

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 20/00140/FUL

APPLICANT : Mr & Mrs G & A Allen

AGENT : Ferguson Planning

DEVELOPMENT : Change of use of dwellinghouse (Class 9) to guest house (Class 7),
erection of extension, formation of access track, turning circle, and parking capacity, and associated works

LOCATION: Mutton Hall
Selkirk
Scottish Borders
TD7 5NJ

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
LAM19S01-01-111B	Location Plan	Approved
LAM19S01(95) 002A	Existing Elevations	Approved
LAM19S01(95) 004	Existing Elevations	Approved
LAM19S01(95) 003	Topographical Plan	Approved
LAM19S01- 108 B	Proposed Plans	Approved
LAM19S01- 110	Proposed Roof Plan	Approved
LAM19S01-01-105 F	Proposed Plans	Approved
LAM19S01-01-106 E	Proposed Elevations	Approved
LAM19S01-01-107 G	Proposed Elevations	Approved
LAM19S01-01-109 D	Proposed Site Plan	Approved
LAM19S01-95-001	Existing Plans	Approved
LAM19S01-95-005	Existing Plans	Approved
LAM19S01-95-006	Existing Roof Plan	Approved
LAM19S01-01-113	Other 3D View	Approved Approved
RLM0-01 (Maintenance Programme)		Other Approved

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

No representations have been received.

Consultations:

Access Officer: No objections to the application.

Economic Development: No objections to the application.

Ettrick & Yarrow Community Council: Have not responded at the time of writing this report.

Environmental Health: No objections to the application.

Flood Risk Officer: No objections to the application.

Roads Planning Officer: No objections subject to conditions relating to the improvement of the private track leading to the development and of the sightlines at the junction private access track with the A 708.

PLANNING CONSIDERATIONS AND POLICIES:

Local Development Plan 2016

PMD1: Sustainability

PMD2: Quality Standards

ED7: Business, Tourism and Leisure Development in the Countryside

EP1: International Nature Conservation Sites and Protected Species

EP2: National Nature Conservation Sites and Protected Species

EP3: Local Biodiversity

EP5: Special Landscape Areas

EP13: Trees, Woodlands and Hedgerows

HD3: Protection of Residential Amenity

IS7: Parking Provisions and Standards

IS9: Waste Water Treatment Standards and Sustainable Urban Drainage.

Supplementary Planning Guidance:

Landscape and Development 2008

Placemaking and design 2010

Privacy and sunlight guide

Trees and Development 2008

Recommendation by - Brett Taylor (Planning Officer) on 2nd October 2020

Site and Proposal

The site is an existing two storey, five bedroom dwellinghouse arranged in a 'T' shape plan form with a separate stand-alone garage. The existing elevations of the dwelling comprises a white render construction with timber framed windows with natural slate roof. It is located within the Blackhouse Estate a forestry enterprise with approximately 320 hectares of coniferous commercial cultivation. It is some 6.2 km along a private track from the A708 with Selkirk approximately 28km to the west and 6km east of St Mary's Loch.

This application seeks full planning permission for the change of use of the dwellinghouse (Class 9) to guest house (Class 7) to provide a hub for an integrated rural tourism enterprise to include a small wedding venue. A new flat roof single storey extension will extend the south elevation of the house westward and will comprise of a glazed construction. The two other two elevations will comprise render on block construction with a curved stone wall forming the south-west corner of the proposed guest house. The accommodation will include two bedrooms, a bathroom, and an open plan kitchen/dining room with extended living space. In addition, a dining hall, a reception area, and a new front entrance will also be proposed in the new extension. This extension given the topography of the site will be partly set into the garden slope with a sedum roof covering the proposed extension.

Other proposals shown on the submitted plans include:

1. The laying of a new paved terrace running from the south elevation of the existing dwelling;
2. Extension of the external steps to the south of the existing dwelling;
3. A new car parking area to the east of the existing dwelling;
4. Tree and landscaping works around the proposed car parking area;
5. Formation of a turning circle and drop-off point adjacent to the south of the existing dwelling; and

6. Formation of a new connecting track adjacent to the east of the existing dwelling connecting the proposed parking to the existing track.

