

Buckletons
Stichill Stables
KELSO
TD5 7TJ

Chief Planning Officer
Regulatory Services
Scottish Borders Council
Council Headquarters
Newtown St Boswells
Melrose
TD6 0SA

26 May 2023

Dear Sir,

REF: PLANNING APPLICATION 23/00695/PPP – COMMENTS ON PLANNING APPLICATION

Further to your letter dated 10 May 2023, please find below our comments regarding Planning Application Number 23/00695/PPP, specifically in relation to the key policies of the **Scottish Borders Local Development Plan (2016)** and the **National Planning Framework 4 (2023) (NPF4)**:

Policy PMD1 – Sustainability:

- i) **Organic Agricultural Land:** The proposed site is actively used as **organic** agricultural land, both for grazing and for silage cultivation, as evidenced by **figs.1 & 2** dated 15 May 2023, taken after a recent silage cut. The proposed site is part of a field that was previously used for wider organic arable purposes and is no different in quality to the remainder of the larger field, now separated by a fence, that is still used for organic crop rotation, (**see fig. 3**). Although the proposed site may not be considered Prime Quality Agricultural Land, any loss or adverse impact on its usage for **organic agricultural purposes would impact the wider environmental and biodiversity benefits of organic farming in Scotland.**
- ii) **Water Quality:** although Scottish Water have not raised any objections to this planning application, the current mains water supply is insufficient for the existing properties, due to the capacity of the pipes. The water supply to both Buckletons and Butlers Chase is intermittent and regularly stops without warning, specifically when cattle grazing in the fields neighbouring that chosen for the planning application congregate at their water trough, which is fed from the same water supply. The proposed developments would add further demands on this already overloaded system and would require significant upgrade.
- iii) **Community Facilities:**
 - a. **Roads:** The ten properties of Stichill Stables building group, which includes Buckletons, Butlers Chase, Lairdshill and Highfield, have access over private rough tracks from North Lodge (B6364) and Stichill Lodge (B). Both tracks are mostly hardcore, are woefully inadequate, are essentially unfit for purpose, and already require significant improvement and upgrading (**see figs. 4 & 5**). Regular attempts are made to fill potholes, but rain quickly returns the track to its previous, and often worse, state. Any additional traffic would further

negatively impact and erode this community facility. Previous planning permission stipulations to upgrade the road to an adoptable (public road) standard, as per the Local Development Plan, have been repeatedly ignored by the landowner, so any development should stipulate that this is done properly PRIOR to planning permission for development.

- b. **Bin Collection & Recycling:** The ten properties of Stichill Stables are all required to transport general rubbish and recycling to the bin collection enclosure beside North Lodge. This facility struggles to cope with the existing amounts of both recycling and general waste generated by the existing households. Planning Assessment para 4.12 suggests the developments would be suitable for 'larger families'; any further demand on the collection area (and the surrounding track, see fig.5) would require an increased cemented collection area & additional bins, previously upgraded due to incapacity and subsequent rat infestation when bins were full and could not be closed.
- iv) **Public Transportation:** The proposed developments would not be accessible by public transport and would therefore require private car access, likely two per property. The nearest bus stop is over a mile away in the village of Stichill. This would double the traffic and noise pollution along the existing private track at the north boundary of the proposed site, which is currently only accessed for residential use by one family and one retired couple at Buckletons and Butlers Chase respectively. This would also be in direct contravention of NPF4's policy intent to reduce emissions.
- v) **Minimisation of Light Pollution:** The proposed developments would also further increase the light pollution, both from traffic and proposed buildings.

Policy PMD2 - Quality Standards:

- i) **Compatibility:** The proposed dwellings are significantly different from the highest quality of architecture in the locality, namely Buckletons, which is not clearly evidenced in the Planning Statement, see figs. 6 & 7 for examples of Buckletons' distinctive modern architecture.
- ii) **Access:** Proposed access is from the existing private way along the north boundary of the site, which is privately owned by the residents of Buckletons. Contrary to Planning Assessment para 4.20, this private road currently provides residential access for Buckletons and Butlers Chase only. Garden Cottage, the old estate walled garden and Parkend House are inaccessible from this private road. The residents of these properties use a separate private access off the north-south C-grade road running south of Sweethope Farm to join the mill road west of Stichill village. . The applicant currently has access to the proposed site for *seasonal* agricultural use by tractors. The single daily access for the purpose of checking livestock is by ATV, hence regular use by two additional households would more than double the traffic and noise on this private track and thus such access would not be permitted.
- vi) **Road Safety:** Contrary to Planning Assessment para 4.21 that the track is safe and acceptable, doubling the traffic on this road would make the track significantly less safe for children, wildlife and walkers, and would negatively impact the already poor condition of the track. If the track were to be upgraded and tarmacked, this

- would increase the speed of traffic on the road, and encourage greater use by visitors and delivery vans, negatively impacting road safety and noise pollution.
- iii) **Inadequate turning space:** Further to the above point, additional developments would increase vehicular access in general, including delivery, collection and emergency vehicles, for which there is already inadequate provision in both space and road surface.

Policy HD2 - Housing in the Countryside:

- iv) **Building Groups:**
- a. Contrary to the Planning Statement and Assessment para. 4.1, Garden Cottage does not form part of the existing Building Group. Garden Cottage and the Walled Garden, which has recent extant planning permission for four houses, is inaccessible to vehicular traffic from the private track accessed by Butlers Chase and Buckletons. Garden Cottage is privately and separately accessed through Parkend, off the Sweethope Farm road and does not share the bin collection facilities at North Lodge.
 - b. However, if it is deemed that Garden Cottage DOES form part of the existing Building Group, then contrary to Planning Assessment para 4.6, Garden Cottage already has planning consent for a further four properties within the Group.
 - c. Contrary to Planning Statement and Assessment para. 4.2 the ‘small woodlands and established field pattern’ are not remnants from the 19th century, but are the result of redirected access from the previous owner of Lairdshill, to ensure access did not drive across the field in front of Lairdshill.

Policy HD3 - Residential Amenity:

- v) **Loss of Open Space:** The properties in the building group and the general nature of the Stichill Stables community would be adversely affected by the imposition of this development on the biggest open space site in the area. This is not made clear in the Planning Statement, **see figs. 1 & 8** for a wider Southerly-looking perspective which illustrates the prominent open location of the proposed site.
- vi) **Generation of traffic and noise: See para iii) Road Safety above**
- vii) **Level of visual impact:** Contrary to Planning Assessment paras. 4.4, 4.5, 4.7 & 4.8 the proposed development, tree and hedge planting would not be ‘well related to the existing building group’ and would be visually impactful from miles around. Due to its prominent, open hillside location Buckletons, Butlers Chase and Lairdshill can be seen clearly from Kelso, from the St Boswells crossroads of the B6404 and B6397, from Kelso High School, the Kelso Millennium Viewpoint, and the Broadloan junction on the Edinburgh Road north of Kelso. The character of the vista would be monumentally impacted by this proposal (**see figs 9, 10 & 11**).

