

Comments for Planning Application 18/00287/FUL

Application Summary

Application Number: 18/00287/FUL

Address: Land North West Of Doonbye Smith's Road Darnick Scottish Borders

Proposal: Erection of dwellinghouse

Case Officer: Julie Hayward

Customer Details

Name: Ms Dawn MacIver

Address: Bowmont Cottage, Smith's Road, Darnick, Scottish Borders TD6 9AL

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Density of site
- Designated Conservation Area
- Detrimental to environment
- Fire Safety
- Inadequate access
- Inadequate Boundary/Fencing
- Inadequate drainage
- Increased traffic
- Land affected
- Loss of light
- Loss of view
- No sufficient parking space
- Over Provision of facility in area
- Overlooking
- Poor design
- Privacy of neighbouring properties affected
- Road safety
- Value of property
- Water Supply

Comment: Well here's to a few more moments of very valuable life which will be wasted on this utterly ludicrous application. I must apologise if that appears particularly negative but in this society of difficult times which our generation has created, this is a street of people who care very much about each other. We also care about conservation, long term investment in the area geography, progression and neighbourly compassion (despite comments made by the architect to suggest otherwise) sadly this project rejects all of that spirit to rebalance, simply for personal gain. Which

ofcourse takes us back to the mess our society is in. What are we actually leaving behind?

I can hardly bring myself to comprehend the resources and energy which have been wasted to this point - but perhaps, just perhaps, in the inordinate amount of time which has lapsed since Mr Maxwells quest to 'win' and personally benefit, we'll all just forget that this actually a garden we are talking about. Not, as has been eluded to, a building plot by any stretch of a very active imagination. Infact a garden which used to house a particularly fetching pigeon coup and washing-line and some beautiful organic brambles. Imagine.... This simple organic structure, even then filled the space and you would have been lucky to swing a very scrawny, skinny possibly freakish ferrel cat in it, nevermind build a house. Perhaps we should all start building houses in our teeny gardens and call it progress.....

So in response to the many comments which have been added to the colourful design statement, and what a read that was..... ill try to add some points of objection, with brevity, sympathy for the area and common sense. In order we all remain sane.

House design and siting - No reasonable parameters/space or light for living, no privacy for existing gardens or surrounding properties, path to the house is a shared garden path (because its a garden...) no logical or remotely reasonable area for building machinery/materials being land locked on all sides by private ground and no space on the site itself for construction and storage.

Parking - Well there is none, moving it to another street merely moves the problem. Suggesting that we adopt a more progressively 'low carbon' environmental attitude is interesting..... presumably whapping out our foldaway bikes and scooters, small ponies even (would need to be in this street mind you) and whizz about to eliviate the problem, well i'm up for that, especially a pony ride. However, my elderly neighbours or those with children, dogs, tiny ferrel freakish cats, shopping, will struggle and might choose not to. We are afterall trying to embrace progression, not go back to the horse and cart. We are already living here. We already have cars and commute, walk, transit in order to function.

Most people in this street are very active and highly motivated to care about conservation and the enviroment, they park sensitively, well most do. And have cars which are sympathetic in size and omissions, well most do. Lets help the architect with some simple maths - 23 houses in the street, only 2 or 3 have 1 vehicle including me. 17 spaces at a push. I'll just leave that there.

Also we currently accommodate disruption to services due to Mr Maxwells business and staff vehicles on a daily basis, as can be evidenced by photos already taken by Scottish Borders Refuse - after not being able to complete their duties. The disruption to the street to build a house would be unfathomable. There is no space. Given we have a street of many older residents and a probablity of care need, emergency vehicles would not gain access.

Objections - interestingly, of the number who were asked last time we had a spin with this jolly

jape, 3 of the properties were empty and an additional one was Mr Maxwell himself, who rents Osmond Cottage. Another neighbour asked for comment sold the piece of ground to Mr Maxwell. So actually not that bad a return on objections. It should be noted ofcourse that if someone doesn't comment it doesn't mean they agree or disagree. This situation has caused deep unrest in the street and some, especially more vulnerable neighbours, may not want to say anything or get involved. Which i can personally, fully understand.

Also significant to note that neither of the actual owners of Darvale or Osmond Cottage had been notified of any prospective building applications to this point. Due to simple courtesy, perhaps respectfulness, that is very worrying. A building of this size , on such a tiny garden, given the squash and squeeze of build - also lack of privacy thereafter for any other green space will directly impact the value and saleability of their properties. Also the long term impact on Darnick. I think we can reasonably agree that those residents renting are unlikely to have strong opinions for objection or care about the longterm conservation of the area.

Conservation - my favourite topic. As set out in both the definition and your own guidelines - exemplified below. We must understand the impact of external influence and the simple areas for application of care to our conserved areas. To keep ramming greenspace with buildings because its been done before doesn't make it an acceptable support comment. The build application should - accord with the scale, proportions, alignment, density, materials and boundary treatment (oh my goodness) or nearby buildings, open spaces, vistas, gardens and landscapes.

