

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 15/00769/FUL

APPLICANT : Kerr Renwick

AGENT :

DEVELOPMENT : Siting of caravan for permanent residence (retrospective)

LOCATION: Land South Of Camphouse Farmhouse
Camptown
Jedburgh
Scottish Borders

TYPE : FUL Application

REASON FOR DELAY: Late Submission of Information

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
M4P-00434081	Location Plan	Refused
1	Block Plans	Refused
2	Elevations	Refused
3	Elevations	Refused
4	Elevations	Refused
5	Elevations	Refused
6	Floor Plans	Refused

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

There are no representations.

CONSULTATIONS:

Transport Scotland: Access to the site from the trunk road will be via the existing access. No new access will be permitted.

Jed Valley Community Council: No comments

Environmental Health: The applicant has indicated that the proposed development is on a private water supply. In order to assess this application the following information is required:

1. The type of supply ie borehole, spring, well etc
2. The location of the source by way of an 8 digit reference number
3. Details of other properties on the supply (if the supply is an existing one)
4. Estimated volume of water that the supply will provide (details of flow test)
5. Evidence that this supply will not have a detrimental effect on supplies in the area

6. Details of any emergency tanks
7. Details of treatment to be installed on the system
8. Details of any laboratory tests carried out to ensure the water is wholesome.

Re-consultation: The applicant has provided updated information and the water supply has been risk assessed. Water will be provided to the development from the Edgerston Water Supply. The supply is suitable for provision of water to the proposed development.

Contaminated Land Officer: With reference to my planning response dated 28 July 2015, the applicant has now returned the Agricultural Buildings Questionnaire. Having regard to the information supplied by the applicant there is no indication of any land contamination issues on this site. Accordingly I have no objections or further comments to make on this application. No condition is required.

Archaeology Officer: There are no known archaeological implications. While there is some potential in the wider area for prehistoric archaeology associated with a former burial cairn in particular, given the retrospective nature of the application any impacts have already occurred. However, any further development of this site may require archaeological mitigation.

Roads Planning Officer: As the road serving this site is a trunk road, the comments of Transport Scotland should be sought.

Economic Development/ Business Gateway: This application provides a rough outline of a sheep based livestock unit; given that the farm is circa 140 acres it should be sufficient to support a worker based on the 'standard man day' system of evaluation. However there is a lack of information to demonstrate that it is either the intention or there is scope to attain a unit of sufficient agricultural activity to demonstrate an effective 'standard man day' level.

Unfortunately the Economic Development Section cannot make a sufficiently informed opinion because of the lack of information with this application. If the applicant can provide more information in the form of a detailed business plan containing information as to how he intends to develop the business to an appropriate level within the SMD criteria, then the Economic Development Section can give this application due consideration.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Consolidated Local Plan Adopted 2011

Policy G1: Quality Standards for New Development
Policy G5: Developer Contributions
Policy BE2: Archaeological Sites and Ancient Monuments
Policy H2: Protection of Residential Amenity
Policy Inf4: Parking Provisions and Standards
Policy Inf5: Waste Water Treatment Standards
Policy D2: Housing in the Countryside

Supplementary Planning Guidance:

New Housing in the Borders Countryside December 2008

Placemaking and Design January 2010

Householder Developments July 2006

Recommendation by - Euan Calvert (Assistant Planning Officer) on 2nd November 2015

This report of handling considers Full Planning Permission for retrospective permanent residential accommodation within an "Enhanced Park Home" which is essentially a building of proportions and design similar to a static caravan which has been re-roofed, modernised and given additional external cladding.

Site and Proposal

Camphouse Farm is located 6 miles south of Jedburgh in the Jed Forest Valley, a few hundred yards south of Camptown. The farm is adjacent to and west of the A68 trunk road, on the hillside above the Jed Water.

The farmhouse is a fine example of a Coaching Inn, a category B Listed Building, which is unfortunately positioned immediately adjacent to the widened A68 road. To the rear, former stables and the Inn form a U-shaped complex within which a tall steel framed shed has been erected resulting in the loss of the courtyard and the historic sense of place.

To the north, an agricultural steel barn stands used for farm machinery. To the south, to the rear of the traditional stables, a French (barrel roofed) barn aligns with the rear of the stable while two smaller mono-pitched roof cart sheds enclose this smaller courtyard, which has its own access from the A68.

The applicant has erected the residential accommodation north of these barns, within what was formally enclosed as an orchard. The vehicular parking has been made within this smaller courtyard. The "Enhanced Park Home" has been erected at a north-north easterly angle to take full advantage of the view down the Jed Water valley.