Summary:

Overall, this planning proposal is considered to likely have **significant and ‘unacceptable adverse impact’ and therefore directly contravenes criteria b) of Section A of Policy HD2**, causing ‘unacceptable adverse impact’ and significantly impacting the unique open space and the distinctive character this unique location affords to the existing small rural Stichill Stables

community as a whole, notwithstanding its additional adverse impact on organic agricultural farming, roads, light and noise pollution.

Although images are included to provide context to these comments, due to the distinctive hillside location and likely visual impact of the proposed development, not made clear from the submitted planning application, **a site visit is strongly requested.**

We sincerely appreciate your time in considering these comments and request notification of the date of the planning meeting in order that personal representation can be made.

Yours faithfully,

I J and J A Aitchison
Buckletons, Stichill Stables

Fig 1: Looking South from the access point on the north boundary of the proposed site, with Kelso visible in the distance, dated 15 May 2023



Fig 2: Looking North East at the proposed site with Lairdshill behind, dated 15 May 2023



Fig 3: Looking South from Buckletons, at the Queenscairn combine harvesting organic crops in the field of which the proposed site originally formed part, dated August 2014



Fig 4: Access track looking East from Highfield, the road all properties use to reach North Lodge, bin collection area and the B6364, dated May 2023



Fig 5: State of the track at the bin collection point at North Lodge, looking East at the B6364, dated May 2023



Fig 6: Buckletons distinctive single-pitched architecture, dated Feb 2022



Fig 7: Buckletons distinctive modern architecture, dated Feb 2021



Fig 8: Looking South from the Western corner of the proposed site, illustrating the vast open landscape which is visible from Kelso, dated May 2023



Fig 9: Looking East across the vast open agricultural landscape, with Buckletons and the proposed site visible to the right of the track, dated Dec 2022



Fig 10: Looking West at the open organic agricultural landscape, with Buckletons and the proposed site on the right of the image, dated Dec 2022



Fig 12: Looking North at the proposed site, across the open space of the organic landscape, dated May 2023 – the proposed development would sit directly in front of the middle property, Lairdshill.



Comments for Planning Application 23/00695/PPP

Application Summary

Application Number: 23/00695/PPP

Address: Land East Of Buckletons Stichill Stables Kelso Scottish Borders

Proposal: Erection of two dwellinghouses with access and associated works

Case Officer: Euan Calvert

Customer Details

Name: Mr Joe Roseman

Address: Lairdshill, Stichill Stables, Kelso, Scottish Borders TD5 7TJ

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
- Health Issues
- Inadequate access
- Increased traffic
- Land affected
- Loss of view
- Overlooking
- Privacy of neighbouring properties affected
- Road safety
- Trees/landscape affected

Comment: Dear Mr Hayward,

Further to your letter of 10th May regarding the proposed development listed below, please find details explaining our objections and reasons why we would respectfully request that this planning permission is rejected.

Application Number: 23/00695/PPP

Proposed development: Erection of two dwelling houses with access and associated works

Location: Land east of Buckletons, Stichill Stables, Scottish Borders

Officer: Euan Calvert

Summary: The proposed development appears to contravene a very broad number of national and local planning objectives. From NFP4 (2023), policies 1, 2, 3,13,14,15 and 17 appear to be contravened and from Scottish Borders Local Development Plan (2016) PMD1, HD2, HD3, ED10 and EP1/2/3 are apparently contravened. Specifically;

The proposed site is not in a village or even near a village but rather in organically-certified open countryside.

The nearest village (0.9 miles away down the most direct track and 1.4 miles away down the official access track), has no amenities at all, such as schooling or shops, placing even more reliance on the the use of private cars for normal family activities.

Under HD2 of the Scottish Borders Local Development Plan (2016), the policy states "the requirement for suitable roads access will be the starting point for the consideration of applications for housing in the countryside." The access to the proposed dwellings is via two tracks (one is 0.5 miles long and the other 0.9 miles long) that are extremely uneven, unmade up and beset with hundreds of potholes, and prone to flooding and slurry through much of the year. The two tracks are almost unusable for private cars, and dangerous with respect to bicycles, prams, disability scooters or even people who require disability assistance. (We respectfully request a site visit so planners can see the poor access quality of the proposal).

Rather than minimising carbon emissions, the proposal to locate in open countryside, with access tracks that prohibit use of bicycles, prams, disability vehicles etc, and require a 4x4 vehicle to access, carbon emissions will be significantly more than if a location had been chosen within a village with appropriate amenities as suggested by planning guidelines.

The proposal will increase extensive reliance on car usage courtesy of the distance between the proposed dwellings and the nearest public transport facility (0.9/1.5 miles).

Given the dire condition of the access tracks and the lack of proximity to the nearest public transport, the location creates potential isolation problems for large segments of society that may not have access to private car transport, who are physically handicapped, reliant on cycling, are elderly or young children.

Protected wildlife and biodiversity habitats will be permanently destroyed by the proposal.

The proposal contravenes Policy ED10, which is the protection of prime quality agricultural land and carbon rich soils.

The proposed dwellings would sit immediately in front of a well-used walking path and would directly and adversely impact the public views of the Cheviot Hills.

Policy points of objection

Using the NPF4, Ferguson Planning identified just three policies that were pertinent to mention in any detail; Policies 7, 16 and 17. They did also state that Policies 1, 2, 3, 13, 14 and 15 were relevant but did not provide any elaboration. These latter policies, considered relevant by Ferguson Planning, are considered central to our objections and we will set out the reasons why;

NPF4 Policy 1

The stated policy intent is "to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis".

The proposed plans will damage the prevailing nature environment including the permanent destruction of protected wildlife habitats (hares, larks, Northern Dung Beetle). Given that the proposed plot is organic agricultural land that complies with the strict pesticide controls required for organic certification, a much broader range of wildlife habitats would also be permanently destroyed with the building of two residential houses. The proposal acts directly against NPF4 Policy 1.

NPF4 Policy 2

The stated policy intent is "to encourage and facilitate development that minimises emissions and adapts to the current and future impacts of climate change".

