH OF MOS EISLEY, TEVIOOTHEAD

BUCCLEUCH ESTATES

JUNE 2023

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NEW DWELLING AT TEVIOOTHEAD

INTRODUCTION

INTRODUCTION

- 1.1 This Planning Statement, prepared by Ferguson Planning, is submitted to Scottish Borders Council on behalf of Buccleuch Estates. This Statement supports an Application for Planning Permission in Principle for erection of a new dwelling together with access, garden, and associated works on land north of Mos Eisley, Teviothead.
- 1.2 The application site extends to 1765m² and comprises rough grazing bounded by a low stone wall on south-west boundary. The site sits in a row of existing dwellings that extends from south-west towards the site, clearly visible in **Fig.1**.
- 1.3 The application site sits adjacent to the north-east of the existing dwelling “Mos Eisley”. Mos Eisley sits adjacent to another existing dwelling “The Old School House”, which in turn stands adjacent to “Beadles Cottage”. All three existing dwellings are detached houses which are bound together by a direct, linear relationship without setoff or separation. All three existing dwellings are orientated to the east.
- 1.4 Mos Eisley and Old School House are accessed from the D170 minor public road while Beadles Cottage is accessed from the D28/3. Teviothead Village Hall stands opposite Beadles Cottage, across D28/3. Direct access to the site is already provided by the D170 fully contiguous with access to the nearby existing dwellings. Both minor public roads extend from a junction with the A7 circa 75 metres south of the site.
- 1.5 The application site also shares a relationship with Bowanhill Farm (to the north-east) and the Old Manse of Teviothead Church (to the south-west). Bowanhill Farm shares the fundamental location of the site enclosed between the River Teviot to the west and the shallow embankment of the A7 to the east. Teviothead Church and its Manse share an intrinsic link with the local community as their purpose is to serve the ecclesiastical and pastoral needs of local people. As they would not exist without the presence of the local population, the link to the local built environment is essential and inflexible.
- 1.6 The application site and its surroundings are considered to comprise a Dispersed Building Group of 5 no. existing dwellings, Teviothead Village Hall, and Teviothead Church. The Dispersed Building Group comprises a core of three existing dwellings – Mos Eisley, Old School House, and Beadles Cottage – and the further associated buildings – Bowanhill Farm, Teviothead Church, and the Old Manse, shown in context **Fig.2**.
- 1.7 There are no Listed Buildings on-site or in the Dispersed Building Group. No Conservation Area has been designated in the area. However, it is notable that the former Caerlanrig Chapel (Canmore ID: 344510) stood opposite the existing Teviothead Church. Caerlanrig Chapel is recorded as the place of execution of Johnnie Armstrong, perhaps the most famous Border Reiver. A stone stands upon the recorded site of his grave.

- 1.8 The River Teviot is covered by both the Site of Special Scientific Interest (SSSI) and Special Area of Conservation (SAC) designations that have been applied to the River Tweed. While neither designation covers the site, they extend to circa 110 metres of the north-west boundary.



Fig 1: Extract from 10000-CSY-XX-XX-D-A-1201(B) Site Location Plan (Source: CSY Architects).



Fig 2: Aerial image of Dispersed Building Group at Teviothead with approximate boundaries (in orange) between the A7 and River Teviot.

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THE PROPOSAL

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- 2.1 The proposal is for the erection of a new dwelling together with access, garden, and associated works. The layout and access arrangements of the proposed dwelling are conceptually illustrated on 10000-CSY-XX-XX-D-A-1202(C) Proposed Site Plan, visible in **Fig.3**.
- 2.2 It is proposed to erect the new dwelling centrally within the site. The new dwelling is proposed in roughly 'L-plan' form and will be placed in a garden extending from three elevations of the proposed dwelling. It is conceptually proposed to organise new residential accommodation over two levels.
- 2.3 An illustrative impression has been prepared presenting a design which fits with the character of existing dwellings in the surrounding area and can be seen in **Fig.5**. Should planning permission be granted for the proposed development then the Applicant will develop this concept into a detailed design informed by and in accordance with adopted policy for the further consideration of the Planning Authority.
- 2.4 The proposed dwelling will be serviced by new private arrangements for drainage of foul water. The Applicant proposes to connect to a private supply sourced from neighbouring land on the Estate.
- 2.5 Access to the site is proposed across the south-east boundary from the D170 minor public road. The new access would be taken from the north-east extent of the road, without extending the road further into the countryside. The new access would be the third residential access on this section of minor public road, adding to Old School House and Mos Easley.
- 2.6 As the Application is for Planning Permission in Principle, the requirement to submit detailed drawings to secure the outstanding elements of the design in the next stage of the planning process is acknowledged.



