



20th January 2021

The Lead Planning Officer,
Forward Planning Team,
Scottish Borders Council,
Council Headquarters,
Newton St Boswells,
TD6 0SA

Dear [REDACTED]

Representations to the Proposed Local Development Plan
From Save Scott's Countryside

Please find enclosed our Objections to the inclusion of Sites:

1. ADARN005/Land South of Darnlee
2. AMELR013/Harmony Hall Gardens
3. AGALA029/Netherbarns with Supporting Documents 1-9

[REDACTED]
Charles Humphries

Chairman, Save Scott's Countryside.

[REDACTED]

[REDACTED]

Proposed Local Development Plan
Objection Response from Save Scott's Countryside,
January 2021

ADARN005/Land South of Darnlee, Darnick

We **Object** to this Allocation.

We **seek** its **Removal** from the LDP.

Should it be **Allocated**, then we seek a **halving** of the site **capacity**, with a **requirement** for **mixed housing** and **extensive tree-planting**.

This site is located within the the **Conservation Area** of the village and within the Eildon and Leaderfoot **National Scenic Area**.

Talk of a "High Standard **Design**" and a "must" for "**Safeguarding the settings** of the listed building '**Darnlee**' and the historic battlefield (Inventory **Battlefield of Darnick**) and the **character** of the Darnick Conservation Area" will not in our view **prevent ten houses** on this **rectangular site** at this location having the **appearance of a suburban**, if somewhat upmarket, estate **built in the parkland grounds** of 'Darnlee'.

It will look like a larger version of building a house **in your back garden**, regardless of sense, setting or integration.

It is **not the way** to **greet visitors** to the village, whether they be general visitors or people exploring the Battlefield and the historic environs of Darnick Tower.

Given the **recent expansion** at Chiefswood Road, the housing-type **balance** of this Conservation Village would be **adversely affected** by a further, largish (in village terms) housing estate, especially **so visibly at the entrance** to the village and actually within its Conservation Area.

If the **village**, as opposed to the Central Housing Area, really does **require further housing**, then we say that a modest build of up to **five houses, of mixed type** and with **much tree-planting**, could be **more acceptable** at this 0.8ha site.

Proposed Local Development Plan
Objection Response from Save Scott's Countryside,
January 2021

AMELR013/Harmony Hall Gardens, Melrose

We **Object** to this Allocation.

We seek its **Removal** from the LDP.

Should it be **Allocated**, then we seek a **resolute requirement** for **single-storey** housing.

This site is **within** the **Conservation Area** of Melrose; within the **Setting of Melrose Abbey**; and within the Eildon and Leaderfoot **National Scenic Area**,

Its **Allocation** would represent the **loss of a valued community resource** and **attractive open space** within the Conservation Area of the town and **across a narrow road** from the most ancient remains on the Melrose Abbey (**Scheduled Monument**) site.

It would **adversely** affect the **Setting of this Scheduled Monument**, whatever attempts might be made at **"respectful"** development.

Should the site be **Allocated**, buildings higher than a **single storey** would certainly need to be excluded as they would be **even more intrusive** on the **setting of Harmony Hall** as seen from the road that runs in front of Melrose Abbey; and on the **setting of Melrose Abbey**, especially when approaching **from the west** along St Mary's Road.

In the PLDP this **requirement** is only a **"should"** rather than a **"must"** in relation to the safeguarding of the **character** of the Conservation Area and adjacent Listed Buildings.

It is difficult to believe that developers will **deliver** even only five houses without **significant loss of trees and hedgerow**; and **damage** to the southern **stone wall**—whatever the **"must"** contained in the **Site Requirements**. In any case, it would be a **retrograde** step to **disturb** the roadside wall at all, bearing in mind its construction, which is probably very old and very traditional; and to compromise its **continuity westward** to the **entrance into the orchard**.

We do not consider it **justified** to build even small numbers of houses at this part of Conservation Area, since the proposed **house numbers** would only make a tiny housing contribution in the town of Melrose, where there are **considerable, unbuilt Allocations** on the Croft site and the Dingleton site.

Proposed Local Development Plan
Objection Response from Save Scott's Countryside,
January 2021

AGALA029/Netherbarns

We remain resolutely **Opposed** to the **Proposal to allocate** this site for a **substantial housing** estate.
We seek its **Removal** from the List of Allocated Sites **unless** its **Indicative Capacity** is hugely reduced.

Galashiels Settlement Boundary

1. We **Object** most strongly to the proposed **Incorporation** of the **Netherbarns site** within the Galashiels Settlement Boundary and **seek** its **Removal**.
We **Object** most strongly to its Removal from the **Protection** of the **Countryside Around Towns Policy**.
We **seek** its **Return** to that **Protection**
 2. We seek the **Removal from the Settlement Boundary** of that **Area to the South-west**, comprising Netherbarns Farmhouse, its steading and grounds.
We **seek** for it to come under the **Protection of CAT policy**.
-

Background History of the Netherbarns Site

Proposals for housing estate development on this site have **previously been rejected** at Public Inquiries—four times in twelve years.

The **last Local Plan Public Inquiry** (see **Supporting Documents no.1**) in 2015 **concluded**:

"I have noted the arguments of the council in favour of the development of Netherbarns which include a reference to the withdrawal of objections by Historic Scotland. I also recognise the reduced density of 45 houses now included in the proposed plan "

"All-in-all, despite the lack of a formal objection by Historic Scotland, I concur with the conclusions reached at the previous local plan inquiry. It appears to me that cultural and landscape considerations combine to provide an asset which should remain free of the impact of the suggested allocation and any subsequent development of Netherbarns. I do not accept that the woodland screening would adequately mitigate the adverse impacts of the allocation on the setting of the house or the designed landscape. Additionally, the re-opening of the railway link to Galashiels is likely to increase the volume of visitors to Abbotsford, therefore further strengthening the need to protect the heritage of the vicinity."

Present Proposed Local Development Plan

We were understandingly exasperated to find that the 2018 **Main Issues Report** had returned to a proposal to allocate Netherbarns for substantial housing. in our **Response** to the Consultation (see **Supporting Document no.2**) we reminded the Forward Planning Officers of the conclusion of the last Public Inquiry ; of our previous idea for a modest, semi-rural solution: and, as a Further Submission (see **Supporting Document no.3**), announced our plans for a **Nationwide Competition for a Masterplan** for Netherbarns—but only in the event that a modest, semi-rural solution was adopted.

In the Officer's **Report to Council** Sept2020 (see **Supporting Document no.4**) it was stated:

"the Council held a number of **PreMIR consultation** events. During the event at the Galashiels Transport Interchange, on 27 September 2017, there was discussion on the possibility of the Netherbarns site being released for housing. It was **generally agreed** that it is a suitable and desirable location for housing in Galashiels, this is confirmed in the meeting minutes."

It is not clear how many were present to "generally agree". From our previous experience of such events, it was **likely not many**.