The proposed plans will replace a carbon-reducing environment to one that materially raises the carbon footprint. The proposal envisages four car spaces. Given that the nearest public transport in the village (Stichill) is 0.9m/1.5m away (depending on which access is used), the reliance on car usage will be evident as will the reliance on incoming car traffic as there are no local amenities in Stichill village. The nearest shopping is in Kelso. There are no schools in Stichill and schooling would almost certainly require multiple car trips. The potential walk to and from the Stichill bus stop would be impractical to many sectors of society. The implication is that the proposed planning site would necessitate an increase in private car usage and unnecessarily raise emissions relative to a development situated either in a village with amenities or within reasonable and manageable distance to public transport. One could also argue that the dire condition of the access tracks necessitate the need for SUV rather than low-carbon vehicles. The proposal, then, acts directly against NPF4 Policy 2.

NPF4 Policy 3

The stated policy intent is "to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks. This includes creating new habitats and incorporating measures to increase biodiversity, including populations of priority species."

The proposed plans make no reference to creating new habitats or incorporating measures to increase biodiversity. Rather, there is a permanent destruction of habitats of animals that are

already listed as protected under the Wildlife and Countryside Act 1981, which makes it an offence to destroy a habitat (Larks, Northern Dung Beetle, Hares). The proposed planning acts directly against NFP4 Policy 3.

NFP4 Policy 13

The stated policy intent is "to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably."

The proposed site is not accessible to public transport. This is especially true for young children, the elderly or those with certain physical disabilities. The two unmade private paths that are proposed as providing access to the planning site are, essentially, rough dirt tracks. Both are extremely uneven, beset with substantial potholes and through a large proportion of the year, flooded with water/slurry. The distance to the nearest bus stop is enough to prevent a broad segment of society getting to public transport, but the dire quality of the private access paths is also extremely limiting to those wishing to use wheeling or cycling. Rather than reduce the need to travel unsustainably, the proposed site actually raises the need to travel by private car. This is true not only for day-to-day living but also, due to the lack of amenities in Stichill, above and beyond a development within a village that has amenities. The proposed planning acts directly against NFP4 Policy 13.

NFP4 Policy 14

The stated policy intent is "to encourage, promote and facilitate well-designed development that makes successful places by taking a design-led approach and applying the Place Principle." The strategy emphasises the need to adhere to what is described as the six qualities of successful places. Specifically, it argues that "development proposals that are...inconsistent with the six qualities of successful places will not be supported."

Of the six listed qualities, the proposed plans appear to disregard three of the six objectives. Specifically, as directly stated, the site needs to be;

"Connected: supporting well-connected networks that make moving around easy and reduce car dependency."

"Sustainable: Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature-positive, biodiversity solutions."

"Healthy: Supporting the prioritisation of women's safety and improving physical and mental health."

The extremely low quality of the two private pathways proposed as access, the 0.9 mile distance

to the nearest public transport and the lack of schooling/amenities in Stichill make the proposed site very poor in terms of connected networks. It increases car dependency. It also severely limits a family's ability to adopt the site sustainably as a place to "live, play work and stay in their area."

Further, the isolated nature of the proposed site is far from ideal with respect to prioritising women's safety and improving physical and mental health. Rather than improving mental health, the isolated nature of the site and lack of local amenities may cause harm. What if the resident did not have access to a private car or their car was in for repairs? The isolated nature of the site poses significant problems. Further, an example of an elderly woman walking in whatever weather to a bus stop 0.9/1.5 miles away, travelling into Kelso to get shopping and then carrying that shopping up an uneven pot-holed private track back to her house does not sound like a prioritisation of women's safety and mental health. The proposed planning acts directly against NFP4 Policy 14.

NFP4 Policy 15

The stated policy intent is "to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking or cycling or using sustainable transport options."

The policy framework also mentions the need for proximate access to health and social facilities, schools, playgrounds, parks, sport and recreation facilities amongst other things. None of these exist at the site of the proposed planning. Crucially, none exist in the village of Stichill. To gain access to these, residents would need to either travel by car to a closer town or use the public transport which, as previously argued, will be impractical to a large proportion of the population (young children, elderly, those with physical disabilities, those with health issues etc). The planned proposal acts directly against NFP4 Policy 15.

The above policies were identified by Ferguson Planning as relevant, though they did not provide any details of these policies. In addition to these policies, we agree that Policy 17 is also applicable and relevant.

NFP4 Policy 17

The stated policy intent is "to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations."

There is no mention in this proposal for affordable homes and sustainability is only given lip-service. Policy 17 specifically outlines a number of criteria that are considered to be desirable in supporting rural development. For example, support is given to plans where brownfield land is used, or where a redundant or unused building is involved or reuse materials from previous buildings. Policy 17 details a large number of features that are considered desirable in rural

development. The proposed site plan appears to fail almost every criterion listed under this policy guideline.

Scottish Borders Local Development Plan (2016)

In addition to the NFP4 guidelines, the Ferguson Planning proposal also lists a number of policy guidelines from the Scottish Borders Local Development Plan (2016). We would identify the following policy guidelines as acting directly against the proposed planning (PMD1, HD2, HD3, ED10, EP1/2/3).

Policy PMD1

This policy sets out the "sustainability principles which underpin all the Plan's policies.' Under this category is listed "the protection of natural resources, landscapes, habitats and species." Also included in this guideline is the "encouragement of walking, cycling, and public transport in preference to the private car."

As detailed in the points listed above for NFP4, the planned proposal creates a greater reliance on car usage. It discourages cycling courtesy of the quality of the unmade private paths, restricts usage by several segments of society and courtesy of its distance to public transport creates a very isolated location for anyone who does not have access to a car or who is in any way vulnerable to health issues. Landscapes and habitats are destroyed and replaced by residential property that has no easy access to local amenities.

Policy HD2

This policy sets out to promote appropriate rural housing development. HD2 (a) states a preference for village locations in preference to the open countryside. The proposed site is very much in the open countryside rather than available locations close to the village. Even then, the total absence of amenities within the village of Stichill makes it questionable as to why a residential development would be suitable, let alone one on organic-certified open countryside agricultural land.

Furthermore, under HD2, the policy states "the requirement for suitable roads access will be the starting point for the consideration of applications for housing in the countryside." We would respectfully request a site visit as the dire condition of the two private tracks need to be seen as they are in no way suitable road access.

Policy HD3

This policy sets out guidelines for the protection of residential amenity. In particular, a

development that is judged to have an adverse impact on the amenity of existing or proposed areas will not be permitted and will be judged against;

Any open space that would be lost

The impact of the proposed development on the existing and surrounding properties in terms of overlooking, loss of privacy and sunlight provisions. These considerations apply especially in relation to garden ground.