The unit is 20ft by 32ft under a 12ft gabled pitch roof (25°) on 7ft 6" wallheads. The prefabricated dwelling has been levelled by mounting the northern end on stilts where the steep hillside falls away. A timber terrace and balustrade surround the north quarter whilst the character of the building is dominated by horizontal timber weatherboarding, white uPVC windows and grey profile steel sheet roofing. Both principal and rear elevations include small flat roofed enclosed porches. The building is sited at an angle to the A68, on a plot 22m x 27m, which is maintained as private grounds and laid to grass and vegetable plots. The plot is enclosed from the A68 corridor by a mature mixed hedgerow.

The applicant seeks retrospective permission for the use of this caravan as permanent residential accommodation.

Policy Considerations

The adopted consolidated Local Plan of 2011 Policy D2 (E) is relevant, which considers that housing with a location essential for business needs may be acceptable if the Council is satisfied:

1. That the housing development is a direct operational requirement of agricultural and it is for a worker predominantly employed in the enterprise and the presence of that worker on-site is essential to the efficient operation of the enterprise.
2. It is for use of a person last employed in an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and also employed on the unit that is the subject of the application, and the development will release another house for continued use by an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and
3. The housing development would help support a business that results in a clear social or environmental benefit to the area, including the retention or provision of employment or the provision of affordable or local needs housing, and
4. No appropriate site exists within a building group, and
5. There is no suitable existing house or other building capable of conversion for the required residential use.

In all instances there shall be compliance with the Council's Supplementary Planning Policy Guidance where it meets the terms of this policy and development must not negatively impact on landscape and existing communities.

The Council's Supplementary Planning Guidance on New Housing in the Borders Countryside 2008 advises that there are circumstances where a new house may be required for genuine circumstances of local need. In assessing such a proposal the Council will take into account:

- Whether the need for the house is supported on an agricultural basis by an appropriate agricultural adviser with suitable accreditations;

- Whether the need for a house is demonstrated to be essential for the running of an agricultural or rural business in this location;
- Whether the applicant has selected the most satisfactory site.

Policy G1 of the Local Plan and the Council's Supplementary Planning Guidance on Placemaking and Design of 2010 are material considerations in this instance, which seek new dwellings to create "a sense of place, designed in sympathy with Scottish Borders architectural styles;this need not exclude appropriate contemporary and/ or innovative design".

History

This application has arisen from a report of unauthorised development.

Planning and Listed Building Consent were granted in 1995 for the demolition of a cart shed and erection of a portal frame building (95/00108/FUL and 95/00107/LBC).

Supporting Information

The applicant has applied for permanent residence in this caravan on the basis that he is farming Camphouse Farm holding for the first time this year, whilst another family member (who formerly farmed the holding) is residing in the attached farmhouse. The applicant is also running a fencing contracting business from this site.

The applicant has supported the application with the briefest of business information. I understand that the applicant tends livestock, in the form of sheep husbandry, and requires to be on-site for 24 hour supervision. A brief inventory of livestock has been provided, a note of the farm size (154 acres or thereby) and anecdotal evidence that the title to the farm is a business comprising three family members.

Assessment

Justification and Need

The material consideration in this application is Policy D2, (E) of the Local Plan, in that whether the use of this caravan as a permanent dwelling is a direct operational requirement of a worker predominantly employed in the enterprise in this rural location and the presence of that worker on-site is essential to the efficient operation of the enterprise.

Income and expenditure accounts for the applicant's business (predominantly the fencing business) were submitted late in the stage of the application. The Economic Development Officer from Business Gateway has considered these and met with the applicant in person to discuss his findings. The applicant was encouraged to seek the professional assistance of a business adviser from the Scottish Agricultural College (SAC Consulting) and he was advised to request an extension of time to allow for a business plan to be prepared and submitted. Despite these best endeavours, the applicant has not provided sufficient information or requested additional time to seek professional advice which would "...demonstrate that it is either the intention or there is scope to attain a unit of sufficient agricultural activity to demonstrate an effective 'standard man day' level".

Despite the advice of the Economic Development Officer that a sheep based livestock unit on a farm circa 140 acres should be sufficient to support a worker based on the 'standard man day' system of evaluation, the supporting information is considered poor and insufficient to draw any such conclusion. In addition, it is not clear what proportion of the applicant's time and income is derived from the fencing business which in itself, does not require a rural location and is not justification for a new dwellinghouse on this site.