What is **clear**, and what Scottish Borders Councillors were not told (see **Supporting Document no.4**), is that there were in the eventual **Consultation** on the Proposed Local Development Plan at least **twenty five** or more written **Objections** to its inclusion—total numbers are not readily available as there is some pooling of responses in the 'Summary of MIR Responses '.

Not one member of the public supported the Developer's and Officer's arguments and proposals

Galashiels Settlement Boundary: and Countryside Around Towns Policy

The Proposed Plan goes significantly further than (just) introducing a new suburban housing site. It amends the **Galashiels Settlement Boundary** to take in the whole of the site, thereby removing it from the **Countryside Around Towns (CAT) Policy** area.

Section 7.2 of that Policy says:

There are many important listed buildings both within and out with the settlements, including Abbotsford House and Chiefswood. The surrounding grounds to these two houses are also recorded in the Inventory of Gardens & Designed Landscapes. This highly sensitive landscape is an integral factor in the need to ensure that any settlement expansion does not eclipse the historical importance and recreational qualities of the area.

In the face of S7.2, to **argue** (see **Supporting Document no.4**) in addressing the **Countryside Around Towns Policy**, that prevention of **settlement coalescence** is essentially what Policy EP6 is about, to the **marginalisation of landscape** considerations, is a specious interpretation of the Countryside Around Towns (CAT) Policy. **Nothing** on the ground or in the landscape has **changed to justify** the Council's Proposed Amendment to the **CAT Area and Development Boundary**.

The **Officer's Assessment** for Council at their Sept2020 Full Meeting (see **Supporting Document no.4**) did not **mention or explain** these proposed changes. It merely stated that the site was within the CAT area. **Again**, the published **Proposed LDP2** on p.342 says in the **Settlement Profile** for Galashiels that "The Plan takes forward **one additional new housing site** at Netherbarns, with an indicative capacity of forty five dwellinghouses", but makes **no reference to changes** to the Settlement Boundary or to protection from CAT Policy.

It is **therefore** left to the public to **spot the change** in the Settlement Boundary on the map and **understand the loss** of protection from CAT Policy.

In **promoting** this site for suburban development, SBC will be seen as **violating its own** carefully-formed policy **only in order to remove** a major obstacle in their, and the Developer's, path. This will **look to many like** SBC using a 'dirty trick' to **deliver the site** to the Developer.

Clearly, if Officers were **serious in their claims** that the proposed development is restrained to those parts of the site which can less easily be seen from Abbotsford, they would **not have included the remainder** of the site within an extended Galashiels **Settlement Boundary**, nor removed from it the **protection** afforded by the Countryside around Towns Policy.

This move can only be seen as an attempt to **eventually deliver** housing numbers more in line with Ballantyne's **original 2004 Application** for 83 houses. If the **presently proposed build on part** of the site is delivered, it would be **very difficult to resist** the rest of the site, now no longer having these protections, being **developed at a later stage**.

We therefore **argue for Removal** of this **Extension to the Settlement Boundary** at the Netherbarns site.

For consistency, we **seek** also the **Removal from the Settlement Boundary** of that **Area to the south-west**, comprising Netherbarns Farmhouse, its steading and grounds; and **seek** for it to come under the protection of **CAT policy**.

We do this on the grounds that **it is rural** in nature and that **its incorporation** into Galashiels' settlement would **represent an unwarranted and unnatural extension** of Galashiels up the Tweed, which is **not** the natural water valley of the town.

The Netherbarns Site Itself

The site is **highly visible** in the wider landscape, not just in views from Abbotsford and from the Designed Landscape, but also in **views towards** them.

It is visible to walkers on the **Southern Upland Way**; and to visitors, including those heading for the Eildon and Leaderfoot **National Scenic Area**, arriving along the A7.

The **2007 LPI** "**agreed** that it would be **very undesirable** for the Galashiels urban area to extend any further to the south along the Tweed Valley", which of course is not the **natural water valley** of the town.

The **2015 LPI** **concluded** that "the re-opening of the railway link to Galashiels is likely to increase the volume of visitors to Abbotsford, therefore further strengthening the need to protect the heritage of the vicinity".

Screening

In their current proposals, the Developers are making much of their claims about sight-lines and screening. Much of the **potential, summer screening** already comes from the line of trees along the riverbank—but this is deteriorating and **back in 2007 the LPI** **agreed** with objectors that "the major tree belt along the river cannot be relied upon to provide an effective screen, either at present (in winter conditions and from higher elevations) or in the future (at all times and from lower as well as higher elevations)".

The **2015 LPI** **concluded** that they "did not accept that the woodland screening would adequately mitigate the **adverse impacts** of the allocation on the **setting of the house or the designed landscape**."

Seasonality

Planning policy concerning cultural heritage goes way beyond simple economics, but focusses on the intrinsic value of the special place to be protected. The protection afforded by policy cannot be cast aside on seasonal grounds.

In any case, the suggestion that visitors aren't around Abbotsford in the winter months is simply not true. The work of the Melrose Paths Group has led to all-year round walking in the Designed Landscape; and the welcome, and increasing, number of initiatives being undertaken at Abbotsford, both inside and outside the House, mean there is already more winter use of the House and Grounds by community and family groups.

The 2015 LPI was not thinking seasonally in concluding that "the re-opening of the railway link to Galashiels is likely to increase the volume of visitors to Abbotsford, therefore further strengthening the need to protect the heritage of the vicinity".

Historic Scotland's Guidance and Opinion

Much has been made of Historic Scotland previously stating that they "are content with the principle of development" on the Netherbarns site.

However, they have confirmed that they would assess any proposal very carefully in terms of its impact on both the setting of the **Category A-listed house and its Inventory garden and Designed Landscape**.

Indeed, their formal **Guidance** makes it clear that the **setting** of cultural assets should be protected; and their specific **Opinions** over the years about Abbotsford and Netherbarns are **cogent reminders** of the **principles and facts**.

Some of these principles, such as about the '**setting**' of Abbotsford and its Designed Landscape, seem to us to have become lost in our Planning Officers' perception, which has become **increasingly blinkered** in their **repeated search** for a way to deliver substantial housing at this unsuitable site, in part because "the submission has been made by a **well-known and reputable** local building firm and **strong weight** should be given to the fact that this is an **effective site**" – Officer's Report to Council Sept2020 (see **Supporting Document no.4**)

Indeed our frustration at this apparent stance of near-obligation to the Developer, has led us recently to make a **Freedom of Information Request** (see **Supporting Document nos.5 and 6**) in order to understand how such a culture of mind may have arisen. This Request is, so far, only **partially met** (see **Supporting Documents nos.7 and 8**).

Some of the facts, such as the principal **inward and outward views**, have been dismissed eg. "Taking all matters into consideration, it is considered that views from the House to the new proposed houses **will be negligible**" – Officer's Report to Council Sept2020 (see **Supporting Document no.4**).

In the case of **summer screening, winter views and visitor numbers** they have been misrepresented or played down. Furthermore, the precedent of **existing building** has been used in justification—indeed, in one rather desperate instance (Officer's Report to Council Sept2020, see **Supporting Document no.4**) Planning Officers pointed out to Councillors that a **Visitor Centre** has been built within the Designed Landscape.

