

East Kirknewton Farm Steading  
Kirknewton  
Northumberland  
NE71 6XE



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Planning and Regulatory Services  
Scottish Borders Council Headquarters  
Newtown St. Boswells  
Melrose  
TD6 0SA

10th September 2017

Dear Sirs

**Support for Planning appeal - 17/00380/FUL - Jordanlaw Granary.**

The reason for refusal is based on the assumption that there will be an increase in traffic at the junction. This assumption is clearly flawed. Jordanlaw farm and the Granary have planning permission for residential use with no limits on traffic generation from the property. Given the nature of letting holiday accommodation it is clear that to match the current (undefined) traffic level would require the Granary to be 100% occupied. In my experience (we own a holiday let) this is highly unlikely. Therefore it is almost certain that this proposal will generate LESS traffic and definitely NOT increase traffic. The acceptance of this irrefutable logic renders any discussion or argument about the road junction totally irrelevant. Simply put; NO increase in traffic = NO reason for refusal.

It is a homeowners legitimate right to let, in part or whole, long term or short term, their property. As far as I am aware there is no definition in planning for the terms "bed and breakfast" or "short term holiday let". I would contend that it was not necessary for the applicant to require the amendment of Condition 3 to enable them to use the property as holiday accommodation.

I would also observe that the applicant appears to have been poorly advised by the planning department particularly in respect of the pre-application advice from the Roads Officers (who have given conflicting advice). In addition the planning officer advised that the applicant would need an application to vary Condition 3. Had he not relied on this advice and sought an independent planning opinion, he may well have concluded that he did not need to make the application at all, and further may have challenged the inclusion of Condition 3, which appears to have been imposed without real justification.

Yours faithfully

Stephen Marriott  
Registered Architect

Chief Executive

33, ALLANDALE COURT  
RECTORY RD  
BURNHAM-ON-SEA  
Somerset TA8 2B

6<sup>th</sup> September 2017.

12 SEP 2017

Danish Review

Dear Madam,

RE: YOUR REF. PLANNING 17/00380/FUL.  
APPEAL 17/00035/RREF.

JORDONLAW GRANARY - WESTRUTHER TD3-6NF

Thank-you for your letter of the 29<sup>th</sup> August concerning the appeal in respect of the above property.

I fully support the Appeal for the following reasons -

1 JORDONLAW GRANARY is a small 1 BEDROOM (2 BEDS) unit developed from a disused farm building as encouraged by the Scottish Borders Council (TCORM).  
Several couples, members of the family and family guests, have stayed at the property over the past year. IN EACH CASE THIS has utilised ONE CAR ONLY.  
Existing planning consent (REF 10/00106/FUL) does not restrict the number of vehicle movements, but, as only TWO MATURE GUESTS would stay at any one time ONLY ONE CAR would be involved.

Consequently, no potential for increased vehicle movements exists and the decision to refuse the VARIATION OF CONDITIONS is flawed on both traffic demand (REF ABOVE) and residential terms.

2 ROAD JUNCTION - JORDONLAW LANE, B6456.

In respect of the road junction - if the Scottish Borders Council consider this to be an existing risk to road users why have they not erected a warning sign to the west indicating a concealed entrance or roundabout? 'GULL STREET VIEW' contains no signage in the vicinity of the junction which seems to suggest that SCOTTISH BORDERS COUNCIL does not consider the access to JORDONLAW to be sufficiently flawed to warn road users of its position!

Thank-you for the opportunity to support the Appeal.

I trust that your LOCAL REVIEW BODY will grant this - always bearing in mind that "ONE LETTING = 2 PEOPLE = IN ONE CAR

Yours faithfully

(APPLICANTS FATHER)

91 HILL

Jordonlaw Cottage  
Westruther  
Gordon  
TD3 6NF

11.09.2017

Clerk to the Local Review Body  
Council Headquarters  
Newtown St Boswells  
TD6 0SA.

Dear Sir/Madam,

Ref: 17/00035/RREF

With reference to the above and your letter of 29<sup>th</sup> August, I would like to make the following additional comments.

I have been a serving Police officer for nearly 29 years, 23 of which have been spent within the Road Policing branch. I have been a qualified Collision Investigator since 1997 and regularly compile reports into fatal and serious injury road collisions for court purposes. I have given evidence at the High Court, the Court of Session and most recently at the Jim Clark Rally Fatal Accident Enquiry as I carried out the collision investigation part of the enquiry into the deaths of three spectators.

I give you my qualifications and experience only in the hope that you will take me at my word when I state (and previously stated in my initial objection to this application) that a serious injury collision occurred at the entrance to Jordonlaw in June 2010. I was present immediately following the collision as was my wife. As well as involving our neighbour, Glen Wilson (and his passenger who was not from this area), it also involved a friend of ours from the village of Westruther. As such, I can categorically state that it happened at the junction and not some 300 metres away. Also, I spoke with Glen Wilson on 5<sup>th</sup> September and he can clearly recall it happening at the junction and not 300 metres away as is described by the appellant.

