

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**Town and Country Planning (Development Management Procedure) (Scotland) Regulations
2013****Application for Planning Permission****Reference : 16/01185/FUL****To : Miss G A Onyon 29 Bowden Road Newtown St Boswells Scottish Borders TD6 0PS**

With reference to your application validated on **22nd September 2016** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Erection of boundary fence (retrospective)**At : 29 Bowden Road Newtown St Boswells Scottish Borders TD6 0PS**

The Scottish Borders Council hereby **grant planning permission** in accordance with the approved plan(s) and the particulars given in the application and in accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, subject to the following direction:

- That the development to which this permission relates must be commenced within three years of the date of this permission.

And subject to the conditions on the attached schedule imposed by the Council for the reasons stated

**Dated 2nd November 2016
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed
.....
Chief Planning Officer

APPLICATION REFERENCE : 16/01185/FUL**Schedule of Plans and Drawings Approved:**

Plan Ref	Plan Type	Plan Status
1	Location Plan	Approved
2	Elevations	Approved

REASON FOR DECISION

The fence complies with policies PMD2 and HD3 of the Scottish Borders Local Development Plan 2016 in that the development does not harm the visual amenities of the area or the residential amenities of occupants of neighbouring properties and does not interfere with the driver visibility or affect road safety.

FOR THE INFORMATION OF THE APPLICANT

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

Notice of Initiation of Development

Section 27 of the Town and Country Planning (Scotland) Act (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable. A form is enclosed with this decision notice for this purpose.

Notice of Completion of Development

Section 27B requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Suslephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD

Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA

Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU

British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND

Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA

Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 16/01185/FUL

APPLICANT : Miss G A Onyon

AGENT :

DEVELOPMENT : Erection of boundary fence (retrospective)

LOCATION: 29 Bowden Road
Newtown St Boswells
Scottish Borders
TD6 0PS

TYPE : FUL Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
1	Location Plan	Approved
2	Elevations	Approved

NUMBER OF REPRESENTATIONS: 1
SUMMARY OF REPRESENTATIONS:

One representation of support has been received: the fence looks so much cleaner and nicer than the hedge that was full of rubbish and came halfway over the pavement impacting on visibility at the junction.

CONSULTATIONS:

Roads Planning Service: I have no objections to this proposal. Whilst the fence may seem intrusive when compared to other boundary treatments within the vicinity, it is outwith the visibility splay for the junction and does not interfere with the driver visibility.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Council Local Development Plan 2016

PMD2: Quality Standards

HD3: Protection of Residential Amenity

Supplementary Planning Guidance:

Placemaking and Design January 2010

Guidance on Householder Development July 2006

Recommendation by - Julie Hayward (Lead Planning Officer) on 1st November 2016

Site and Proposal

The property is a bungalow situated on the corner of Bowden Road and Whitefield Crescent in Newtown St Boswells. A 2m high timber fence has been erected on the Bowden Road and Whitefield Crescent boundaries, replacing a hedge. The fence that has been erected along the rear boundary with the car parking area does not require planning permission.

Siting and Design and Impact on Visual Amenities

Policy PMD2 of the Local Development Plan requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders townscapes and to integrate with its landscape surroundings. The policy contains a number of standards that would apply to all development.

Normally high fences are discouraged on road frontages due to the impact such fences have on the visual amenities of the area. However, the neighbouring property has a similar fence, though lower, and there are other examples of fences such as this in the local area. Although the hedge is the preferred method of enclosure, the fence that has been erected does not cause significant harm to the visual amenities of the area to warrant refusal of the application and enforcement action to secure the lowering or removal of the fence.

Impact on Residential Amenities

Policy HD3 states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted.

The property is situated on a corner plot. There is a communal car parking area to the rear. The only property that could be affected by the fence is 27 Bowden Road to the north east. The fence stops at the driveway of no.29 and it is considered that the fence does not impact on the light of no.27.

Access and Road Safety Issues

The fence is located on the boundary of the property adjacent to the junction of Bowden Road and Whitefield Crescent.

The Roads Planning Service has no objections to this proposal. Whilst the fence may seem intrusive when compared to other boundary treatments within the vicinity, it is outwith the visibility splay for the junction and does not interfere with the driver visibility.

REASON FOR DECISION :

The fence complies with policies PMD2 and HD3 of the Scottish Borders Local Development Plan 2016 in that the development does not harm the visual amenities of the area or the residential amenities of occupants of neighbouring properties and does not interfere with the driver visibility or affect road safety.