This single building is sympathetically designed and is **not comparable** to a housing estate development. Indeed, it is **singled out** in *Managing Change In The Historic Environment—Gardens and Designed Landscapes* (HES 2016) as an **exemplar** "designed to sit comfortably in its Designed Landscape setting and has not required substantial screening".

Historic Scotland's *Memorandum of Guidance on Listed Buildings and Conservation Areas* stated that **Development outwith the curtilage** of a Listed Building should also be regarded as affecting the setting where this will be seen in **any principal view** either of or from the Listed Building, or affect in any way the **main approaches** to it.

Furthermore, **Historic Scotland's July 2009 appraisal** of the Netherbarns Site in their letter to the Developers (see **Supporting Document no.9**) stated that "It should be noted that **it is not sufficient that the Listed Building and the new development will not be intervisible.**"

Historic Environment Scotland's *Managing Change In The Historic Environment—Gardens and Designed Landscapes* (HES 2016):

Confirms that "When a site is included on the **Inventory** it becomes a **material consideration** in the planning process. This means that those making decisions on planning applications have to take it into account."

Discusses Impacts On **Setting** as follows: "**Inventory sites** often have a **planned relationship** with landscape features beyond their boundaries, and **these surroundings** may contribute to the way they are experienced, understood and appreciated."

"**Land outwith** the boundary may provide a **backdrop** to a mansion house or terminate a vista. This '**borrowed**' land is used as a feature to be enjoyed from the Inventory site. Development outside an Inventory site boundary may therefore impact on the site's setting – for example, if it would **affect a deliberately planned outward view**.

Proposals should be carefully designed and located to **minimise** any such impacts."

In their **July 2009 letter to the Developers** (see **Supporting Document no.9**) , **Historic Scotland** had:

Confirmed that "It was also Historic Scotland's view that development in the area allocated in the Local Plan for housing, was **bound to have** a detrimental effect on the **setting** of the Category A listed Abbotsford House.

Described how "The main public rooms of this **highly landscape orientated set piece** are all designed to take **full advantage** of the view out to the stepped grass banks, grazed meadow and haugh **directly across** the River Tweed to where the Netherbarns site is located.
The present modern developments are **very obvious** in the winter months."

Also that "It should also be taken into consideration that the **principal view looking into** the Designed Landscape specifically focussed on Abbotsford House from Gala Hill and the Southern Upland Way would be severely **compromised by any development.**"

Stressed the "need to ensure that the **setting of both** Abbotsford House and it's Garden and Designed Landscape are **safeguarded.**"

Acknowledged "that there has been **previous modern development** to the E and N of this site; however this should **not be viewed as setting a precedent** for further development".

Our Opinion

We **agree** with the **2015LPI**, and with **Historic Scotland**, that **protecting the Setting** of Abbotsford House and it's Designed Landscape is about more than **trying to hide a housing estate** behind curtains of tree-planting; and the issue cannot, and must not, be reduced to being **just about the views, seasonal or otherwise**, from Abbotsford House.

On-site **landscaping and tree-planting**, as proposed by the Developers, is **not going to mitigate** the impact of a 45 unit housing estate in the **vicinity of the House and its Managed Landscape.**

There is **increasing public awareness**, and **visitor education**, about the importance **Scott attached** to the development of his immediate landscape and the views it afforded.

As described by an Abbotsford **volunteer guide**, with a professional interest in mental health issues, the **atmosphere and views from Abbotsford's** terrace and grounds "make it greatly appreciated both by **visitors and locals** as an area of **outstanding** beauty and tranquility".

Their present experience reflects Scott's intentions. He found **succour** in contemplating landscape in general, and his created **Picturesque Landscape** in particular.

His **legacy**, Abbotsford's **setting and** Scotland's **Heritage** would be **unacceptably, and irrevocably, damaged** by such a **short-sighted** allocation and use of this land.

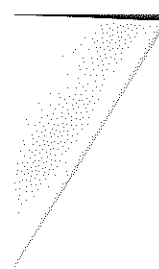
The Way Forward

Historic Scotland also **Stated** that "It is our view that it may be possible to **accommodate appropriate development** on the site".

We **have also** come, reluctantly, to such a conclusion, if only to put in place a **final and sympathetic resolution** to this unhappy saga of recurrent attempts to put a large-scale housing development in such a **sensitive site.**

We say that such a housing estate here would be **inappropriate in character and scale**, but that a **small, landscaped build** of just a handful of smallish houses with significant areas of tree-planting and associated features, such as orchards, woodland or stables, would provide a **softening of the town's present hard edge** at Kingsknowes-- and an appropriately semi-rural, and **irrevocable, transition** between town and countryside.

The **history of this site** calls out for such a solution. We have previously announced our plans to **launch** a Nationwide **Competition For a Masterplan for Netherbarns** (see **Supporting Document no.3**), but only in the event that the site is allocated for such **modest development.**



Supporting Documents:

1. Netherbarns, 2015 LPPI, Reporter's Conclusion.pages
2. LDP2, 2019 MIR Consultation SSC Response as Letter.pages
3. LDP2, 2019 MIR Netherbarns Competition.pages
4. LDP2, Netherbarns 2020Sept Proposed LDP Officers Argument.pages
5. Netherbarns, 2020Nov Press Release.pages
6. Netherbarns, 2020Nov FOI Request EIR 14692 Correspondence.pdf
7. Netherbarns, 2020Dec FOI Response 14692 (2004-2006 only).pdf
8. Netherbarns, FOI 2021Jan Letter to CEO's,SBC .docx
9. Netherbarns, 2009July, Historic Scotland Letter(incl.Intervisibility)to Ballantyne.pages

Save Scott's Countryside's Supporting Document No.1
PLDP Jan2021

Development plan reference:

Galashiels Settlement Profile and Map (pages 320 – 331)

Reporter:

Body or person(s) submitting a representation raising the issue (including reference number):

Provision of the

Housing Allocation AGALA029 – Netherbarns

Reporter's conclusions:

