

**SCOTTISH BORDERS COUNCIL**

**PLANNING AND BUILDING STANDARDS COMMITTEE**

**24 APRIL 2017**

**APPLICATION FOR PLANNING PERMISSION**

<b>ITEM:</b>	<b>REFERENCE NUMBER:</b> 17/00163/FUL
<b>OFFICER:</b>	Mr E Calvert
<b>WARD:</b>	Jedburgh and District
<b>PROPOSAL:</b>	Formation of access
<b>SITE:</b>	Land West Of Glendouglas Lodge, Jedburgh
<b>APPLICANT:</b>	Mr Jack Trinity
<b>AGENT:</b>	Smith And Garratt Rural Asset Management

**SITE DESCRIPTION:**

Glendouglas is 3.5km south of Jedburgh on the A68 Trunk Road. A country house is sited down by the Jed Water with the Gate Lodge and drive approach from the A68, higher in the hill. The proposed access would be located opposite (but slightly staggered) to this existing access, in a natural valley adjacent to "Deep Cleuch". Although there are natural undulations in the road, there is clear visibility both north and south on the A68. The access will require removal of a section of crash barrier.

**PROPOSED DEVELOPMENT:**

New vehicular accesses to the Trunk Road Network, managed by Transport Scotland, are subject of planning permission. This new vehicular access is required for timber extraction from School Wood. The existing access, some distance to the south and still identifiable by a 5 bar steel gate in the roadside, adjacent to the access to Glendouglas Hall, is said not to be sufficient for safe access or egress to the Trunk Road, owing to the position close to a bend in the A68 marked by double white lines.

This proposal is for 15m radius bell mouth with 25m clear visibility, giving 215m visibility up and down the Trunk Road. Clear visibility would be created south by vegetation clearance. The A68 turns subtly east as it crosses Deep Cleuch, therefore this point of access is intended to capitalise on this natural field of view, with minimum need to remove roadside vegetation to the northern splay.

**PLANNING HISTORY:**

This application was preceded by a Prior Notification, however the agent was alerted to the fact that new accesses to the Trunk Road Network may only be considered by Full Planning Permission.

**CONSULTATION RESPONSES:**

**Community Council:** Two responses were received, the latter which formalises objection. Issues cited: The existing access is good and safe; No need for the proposed access; ownership of burn; no drawings of ditch to avoid flooding; mud and debris on road; new crash barriers must be erected to the southern side of the bell mouth to prevent accidental vehicular access down into the Deep Cleuch.

**Roads Planning:** No comment. The access on to the Trunk Road would be the responsibility of Transport Scotland.

**Transport Scotland:** No objections provided conditions are placed to secure visibility splays, gradients and turning circle in-curtilage.

## **REPRESENTATION SUMMARY**

Four objections have been lodged.

Objections cite the following:

- Detrimental to Residential Amenity
- Inadequate access - opposite an existing access
- Inadequate Boundary/Fencing
- Inadequate drainage
- Land affected - erosion
- Road safety
- Debris and mud will contaminate the A68 - wheel washing.
- Closing off the existing access.
- Environmental constraints on site - pond
- The visibility splay cannot be implemented on private land.
- Notification procedure not followed.

## **DEVELOPMENT PLAN POLICIES:**

### **Local Development Plan 2016:**

Local Development Plan 2016  
PMD2 Quality Standards  
HD3 Protection of residential amenity  
EP5 Special Landscape Areas  
EP10 Gardens and designed landscapes  
EP12 Trees woodlands and hedgerows  
IS7 Parking provision and standards

## **KEY PLANNING ISSUES:**

The material consideration is road safety and design standards, IS7. These proposals must also have regard to landscape considerations. This site is within a designed landscape of Langlee House, EP10, which is also a Special Landscape Area, Teviot Valleys, EP5. The scene is characterised by wooded valley and is noted as a tourist gateway to the Borders.

A further consideration is Policy HD3, Protection of Residential Amenity, which requires that no significant adverse impact is had in terms of overlooking of loss of privacy, noise, overshadowing or loss of light.

## **ASSESSMENT OF APPLICATION**

It is considered that the proposal will not adversely affect the Special Landscape Area or designed landscape. The road improvements are small in scale and will have negligible impact on the character and appearance of the wider area. The forestry operations, which do not themselves require planning permission, provide justification for the need for a safe access of the public trunk road into the site. It is

accepted that the location of the existing access into the wood from the trunk road is inadequate, particularly

PMD2 would be satisfied in that the proposals would be properly considered and would be compatible with the character of the surrounding area, particularly given the forestry justification. The first 5m of access is proposed to be surfaced in a bound material which will ensure road standards. A drain would ensure adequate surface water drainage. A gate, set 10m back from the roadside, would ensure that vehicular access to the woodland is managed without compromising road safety.

A permeable surface is proposed for the proceeding 20m in to the site and Transport Scotland have confirmed that a further plan must be submitted which demonstrates a turning area in-curtilage. Vehicles, particularly haulage vehicles, must be able to leave the site in a forward gear. The requirement for a planning condition is necessary and reasonable, in order to ensure road safety, IS7.