The level of visual impact.

The proposed development takes open space directly in front of two existing properties and creates a complete loss of privacy from both gardens. From the public footpaths leading alongside the proposed site, there is an uninterrupted view of the Cheviot Hills. The proposed plan would place two buildings and garaging directly in front of this public view. The footpath is used by walkers on a regular and frequent basis and would have a material adverse visual impact.

Policy ED10

Point 1.8 from the Ferguson Planning Report states that the proposed plot is agricultural land classified at 4.1 and therefore not Prime Quality Agricultural Land. On the surface, this would suggest that Local Development Plan Policy ED10 is therefore not relevant to the application.

The land in question is in open countryside, part of an organic farm and is therefore certified as organic. Cattle are grazed on this land regularly (attached picture taken in May 2023). Private contractors take silage cuts from this plot of land (picture from May 2023). In all respects, this is a plot of organic certified agricultural land that the owners treat in exactly the same way that they do for the prime agricultural organic land that surrounds it.

Policy ED10 is entitled "Protection of Prime Quality Agricultural Land and Carbon Rich Soils." According to the UK Soil Association, organic farming builds "soil organic carbon" that stores substantially more carbon per acre than non-organic farmland. Organic soils are around 25% more effective at storing carbon in the long-term, with soil carbon increasing on average by 2.2% per year after converting to organic.

(<https://www.soilassociation.org/take-action/organic-living/why-organic/better-for-the-planet/#carbon>)

The proposed land is carbon rich soil and the protection of such soil falls under Policy ED10.

Policies EP1,2,3

Much of the biodiversity, climate and wildlife impact issues are dealt with above in the NFP4

section. According to the most recent and extensive academic meta-analysis covering 98 mainly peer-reviewed papers selected from 801 studies ("To what extent does organic farming promote species richness and abundance in temperate climates?" Karin Stein-Bachinger, Frank Gottwald, Almut Haub & Elisabeth Schmidt, *Organic Agriculture* volume 11, pages 1-12 (2021)) evidence strongly supports the superiority of organic farming (relative to conventional farming) as a means to promote biodiversity in flora and fauna. National and regional planning policy aims to encourage biodiversity, and this is directly contradicted by the planned residential site.

Mr. & Mrs. J. Roseman
Lairdshill
Stichill Stables,
Kelso,
Scottish Borders TD5 7TJ

22nd May 2023

Dear Mr Hayward,

Further to your letter of 10th May regarding the proposed development listed below, please find details explaining our objections and reasons why we would respectfully request that this planning permission is rejected.

Application Number: 23/00695/PPP

Proposed development: Erection of two dwelling houses with access and associated works

Location: Land east of Buckletons, Stichill Stables, Scottish Borders

Officer: Euan Calvert

Summary: The proposed development appears to contravene a very broad number of national and local planning objectives. From NFP4 (2023), policies 1, 2, 3, 13, 14, 15 and 17 appear to be contravened and from Scottish Borders Local Development Plan (2016) PMD1, HD2, HD3, ED10 and EP1/2/3 are apparently contravened. Specifically;

- The proposed site is not in a village or even near a village but rather in organically-certified open countryside.
- The nearest village (0.9 miles away down the most direct track and 1.4 miles away down the official access track), has no amenities at all, such as schooling or shops, placing even more reliance on the the use of private cars for normal family activities.
- Under HD2 of the Scottish Borders Local Development Plan (2016), the policy states "*the requirement for suitable roads access will be the starting point for the consideration of applications for housing in the countryside.*" The access to the proposed dwellings is via two tracks (one is 0.5 miles long and the other 0.9 miles long) that are extremely uneven, unmade up and beset with hundreds of potholes, and prone to flooding and slurry through much of the year. The two tracks are almost unusable for private cars, and dangerous with respect to bicycles, prams, disability scooters or even people who require disability assistance. (We respectfully request a site visit so planners can see the poor access quality of the proposal).
- Rather than minimising carbon emissions, the proposal to locate in open countryside, with access tracks that prohibit use of bicycles, prams, disability vehicles etc, and require a 4x4 vehicle to access, carbon emissions will be significantly more than if a location had been chosen within a village with appropriate amenities as suggested by planning guidelines.
- The proposal will increase extensive reliance on car usage courtesy of the distance between the proposed dwellings and the nearest public transport facility (0.9/1.5 miles).
- Given the dire condition of the access tracks and the lack of proximity to the nearest public transport, the location creates potential isolation problems for large segments of society that may not have access to private car transport, who are physically handicapped, reliant on cycling, are elderly or young children.
- Protected wildlife and biodiversity habitats will be permanently destroyed by the proposal.
- The proposal contravenes Policy ED10, which is the protection of prime quality agricultural land and *carbon rich soils*.

- The proposed dwellings would sit immediately in front of a well-used walking path and would directly and adversely impact the public views of the Cheviot Hills.

Policy points of objection

Using the NPF4, Ferguson Planning identified just three policies that were pertinent to mention in any detail; Policies 7, 16 and 17. They did also state that Policies 1, 2, 3, 13, 14 and 15 were relevant but did not provide any elaboration. These latter policies, considered relevant by Ferguson Planning, are considered central to our objections and we will set out the reasons why;

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The stated policy intent is *"to encourage and facilitate development that minimises emissions and adapts to the current and future impacts of climate change"*.

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The proposed plans make no reference to creating new habitats or incorporating measures to increase biodiversity. Rather, there is a permanent destruction of habitats of animals that are already listed as protected under the Wildlife and Countryside Act 1981, which makes it an offence to destroy a habitat (Larks, Northern Dung Beetle, Hares). The proposed planning acts directly against NPF4 Policy 3.

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segment of society getting to public transport, but the dire quality of the private access paths is also extremely limiting to those wishing to use wheeling or cycling. Rather than reduce the need to travel unsustainably, the proposed site actually raises the need to travel by private car. This is true not only for day-to-day living but also, due to the lack of amenities in Stichill, above and beyond a development within a village that has amenities. The proposed planning acts directly against NFP4 Policy 13.

NFP4 Policy 14

The stated policy intent is *“to encourage, promote and facilitate well-designed development that makes successful places by taking a design-led approach and applying the Place Principle.”* The strategy emphasises the need to adhere to what is described as the six qualities of successful places. Specifically, it argues that *“development proposals that are...inconsistent with the six qualities of successful places will not be supported.”*

Of the six listed qualities, the proposed plans appear to disregard three of the six objectives. Specifically, as directly stated, the site needs to be;

- **“Connected:** supporting well-connected networks that make moving around easy and reduce car dependency.”
- **“Sustainable:** Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature-positive, biodiversity solutions.”
- **“Healthy:** Supporting the prioritisation of women’s safety and improving physical and mental health.”