1. Site AGALA029, Netherbarns, is allocated for housing. There is also a site requirement to consider the need to provide educational facilities on the site. The site lies on rising ground on the north bank of the River Tweed, between the river and the A7. To the south-east, on the opposite bank of the River Tweed is the designated Abbotsford Garden and Designed Landscape within which is situated, Abbotsford, the home of Sir Walter Scott, a category A listed building.
2. Development has previously been proposed for the Netherbarns site. An appeal against the refusal of planning permission was dismissed in 2007. The matter was further considered at the inquiry into the Scottish Borders Local Plan, adopted 2008. The report of that inquiry accepted without doubt the importance of the locality in terms of landscape, historic and cultural interest, and in respect of tourism, including the international attraction of Abbotsford. Despite some screening - reduced during the winter - it was considered that there would be an increased visual impact on Abbotsford as a consequence of any urban development of Netherbarns. Existing development was acknowledged but the development of the site was regarded as a threshold which should not be crossed. Overall, it was concluded that the development of the site "would be undesirable because of the potential risk of damage to very important landscape, historic, and cultural interests, and to the contribution of tourism to the Borders economy".
3. I have noted the arguments of the council in favour of the development of Netherbarns which include a reference to the withdrawal of objections by Historic Scotland. I also recognise the reduced density of 45 houses now included in the proposed plan and [REDACTED] has suggested a maximum of 12 houses with significant tree planting (although [REDACTED] have indicated that a higher density would be preferable).
4. In addition to the impact on Abbotsford, other concerns have also been expressed, including problems that would be created by the level of traffic generation. I have no reason to believe that the local road network, including the capacity of the A7, would be incapable of accommodating the additional traffic generated by the development of the site.
5. All-in-all, despite the lack of a formal objection by Historic Scotland, I concur with the conclusions reached at the previous local plan inquiry. It appears to me that cultural and landscape considerations combine to provide an asset which should remain free of the impact of the suggested allocation and any subsequent development of Netherbarns. I do not accept that the woodland screening would adequately mitigate the adverse impacts of the allocation on the setting of the house or the designed landscape. Additionally, the re-opening of the railway link to Galashiels is likely to increase the volume of visitors to Abbotsford, therefore further strengthening the need to protect the heritage of the vicinity. On this basis, I conclude the allocation, including the somewhat obscure reference to educational facilities, should be removed from the proposed plan.
6. In reaching the above conclusion I have noted the strategic housing context which has been examined under Issues 49 and 80. It has been concluded that the housing land designations in the local development plan are unlikely to satisfy the strategic requirement. However, the local issues pointing to the deletion of site AGALA029, Netherbarns are so compelling that they are not to be set aside by wider considerations.

Note: on the basis of the foregoing conclusion it is not necessary to further consider the representation from Scottish Environment Protection Agency in respect of the need for a flood risk assessment.

Reporter's recommendations:

I recommend the following modifications be made:

1. In the Galashiels settlement profile, under the Housing section of the Development and Safeguarding Proposals, delete the reference to site AGALA029, Netherbarns.
2. Delete site AGALA029 from the Galashiels settlement map, including the areas shown for structure planting/ landscaping.
3. Amend the text of the settlement profile and remove the reference to two new housing sites (the Birks View site is also recommended for deletion – see Issue 164).
4. House building totals elsewhere in the proposed local development plan should also be adjusted as appropriate.

Save Scott's Countryside's Supporting Document No.2
PLDP Jan2021



22nd January 2019

Lead Forward Planner,
Scottish Borders Council,
Headquarters,
Newtown St. Boswells.

Dear [REDACTED]

Main Issues Report—Response To Consultation
from Save Scott's Countryside

Q.7 Additional Housing

Darnick, by Darnlee ADARN005

We believe the proposed house numbers of ten are too high/dense for this 0.8ha site, especially as it would be very visible on entering the village and appear incongruous next to the parkland surroundings of Darnlee. A more tree-scaped development of five houses could be more acceptable.

Netherbarns AGALA029

We are strongly opposed to this proposal.

The issue cannot be reduced to being just about the views, seasonal or otherwise, from Abbotsford House. Protecting the Setting of Abbotsford is about more than just hiding a housing estate behind curtains of tree-planting along the south-eastern boundary of the site.

The Setting would still be shamefully compromised—for visitors, including those heading for the Eildon and Leaderfoot National Scenic Area, arriving along the A7 from the Selkirk direction; from the historic Designed Landscape and its footpaths, now enjoyed all year round by increasing numbers of walkers and visitors to Abbotsford; and from the surrounding hills.

We are, understandably, exasperated that the Council and the Developer/Owners are once again pursuing the idea of suburban development at Netherbarns—which has four times in the last twelve years been found against at Public Inquiry/ Local Plan Examination.

We again say it is inappropriate for Galashiels to spread further over the Kingsknowes 'shoulder' into land associated with the Area of Great Landscape Value; and further upstream in relation to the Tweed, which is not the natural water valley of the town.

We have said previously that a housing estate would be inappropriate in character and scale, but that a small, landscaped build of just several houses with associated features, such as orchards, woodland or stables, would provide a softening of the town's present hard edge at Kingsknowes-- and an appropriate, irrevocable transition between town and countryside.

We believe the conclusions of the last Public Inquiry, reported on by Mr Richard Dent in 2015, remain definitive:

“ Despite the lack of a formal objection by Historic Scotland, I concur with the conclusions reached at the previous local plan inquiry. It appears to me that cultural and landscape considerations combine to provide an asset which should remain free of the impact of the suggested allocation and any subsequent development of Netherbarns. I do not accept that the woodland screening would adequately mitigate the adverse impacts of the allocation on the setting of the house or the designed



landscape. Additionally, the re-opening of the railway link to Galashiels is likely to increase the volume of visitors to Abbotsford, therefore further strengthening the need to protect the heritage of the vicinity.”

Harmony Hall Gardens, Melrose AMELR013

This would represent the loss of a valued community resource and attractive open space within the town.

It is difficult to believe that developers could deliver housing without significant loss of trees and damage to the southern stone wall, even if (only) building five houses.

Buildings higher than single storey would indeed need to be excluded or would be intrusive on the setting of Harmony Hall as seen from the road that runs in front of Melrose Abbey.

The proposed house numbers would only make a small contribution in the town of Melrose, where there are unbuilt allocations on the Dingleton site; and other potential brownfield sites in Melrose, currently owned by a local developer, at West Grove and Priorwood House.

Q.8 Housing in The Countryside

At present we support the Preferred Option.

However, we would be supportive of the Alternative Option, in this or a subsequent Local Plan, if more detailed reassurances about setting, design and materials are specified.

The stand-alone option would clearly encourage higher standards of innovative design than are likely at present when adding to, complementing and blending with, existing groups.

Q.14 National Park

We are strongly supportive of this idea and of the Campaign For A Scottish Borders National Park, believing that a National Park would greatly improve qualities of life, health and well-being; benefit tourism by the designation itself and by attracting appropriate investment; and provide another layer of protection for our much-valued landscape.

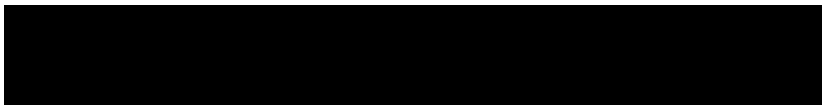
We believe it should, as far as practicable, be co-terminus with the Northumberland National Park and that it should largely occupy the area indicated by The Campaign.

However, we think it should also extend westwards from the Eildon and Leaderfoot National Scenic Area to include Scott's Designed Landscape and the Tweed as far as Traquair, before swinging south to encompass the lands of the ancient Ettrick Forest by including its southwesterly tributaries of Yarrow, Ettrick, Ale, Borthwick and Teviot.

Yours sincerely,



Chairman, Save Scott's Countryside.



[Type text]



30th January 2019

Lead Forward Planner,
Scottish Borders Council,
Headquarters,
Newtown St. Boswells.