In relation to the point made by the appellant regarding vehicles passing at the junction entrance (and his photograph) I would comment that in practice, vehicles using the junction do not negotiate it in this manner. A vehicle emerging from Jordonlaw intending to turn right does so by driving to the middle of the junction (if not slightly to the right) and not the extreme left as indicated in the photograph. This

also fails to take into account the road is used by large agricultural vehicles which afford no opportunity to pass in the manner indicated. I would therefore reaffirm that in the past I have attempted to turn into Jordonlaw from the west, only to be met with vehicles at the road end about to exit. This has resulted in me being left stationary on the B6456 road in close proximity to the bend with vehicles negotiating the bend being met with my vehicle stationary in the road.

Although not as pertinent to this appeal, I reaffirm the other comments made in my original objection.

I am concerned that if approved, users of the property will park on the access road just as previous guests of the applicants have. This is land that is not in the ownership of the applicant and should not be open to be used for business purposes. Although there a reasonable distance between the property and the shed to the north, large vehicles, including tractors and trailers negotiating the corner still have difficulty doing so and regularly end up driving over the grass verge on the east side of the access road, despite no vehicles being parked in the locality. In June of this year a tractor towing a cattle trailer (approximately 12 - 13 metres in length) had extreme difficulty negotiating the turns around Jordonlaw Granary (with no vehicles parked in the area), resulting in it using the verge and coming into contact with the drain gully box at the side of the appellants shed, blowing both offside tyres on the trailer in the process. I attach photographs below for your information.







The path taken by the tractor and trailer is clearly visible and shows the lack of available space for such vehicles to negotiate the area safely.

I had also previously commented on the lack of amenity space with the property. The only land adjacent to the property is the small area to the east side that borders the access road, part of which would appear to be the one nominated parking space.

Any parties letting the property would therefore be virtually confined to the building itself, with no real outside amenity space. I feel that persons occupying the property, particularly children may 'overspill' this small area onto the access road, causing a further road safety issue, particularly with large combination agricultural vehicles as described and shown above using the road.

Lastly, I would say that if the appeal is granted then this would afford the opportunity for other residents at Jordonlaw to apply for other business uses at the property, further increasing traffic using the road and the junction.

These comments are respectfully submitted for your attention and consideration.

Yours faithfully.

*Neil Wilson*

**From** [REDACTED]  
**Sent:**25 Sep 2017 14:26:44 +0100  
**To:**localreview  
**Subject:**Re: Jordonlaw Granary - Planning application 17/00380/FUL  
**Importance:**High

Fiona,

I write in answer to your letter below and wish to provide the following response to the representations provided to you as part of this appeal process.

We welcome all and every comment on our appeal document (dated 26/8/17) as presented to the SBC Local Review Body as part of our appeal. We particularly note that from each respondent that there is no dispute of our main grounds for appeal, namely that the potential for vehicle movements will NOT be increased as a result of the proposed letting of Jordonlaw Granary.

As the only stated reason for refusal was that letting would lead to a potential increase in movements then these responses support our conclusion that the planning refusal was flawed and hence the appeal should be granted.

In noting some specific comments raised by the respondents it seems clear that the Local Review Body also needs to :-

- 1) Provide a unequivocal interpretation of Condition 3 of 17/00380/FUL with respect to residential letting and further if this condition is at odds with SBC's policy of new housing in the countryside.
- 2) Require SBC Roads to provide viable options to mitigate road safety concerns about the Jordonlaw Road access.

Yours sincerely,

Susan & Chris Edge

On 15/09/2017 12:45, localreview wrote:

Dear Mr Edge

**PLANNING APPLICATION**

**Jordonlaw Granary Jordonlaw Road  
Westruther Gordon Scottish Borders TD3 6NF**

**PROPOSED DEVELOPMENT:**                      **Variation of Condition No 3 of planning consent 10/00156/FUL to allow short term letting**

**APPLICANT:**                                      **Susan and Chris Edge**

**APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY  
PLANNING (SCOTLAND) ACT 1997**

**TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND  
LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2013**

I am writing to advise you that further representations have been received from interested parties (copies attached) regarding the Local Review being carried out by Scottish Borders Council in respect of the above planning application.

If you wish to make any comment on the content of the letters, you should write directly to the Clerk to the Local Review Body,

Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA or email your representation to [localreview@scotborders.gov.uk](mailto:localreview@scotborders.gov.uk) by

29<sup>th</sup> September 2017.

A copy of any subsequent representations you make will be included in the papers, which will be available to the Local Review Body when they undertake the review.

Kind regards

Fiona

*Fiona Walling*