The extremely low quality of the two private pathways proposed as access, the 0.9 mile distance to the nearest public transport and the lack of schooling/amenities in Stichill make the proposed site very poor in terms of connected networks. It increases car dependency. It also severely limits a family’s ability to adopt the site sustainably as a place to “live, play work and stay in their area.”

Further, the isolated nature of the proposed site is far from ideal with respect to prioritising women’s safety and improving physical and mental health. Rather than improving mental health, the isolated nature of the site and lack of local amenities may cause harm. What if the resident did not have access to a private car or their car was in for repairs? The isolated nature of the site poses significant problems. Further, an example of an elderly woman walking in whatever weather to a bus stop 0.9/1.5 miles away, travelling into Kelso to get shopping and then carrying that shopping up an uneven pot-holed private track back to her house does not sound like a prioritisation of women’s safety and mental health. The proposed planning acts directly against NFP4 Policy 14.

NFP4 Policy 15

The stated policy intent is *“to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking or cycling or using sustainable transport options.”*

The policy framework also mentions the need for proximate access to health and social facilities, schools, playgrounds, parks, sport and recreation facilities amongst other things. None of these exist at the site of the proposed planning. Crucially, none exist in the village of Stichill. To gain access to these, residents would need to either travel by car to a closer town or use the public transport which, as previously argued, will be impractical to a large proportion of the population (young children, elderly, those with physical disabilities, those with health issues etc). The planned proposal acts directly against NFP4 Policy 15.

The above policies were identified by Ferguson Planning as relevant, though they did not provide any details of these policies. In addition to these policies, we agree that Policy 17 is also applicable and relevant.

NFP4 Policy 17

The stated policy intent is *“to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable rural homes in the right locations.”*

There is no mention in this proposal for affordable homes and sustainability is only given lip-service. Policy 17 specifically outlines a number of criteria that are considered to be desirable in supporting rural development. For example, support is given to plans where brownfield land is used, or where a redundant or unused building is involved or reuse materials from previous buildings. Policy 17 details a large number of features that are considered desirable in rural development. The proposed site plan appears to fail almost every criterion listed under this policy guideline.

Scottish Borders Local Development Plan (2016)

In addition to the NFP4 guidelines, the Ferguson Planning proposal also lists a number of policy guidelines from the **Scottish Borders Local Development Plan (2016)**. We would identify the following policy guidelines as acting directly against the proposed planning (PMD1, HD2, HD3, ED10, EP1/2/3).

Policy PMD1

This policy sets out the “sustainability principles which underpin all the Plan’s policies.’ Under this category is listed “the protection of natural resources, landscapes, habitats and species.” Also included in this guideline is the “encouragement of walking, cycling, and public transport in preference to the private car.”

As detailed in the points listed above for NFP4, the planned proposal creates a greater reliance on car usage. It discourages cycling courtesy of the quality of the unmade private paths, restricts usage by several segments of society and courtesy of its distance to public transport creates a very isolated location for anyone who does not have access to a car or who is in any way vulnerable to health issues. Landscapes and habitats are destroyed and replaced by residential property that has no easy access to local amenities.

Policy HD2

This policy sets out to promote **appropriate** rural housing development. HD2 (a) states a preference for village locations in preference to the open countryside. The proposed site is very much in the open countryside rather than available locations close to the village. Even then, the total absence of amenities within the village of Stichill makes it questionable as to why a residential development would be suitable, let alone one on organic-certified open countryside agricultural land.

Furthermore, under HD2, the policy states “the requirement for suitable roads access will be the starting point for the consideration of applications for housing in the countryside.” **We would respectfully request a site visit as the dire condition of the two private tracks need to be seen as they are in no way suitable road access.**

Policy HD3

This policy sets out guidelines for the protection of residential amenity. In particular, a development that is judged to have an adverse impact on the amenity of existing or proposed areas will not be permitted and will be judged against;

- A) Any open space that would be lost
- B) The impact of the proposed development on the existing and surrounding properties in terms of overlooking, loss of privacy and sunlight provisions. These considerations apply especially in relation to garden ground.
- C) The level of visual impact.

The proposed development takes open space directly in front of two existing properties and creates a complete loss of privacy from both gardens. From the public footpaths leading alongside the proposed site, there is an uninterrupted view of the Cheviot Hills. The proposed plan would place two buildings and garaging directly in front of this public view. The footpath is used by walkers on a regular and frequent basis and would have a material adverse visual impact.

Policy ED10

Point 1.8 from the Ferguson Planning Report states that the proposed plot is agricultural land classified at 4.1 and therefore not Prime Quality Agricultural Land. On the surface, this would suggest that Local Development Plan Policy ED10 is therefore not relevant to the application.

The land in question is in open countryside, part of an organic farm and is therefore certified as organic. Cattle are grazed on this land regularly (attached picture taken in May 2023). Private contractors take silage cuts from this plot of land (picture from May 2023). In all respects, this is a plot of organic certified agricultural land that the owners treat in *exactly* the same way that they do for the prime agricultural organic land that surrounds it.