Dear [REDACTED]

Main Issues Report—Response To Consultation
from Save Scott's Countryside
Netherbarns AGAL A029

A Further Submission— A Netherbarns Masterplan Competition.

Save Scott's Countryside has plans for a Nation-Wide Competition For A Masterplan for Netherbarns, to be launched in the event that the site is adopted for modest development, as outlined in our earlier submission.

The aim would be to find a resolution to the long-running Netherbarns saga, enabling some development on the site while providing substantial areas of tree-planting to ensure minimum negative impact on Abbotsford House and its Designed Landscape. The competition would be open to all those involved in both architecture and in landscape, whether at professional or student level.

The organisers would wish to work with Scottish Borders Council and others to ensure that the maximum amount of relevant material is available to contestants.

Save Scott's Countryside fully understands the Abbotsford Trustees' opposition to development at Netherbarns, a position which many of our members share. We would therefore also wish to work closely with Abbotsford so that contestants may be further informed about Abbotsford and allowed access as appropriate.

Not all visitors to Abbotsford are aware that Scott planned the layout of the Abbotsford estate, and planted much of it, himself. The competition would therefore also be designed to highlight Scott's importance as a pioneer in landscape design.

To be absolutely clear, this competition will only be launched in the event of Netherbarns being allocated for modest development.

Save Scott's Countryside would not wish to be associated in any way with a scale of development which would damage heritage assets of international significance.

The competition will not be launched if the proposal in the MIR is adopted.

Please ensure that this submission is lodged alongside our earlier submission.

Yours sincerely,

[REDACTED]

Chairman, Save Scott's Countryside.

[REDACTED]

[REDACTED]

Save Scott's Countryside's Supporting Document No.4 PLDP Jan2021

LDP2 Netherbarns 2020 Sept25th Officers Assessment for Council

Background

It is acknowledged that the site has a history and has previously been omitted from the LDP by Reporters from the Scottish Government. However, it is not uncommon for submissions to be made again for inclusion in a future LDP.

This response is a generic response to what are considered to be the main points raised.

New site submission

The site was again submitted for inclusion in the Council's Main Issues Report. The new plans took on board the Reporter's reasoning for refusal. The site was identified within the Council's Main Issues Report 2018 as an alternative site for housing for 45 units. Had it not been for the history associated with the site, it is highlighted that Officers would have identified the site as a preferred option.

Consideration must be given as to any proposed new mitigation matters which have been submitted as part of the proposal.

The developer has submitted a site plan along with a Heritage Statement, Landscape and Visual Assessment and updated Landscape Photography. The plans confirm further screening of the site would be carried out. These proposals also confirm the site will not be visible from Abbotsford House during the Summer months and in the Winter months (when Abbotsford House is closed to the public) photomontages have shown that only fleeting views of very small parts of the site could be seen, but proposed housing would not be located within these visible locations.

Development has been shown to be restricted to the extreme north western and western parts of the site, set between an existing tree belt to the north and south. The large eastern part of the site is not now proposed for development as this is considered to be the part of the site that may be visible, albeit extremely marginally, from Abbotsford House. Furthermore, a Design Code has been submitted which confirms that external materials would be sympathetic in colour with a palette to include earthy shades.

Contribution to Housing Land Supply

It is acknowledged that there is a requirement to identify housing land within Galashiels as part of the Railway Blueprint, which seeks to capitalise upon economic opportunities within the Borders Railway corridor. An estimate of the timescale for delivery of housing projects has been continually difficult due to the economic downturn in the housing market and a drop in housing development nationally. The programming of sites within the Housing Land Audit can only be a reasonable expression of what can be developed within the time periods and there is a significant degree of uncertainty beyond years 2 and 3.

It has been increasingly difficult in recent years to identify any additional housing land within Galashiels. The submission confirms that the proposed site is presented by an active local housebuilder who envisages that the site could be delivered within the Plan period.

The allocation of this site would contribute to the 5-year effective housing land supply within Galashiels, which at the moment is heavily reliant on the development of one site at Easter Langlee. The allocation of this site would provide additional choice within the Galashiels housing market area. It would also meet the requirements set out within the Borders Railway Blueprint and would contribute towards the wider regeneration of the town.

Main Issues Report - Representations

Moving on to specific points of objection, the following responses are provided:

Impacts upon Category A Listed Abbotsford House

The existing residential development of Netherbank, which is in an elevated position to the north of the Netherbarns site, across the A7, can already be viewed from Abbotsford House. Likewise, existing houses to the south of Abbotsview Drive, which adjoin the site, are visible. The Council is unaware of any evidence at all that views of these properties have had any adverse impact whatsoever on any tourism matters related to the House. In light of this, it is not considered that the proposed new amended site layout, set behind well-established and new proposed woodland, would prevent visitors from coming to Abbotsford.

The house builder has confirmed that 'the lower levels of the site which are more sensitive to the view from Abbotsford House will be free from residential development and will provide open space for the new homes. Development would be focussed on the north western and western portions of the site where existing and enhanced screening will mitigate views into the site'. Officers remain of the strong opinion that when viewing the parts of the site now proposed for development from Abbotsford House and its gardens, the site is extremely well screened by mature trees during the Summer months when the house is open to the public. The House is closed from November to March and during these

Winter months, when trees lose their foliage, there is still strong screening. The house builder has confirmed that further planting would alleviate any fleeting glimpses into the site. Elected Members visited the site to view the plans proposed, the site characteristics and significantly any impacts from Abbotsford House and its grounds. Members will have formed their opinions how significant, or otherwise, any impacts might be and will take this on board in deciding whether or not the site should be included within the Proposed LDP.

As part of the MIR consultation, Historic Environment Scotland (HES) has raised no objections to the principle of development at this location on the basis that a masterplan will be prepared which will ensure that the detail of scale and detailed views analysis, amongst other matters, can be considered.

Impacts on the Designed Landscape

The site is located outwith the Abbotsford Inventory Garden and Designed Landscape and is clearly separated from it by existing trees. There are a significant number of long established properties within Kingsknowes/Tweedbank located close to and in clear view of the boundary of the Garden and Designed Landscape and it is not considered that they have a detrimental impact upon it. The site is extremely well screened around the perimeter and has other existing and proposed trees within the site which would further screen it from the Designed Landscape.

Light/Sound/Visual Intrusion and Amenity Issues

In recent times Abbotsford has expanded with a new visitor centre and hold weddings within the grounds. The Council is not aware that this has caused disruption to Abbotsford House. It is not considered that the development of the Netherbarns site would compromise users or visitors to Abbotsford given the considerable distance and screening between them. It is not considered that residential properties at this location would result in a loss of amenity at Abbotsford House. There are already existing residencies in proximity to the Netherbarns site and the Council is unaware of any issues these cause in respect of having a detrimental impact on Abbotsford House and any visitors to it.

