

RECEIVED
21 APR 2017

8 Kirkburn Cottages,
Peebles,
EH45 9HU
20/04/17

Planning & Technical services Dept.,
Scottish Borders Council

RE : application number 17/00384/FUL

Dear Sir ,

I write to convey my opposition to the above application, which I feel will lead to unnecessary and unwanted changes, to the residential group in which I live.

The application is put forward by someone who has previously been given permission for a tourist attraction in this field. The permission when given, stated that this part of the field would have a buffer area , and be screened by sympathetic planting and so less of an impact on the residencies of Kirkburn.

It seems strange that, it is now deemed necessary for a FOURTH opening into this field at a point that previously the planning department deemed needed a buffer zone . He has yet to complete ANY of the upgrading at the entrance he created from the B7062 or complete any of the tourist attraction amenities that he has previously been granted permission for.

He has used the psychological name change of the field from Laverlaw to Kirkburn to give credence to his plans, that in some way, his field is part of the Kirkburn group - it is not and NEVER has been.

The applicant has put in application after application , and I am aware each must be treated by the planning department as a new application, BUT it seems clear the ongoing changes asked for are nothing more than a trojan horse style ruse to aim for residential rather than tourism as his end goal. He has previously requested a plan for upgrading our access - to meet planning requirements for the three houses he wanted to build in that application 02/0203/out – in this field . You can understand my scepticism at his latest plans.

I have no desire for an upgrade of my road or entrance, nor should the applicant be seen as a kind benefactor on my behalf. I am content with things as they are - good security -any non residential vehicles are easily detected by residents, little light pollution or noise from our residents vehicles, this would clearly increase with through traffic should the application be approved .

Yours faithfully,



Mrs Jean Wilson

From 3,4,7,8 KIRKBURN COTTAGES

And the WILLIAM CREE Memorial Church

Peebles EH45 9HU

Date; 21 April 2017

To S.B.C Planning Dept

(MR Craig Miller)

Dear Mr MILLER

Application number 17\00384\FUL

We consider this application affects the entire building group but note the absence of notification to some dwellings.

Now as before we object to and are concerned by the implications of this type of proposal.

Our concerns centre on the new access component and the tendency for creeping development as evidenced by the conveyer belt of applications this still as yet undeveloped field attracts .

This agricultural field known as NO 0328 has three current access options

1 via the gate on the Laverlaw road

2 via the gate at the rear of the graveyard to the adjacent field

3 via the junction on to the B7062

Access option 3 above being the considered route upon which all recent planning consents are based.

There is no history of field access from the D72\1 Kirkburn road and we see no need for one now it can be adequately serviced via its current three access points.

Existing consented applications required business plans we do not believe those plans considered the necessity of a fourth access as being of fundamental financial need pertaining to their success.

This access component should not be relevant or essential to the success or need of the consented applications.

We feel this application seeks to blur the currently clear boundary between the Kirkburn Building group and the consented holiday lodges.

The proposed 6 meter access gate if we are noting drawings correctly seems to abut to the asymmetrical turning area which appeared in revised drawings for application 15\00965\ful and was commented upon during the handling of that application.

Enabling the creation of this access would have the potential to bring confusion for holidaymakers and service delivery traffic who could expect to gain access to the holiday lodges.

We feel the acceptance of this access proposal will impact on our residential amenity.



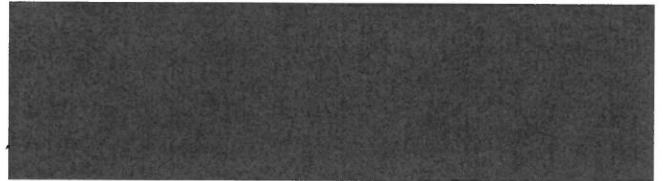
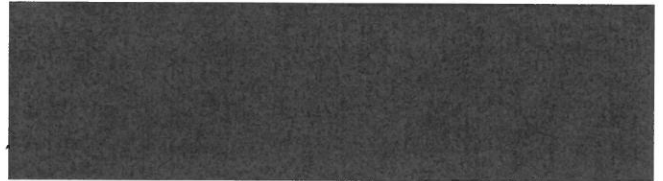
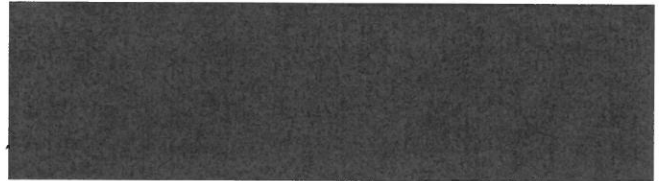
Turning now to the bellmouth and road drawings submitted. We note an uncanny resemblance to those of application 98\01045\out.

