

SCOTTISH BORDERS COUNCIL

DEVELOPMENT AND BUILDING CONTROL COMMITTEE

APPLICATION FOR PLANNING PERMISSION – PART II REPORT

REF : 05/01796/FUL

APPLICANT : Mr J Rae

AGENT : Sidney Palmer

DEVELOPMENT : Conversion of steading building to form two dwellinghouses and erection of eight dwellinghouses with integral garages

LOCATION : Land And Steading Buildings At St. Dunstan Farm
Lilliesleaf
Melrose
Scottish Borders
TD6 9JA

TYPE : Full Application

Observations by Development Control Officer - Mr Charles Johnston

Observations by Development Control Officer

St Dunstan Farm is situated on the western edge of Lilliesleaf on the northern side of the B6400. The farm comprises of a two storey farmhouse, traditional stone and slate steading buildings and more modern agricultural buildings. A pair of one-and-a-half storey, semi detached cottages, West Cottage and St Dunstan Cottage, and the repair garage are situated to the south east of the steading. There are fields to the north and west. A vehicular access to the steading exists from the B6400. The land slopes up from the road to the north.

The proposal is to convert the stone steading buildings into two dwellinghouses. The dwellinghouses would be one-and-three-quarter storey with pitched roof dormers and sash and case style windows. A car port accommodating two cars would be provided within the courtyard.

The more modern agricultural buildings would be demolished and eight new dwellinghouses erected. There would be four detached dwellinghouses and two pairs of semi-detached dwellinghouses. The dwellinghouses would be one-and-three-quarter storey with pitched roof dormers, porches and sash and case style windows. The dwellinghouses would be constructed of stone and blockwork with a render finish and a slate roof. Each property would have a garage, turning area and on-site parking spaces. The site would utilise the existing access from the public road and five visitor parking spaces and a turning head would be provided within the site.

The site is situated within the Ettrick and Lauderdale Local Plan area. It is within the settlement boundary and policy 3 of the Local Plan allows limited infill of one or two units only. However, the site is allocated for housing development in the Scottish Borders Finalised Local Plan.

The Council's Archaeologist advises that the proposal has archaeological implications and requests that a survey of the buildings takes place prior to conversion and that original features are retained in situ if possible.

The Director of Technical Services raised a number of issues regarding the layout of the site. Amended drawings have been received and the Director of Technical Services now has no objections to the proposal provided that a pedestrian footway is provided along the main road into the village utilising the grass verge. This can be a condition of the planning permission.

Lilliesleaf, Ashkirk and Midlem Community Council advise that this is a large development within the context of a small village. The existing sewage system cannot take any more waste.

SEPA objects to the proposal unless the dwellinghouses can be connected into the public sewerage system. Scottish Water initially objected to the application as there was insufficient capacity in the waste water treatment works to accommodate the development. Following an assessment of the proposal by Scottish Water they confirmed that subject to the removal of surface water currently discharging into the combined network there will be sufficient capacity to service the development.

One representation has been received from the owner of St Dunstan Cottage objecting to the proposal on the following grounds:

- The properties suffer from water running off the hillside during wet periods and the proposal will exacerbate this problem. A waste water pipe runs through the site and the garden of St Dunstan Cottage and the development would fracture or displace this pipe.
- Loss of privacy from the proposed one-and-a-half storey properties.
- A 6ft fence should be erected along the boundary of the site and St Dunstan Cottage to prevent any loss of privacy, noise pollution and for health and safety reasons once building works start.
- Driveways should be tarmac not gravel to reduce any noise nuisance.
- There is no spare capacity in the village sewage system to accommodate this development.
- There would be an increase in vehicular traffic; a footpath should be formed from the site to the village.

The site is allocated for housing in the Scottish Borders Finalised Local Plan and so the principle of the development complies with policy.

The existing buildings appear structurally sound and capable of conversion. The proposed alterations are traditional in design and are considered to be in keeping with the character of the buildings. This aspect of the proposal would not harm the visual amenities of the area. An acceptable residential environment could be created and the proposal would not harm the residential amenities of the occupiers of the farmhouse to the west.