Clearance of TPOd trees

Officers are aware that Abbotsford House wish to undertake some maintenance work on trees on the north side of the River Tweed located between the site and Abbotsford House. These trees are prominent and are protected by a Tree Preservation Order. Any works to these mature trees would require the consent of the Council. This has not been applied for and would have to be considered very carefully by the Council. Whilst some maintenance work could be agreed, the removal of these mature and prominent trees would be a major issue. There are other trees outwith the ownership of Abbotsford House which offer significant screening as well as extra planting proposed within the development site by the developers.

Impacts on tourism

It is not considered that development on the opposite side of the River Tweed, which is substantially screened by existing woodland, would deter visitors from Abbotsford House. Concerns have been raised regarding the impact upon the Woodland Management and new path network on the Abbotsford Trust land. Throughout the Scottish Borders there are numerous woodland management schemes/woodland walks but none of this work should in any way be considered to prevent opportunities for development in the vicinity. It is not considered the Netherbarns development, as now proposed, will have any bearing at all in terms of public usage and enjoyment of the Trust land path network.

Countryside Around Towns Policy

The site is located within the Countryside Around Towns area as defined by Policy EP6 which in essence seeks to prevent coalescence between existing settlements. It is not however considered that the development of this site would have an unacceptable harm on the settlements due to the location of the site adjacent to existing developments and being within a natural setting amongst well- established perimeter planting. The policy does not prevent the consideration of the allocation of new sites within the LDP if considered necessary and appropriate.

Public Consultation

In advance of the publication of the Main Issues Report (MIR), the Council held a number of PreMIR consultation events. During the event at the Galashiels Transport Interchange, on 27 September 2017, there was discussion on the possibility of the Netherbarns site being released for housing. It was generally agreed that it is a suitable and desirable location for housing in Galashiels, this is confirmed in the meeting minutes.

Conclusions

Finding new sites for development in the Galashiels area is extremely challenging, largely due to topography, road infrastructure and flooding issues. Solely because a site has previously been refused planning consent or has been rejected for inclusion within an LDP are not reasons for again automatically opposing such amended proposals. What is important is that the amended proposals are fully scrutinised and critically, in this instance, are viewed from Abbotsford House and the land in front of it. It is insufficient just to say Abbotsford House is a sensitive building and therefore no other buildings in the wider area should be permitted. When the plans are viewed from Abbotsford, it is clear in when the House is open to the public that the proposed location of the houses will not be seen, indeed it is extremely difficult to even gauge their positions from the House given the extreme foliage.

Officers remain of the strong opinion that given the new proposals, this site is extremely well-screened from a wide range of viewpoints and is a natural extension of the Galashiels settlement boundary which has a very strong boundary tree belt. It is important to note that at the closest point the new plans confirm a distance of at least 370m between de-

velopment and Abbotsford House. This is a considerable and significant distance. Any impacts on Abbotsford House and the Designed Landscape will be extremely minimal, significantly less than any impacts existing buildings have. The submission has been made by a well-known and reputable local building firm and strong weight should be given to the fact that this is an effective site within an area where finding effective sites is extremely difficult. The builders have confirmed that works would commence within 24 months of allocation. It is considered that there are many buildings which immediately adjoin or are clearly visible from the Designed Garden. It is considered the proposed location of the houses on the Netherbarns site will have significantly less impact, if any impact at all on the Designed Landscape. It should be noted that the modern visitor centre at Abbotsford has been built within the Designed Landscape. Existing residential properties at Netherbank and the southern part of Abbotsview Drive are visible with fleeting glimpses from Abbotsford House. There is no doubt one of the reasons these houses can be viewed in the winter time is due to their light external finishes which make such properties more prominent. The Council is unaware there is any evidence at all that any existing houses which can be viewed from the House have had any adverse impacts at all to visitors to the House. Taking all matters into consideration, it is considered that views from the House to the new proposed houses will be negligible and there are no grounds to oppose the site being included within the Proposed LDP

Save Scott's Countryside's Supporting Document No.5 **PLDP Jan2021**

Press Release

Abbotsford Housing Development faces investigation

The controversial idea of development at Netherbarns - opposite Walter Scott's Abbotsford house - has been challenged by campaign group Save Scott's Countryside.

The Site at Netherbarns was approved for Housing Development by a vote in Scottish Borders Council in September - despite the site having been previously rejected three times by the Scottish Government because of its impact on Abbotsford.

But the decision is yet to be approved by Scottish Government Reporters, and the Council's Local Development Plan, which includes Netherbarns - is still out for public consultation until 25th January.

Save Scotts Countryside, founded in 2002 to oppose a new town being built between Abbotsford and the Eildon Hills - a battle they won, resulting in greater protection for the landscape designed by Scott himself - objects to inclusion of the Netherbarns Site for development and has lodged a Freedom of Information Request with the Council to try to uncover correspondence between council officers and the site's owners, Ballantynes of Kelso.

Meanwhile, Kelso Councillor Tom Weatherston, who spoke out in support of the development in the Council debate, has been reported by a member of the public to the Commissioner for Ethical Standards in Public Life for his role in the controversy.

Charles Humphries, chairman of Save Scott's Countryside, said,

"Netherbarns is clearly unsuitable for development, and the idea of a suburban housing development opposite Abbotsford has been opposed not just by many members of the public but also by a large number of respected organisations including Scottish Natural Heritage and of course the Abbotsford Trust. It seems extraordinary that having been told not to build on the site by Scottish Ministers, in the clearest possible terms and no less than three times, the Council is yet again trying to get it developed."

"We continue to oppose this damaging development, but also believe that it's important to look at the process by which the Council made this bad decision. The public will want to know that the motives behind such a controversial act are whiter than white. That's why we have asked for all correspondence between the Developer and Council Officers to be made public, and we're glad the Commissioner for Ethical Standards is also looking into this."

Save Scott's Countryside's Supporting Document No.6
PLDP Jan2021

[REDACTED]
Subject: Re: EIR 14692 - Netherbarns site, near Galashiels -
CLARIFICATION NEEDED
Date: 17 November 2020 at 13:07:05 GMT
To: Freedom of Information <FOI@scotborders.gov.uk>

[REDACTED]
Thank you.

We are aware of what is already in the public domain ie. formal proposals during the various Local Plan Preparations and Planning Applications, including Officers' Responses, Council Decisions and Public Inquiries/Examinations. What we wish to see are instances and details of any communication between Officers and the Landowner/Agent outwith the formal Proposals and Applications, whether by correspondence, telephone or face to face discussion. I think that clarifies the objects of our Request, but please let me know if anything further is required.

Yrs,

[REDACTED]
as Chairman, Save Scott's Countryside.
[REDACTED]

On 12 Nov 2020, at 2:19 pm, Freedom of Information <FOI@scotborders.gov.uk> wrote:

Further to your request for information under the Environmental Information Regulations, we have been asked if you can clarify exactly what information you require as this is potentially a significant task. We would like to avoid refusing your request under the manifestly unreasonable exception and would therefore, like to take this opportunity to explain what information is held and how it is stored.