The director of technical services at that time stated that the works highlighted on the submitted plans are not to his standard and are therefore not acceptable. It should be noted that, even if the access improvements had been acceptable, the works would have the disbenefit of removing a large number of trees along the roadside and involved a major engineering operation to re-model the access all of which would have a significant impact on the appearance and character of the group and the countryside in this area.

The existing access road has by contrast low visual impact which is in keeping with this rural area and the approach to both the listed building and the scheduled monument.

To conclude now as in the past we hereby ask you to note all residents of Kirkburn remain satisfied with the existing alignment of the road listed as D72\1 From its B7062 junction to the Kirkburn Churchyard.

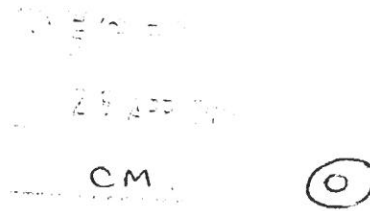
Thank you.

We are	E BARBER	3 KIRKBURN	
	S & C MITCHELL	4 KIRKBURN	
	A JOHNSTON\C GOODSIR	WILLIAM CREE M.C.	
	K & I JACKSON	7 KIRKBURN	
	J WILSON	8 KIRKBURN	

25 April 2017

7 Kirkburn Cottages

Peebles EH45 9HU



To Scottish Borders Council Planning Department
Newtown St Boswells TD6 OSA

Subject: Planning application 17-00384 FUL

Proposed alterations to bellmouth and formation of new access.

Dear Mr Miller

We object to this proposal as it seeks to further manipulate the landscape screening buffer zone that that the council deemed necessary to separate the tourist accommodation from the existing residential properties.

The creation of a direct access from the field to the Kirkburn road promotes a substantial access into the buffer zone for uses unspecified. Access creation will require substantial earth movement given the indicative visibility splay on the submitted drawing.

Drainage run off from the relatively elevated field access to the Kirkburn road and properties is of concern.

There is no history of an access to this field from the Kirkburn road and no evidence that one is needed to service this field which already has three access points to service tourist and agricultural needs of the smallholding.

We note the proximity of this proposed access to the terminal node of the consented lodge road. A node designated as a turning point in earlier planning applications.

Promotion of this access will lead to usage of this access it would be disingenuous to avoid this conceptual conclusion. Usage would impact on the residential amenity of the domestic properties that your collective departments have sought to safeguard.

A potential consequence unintended or otherwise is that of service traffic or lodge holidaymakers attempting to access the field perceiving this as a link access.

The lodges, Hub house et-al consented for the field are for Tourist usage.

Information issued in planning summaries included the following sentence. [A permanent residential site in this location would conflict with the established planning policy for this rural area.]

We have concern that this application seeks to blur the established strongly defined boundary between the Kirkburn building group and its sense of place by creating an access through the accepted boundary the Kirkburn road.

Your department has been busy dealing with many applications in this as yet undeveloped field. We have concern that this access application if successful could lead to planning challenges regarding change of designation . We trust you will consider this point .

How would this proposal impact on the previously proposed septic tank sight and the way it would be accessed for servicing.

With regard to the rest of the application we do not feel that the current road alignment into the building group constrains us in any way.

Previous applications most notably that submitted in 1998 which used similar route and design proposals to that before you were considered both not to standard and detrimental in terms of landscape impact on the appearance and character of the building group.