Fig 3: Extract from 10000-CSY-XX-XX-D-A-1202(C) Proposed Site Plan (Source: CSY Architects).

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PLANNING POLICY

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3.1 This section provides an overview of key planning policies relevant to the proposed development. The Development Plan comprises National Planning Framework 4 and the Scottish Borders Local Development Plan (2016).

3.2 National Planning Framework 4 sets out national planning policies which are material to the determination of planning applications. Scottish Borders Local Development Plan (2016) contains local planning policy that forms the cornerstone of the adopted planning policy context.

NATIONAL PLANNING FRAMEWORK 4 (2023)

3.3 The National Planning Framework 4 was published in February 2023. The document addresses national planning policy and the Government's approach to achieving a net zero sustainable Scotland by 2045.

3.4 National Planning Framework 4 establishes "six overarching spatial principles". The principle which is most pertinent to the proposal is Rural Revitalisation. Rural Revitalisation is defined as encouragement of "sustainable development in rural areas, recognising the need to grow and support urban and rural communities". The adopted text confirms that the strategy and policies "support development that helps to retain and increase the population of rural areas of Scotland."

3.5 **Policy 16** Quality Homes is also 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:

- i. self-provided homes;
- ii. accessible, adaptable and wheelchair accessible homes;
- iii. build to rent;
- iv. affordable homes;
- v. a range of size of homes such as those for larger families;
- vi. homes for older people, including supported accommodation, care homes and sheltered housing;
- vii. homes for people undertaking further and higher education; and
- viii. homes for other specialist groups such as service personnel."

3.6 **Policy 17** Rural Homes states that "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."

- 3.7 **Policy 3** Biodiversity requires that development proposals “contribute to the enhancement of biodiversity, including where relevant, restoring degraded habitats and building and strengthening nature networks and the connections between them. Proposals should also integrate nature-based solutions, where possible.” Specific to local development, Policy 3 leads development proposals to “include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Measures should be proportionate to the nature and scale of development”.
- 3.8 **Policy 11** Energy sets out that “development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:
- i. wind farms including repowering, extending, expanding and extending the life of existing wind farms;
 - ii. enabling works, such as grid transmission and distribution infrastructure;
 - iii. energy storage, such as battery storage and pumped storage hydro;
 - iv. small scale renewable energy generation technology;
 - v. solar arrays;
 - vi. proposals associated with negative emissions technologies and carbon capture; and
 - vii. proposals including co-location of these technologies.”

Scottish Borders Local Development Plan (2016)

- 3.9 Local planning policy relevant to the proposal is contained within the Scottish Borders Local Development Plan (2016). Key policies include:
- **Policy PMD1: Sustainability**
 - **Policy PMD2: Quality Standards**
 - **Policy HD2: Housing in the Countryside**
 - **Policy HD3: Protection of Residential Amenity**

Policy PMD1: Sustainability

- 3.10 The preparation of the Local Development Plan was heavily informed by the acknowledged “need for action on climate change” and the Council’s Environmental Strategy, which sit behind the ‘support and encouragement of sustainable development’ across the Borders. Policy PMD1 sets out the “sustainability principles which underpin all the Plan’s policies” and that the Council expects to inform development proposals and planning decisions:
- a) the long term sustainable use and management of land
 - b) the preservation of air and water quality
 - c) the protection of natural resources, landscapes, habitats, and species
 - d) the protection of built and cultural resources
 - e) the efficient use of energy and resources, particularly non-renewable resources
 - f) the minimisation of waste, including waste water and encouragement to its sustainable management
 - g) the encouragement of walking, cycling, and public transport in preference to the private car

- h) the minimisation of light pollution
- i) the protection of public health and safety
- j) the support of community services and facilities
- k) the provision of new jobs and support to the local economy
- l) the involvement of the local community in the design, management, and improvement of their environment.