The Council must therefore conclude from this that the permanent occupation of the caravan for residential use does not comply with Policy D2 (E) in that it has not been adequately demonstrated that there is a direct operational requirement for this residence and that the presence of a worker on-site is not essential for the efficient operation of the farm business. In addition, it has not been satisfactorily demonstrated that the applicant is predominantly employed in agriculture as he operates a fencing business from the site.

Policy D2 identifies that the Council will promote rural housing in village locations, associated with existing building groups or in dispersed communities within the Southern Borders Housing Market Area and this siting does not fulfil any of these criteria.

Siting and Design

The Council considers the use of this building for permanent accommodation to be contrary to Policy G1: Quality Standards for New Development. The building is not compatible with local vernacular and by its very nature, is temporary in character. The architectural style includes a shallow pitched roof in steel profile sheet which is more in keeping with agricultural vernacular rather than residential dwellings. The location near to the steading is appropriate, however the scale, massing, height and density are at odds to the adjacent Listed Building (Camphouse Coaching Inn and Stables), which fronts the A68 and is the primary residence for the farm.

The applicant is commended for finishing the property in a sympathetic timber material within this wooded location however the design is out of keeping with local architecture, such as the adjacent farmhouse, and overall the building is harmful to the visual amenities of the area. The Council does not normally support applications for permanent residence within a structure of this design and the unit does not comply with Placemaking and Design Supplementary Planning Guidance.

Water Supply and Drainage

The application has been considered by the Environmental Health Officer who confirms that the water supply is from Edgerston, which is suitable for the provision of water to the existing caravan.

The applicant has confirmed that the dwelling feeds into a septic tank and this accords with Policy Inf5.

Contaminated Land

The Contaminated Land Officer has confirmed that the land is not subject to contamination following the applicant returning his questionnaire. I am satisfied that development does comply with policy G4.

Impact on Residential Amenities

Policy H2 states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted.

The caravan is some distance from the farmhouse and so the light and privacy of occupants of this property are not affected by the caravan and there are no other properties in the surrounding area.

Developer Contributions

I do not identify any requirements for contributions (Policy G5).

Access and Parking

Transport Scotland and the Roads Planning Officer have confirmed that the access and parking arrangements are satisfactory provided that no additional accesses to the A68 are made thereby I am satisfied that Policy Inf4 has been met.

Archaeology

The Council's Archaeologist states there are no known archaeological implications. Given the retrospective nature of the application any impacts have already occurred, however any further development of this site may require archaeological mitigation in accordance with policy BE2.

REASON FOR DECISION :

The development is contrary to Policies G1 and D2 of the Scottish Borders Consolidated Local Plan Adopted 2011 and Supplementary Planning Guidance: New Housing in the Borders Countryside and Placemaking and Design. The building is not physically suited for permanent retention for residential use due to its construction and design. The building is not in-keeping with the scale or architectural character (massing, height and density) of the existing residential buildings of Camptown and the adjacent Listed Building. Furthermore, the site is outwith any settlement or building group and there has been insufficient information provided to substantiate residing at this location on a permanent basis on the basis of essential business/agricultural justification.

Recommendation: Refused

- 1 The proposal would be contrary to Policy D2 of the Scottish Borders Consolidated Local Plan Adopted 2011 and the Supplementary Planning Guidance on New Housing in the Borders Countryside 2008 as the caravan is not located within any settlement or an established building group of three or more dwellinghouses or building(s) capable of conversion to residential use and the agricultural and operational requirement for the use of the caravan for permanent residential occupation has not been adequately demonstrated. The retention of the caravan on this site would lead to an unacceptable and unjustified sporadic development in the countryside.
- 2 The proposal would result in an unacceptable form of development that would not be in accordance with the criteria contained within Policy G1 of the Scottish Borders Consolidated Local Plan Adopted 2011 and Supplementary Planning Guidance: Placemaking and Design 2010. The unit is not physically suited for permanent retention for residential use, due to its size, design and construction. The development is not in keeping with the scale or architectural character of the existing buildings at Camptown to the detriment of the visual amenities of the area.

Informatives

It should be noted that:

- 1 The applicant should consider taking professional advice if he wishes to demonstrate an economic requirement for housing in the countryside at this location in accordance with policy D2 of the Scottish Borders Consolidated Local Plan Adopted 2011. A detailed business plan would be required to demonstrate how he intends to develop the business to an appropriate level within the SMD criteria, without which, there is no justification.

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