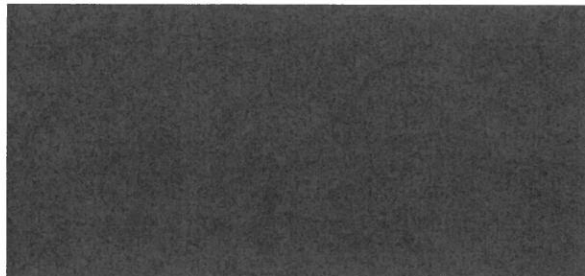
The proposal could require safety fencing on the north- west face of the suggested realignment. Furthermore ,if the existing tree cover north of the B7062 is removed in future years for any reason the new road access would be visible from the A72 across the valley.

Transport & Environmental Standards in response to a letter from myself in 2002 considered it was unlikely the council would give any priority to upgrading the Kirkburn junction , and that without major earthwork and significant land take there was little that could be done to achieve any consequential improvement to the junction.

Council has full responsibility for this road as it had in 1998. If Scottish Borders Council had considered improvements to this road were necessary, the works could have been included in their maintenance or improvement program and met from the Councils budget.

So to conclude we are not inconvenienced by the current route of the Kirkburn road, council has never considered it necessary to include it in its improvement program and the submitted business plans of the Cleek plc, s in there various guises are not dependent on this planning application.

Yours sincerely , Kim and Ian Jackson



Mr E Barbour
Kirkburn
Peebles
EH45 9HU
25th April 2017

Mr Craig Miller
Planning Department
Scottish Borders Council

Planning application 17/00384/FUL

Dear Mr Miller,

I wish to object to this application on the following grounds.

The proposed development is a re-submission of a previous application that was rejected even before the area in question was designated as an 'Area of Great Landscape Value' (AGLV) RV59.

For such an AGLV:

- Scottish Planning Policy (2010) requires that *'local authorities should aim to promote landscape by ensuring that there is careful consideration of development and the impacts that may result on the landscape'*
- Policy EP1 National Scenic Areas Scottish Borders Consolidated Local Plan 2011 states that *'development will only be permitted where the objectives and overall designation of the landscape will not be compromised or any significant adverse effect is outweighed by social or economic benefits of national importance'*

and

- Policy EP2 Areas of Great Landscape Value Consolidated Local Plan 2011 requires that *'in assessing development in AGLVs the Council will seek to safeguard the landscape and will have particular regard to the impact of the proposed proposal. Proposals that have a significant adverse impact will only be permitted where the impact is clearly outweighed by social or economic benefits at a national or local scale'*.

The proposed development represents a major disruption to a community where there is a perfectly adequate existing access road in keeping with local development, and will have a major impact on our local environment, including removal of mature trees etc..

I therefore believe that this proposal should be rejected on the grounds that it is unnecessary (the field in question already has an adequate access), excessive, and will have a major detrimental impact on our local community in an existing AGLV, with no 'social or economic benefit'.

Yours sincerely,

Mr E Barbour

Rec'd 2/14

4 Kirkburn Cottages
Cardrona
PEEBLES EH45 9HU

18 November 2014

Mr Criag Miller
Scottish Borders Council
Newtown St Boswells
MELROSE TD6 0SA

Dear Mr Frater

Application 17/00384/FUL – Alterations to existing bell-mouth and formation of new access at Kirkburn

We would like to advise you that it has come to our attention via a neighbour that our access road is the subject of a planning application. We have to inform you that we are extremely annoyed and disturbed that we have been excluded from the neighbour notifications for the above planning application. As this access road concerns all parties, it should have been issued to all neighbours affected, and not just those nearest to Kirkburn Field. Any letters you receive on the subject will only be half of the story, which should make any decisions taken without our consent, null and void.

With regard to the application to change our access road; this was already mooted several years ago and refused. We hope that this will again be the case. There is nothing wrong with the access road to Kirkburn Cottages. All the residents, and their family and friends, have driven up and down it for decades with no problems or accidents. The local Police can be contacted to confirm that there have been no accidents reported on our road. (We would be highly suspicious if one occurred now, while this application is being considered.) Delivery vehicles negotiate it without difficulty. Any good driver should be able to drive it. We are more than satisfied with our access road.

