

G136-let01

Mr Ross Martin  
RM Architecture Ltd  
Bloomfield  
Heatherlie Park  
Selkirk  
TD7 5AL

PO Box 2070, Livingston EH54 0EG

Tel 07798 646844  
www.acarrie.net  
Email: ac@acarrie.net

Registered in Scotland No 414163

14 October 2016

Dear Ross

**Proposed House at Smiths Road, Darnick, Melrose**

I refer to our discussions on site, and the papers you forwarded to me.

I note that the Council's Transportation Officers have commented that the proposed dwelling house is unacceptable, because there is no provision for off-street parking.

Scottish Borders Council Local Development Plan 2016 Policy PMD2: *Quality Standards* states that "*development should be compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form.*"

It also states that "*Street design underpins the government's resolve to move away from a prescriptive standard based approach to promote innovative design to allow our streets to become safe, vibrant and attractive places. Parking needs to be accommodated by a variety of means to lessen the visual impact. The main focus must be on creating a positive successful sense of place which encourages more people to walk and cycle to local destinations.*"

Policy PMD5: *Infill Development* list a number of criteria to be satisfied if "*Development on non-allocated, infill or windfall sites, including the re-use of buildings within Development Boundaries as shown on proposals maps will be approved...*" These criteria include:

- b) it does not detract from the character and amenity of the surrounding area; and*
- d) it respects the scale, form, design, materials and density in context with it's surroundings; and*

Policy IS7: *Parking Provisions and Standards* states: "*Development proposals should provide for car and cycle parking in accordance with approved standards.*"

*Relaxation of technical standards will be considered where appropriate due to the nature of the development and/or if positive amenity gains can be demonstrated that do not compromise road safety.*

*In town centres where there appear to be parking difficulties, the Council will consider the desirability of seeking additional public parking provision, in the context of policies to promote the use of sustainable travel modes."*

As you stated when we met, it is essential that development proposals within or adjacent to a Conservation Area should be designed to preserve or enhance the character of the Conservation Area.

It is evident that there is very little off-street car parking available for existing properties on Smiths Road. That is inevitable in a village which has grown organically, well before the advent of the motor car. As far as I can see, only 3 properties that enjoy off-street parking, with a further three lock-up garages located along the road.

There are a number of properties, like the current proposal, which do not front directly on to Smiths Road, but are only accessible on foot. Nevertheless, the current parking arrangements appear to adequately serve all of these existing residents, either on Smiths Road itself, or on Abbotsford Road and Tower Road to the south and east of the site.

It's not "standard", but it works!

In the circumstances, the provision of a dedicated car parking space would be out of character for the area, and not in keeping with existing surrounding properties. Taking all of this into account, along with the statement in LDP policy IS7 that "*Relaxation of technical standards will be considered where appropriate due to the nature of the development and/or if positive amenity gains can be demonstrated that do not compromise road safety*", it is considered that the requirement for a dedicated parking space can be waived in this instance.

I trust that this is helpful.

Yours faithfully,

Andrew Carrie

## APPENDIX 1 - DARNICK VILLAGE TRUST

### APPEAL FOR CONSIDERATE PARKING AND DRIVING:

The situation regarding parking in the village and the speed of vehicles driving through Darnick has been brought to the attention of the Darnick Village Development Trust and it may be worth highlighting the position regarding parking and speeding in relation to our village.

When Darnick became a settlement the traffic was horses and carts and clearly was never designed for the amount of vehicles seeking parking nor were many of the roads designed for modern day vehicles. It is therefore important that we make the best use of available spaces and be considerate to our neighbours.

With regards to the parking situation it has to be noted that unless you have a private drive or ground at your property then no one has a legal right to be able to park outside their own property. Any vehicle that is legally on the road (e.g. taxed and insured etc.) is entitled to park where legally permitted *as long as not causing an obstruction*.

#### Example of white lines



It is worth mentioning that there are **NO** parking regulations within Darnick and although some junctions have white lines they are advisory only. The Highway Code Rule 243 indicates:-

#### **DO NOT** stop or park

- near a school entrance
- anywhere you would prevent access for Emergency

#### Services

- at or near a bus or tram stop or taxi rank
- on the approach to a level crossing/tramway crossing
- opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space
- near the brow of a hill or hump bridge
- opposite a traffic island or (if this would cause an obstruction) another parked vehicle
- where you would force other traffic to enter a tram lane
- where the kerb has been lowered to help wheelchair users and powered mobility vehicles
- in front of an entrance to a property
- on a bend
- where you would obstruct cyclists' use of cycle facilities **except** when forced to do so by stationary traffic.