Transport Scotland also require planning conditions to ensure that the visibility splays are implemented and maintained and to ensure that the gradient of the access track does not exceed 1:40, once constructed. This condition will also ensure that drainage does not discharge onto the carriageway.

The application is advised that works to the Trunk Road, specifically changes to the crash barriers, will need Road Construction Consent from Transport Scotland and an informative would note this requirement.

No adverse amenity to neighbours is predicted as a consequence of this permission, HD3. There are no overlooking or loss of privacy, noise, overshadowing or loss of light issues.

#### *Other matters*

Comments were received regarding notification procedure of this application; however, statutory procedures were followed and advertisements were placed in The Southern Reporter and online providing the required publicity for the proposals.

Transport Scotland are satisfied that the access will comply with design standards and there is no material planning reason to condition these matters. They can be adequately controlled by traffic safety regulations. This is a rural site and occasional access is requested for timber extraction. It would not be proportionate or appropriate to duplicate road safety regulations by planning condition.

The erection of safety barriers are the responsibility of the Roads Authority, Transport Scotland, who may do so without recourse to the planning system. If further barriers are considered necessary, that would accordingly be a matter for Transport Scotland.

The environmental impacts arising from this development would be negligible, if implemented in accordance with Best Practice guidance on tracks and drainage. The site and associated land has no statutory designation or sensitivity which would prohibit approval being issued. Any future timber extraction would be licenced by Forestry Commission Scotland, who would also be required to give further environmental consideration to any proposals.

Visibility splays, implemented in accordance with Transport Scotland, will give adequate visibility, both north and southbound. Visibility north is sufficient owing to a change in direction of the A68 at Deep Cleuch.

The proposals are in accordance with development plan policies, specifically those which are there to ensure traffic safety and standards and Transport Scotland have confirmed that development can be accommodated provided three conditions are satisfied. These recommendations are incorporated below.

## **CONCLUSION**

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

## **RECOMMENDATION BY CHIEF PLANNING OFFICER:**

I recommend that the application is approved subject to the following conditions;

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans and specifications approved by the Planning Authority.

Reason: To ensure that the development is carried out in accordance with the approved details.

2. Visibility splays shown on the plans hereby approved shall be provided on each side of the new access prior to any vehicular use of the junction. These splays are the triangles of ground bounded on 2 sides by the first 4.5 metres of the centreline of the access driveway (the set back dimension) and the nearside trunk road carriageway measured 215 metres (the y dimension) in both directions from the intersection of the access with the trunk road. In a vertical plane, nothing shall obscure visibility measured from a driver's eye height of between 1.05 metres and 2.00 metres positioned at the set back dimension to an object height of between 0.26 metres and 1.05 metres anywhere along the y dimension.

Thereafter, visibility splays shall be maintained on each side of the new access to this specification in perpetuity, and at the expressed request of Transport Scotland, the Roads Authority.

Reason: To ensure that drivers of vehicles leaving the site are enabled to see and be seen by vehicles on the trunk road carriageway and join the traffic stream safely.

3. The gradient of the access road shall not exceed 1 in 40 metres for a distance of 10 metres from the nearside edge of the trunk road carriageway, and the first 5 metres shall be surfaced in a bituminous surface and measures shall be adopted to ensure that all drainage from the site does not discharge onto the trunk road.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished

4. No development may commence until plans (which detail design of a suitable turning area provided within the curtilage of the site) have been submitted and approved in writing by the Planning Authority, after consulting Transport Scotland. Thereafter, no development shall take place except in strict accordance with the drawings so approved and the turning area shall be provided before any forestry extraction takes place from the site.

Reason: To ensure that vehicles may enter and leave the site in a forward gear.

## **INFORMATION FOR THE APPLICANT**

Transport Scotland Advise:

Granting of planning consent does not carry with it the right to carry out works within the trunk round boundary and that permission must be granted by Transport Scotland Trunk Road and Bus Operations. Where any works are required on the trunk road, contact details are provided on Transport Scotland's response to the planning authority which is available on the Council's planning portal.

Trunk road modification works shall, in all respects, comply with the Design Manual for Roads and Bridges and the Specification for Highway Works published by HMSO. The developer shall issue a certificate to that effect, signed by the design organisation. Trunk road modifications shall, in all respects, be designed and constructed to arrangements that comply with the Disability Discrimination Act: Good Practice Guide for Roads published by Transport Scotland. The developer shall provide written confirmation of this, signed by the design organisation.

The road works which are required due to the above Conditions will require a Road Safety Audit as specified by the Design Manual for Roads and Bridges. Any trunk road works will necessitate a Minute of Agreement with the Trunk Roads Authority prior to commencement.

#### DRAWING NUMBERS

Location Plan OI1082940 24.01.2017  
Planning Layout TRI001-001 07.02.2017  
Block Plans JUNCTION 07.02.2017

#### **Approved by**

Name	Designation	Signature
Ian Aikman	Chief Planning Officer	

The original version of this report has been signed by the Chief Planning Officer and the signed copy has been retained by the Council.