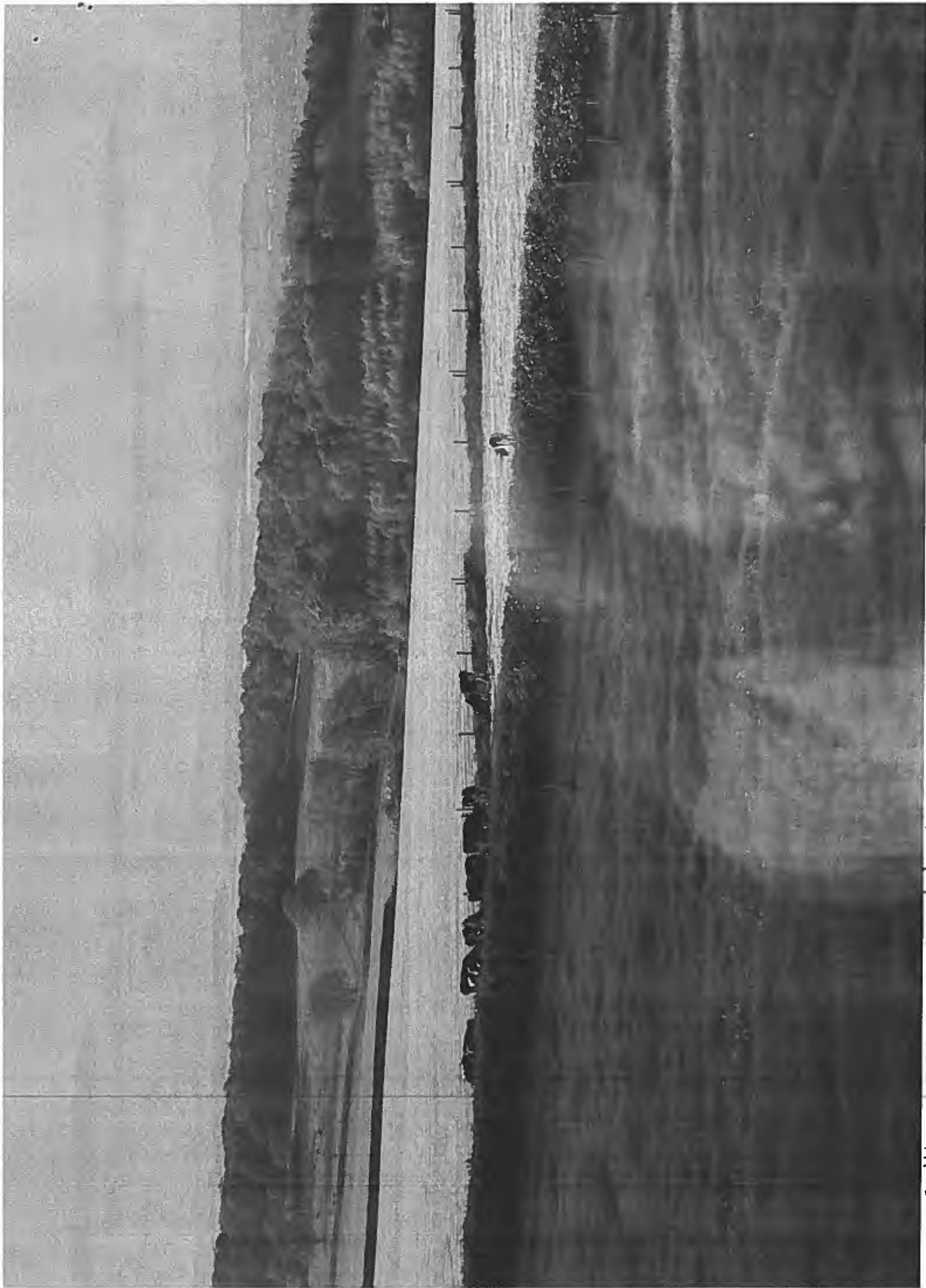
Policy ED10 is entitled “Protection of Prime Quality Agricultural Land and Carbon Rich Soils.” According to the UK Soil Association, organic farming builds “soil organic carbon” that stores substantially more carbon per acre than non-organic farmland. Organic soils are around 25% more effective at storing carbon in the long-term, with soil carbon increasing on average by 2.2% per year after converting to organic.

<https://www.soilassociation.org/take-action/organic-living/why-organic/better-for-the-planet/#carbon>

The proposed land is carbon rich soil and the protection of such soil falls under Policy ED10.

Policies EP1,2,3

Much of the biodiversity, climate and wildlife impact issues are dealt with above in the NFP4 section. According to the most recent and extensive academic meta-analysis covering 98 mainly peer-reviewed papers selected from 801 studies (“To what extent does organic farming promote species richness and abundance in temperate climates?” Karin Stein-Bachinger, Frank Gottwald, Almut Haub & Elisabeth Schmidt, *Organic Agriculture* volume 11, pages 1–12 (2021)) evidence strongly supports the superiority of organic farming (relative to conventional farming) as a means to promote biodiversity in flora and fauna. National and regional planning policy aims to encourage biodiversity, and this is directly contradicted by the planned residential site.



Cattle grazing on proposed land



Silage cut on proposed land

Comments for Planning Application 23/00695/PPP

Application Summary

Application Number: 23/00695/PPP

Address: Land East Of Buckletons Stichill Stables Kelso Scottish Borders

Proposal: Erection of two dwellinghouses with access and associated works

Case Officer: Euan Calvert

Customer Details

Name: Mr Michael Edie

Address: Ardbeg, Stichill Stables, Kelso, Scottish Borders TD5 7TJ

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Detrimental to environment
- Inadequate access
- Increased traffic
- Land affected
- Loss of view

Comment: I object to the application on the following grounds:

Firstly, the Planning Statement which has been submitted identifies a Building Group of 5 dwellings, however I do not believe the identified dwellings form a Building Group for the following reasons. There is no access to Garden Cottage from the other four dwellings as the track has been closed with a locked gate, and the residents of Garden Cottage access their property from the west. Garden Cottage is approximately 320 metres from the closest of the other four dwellings in the 'Building Group', while there are five dwellings to the east of the site, all of which are less than 300 metres from the nearest point of the four dwellings. I can see a benefit in establishing Garden Cottage as part of the 'Building Group', as if the application is successful, this would open the way to applying for more properties between Buckletons and Garden Cottage. However, for the reasons above, the identified dwellings do not form a Building Group, and therefore the basis of the Planning Statement is invalid.

My second grounds for objection is the proposed access. The last paragraph of Appendix 3, Annex A of the current Local Development Plan (LDP), titled 'Private Accesses' states that "A private access may serve a maximum of four dwellinghouses. This does not apply to: dwelling units consented to prior to 31 October 1984....." The proposed access is already used by nine dwellinghouses, five of which were consented after 1984 (Ardbeg, Woodend, Buckletons, Butler's Chase and Highfield), so the proposal does not comply with the LDP. In addition, the track is already in a poor state of repair, and the additional traffic, particularly during construction, would

cause further damage and deterioration. While not directly a planning matter, it is my understanding that there is no agreement for access with the owner of the track to the north of the site.

Thirdly, the location of the proposed buildings are inappropriate, as it will result in the loss of organic agricultural land. Paragraph a) in the first section of Policy HD2 in the LDP states that The Council wishes to promote appropriate rural housing development "in village locations in preference to the open countryside....". I note that the Planning Statement refers to HD2, but only selected parts of it, and does not address this part of the policy. It seems clear that there is no specific need for dwellings in this location, other than the speculative opportunity to sell two building plots, and I would expect the Planning Statement to have identified why this site is more appropriate than others potentially closer to a larger settlement, with less visual impact. The additional dwellings will also have a significant visual impact on the view from the south. They will be prominent and highly visible and significantly detract from the amenity of the locality.