We need clarity whether the request is for any correspondence exchanged between the Council and the Land Owner/Agent (i.e. letters, emails) or if it is everything submitted to the Council by the Land Owner/Agent through the process of previous Local Plans/planning applications (i.e. application forms, detailed submissions, supporting documents, plans) along with any correspondence in response from the Council during this time?

The site has been considered by the Council during the following lengthy processes:

- Planning application – Erection of 79 dwellinghouses (04/00706/FUL)
- Local Plan 2008
- Local Plan Amendment/Consolidated Local Plan 2010
- Local Development Plan 2016
- Proposed Local Development Plan 2020

Files relating to the above are stored either physically at our storage facility and /or at Council Headquarters in our filing system or digitally on the SBC shared drive.

We would also like to take this opportunity to advise that limited staff are in Council offices during this time.

If it would be helpful to discuss your request with the relevant officer please let us know.

Once we receive your clarification a new date will be allocated for the Council to respond to you.

Yours sincerely



* This email and any files transmitted with it are privileged, confidential and subject to copyright. Any unauthorised use or disclosure of any part of this email is prohibited. If you are not the intended recipient please inform the sender immediately; you should then delete the email and remove any copies from your system. The views or opinions expressed in this communication may not necessarily be those of Scottish Borders Council. Please be advised that Scottish Borders Council's incoming and outgoing email is subject to regular monitoring and any email may require to be disclosed by the Council under the provisions of the Freedom of Information (Scotland) Act 2002 .

[Redacted]

[Redacted]

Please ask for: [Redacted]

Our Ref: [Redacted]

Your Ref: [Redacted]

Date: 08 April 2004

Dear Sir

PROPOSED RESIDENTIAL DEVELOPMENT, LAND AT NETHERBARN, GALASHIELS

I am in receipt of your application for planning consent in respect of the above proposal. However it cannot be processed further until I receive the following items/information:

- 4 scaled block plans showing the finished floor levels for each dwellinghouse.

Please note that if I do not receive the above items within 14 days of the date of this letter, the neighbour notification process may have to be repeated or your application may be returned to you.

Please submit items to me at Council Headquarters, Newtown St Boswells, TD6 0SA.

Yours faithfully

[Redacted]
Registration Officer
Development Control

Please reply to Galashiels

Our Ref TD093/JD/AES

29th April 2004

Scottish Borders Council
Planning Department
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA

survey
plan
create

Dear Sir

PROPOSED HOUSING, NETHERBARNES, GALASHIELS

Further to your request for information regarding the proposed levels on the above site, please find attached four copies of drawing TD093/01C showing the proposed site layout with proposed ground floor levels of each of the dwellings indicated. I would be grateful if you will substitute this for the previous drawing and trust that this information will be sufficient to get the project registered.

Should you require any further information please do not hesitate to make contact.

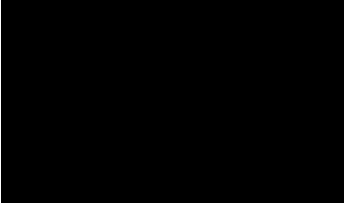
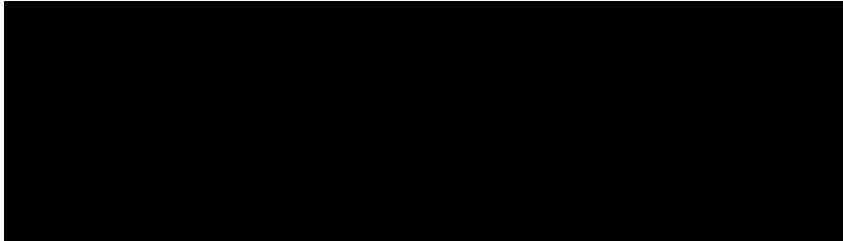
Yours faithfully



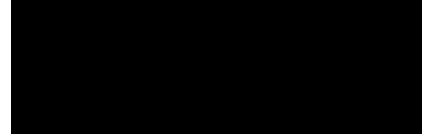
AITKEN TURNBULL

Enc





Please ask for:
Our Ref:
E-Mail:
Your Ref:
Date:



11 May 2004

Dear Sirs

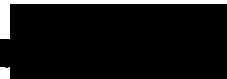
PROPOSED HOUSING DEVELOPMENT AT NETHERBARN, GALASHIELS

I refer to the above development proposal and to the telephone conversation between your Mr Burgher and Alistair Lorimer of this department.

I write to confirm that it is unlikely that this application will be presented to the Building and Development Control Committee for a determination before October 2004 at the earliest. As you are aware the site is currently outwith the settlement boundary for Galashiels and is not an allocated housing site in the adopted Etrick and Lauderdale Local Plan 1995. Whilst part of your client's site is identified as a potential allocated housing site in the Consultative Draft Local Plan, this draft is only now entering its formal consultation stage. This consultation period extends to 3rd September 2004. During this period, objections may be received that relate to this site. After this consultation period has expired, the Council would consider all representations received and consider any changes that should be made to the Consultative Draft Local Plan. Early in 2005, the Finalised Local Plan would be placed on deposit allowing further representation. If objections remain unresolved at the end of this period, then they would be heard at a Public Local Inquiry that would be held sometime towards the middle of 2005.

I trust this adequately sets out the possible time-scale for the consideration of your client's application, but should you require clarification on any of the above please do not hesitate to contact me.

Yours faithfully



Assistant Head of Development Control

Economic Development and Environmental Planning

Economic Development and Environmental Planning, Council Headquarters, Newtown St. Boswells, TD6 0SA

Tel: St. Boswells (01835) 824000 Fax: St. Boswells (01835) 825158

E-mail: ed&ep@scotborders.gov.uk Website: www.scottishborders.gov.uk



[REDACTED]

Dear Sirs, [FOI EIR 14692 re. Netherbarns Site](#)

You will be aware of controversial Proposals, currently out for Consultation, for a new housing development at Netherbarns, directly across the Tweed from Abbotsford House. Objectors will wonder what the point of consultation is, when their views, already submitted in 2019, seem to be completely ignored. We are also puzzled, to say the least, by the planning department's continued promotion of this development when Scottish Ministers have already rejected similar proposals not once, but four times, following Public Inquiries. Officers' claims that the current proposals are substantially different are simply not credible.

In trying to understand Scottish Borders Council's motives, Save Scott's Countryside recently submitted a Freedom of Information Request, asking to see correspondence between officers and the developer, Ballantynes of Kelso. While officers have continued to promote the site to this day, the information so far provided in response to this FOI request goes no further than 2006. It is hard to believe that the developer or his agents have not had contact with the planning department since then, apart from the submission of new, formal plans. Furthermore, the information provided indicates that a number of meetings took place, but gives no record of what was discussed. Where is the evidence (which we believe was provided by the developer) that Historic Scotland dropped their objection to the site?

So it appears that the FOI has not been responded to properly.

I therefore request that you could ensure that the FOI is responded to in full - both with correspondence up to date and information or notes of the meetings referred to.