**These are 'Highway Code Rules and are NOT specific offences.** However there are specific offences of parking within 10 metres of a junction or against the flow of traffic during the hours of darkness without displaying lights.



When parking please also be considerate of emergency vehicles such as fire engines and ambulances that may have to try and negotiate our narrow streets and lanes. A poorly parked vehicle could cause obstruction (*which is an offence*) or worse,

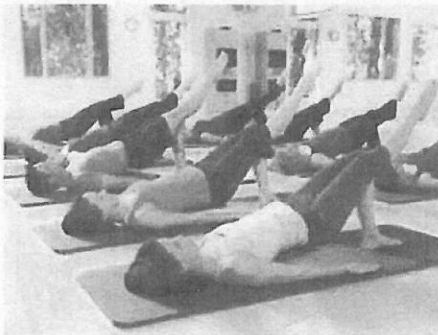


delay an emergency response to a fire or a neighbour needing urgent medical assistance!



With regards to the speed of vehicles through the village, whilst the majority of drivers adhere to the limits it should be noted that the legal speed limit through the village is 30mph and that the **20mph limit** as indicated by the large 20s painted on the road surface **and the white lines along the carriageway are advisory** and are **not legally enforceable**.

To be legally enforceable speeding regulations have to be passed in law and regulatory speed restriction signs have to be placed and maintained in good order at either end of the restriction. In Darnick these regulatory signs are for 30mph.



## PILATES

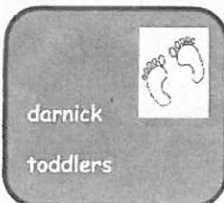
Wendy Maguire runs two classes on Friday mornings at 9.30am and 10.45am, in the Smith Memorial Hall. Classes are intermediate to advanced level.

Contact details are as follows:

Mob. No: 07747432418

Email: [maguire.pilates@gmail.com](mailto:maguire.pilates@gmail.com)

Website: [maguirephysiopilates.co.uk](http://maguirephysiopilates.co.uk)



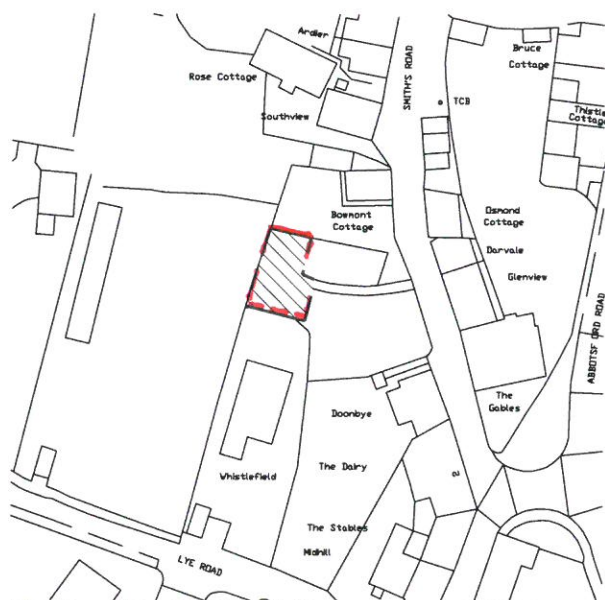
## Parent & Toddler Group

Join us and make new friends. Every Wednesday during term time 10 - 11.30 am. In the Smith Memorial Hall.

All pre-school (birth—5 years) welcome.

Weekly charge of £1.50 (adult & 1<sup>st</sup> child), 50p for each additional child.

This provides tea for adult and snacks for children



Application site outlined in red.

Ordnance Survey (c) Crown Copyright 2016. All rights reserved. Licence number 100022432



Ordnance Survey<sup>®</sup>  
OS Sitemap<sup>®</sup>

client		
Mr I. Maxwell		
job title		
Proposed House at Smiths Road, Darnick, Melrose.		
drawing title		
Locality Plan		
scale	date	draw
1:1250	30.09.16	RFM
drawing no.		