Relevant Planning History

There is no relevant planning for this site.

Planning Policy and Principle

In terms of the principle of development, the site is located within an area of rural countryside. Policy ED7 of the Local Development Plan 2016 states that proposals for business/tourism development in the countryside will be approved provided that the development is to be used directly for tourism appropriate to a countryside location and is in accordance with the Scottish Borders Tourism Strategy 2013-2020 strategic target.

The business/tourism statement provided by the agent advises that marketing will be by the owner and during 2019 hosted 7 parties on hunting packages. It aims with the proposals to increase this number and to provide high quality visitor accommodation and experiences in an area with few similar offerings. Given the proposal is for a change of use of an existing dwellinghouse and following advice from the Council's Economic Development section it appears that the project would be viable in this location and bring in a number of economic benefits. Policy ED7 supports developments in the countryside where they are to be used for tourism. That support is subject to further criteria, including that the development respects the amenity and character of the surrounding area. Having assessed the proposals, I am satisfied that the development will comply with the principles of policy ED7. The principle of this development is, therefore acceptable.

Siting and Design

Policy ED7 requires that the development meets the siting and design criteria of policy PMD2; this policy requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders townscapes and to integrate with its landscape surroundings. The policy contains a number of standards that would apply to all development.

The site is well related to the existing buildings at Mutton hall. The extension part of the development would be an appropriately scaled development and will be largely buried into the rear garden and as such it would be hidden by the topography, the existing buildings and nearby trees when viewed from surrounding areas. The design is considered to be contemporary with the large areas of glazing on the south elevation and provides a clear juxtaposition with the existing building. The north elevation will be hidden by ground levels of the rear garden. Given the isolated location, I consider the overall design to be acceptable. As previously mentioned given the topography of the site the proposal would not be prominent in the landscape and as such I consider the proposals would not harm the visual amenities of the area.

The formation of the vehicle parking area, turning circle, access track/steps and areas of new paving have been designed to reflect the landscape features of the site and the surrounding area. They will incorporate appropriate landscaping and no trees would be removed or effected, as such, I consider these aspects of the proposals to be acceptable.

Overall, the proposal accords with Policy PMD2 and the aims of Placemaking and Design standards sought by the SPG, in that this development will assimilate well with the surrounding built and natural environment.

Access

The Council's Access Officer was consulted during the determination of this application. According to the records held by SBC there is a right of way adjacent to the site. However, it is considered that the proposals would have no impact on this path and as such the Council's Access Officer has no objections to the application.

Cultural and Natural Heritage.

The site is located within the Tweedsmuir Special Landscape Area and is adjacent to the River Tweed and is considered a Special Area of Conservation. However, the proposals raise no concerns in respect of both cultural and natural heritage assets.

Ecology

I consider the proposals would have no impact on nearby ecology.

Economic Development

The Council's Economic Development Section supports the application as it fits with the Scottish Borders Tourism Strategy Target in respect of increasing the numbers of overnight visitors and spend, ensure the regions accommodation and range of types meets consumer demands.

Flooding

The Council's Flood Officer was consulted as part of the determination of this application. They have no objections to the application on the grounds of flood risk.

Impact on Residential Amenities

Policy HD3 aims to protect the amenity of neighbouring residential properties against inappropriate development that would result in the loss of amenity and privacy.

Given the rural location of the proposals and having visited the site and assessed the potential impact of the development on the neighbouring properties, I am satisfied that the proposal will not result in any additional loss of privacy, outlook, sunlight/overshadowing and daylight of neighbouring properties. I consider the use of the property as a small wedding and events venue will result in no adverse impact on neighbouring residential amenity. Environmental Health were consulted regarding this aspect of the proposals and have no objections to the application.

Overall, I consider the proposal complies with Policy HD3.

Road Safety, Access and Parking

Policy ED7 states that the development must take into account accessibility considerations. Policy IS7 requires that car parking should be provided in accordance with the Council's adopted standards.