Information that has been provided illustrates SBC's efforts after Ballantyne's first Planning Application, in 2004, to put in place an Interim Housing Policy, which allowed consideration of that planning application prior to the outcome of the new Local Plan. This was highly controversial and a national body, I believe it may have been the National Trust for Scotland, moved to subject the use of this new policy to Judicial Review. However, this step which was not required as Scottish Ministers "called in" the application so they could consider it themselves, which shows how sensitive this matter was and is.

In short, while much of the correspondence produced in response to our FOI request illustrates officers under pressure simply doing their best, other elements of the response, including omissions, leave us feeling more uneasy than ever about SBC's handling of the Netherbarns saga.

There have also been concerns about elected members from the Kelso ward who are regarded as more concerned for their local builder, [REDACTED] than for the national treasure that is Abbotsford. We are aware that a complaint about Councillor Weatherston has been lodged with the Standards Commission - outcome awaited.

Until quite recently Walter Scott was known as a writer, but hardly at all as a landscape designer or an architect. Not only was he highly accomplished in all these fields, he was also a pioneer: of the Novel in literature; of the Scottish Baronial in architecture; and of the Romantic in landscape design. He "created fairy scene with spade as well as pen". How remarkable it is that his home, designed by Scott himself, housing Scott's collections, and surrounded by Scott's own landscape should be so remarkably intact. It is truly a world-class heritage site, and was on Unesco's short-list (in the nineties I think).

Save Scott's Countryside was formed in In 2003 to fight SBC's plans to build a new town of over a thousand houses on Scott's former Abbotsford estate—a battle which we won and which resulted in much of Scott's former estate being listed in Scotland's Inventory of Designed Landscapes.

One of the most remarkable things about that campaign was the support we received, not only from right across the Borders, but from all corners of Britain, and from abroad too. Abbotsford is widely held in great affection and esteem, and it is wonderful to see how the Abbotsford Trustees are greatly broadening the visitor experience, and working so well with the Borders community.

All the more surprising and disappointing, therefore, that SBC is seen to be promoting a suburban development which would irreparably damage the principal vista within Abbotsford's landscape setting.

Yours sincerely,

[REDACTED]

[REDACTED]

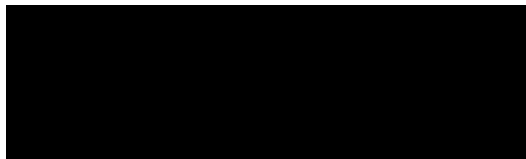
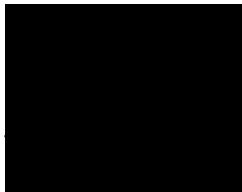
36

HISTORIC  SCOTLAND

Aitken Turnbull
Architecture

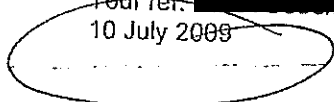
13 JUL 2009

Longmore House
Salisbury Place
Edinburgh
EH9 1SH



Our ref: [redacted]
Your ref: [redacted]
10 July 2009

Dear [redacted]



4-30-12

**PROPOSED INCLUSION OF SITE AT NETHERBARNES, GALASHIELS IN
SCOTTISH BORDERS LOCAL PLAN AMENDMENT**

I refer to your letter and enclosures of 17 February and to subsequent meetings both with [redacted] and myself regarding this site.

Background

We previously objected to a planning application at this site and to the proposal to allocate the site for housing in the Local Plan.

In relation to the planning application for 83 houses, we considered that it would neither conserve nor enhance the Abbotsford designed landscape which is acknowledged to be of international importance and furthermore that it would adversely affect the setting of the category A listed Abbotsford House.

In relation to the Local Plan, we pointed out that the Abbotsford garden and designed landscape entry in the Inventory of Gardens and Designed Landscapes indicates that the north-west view across the Tweed from Abbotsford House constitutes the 'principal vista' of the entire Abbotsford Garden and Designed Landscape. This 'vista' is centred on the thin strip of deciduous trees which lines the Tweed. The Netherbarns site at present is an open field and is of particular sensitivity as it lies behind these trees opposite Abbotsford House. Whilst it could be argued that there is substantial mitigation by way of mature trees which follow the riverbank, this is not the case in winter, as they are deciduous. We considered that to place 70 houses, per the allocation in the Finalised Local Plan, within this open field would severely compromise the immediate setting of the designed landscape.

We acknowledged that there has been previous modern development to the E and the N of this site; however this should not be viewed as setting a precedent for further development.



It was also Historic Scotland's view that development in the area allocated in the Local Plan for housing, was bound to have a detrimental effect on the setting of the Category A listed Abbotsford House. The main public rooms of this highly landscape orientated set piece are all designed to take full advantage of the view out to the stepped grass banks, grazed meadow and haugh directly across the River Tweed to where the Netherbarns site is located. The present modern developments are very obvious in the winter months. It should also be taken into consideration that the principal view looking into the designed landscape specifically focussed on Abbotsford House from Gala Hill and the Southern Upland Way would be severely compromised by any development.

Historic Scotland's *Memorandum of Guidance on Listed Buildings and Conservation Areas* states that Development *outwith the curtilage* of a listed building should also be regarded as affecting the setting where this will be seen in any principal view either of or from the listed building, or affect in any way the main approaches to it. It should be noted that it is not sufficient that the listed building and the new development will not be intervisible.

Response to current request to consider allocation

Our position remains as above in relation to the need to ensure that the setting of both Abbotsford House and its garden and designed landscape are safeguarded. However, that does not preclude appropriate development on the Netherbarns site. It is our view that it may be possible to accommodate appropriate development on the site. However, there are significant constraints on any development and whilst the work that you have done goes some way to alleviating some of our concerns, we are not in a position to confirm that the 70 units you propose is a density that we can support.

Your supporting documentation discusses the topography and landscape character of the site and the area and indicates that the typical Galashiels landscape is of houses amongst trees. It is clear that some development in this area conform to that character, yet the housing at Netherbank to the north west appears as a dense suburban development with no structural landscaping to soften its appearance on the hillside. This is particularly true in the winter months.

I would be concerned that the challenging topography on this site could also result in a similar appearance during winter months with engineering necessary to achieve the number proposed. I acknowledge that the additional planting will consolidate the screening in place at present. However the level of detail required to fully assess the site capacity would include detailed plans to show the access roads, parking and scale of buildings. This would be supplemented by detailed views analysis, including views at different times of year.

For all these reasons I do not consider that the site would be suitable for a school development as it would appear as a single large mass on the site with all the associated requirements of a school resulting in significant ground level changes and engineering works.



HISTORIC  SCOTLAND**In Summary**

Historic Scotland accepts that there is the potential to develop the Netherbarns site for housing. However, the density of development will be dependent on reinforcing the landscape features of the site, considering views into and from the site in relation to Abbotsford house and designed landscape, site topography, scale of buildings and materials used. We would suggest that a density range might be an appropriate solution in terms of an allocation with an upper limit that would constitute a maximum rather than an absolute and that either detailed guidance or design principles sit behind this.

I hope the above is of some use to you at this stage. If you have any further queries please contact me.

Yours sincerely



Head of Development Assessment