I note that disappointingly there has been no consultation with existing residents, either in the four dwellings adjacent to the site, or with the those to the east who will be impacted by additional traffic.

On the above grounds, I object to the proposed application.

Comments for Planning Application 23/00695/PPP

Application Summary

Application Number: 23/00695/PPP

Address: Land East Of Buckletons Stichill Stables Kelso Scottish Borders

Proposal: Erection of two dwellinghouses with access and associated works

Case Officer: Euan Calvert

Customer Details

Name: Mr Michael McCrave

Address: Butlers Chase, Stichill Stables, Kelso, Scottish Borders TD5 7TJ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Inadequate access
- Increased traffic
- Loss of view
- Overlooking
- Privacy of neighbouring properties affected
- Road safety
- Value of property
- Water Supply

Comment: Our home is directly opposite the site of this planning application, and we were told when we built it on a brown field site in 2010 that this would be the last house to be built here because it was the 10th property and any more added to the group would require the Council to upgrade and adopt the road from North Lodge and install street lighting. This is an extremely rural environment, and there is no necessity for more light pollution and it would be strongly resisted by the occupants of the present houses.

The present 10 houses from North Lodge to Buckletons are a building group, they all share a water supply via several pipes, which we believe are private, they also share the same power and telephone supply and all have a right of access over the track from North Lodge, which is privately owned, and the majority of the properties have clauses in their deeds which state that the householders will share the maintenance thereof. Garden Cottage has never been considered a part of this building group and is not accessed by any part of the track from North Lodge. There are no public services nearby, the main road (B5364) is a half mile distant, the bus service is negligible and there are no retail outlets in Stichill village which is 1 mile to the south, so if constructed each house will need its own transport and the planning application states garaging for 1 or 2 cars for each house. The track from North Lodge is not in an ideal state. Access to the proposed building site would be problematical, especially for large vehicles and the track's

condition would be made far worse by the heavy construction traffic. If the construction traffic is using the track from North Lodge the danger to residents and their children will be substantially increased. There are 3 homes with school age children within the building group and they all use this track several times each day because of where the school bus picks them up and drops them off. There is little space for walkers or school children to get out of the way of heavy trucks. And there would be a considerable impact on the residents of the homes right beside the track from the large increase in heavy traffic, and increased traffic will result in any case if planning permission is granted, with the new residents in and out plus all the deliveries which are now part of everyday living.

The access track from the 3-way junction to the east of the application site is under different private ownership, it also has shared maintenance which the applicant is not involved with although he has access on it for farming activities.

There is a newer but longer access track which the applicant installed some years ago and which opens on to the main road opposite the telephone exchange, but the access onto the main road is extremely hazardous and there has been a RTA there in recent times involving a farm vehicle.

There is a third access available - the track to the south which opens in Stichill village, it is longer and is widely used by horse riders and walkers, with and without dogs, so any construction traffic using this road would be very dangerous for them.

All access to the existing building group is by farm track, there are no macadamised roads in or out.

The rubbish bins presently placed almost opposite North Lodge are already inadequate for the 10 houses who use them. More bins would need to be added which would be very unfair for the residents of North Lodge. Apart from the ugly sight of overflowing bins there is often a strong odour from the current bins in the heat of the summer, and in the past there has been a rat problem caused by the bins.

This planning application is for a green field site, the field in question is farmed organically and is in current use for crops and grazing.

If the planning application is granted the new houses would overlook Butler's Chase, Lairds Hill and Buckletons and their gardens and so would result in a loss of privacy. And because they would be on prominent land they would also have a visual impact from a good distance away on views looking back from the east and the south of the site.

In conclusion, we know we are not allowed to use loss of views as an argument against a planning application, but the proposed new dwellings are not being built as social housing, they are being built for profit, and their site has been chosen because of the view which will increase the said profit substantially. But surely pouring concrete on an agricultural and productive green field site cannot be environmentally acceptable in this day and age.

We therefore request that Scottish Borders Council Planning Dept. arrange a site meeting in order to understand the impact that this application would have if granted.

Yours sincerely,

Michael and Margaret McCrave

'Butler's Chase',
Stichill Stables,
Stichill,
Roxburghshire, TD5 7TJ.

24th May, 2023.

Planning & Regulatory Services,
Council Headquarters,
Newtown St. Boswells,
Melrose,
TD6 0SA.

Dear Sirs,

Planning Application 23/00695/PPP

For 2 Dwellings on Land East of Buckletons, Stithill Stables

Our home, 'Butler's Chase', is directly opposite the site of this planning application, and we were told when we built it on a brown field site in 2010 that this would be the last house to be built here because it was the 10th property and any more added to the group would require the Council to upgrade and adopt the road from North Lodge and instal street lighting. This is an extremely rural environment, and there is no necessity for more light pollution and it would be strongly resisted by the occupants of the present houses.

The present 10 houses from North Lodge to Buckletons are a building group, they all share a water supply via several pipes, which we believe are private, they also share the same power and telephone supply and all have a right of access over the track from North Lodge, which is privately owned, and the majority of the properties have clauses in their deeds which state that the householders will share the maintenance thereof.

Garden Cottage has never been considered a part of this building group and is not accessed by any part of the track from North Lodge.

There are no public services nearby, the main road (B6364) is a half mile distant, the bus service is negligible and there are no retail outlets in Stichill village which is 1 mile to the south, so if constructed each house will need its own transport and the planning application states garaging for 1 or 2 cars for each new house.

~~The track from North Lodge is not in an ideal state . Access to~~
the proposed building site would be problematical, especially for large vehicles, and the track's condition would be made far worse by the heavy construction traffic.

If the construction traffic is using the track from North Lodge the danger to residents and their children will be substantially increased. There are 3 homes with school age children within the building group and they all use this track several times each day because of where the school bus picks them up and drops them off.

There is little space for walkers or school children to get out of the way of heavy trucks. And there would be a considerable impact on the residents of the homes right beside the track from the large increase in heavy traffic, and increased traffic will result in any case if planning permission is granted, with the new residents in and out plus all the deliveries which are now part of everyday living.

The access track from the 3-way junction to the east of the application site is under different private ownership, it also has shared maintenance which the applicant is not involved with although he has access on it for farming activities.

There is a newer but longer access track which the applicant installed some years ago and which opens on to the main road opposite the telephone exchange , but the access onto the main road is extremely hazardous and there has been a RTA there in recent times involving a farm vehicle.

There is a third access available - the track to the south which opens in Stichill village, it is longer and is widely used by horse riders and walkers, with and without dogs, so any construction traffic using this road would be very dangerous for them.