There are many smaller rural roads that are much more difficult to negotiate than this, and they are not in danger of being changed to suit a property developer's whim. The developer in question already has a council approved access road to his property, therefore, why does he need another one?

It should also be noted that our access road is not owned by the developer, therefore, how can he submit a planning application for a piece of land that is not in his remit to make decisions upon? Is this application entirely lawful?

We urge you to refuse this application.

Yours sincerely


Stuart and Cath Mitchell

22 april 2017

25 APR 2017

From the residents of KIRKBURN

Peebles EH45 9HU

To: Siobhan McDermott
Landscape Architect Scottish Borders Council

cm
(0)

Subject Planning Application Number - 17 00384 FUL

Alterations to existing bellmouth and formation of new access.

Dear Siobhan ,

You will be well aware of this locality judging by the number of times you have been previously asked to comment on planning applications in this field.

We thank you for your efforts to date to try and find an equitable solution between competing needs.

We are keen to ensure buffer screening between our small residential building group and the proposed holiday lodge complex within the field is not further impacted upon by this proposal.

We seek to maintain our building groups sense of place as a distinct entity.

We feel this proposal impacts in several ways

Firstly the new access being sought creates a route of potential consequence through the buffer zone blurring the separation between residential and tourist zones council has considered of need.

The creation of an access will impact on our privacy and amenity .There is no history of an access from the Kirkburn road to this field.

There is no substantiated need for this new access the field is accessible for tourist\agricultural need via three existing access points.

Secondly the current route of the Kirkburn road has low visual impact . We feel this is in keeping with the rural area and the approach to the scheduled monument and listed building.

Creation of the new bellmouth and road would require significant engineering works which would have an adverse effect on the countryside amenity in this area.

The removal of mature trees will open up views of the proposed holiday lodges and the building group from the B7062

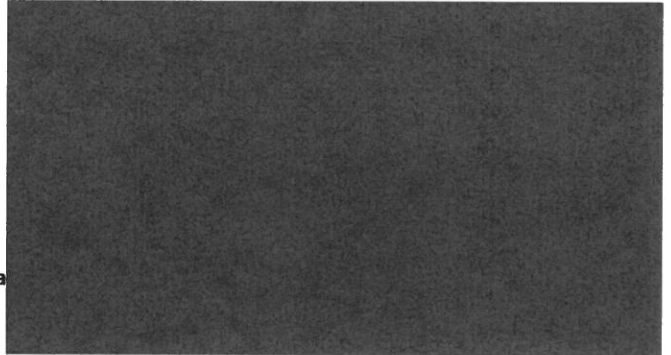
Since this sequence of applications began we have seen the initially proposed landscape buffer zone twisted and diminish in shape and depth as, application follows application.

It has not escaped our thought that the amount of money this applicant has spent on planning applications could have established and already paid for landscaping of an approved nature several times over. As it stands we are faced with the proposition of substantial new earthworks and land - take , plus the removal of established mature healthy tree cover.

Thank you for taking time to consider our concerns.

We are

E Barber	3 Kirkburn Cottages
S & C Mitchell	4 Kirkburn Cottages
I & K Jackson	7 Kirkburn Cottages
J Wilson	8 Kirkburn Cottages
A Johnston & C Goodsir	William Cree memoria



Dr A M Johnston
Kirkburn Church
Peebles
EH459HU
27/5/17

Mr Craig Miller
Scottish Borders Council

Planning application 17/00384/FUL 'Alteration to existing bellmouth and formation of new access land north west of Kirkburn Parish Church'

In addition to the objections already cited in our community letter, I wish to add that should this development proceed, despite the lack of any apparent justification for its need, it would, as stated in your consideration of previous planning application 15/009/65, be contrary to Policies BE1 and BE2 of the Scottish Borders Consolidated Local Plan in that it will have an adverse impact on the setting of the Category B Listed Building, the William Cree Memorial Church and the archaeological sites of Our Lady's Church and gaveyard adjoining the application site.

Yours sincerely,

A black rectangular redaction box covering the signature of Dr A M Johnston.

A M Johnston