Recommendation: Approved

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



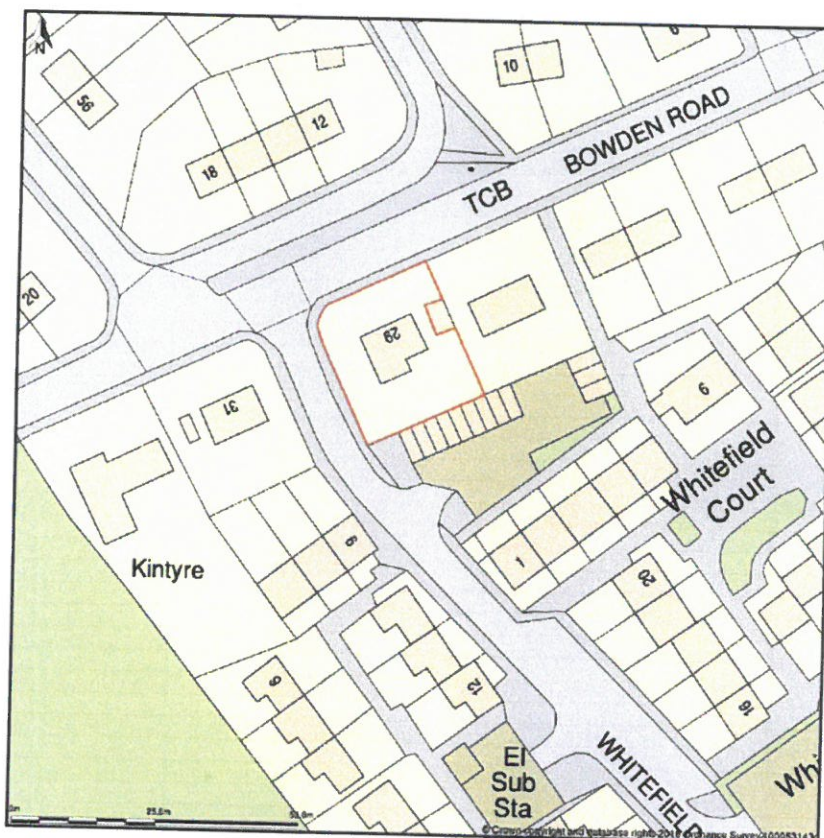
Buy A Plan

UK's Fastest and Easiest Planning Site

16/01185/FUL



29, Bowden Road, Newtown St Boswells, Scottish Borders, TD6 0PS



Site Plan shows area bounded by: 357389.99, 631458.9 357531.42, 631600.32 (at a scale of 1:1250) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Scottish Borders Council
Town And Country
Planning (Scotland) Act
1997

APPROVED

subject to the
requirements of the
associated Decision
Notice

99, BOWDEN ROAD, NEWTOWN ST BOSWELLS
TID6 OPS.

16/01185/FUL

2.4968m
x
.8288

1FT
x
6FT.

7.62m

15FT
x
6FT
.8288



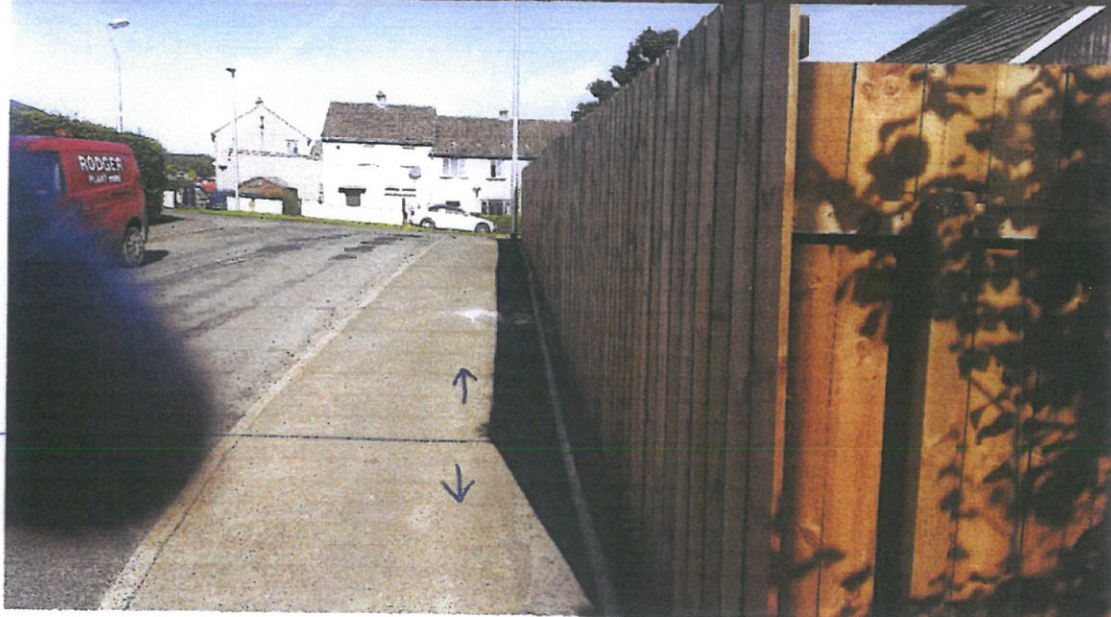
WHITEFIELD
CRESCENT

BOWDEN
ROAD

3.8976m
x
.8288

2FT
x
6FT.

28FT
x
6FT.



some comments from people in newtown st boswells.

(ON GARDENERS PAGE)

clean organised job, good work. much nicer to look at across the road.

tidy job

great job well done.

tidy job

nice job remember cutting that hedge.

much better coming out the junction

its really good

EVERYONE PASSING
COMMENTS ON THE
DIFFERENCE TO THE
PAVEMENT AND THE
JUNCTION.

Scottish Borders Council
Town And Country
Planning (Scotland) Act
1997

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