All access to the existing building group is by farm track, there are no macadamised roads in or out.

The rubbish bins presently placed almost opposite North Lodge are already inadequate for the 10 houses who use them. More bins would need to be added which would be very unfair for the residents of

North Lodge, apart from the ugly sight of overflowing bins, there is often a strong odour from the current bins in the heat of the summer, and in the past there has been a rat problem caused by the bins.


This planning application is for a green field site, the field in question is farmed organically and is in current use for crops and grazing

If the planning application is granted the new houses would overlook Butler's Chase, Lairds Hill and Buckletons and their gardens and so would result in a loss of privacy. And because they would be on prominent land they would also have a visual impact for a good distance away on views looking back from the east and the south of the site.

In conclusion, we know we are not allowed to use loss of views as an argument against a planning application, but the proposed new dwellings are not being built as social housing, they are being built for profit, and their site has been chosen because of the view which will increase the said profit substantially. But surely pouring concrete on an agricultural and productive green field site cannot be environmentally acceptable in this day and age.

We therefore request that Scottish Borders Council Planning Dept. arrange a site meeting in order to understand the impact that this application would have if granted.

Yours sincerely,

A large black rectangular redaction box covering the signature area of the letter.

Michael & Margaret McCrave

Comments for Planning Application 23/00695/PPP

Application Summary

Application Number: 23/00695/PPP

Address: Land East Of Buckletons Stichill Stables Kelso Scottish Borders

Proposal: Erection of two dwellinghouses with access and associated works

Case Officer: Euan Calvert

Customer Details

Name: Dr Robert Monie

Address: Drumbeg, Stichill Stables, Kelso, Scottish Borders TD5 7TJ

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
- Increased traffic
- Land affected

Comment:

Planning Application

Reference No. 23/00695/PPP

We refer to the above application and make the following objections to the building of two additional dwelling houses East of Buckletons on the site of Stichill Stables. Our objections are in keeping with the National Planning Framework and Scottish Borders Development Plan (2016) and a lack of amenities in an isolated rural area.

Currently access to the houses in Stichill Stables is served by tracks. The first track is from Stichill village and in winter can flood (and occasionally freeze) at a low lying part and is best negotiated by a 4x4. The second was constructed by Mr Shanks for farm vehicles and has a surface of earth. The most used track is from the North Lodge and was the original farm lane. These tracks are rough, unstable and deteriorate during bad weather necessitating urgent repairs undertaken by residents. Delivery drivers and carers complain about the state of the tracks More houses will lead to more traffic and increased wear and tear on these tracks possibly making them more dangerous.

We have had reduced water pressure intermittently. Further houses might aggravate this problem.

There are communal waste and recycling bins at the road end junction of the track with the B6364. There is barely sufficient space for the current residents and the bins already attract vermin likely to increase with more rubbish. For a while the council refuse collectors refused to empty the bins due to infestation.

The proposed site is on agricultural land that is farmed organically benefitting flora and fauna especially larks and hares, something we all enjoy. Loss of prime organically farmed land is regrettable anywhere with the climate emergency and with no public transport locally cars are the only means of transport.

When we bought our house in 2005, we visited the Planning Department of SBC to view plans already accepted for proposed two new dwelling houses. We met with a Mr Bennett and asked about possible further building projects. He informed us that there would be no further building on the Stichill estate unless and until the old farm track was significantly upgraded and adopted by the council.

We therefore would like to register our objection to the proposal to build two houses on this site.

Robert and Rosalind Monie

Comments for Planning Application 23/00695/PPP

Application Summary

Application Number: 23/00695/PPP

Address: Land East Of Buckletons Stichill Stables Kelso Scottish Borders

Proposal: Erection of two dwellinghouses with access and associated works

Case Officer: Euan Calvert

Customer Details

Name: Mr Steven Schwarz

Address: Highfield, Stichill Stables, Kelso, Scottish Borders TD5 7TJ

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Contrary to Local Plan
- Density of site
- Detrimental to environment
- Detrimental to Residential Amenity
- Fire Safety
- Inadequate access
- Increased traffic
- Overlooking

Comment: Let me start by correcting something in the Planning Statement. My house does not reside in the Small Cluster including Garden Cottage but does in fact belong to the Small Cluster of homes which include Buckletons, Butler Chase, Lairdshill, Highfield, Stichill Stables House, Ardbeg, Woodend House, Drumbeg, Stichill Stables and North Lodge. All our utilities are interlinked along with Garbage and Household Recycling pick-up point, water and electricity. The Garden Cottage referenced is over around 1/2km away from the plots while Stichill Stables proper is only 200m away, in addition to not being accessible to the other 3 houses mentioned.

As for access, there are three routes the occupants can take. From Stichill proper, turning at Queenscairn and by North Lodge. The North Lodge is a partially paved route, but in need of constant repair, that passes 8 houses to get to the plots. The other routes utilize Mr. Shanks lane and is mostly of a gravel surface. This route is also used by the farm vehicles and is now arranged so that any and all the routes can be closed to traffic, using a gating system installed by Mr. Shanks, to allow for the movement of livestock between fields, where the entrance to the various livestock fields are nearly 1/2 mile apart along the same single track lane. If you are unlucky enough to need to exit during farming hours, you may have to back all the way up or do a "stutter K turn" and use another exit. To reach public transportation on foot is a mile walk down to Stichill village. As for access to Garden Cottage, the lane is impassable and unused by cars.

Also with plots in excess of 1550m² and an outlook over the town of Kelso, the prices for homes in this area would command a price in excess of £500,000, which does not fall into the category of "Affordable Housing". And this land is still used to grow crops and graze animals.

Paragraph 3.12 of the Planning Statement states "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:

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." As proposed the two houses will overlook and in fact look into the front windows and garden of Butlers Chase.

Stichill Stables cluster is a collection of 10 homes perched on the side of a hill looking down on to Kelso and the surrounding area. We have lovely views of the town and countryside. Bucketons, Stichill Stables and Stichill Stables House can be seen from several directions, "popping out of" the green of Lairds Hill. None are too close so they seem to appear and the disappear as you drive along. As you drive up out of Stichill on the B6364, my house, Highfield, can be seen along with Stichill Stables House peering over the stone wall edging the road in several spaces, though ours will be soon out of sight due to a recent planting. Allowing two more houses to be in line with Bucketons will eliminate the illusion and make it look like just another boring housing development. As you can see, this proposed development is a complicated matter and really cannot be fully appreciated without an in-person site visit. And don't forget to look up as you approach.