Policy PMD2: Quality Standards

3.11 The Policy sets out a range of sustainability, placemaking and design, accessibility and open space / biodiversity requirements, whereby the proposal must:

- Take appropriate measures to maximise the efficient use of energy and resources, in terms of layout, orientation, construction and energy supply;
- Make provision for sustainable drainage;
- Incorporate appropriate measures for separate storage of waste and recycling;
- Incorporate appropriate landscaping to help integration with the surroundings;
- Create a sense of place, based on a clear understanding of context;
- Be of a scale, massing and height appropriate to the surroundings;
- Be finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality;
- Be compatible with, and respect, the character of the surrounding area, neighbouring uses and neighbouring built form;

- Be able to be satisfactorily accommodated within the site;
- Provide for appropriate boundary treatments to ensure attractive edges, and to help integration with the surroundings;
- Incorporate access for those with mobility difficulties;
- Not have an adverse impact on road safety in terms of the site access;
- Incorporate adequate access and turning space for vehicles including those used for waste collection purposes; and
- Retain physical or natural features which are important to the amenity or biodiversity of the area.

Policy HD2: Housing in the Countryside

3.12 Section A of Policy HD2 addresses development proposals for housing related to existing Building Groups. The adopted text of section A has been copied 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."*

3.13 Section B of Policy HD2 addresses development proposals for housing related to existing Building Groups. The adopted text of section B has been copied below:

"(B) Dispersed Building Groups

In the Southern Housing Market area there are few building groups comprising 3 houses or more, and a more dispersed pattern is the norm. In this area a lower threshold may be appropriate, particularly where this would result in tangible community, economic or environmental benefits. In these cases the existence of a sense of place will be the primary consideration.

Housing of up to 2 additional dwellings associated with dispersed building groups that meet the above criteria may be approved provided that:

- a) *the Council is satisfied that the site lies within a recognised dispersed community in the Southern Borders housing market area,*
- b) *any consents for new build granted under this part of this policy should not exceed two housing dwellings in addition to the group during the Plan period. No further development above this threshold will be permitted,*
- c) *the design of housing will be subject to the same considerations as other types of housing in the countryside proposals."*

Policy HD3: Residential Amenity

3.14 The Policy states that *"development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any development will be assessed against:*

- a) *the principle of the development, including where relevant, any open space that would be lost; and*
- b) *the details of the development itself particularly in terms of:*
 - i. *the scale, form, and type of development in terms of its fit within a residential area,*
 - ii. *the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking, loss of privacy and sunlight provisions. These considerations apply especially in relation to garden ground or 'backland' development,*
 - iii. *the generation of traffic or noise,*
 - iv. *the level of visual impact."*

Supplementary Guidance

- 3.15 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.

- 3.16 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.
- 3.17 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.”

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NEW DWELLING AT TEVIOHEAD

PLANNING ASSESSMENT

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Principle of Development

- 4.1 The application site lies in a row of existing dwellings. The existing dwelling Mos Eisley sits directly adjacent to the south-west of the site. In addition to abutting the application site on its north-east boundary Mos Eisley also abuts the Old School House upon its south-west boundary. In turn the Old School House is flanked by Mos Eisley to the north-east and Beadles Cottage to the south-west. Bowanhill Farm lies circa 200 metres beyond the application site to the north-east while the Old Manse stands circa 300 metres south-west of Beadles Cottage.

Existing Building Group

- 4.2 Given the location of the site adjacent to Mos Eisley, sitting contiguous with the existing extent of the minor public, in a row of existing dwellings the application site is considered to accord with criteria a) of section (A). The tree lined hedgerow boundary planting proposed is considered to strengthen this relationship and reinforce the sense of place of the existing Building Group (visible in **Fig.4.**) together with Mos Eisley, the Old School House, and Beadles Cottage.
- 4.3 A review of the Council's online planning records has confirmed that no new or existing dwellings have been consented in the existing Building Group at Teviothead within the current LDP period. The proposal is for the erection of a new dwelling within the setting of an existing Building Group comprising three dwellings. While details of appearance, layout, and scale are deferred for future consideration, the type and form of development proposed are considered to be acceptable on the site.