Eight new dwellinghouses are proposed. The design of the houses incorporates traditional elements such as pitch roof dormers, porches and slate roofs and reflect the alterations to the existing buildings. A mix of semi-detached and detached properties are proposed. The site is on higher ground than the road and so this would be a prominent site when approaching Lilliesleaf from the west. However, the design of the dwellinghouses is considered to be in keeping with other properties in Lilliesleaf. A hedge rather than a fence is proposed for the road boundary where plots 1 to 3 back onto the road. It is not considered that the proposal would harm the visual amenities of the area.

Lilliesleaf has a linear layout, but a more modern cul-de-sac exists on the northern side of the village, therefore, the layout of this development would not be out of keeping with the form of the settlement.

There are two houses to the south east of the site between the site and the public road. These are on lower ground than the site. No dwellinghouses are proposed directly behind the two houses and the proposed dwellinghouses on plots 5 and 6 would be between 18 and 20m from the rear elevations of these houses, separated by a 1.8m timber fence. It is considered that the proposal would not result in a significant level of overlooking to the existing properties.

The agent has advised that a SUD system will be prepared for the site and this will take into account any surface water draining from the hillside behind to avoid flooding of the existing properties. The position of the waste water pipe running through the site will also be investigated and the pipe diverted if necessary.

This site is situated within an area subject to the Council's policy seeking developer contributions towards the funding of the Waverley railway project agreed by the Executive Committee of Scottish Borders Council on 5 October 2004. Any decision to approve this

planning application would therefore be subject to the conclusion of a Section 75 or alternative agreement securing the appropriate developer contribution.

The Council's policy on affordable housing came into force from 16th June 2005 and any planning applications for more than 1 house received after that date are required to make a contribution to affordable housing provision in the Scottish Borders. The Housing Department has advised that a commuted sum towards the provision of affordable housing elsewhere would be appropriate in this case as it is difficult to achieve a viable scheme for less than four affordable units.

The Director of Education and Lifelong Learning has advised that there are no education capacity issues for Lilliesleaf at secondary or primary level and so no contribution to education facilities is required.

Recommendation

It is recommended that the application is approved subject to the completion of a legal agreement to secure the appropriate developer contribution towards affordable housing provision and the Waverley railway project and the following conditions and informatives:

Recommendation

It is recommended that the application be approved subject to the following condition(s) :-

- 1 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and agreed by the Archaeology Officer and approved by the Planning Authority.
Reason: To safeguard a site of archaeological interest.
- 2 The external materials to be agreed by the Planning Authority before the development is commenced.
Reason: To safeguard the visual amenity of the area.
- 3 The roofing material to be natural slate.
Reason: To safeguard the visual amenity of the area.
- 4 A tree/shrub planting scheme to be submitted before the development commences for approval by the Planning Authority, the planting to be carried out concurrently with the development or during the next planting season thereto and to be maintained thereafter.
Reason: To maintain and enhance the visual amenities of the area.
- 5 The vehicular access to the site, turning area and visitor parking areas to be completed to the specification of the Planning Authority before the first dwellinghouse is occupied.
Reason: In the interests of road safety.
- 6 A pedestrian footway to be provided from the vehicular access to the site along the public road (B6400) into the village to the specification of the Planning Authority before the dwellinghouses are occupied.
Reason: In the interests of road safety.
- 7 The means of surface water drainage to be submitted to and approved by the Planning Authority before the development is commenced.

Reason: To ensure that the site is adequately serviced.

Applicant Informative

In respect of condition 7, the Planning Authority normally requires that drainage complies with sustainable urban drainage system guidance (SUDS). The Planning Authority will only consider alternative arrangements where SUDS is not appropriate. Advice on the most appropriate drainage system can be obtained from Scottish Water.

The owner of St Dunstan Cottage has advised that a waste water pipe runs through the site and his property into a drain at the roadside. This should be investigated and the pipe diverted or protected as necessary.

DELEGATED PROCEDURE

It is considered that this application can be determined in accordance with the procedure for delegation to the Chairman, the Local Member and the Head of Planning & Building Standards.

No response  (Local Member) _____ (Date)

_____ (Chairman) 30/10/06 (Date)