The Roads Planning Officer was consulted as part of the determination of this application. The RPO advises that the proposed development to a Class 9 usage would generate traffic all year round which would result in a significant increase in traffic movements. Consequently, there is still likely to be some conflict between road users due to the single track nature of the road with a lack of passing opportunities. As such, a scheme of details was required showing a network of passing places to be installed to minimise any conflict on the immediate road network. This additional information was provided by the applicant on the number and location of the passing places along the private road from the site to the A 708. This addresses this part of the concerns of the Roads Planning Officer and a condition has been attached to this permission to reflect this. On a separate matter, having visited the site, I consider the number and location of the passing places to be acceptable and will have no adverse visual impacts and no trees will be removed to facilitate these works.

Other concerns related to the visibility at the junction of the private access track with the A 708. Given this section of the public road is unrestricted with a 60mph speed limit, a site meeting was held between the RPO and the agent to determine what works were necessary to improve visibility at this junction. An agreement was reached on works required at this junction and a maintenance plan was submitted on how the visibility will be maintained in the future. I consider this meets the requirements of policy PMD2 and as such these aspects have been covered by condition.

Trees

Policy EP13 states that the Council will refuse applications that would cause the loss of or serious damage to the woodland resource unless the benefits of the development clearly outweigh the loss of landscape, ecological, recreational, and historical or shelter value. Given there are a number of trees within the site the agent has provided a tree report and survey particularly for the proposed vehicle parking area located to the east of the house. This report has ascertained that no trees will be removed to facilitate the establishment of the parking area. It is considered that the proposal will fit comfortably within the immediate landscape setting without significant adverse impacts on the surrounding area. Appropriately worded conditions, will ensure existing trees are retained, full details of proposed landscaping are submitted for approval and existing trees are protected during the construction phase.

Overall, it is considered that the proposals would comply with policy EP13.

Water and Drainage and bin storage

The extension will use the existing water and drainage arrangements as indicated on the applicants submitted application form. The new parking area will utilise porous materials for the removal of surface water. There appears to be ample room for discrete bin storage. Environmental Health have no objections to the application.

Conclusion

The proposed development is considered to comply with the relevant policies outlined in the Scottish Borders Local Development Plan 2016 and adopted supplementary planning guidance. It is recommended that planning permission be granted.

REASON FOR DECISION :

Subject to compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

Recommendation: Approved subject to conditions

- 1 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.
Reason: To ensure that the development is carried out in accordance with the approved details.
- 2 No development hereby permitted shall commence until the passing places have been installed as per the specifications as shown on drawing LAM19S01-01-113 (Passing Places - Existing & Proposed). Details are also required on size, layout and surfacing of the passing places.

Reason: To ensure appropriate road infrastructure is in place to accommodate the additional traffic movements associated with the proposed development.

- 3 No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
- i. Further details of landscaping works, including trees, specifying location, species, plant sizes and proposed numbers/density;
 - ii. programme for completion and subsequent maintenance.
- Reason: To enable the proper form and layout of the development and the effective assimilation of the development into its wider surroundings.
- 4 Trees to the east (vehicle parking area) shall be retained in accordance with the approved site plan (Drawing No. LAM19S01-01-109 D) and before development commences, the works shall be undertaken as identified in the 'Tree Health Report' and 'Tree Survey' dated April 2020. Reason: To protect and retain trees that will assist with the visual integration of the development with its surroundings.
- 5 Following completion of the development and in accordance with drawing number RLM0-01, the following maintenance programme shall be implemented:
- i) Area shown as point 1 shall be monitored and cut back as necessary to its old cut markings approximately 30cm behind the crash barrier;
 - ii) Areas shown as points 2, 3 and 5 shall be checked on a monthly basis and cut as an when required to maintain good sightlines, minimum of once per quarter;
 - iii) The trees within the area shown as point 4 shall be monitored and pruned as required to maintain good sight lines.
- Reason: To safeguard the visibility resulting from the additional traffic movements associated with the proposed development.

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