- 4.4 Views of the site would largely be in profile with the other existing dwellings in the Building Group. Views from the A7 to the east are almost entirely obscured by mature trees, reinforced by established hedgerows which sit elevated above the adopted surface of the carriageway. The existing landform would lend profound benefit to screening views of the proposed dwelling. Existing views from the south are defined by the frontages of Mos Eisley and the Old School House. The existing vantages would be reinforced by the new dwelling which would strengthen the character of the existing Building Group. The River Teviot lies to the east and Bowanhill Farm to the north, neither of which are frequented by members of the public. In worst case scenario, the proposed dwelling would be nly as visible from these vantages as the existing dwelling Mos Eisley.
- 4.5 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).
- 4.6 The Building Group at Teviothead comprises three 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 no new dwellings have been consented within the current LDP period and one new dwelling is proposed.



Fig 4: Annotated aerial image of existing Building Group at Teviothead.

4.7 The proposal comprises the erection of a new dwelling upon a site which is well related an existing Building Group lying within the local setting and defined sense of place. There have been no new dwellings consented within the current LDP period and it is considered that there are no associated significant cumulative impacts. Therefore, the principle of development is considered to be acceptable as the proposal accords with section (A) of Policy HD2.

Dispersed Building Group

4.8 The application site sits in the core of the Dispersed Building Group, facing onto a minor public roads that extends west from the A7. Teviothead Village Hall stands opposite Beadles Cottage in the core of the group. All existing dwellings and other buildings within the Dispersed Building Group lie between the adopted surface of the A7 to the east and the channel of the River Teviot to the west – including Bowanhill Farm, Teviothead Church, and the Old Manse which are associated with the group but with less spatial proximity (as seen in **Fig.2.**).

4.9 It should be noted that the Frostlie Burn flows under the A7 and lies between Teviothead Church and the Old Manse to the west and the rest of the Dispersed Building Group to the east. However, Frostlie Burn is a tributary stream of the River Teviot and neither the banks nor channel of the river itself. The Frostlie Burn does not delineate the group as Teviothead Church and the Village Hall share a tandem and dual-pole relationship at the heart of the local community.

4.10 The new dwelling is proposed in a row of existing dwellings at the core of the Dispersed Building Group at Teviothead. The application site sits directly adjacent to the existing dwelling Mos Eisley. Bowanhill Farm and its principal farmhouse lie further to the north-east and further from the core of the group than the proposed dwelling. It is considered that the site stands in the core of the Dispersed Building Group at Teviothead in the South Borders Housing Market Area and satisfies criterion a) of section (B).

4.11 Planning permission has not been granted for any new dwellings in the period of the adopted Local Development Plan. As only one new dwelling is proposed the proposal is consistent with criterion b) of section (B).

4.12 As the Application is for Planning Permission in Principle, detailed design is deferred to the next stage of the planning process. However, the proposal retains and replicates the existing development pattern in the core of the Dispersed Building Group. The development pattern of the core very clearly takes the form of a row of houses. The row is arranged in direct adjacency with no offsetting between curtilage boundaries. This relationship has been replicated between the proposed dwelling and Mos Eisley and is considered to satisfy criterion c) of section (B).

4.13 The proposal is considered to represent both “*self-provided homes*” (item i.) under criterion c) of NPF4 Policy 16.

- 4.14 It is considered that there is no prospect of the proposed dwelling being delivered by a housebuilder or other corporate developer. Development of the proposed dwelling would be delivered on self-build basis – either by the Applicant or a successor in title. Therefore, the proposed dwelling is considered to satisfy item i. in criterion c) of Policy 16 as it represents a self-provided home.
- 4.15 The proposal comprises the erection of a new dwelling upon a site within the core of the Dispersed Building Group at Teviothead. The site sits in a row of existing dwellings and directly adjacent to Mos Eisley. There have been no new dwellings consented within the current LDP period. The proposed layout is considered to replicate the local pattern of development at Teviothead. Therefore, the principle of development is considered to be acceptable as the proposal accords with section (B) of Policy HD2 and Policy 16 of NPF4.

Residential Amenity

- 4.16 The proposal has been prepared to provide for good amenity for the occupiers of the proposed dwelling and surrounding dwellings. The type of development (a single detached dwelling) is considered to be appropriate to the site and the local area. Consideration of whether the scale of the proposed development is suitable, is deferred for future consideration. However, it is considered that the indicative form shown on 10000-CSY-XX-XX-D-A-1202(C) Proposed Site Plan and 10000-CSY-XX-XX-D-A-6201 Proposed House Visualisation is broadly representative of appropriate development on the site. The site is considered to be sufficient in size to comfortably accommodate the proposed dwelling.