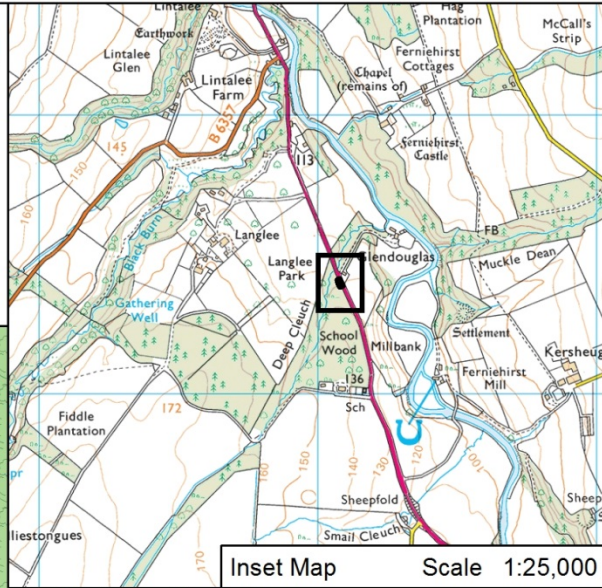
#### **Author(s)**

Name	Designation
Euan Calvert	Assistant Planning Officer



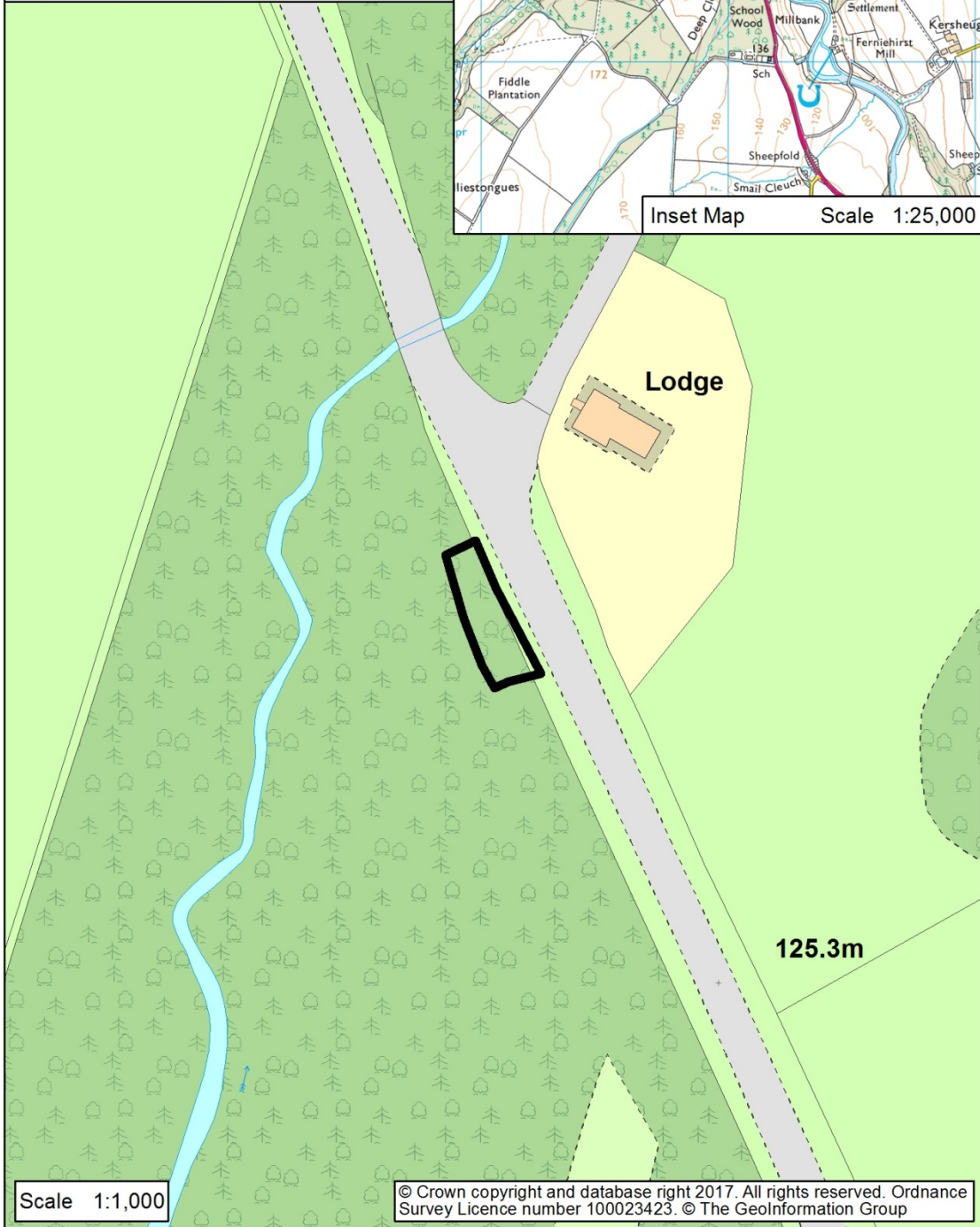
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Land West of  
Glendouglas Lodge  
Jedburgh



Inset Map

Scale 1:25,000



Scale 1:1,000

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