- 4.17 The location of the site is generally conducive to good residential amenity with three existing dwellings forming the core of the Dispersed Building Group. Mos Eisley would be the closest existing dwelling, sitting adjacent to the south-west behind a stone garden wall. The Applicant is content to secure appropriate boundary hedging and planting at the subsequent stage of the planning process to ensure that the occupants of each dwelling are provided with good quality amenity.
- 4.18 Views of the site from public vantage points are primarily from the minor public road across the south-east boundary. The character and outlook from these viewpoints are defined by the existing dwellings to which they provide access. The character shall be reinforced by the proposal. Extensive screening from the A7 is already existent which prevents views of the site. Overall the visual impact of the proposal on the local area is considered to be slight in degree.
- 4.19 As the proposal provides for good amenity on-site and in the surrounding area it is considered to accord with Policy HD3.

Access and Parking

- 4.20 Access to the new dwelling is proposed across the south-east boundary of the site to the minor public road D170. The existing dwellings Mos Eisley and Beadles Cottage take access directly from the D170 and the road has the possessive character of residential access.

- 4.21 The road terminates before reaching the north-east boundary of the site. The road is not a throughway and ends in a turning head which extends partly across the south-east boundary. As a result the road is lightly trafficked with no vehicles relying on further egress, considered to be safe and acceptable for the proposed dwelling.
- 4.22 The new dwelling is proposed with two parking spaces within its residential curtilage, beyond the adopted surface of the minor public road. These arrangements are considered to be consistent with standards expected by the Council as Public Roads Authority.

Ecology

- 4.23 A Preliminary Ecological Assessment of the site has been prepared by Ellendale Environmental to support the proposal. The Assessment has identified no habitat suitable for protected species on-site and relatively little habitat close to the site. No further on-site surveys or assessments have been recommended.
- 4.24 The Assessment detailed general recommendations for supporting wildlife and mitigating possible impact during the construction phase in section 4.2 & 4.3 which have been accepted by the Applicant.

Site Servicing

- 4.25 The proposed dwelling will be serviced by connection to a private water supply within the Estate. Foul and surface water drainage will be managed by connection to private means. The Applicant is content to secure connection details via condition.
- 4.26 The Applicant is committed to delivering sustainable development by designing out polluting operations and activity. The Applicant envisages incorporating renewable energy (micro) generation equipment in the proposed dwelling. Technologies being considered at the present time include solar panels, air source heat pump, and possibly heat recovery systems designed bespoke for the development.



Fig 5: Extract from 10270-CSY-02-XX-D-A-6201 showing the proposed dwelling in context with neighbouring existing dwellings from south-west perspective (Source: CSY Architects).

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CONCLUSION

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- 5.1 Ferguson Planning has been appointed by the Applicant to submit an Application for Planning Permission in Principle for erection of a new dwelling together with access, garden, and associated works on land north of Mos Eisley, Teviothead.
- 5.2 The proposal represents the enlargement of a Dispersed Building Group by one new dwelling upon a site within the sense of place and setting of the group. The application site is abutted to the south-west by the existing dwelling Mos Eisley which sits in a row of three existing dwellings in the core of the Dispersed Building Group. The site sits contained within the bookend created by Bowanhill Farm to the north-east. No new dwellings have been consented within the current LDP period and there are no significant cumulative impacts associated with the proposal. Therefore, the principle of development is considered to be acceptable as the proposal accords with section (B) of Policy HD2.
- 5.3 The proposal supports the sustainable growth of an existing rural community and improving house choice in the local area. Teviothead is a small existing community which comprises six existing dwellings, a church, and a village hall. It is considered that the Rural Revitalisation principle applies strongly to Teviothead, especially the direction to support rural population growth. The proposal is considered to accord with Policy 16 of NPF4.
- 5.4 Vehicle and pedestrian access to the site is proposed from the D170 minor public road across the south-east boundary. Two parking spaces are included within the proposal. The proposed development is considered to be acceptable in transport terms.
- 5.5 It is considered that the proposal is in accordance with relevant adopted policy of the Local Development Plan and is not afflicted by any other material considerations. It is respectfully requested that planning permission is granted.

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