This application simply doesn't conserve or add anything positive to our beautiful village. It does not preserve the quiet quaint history, we enjoy. It does however open the floodgates for every garden to be built on. Noone wants to stop progress, as demonstrated by the considerable builds going on currently.... it's a wonderful thing but we also shouldnt be afraid to allow history to breathe and draw a practical line. This is a garden.

definition

Prevention of wasteful use of a resource.

1.1 Preservation, protection, or restoration of the natural environment and of wildlife.

1.2 Preservation and repair of archaeological, historical, and cultural sites and artefacts.

2Physics

The principle by which the total value of a physical quantity or parameter (such as energy, mass, linear or angular momentum) remains constant in a system which is not subject to external influence.

Policy EP9: Conservation Areas states: "The Council will support development proposals within or adjacent to a Conservation Area which are located and designed to preserve or enhance the special architectural or historic character and appearance of the Conservation Area. This should accord with the scale, proportions, alignment, density, materials and boundary treatment or nearby buildings, open spaces, vistas, gardens and landscapes.

I submit this along with all previous comments of objection made for this application. Previous comments below.

Comments for Planning Application 17/01346/FUL

Application Summary

Application Number: 17/01346/FUL

Address: Land North West Of Doonbye Smith's Road Darnick Scottish Borders Proposal: Erection of dwellinghouse

Case Officer: Julie Hayward

Customer Details

Name: Ms Dawn MacIver

Address: Bowmont Cottage, Smith's Road, Darnick, Scottish Borders TD6 9AL

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application Comment Reasons:

i find this utterly incomprehensible that we are once again discussing this ridiculous plan! Nothing in the geography of the site has changed (unless ofcourse Dororthy has suddenly landed there from Kansas - making it instantly suitable for a house!!!). Which of course she hasn't. And it isn't. On that basis, that it is utterly unsuitable for a dwelling house of any nature, i am not quite sure what makes Mr Maxwell think that suddenly this is a good idea - nothing has changed.

For all reasons mentioned previously(copy and pasted too) this is just silly. So in addition to those comments -

- there is no suitable space for ANY type of house. other than a dolls house or perhaps something for a small rodent!

- the path is a small access path and i do not give permission for my legal access to both my garden and the path to be ripped to bits or hindered.

- the garden access path is not suitable for daily traffic

- the plan is inaccurate and shows detail which would lie on my property which again i have given no permission for.

- there is no space for parking in an already intolerable situation. Mr Maxwell owning the two largest vehicles in the street and using said street for his work vehicles. which everyone tolerates.

- ethics must be questioned for someone who does not actually own a house in the street and having several alternative sites to choose from.

- the historical and archaeological issues

- the intrusion on both my own and neighbours garden and living conditions

Comment:I have to be honest and say I am utterly amazed that this application has again appeared on our horizon. It is brutally clear that Mr Maxwell has no appreciation of either the historic import of our 'little street' or indeed the living standards of his neighbours, who incidentally, care very much about where they live and the safety/access and privacy of each other. In the first

instance, I would like to point out a few significant details, then shall reiterate my comments as per the first application -

- Firstly, the plan is not accurate as per the deeds and measurements for Mr Maxwell's ground. Please refer to his deed. I suggest he removes his fence (placed there temporarily as per my agreement for a 'trampoline' space for his children) At no point have I given permission, written or otherwise for any change to the title deeds for any slice of my garden land to be used for a permanent dwelling house - albeit a small slice. Therefore, I would think his first move would be to clearly mark the patch he legally owns therefore rehousing his fence boundary.
- The plot has not changed to any significant degree. It is a small, area with utterly inadequate access and no degree of decent boundaries for the proposed structure.
- The photos of the street parking do not in any way reflect an honest and accurate depiction of the horrendous issues we face every day with parking. Not only are we already well over capacity, the hospital, town hall and visitors to our homes cause considerable disruption every day. Just ask all the neighbours in the street, whom of course this effects very much - I'm sure they'd all be quite vociferous!

The shared access path to this proposal is exactly that. I do not give permission now or at any time in the future to have that shared access to my property (garden) inaccessible or unfit for use. I also do not give permission for my 'share' to have any services anywhere near it. It is a small rambling access path and completely unsuitable for daily traffic.

- The upheaval to the area and street to accommodate the building of this structure is again, utterly ludicrous. Unless of course the site traffic, workmen and all associated vehicles have been shipped in on a bus from Liliput!

And on to my original comments which are still perfectly appropriate -

I bought my property in 2008 and did so for several reasons. Firstly, the nature of my Cottage (Bowmont) and its setting in the village which is of course is a conservation area. It is one of the few places in the Borders which has remained unspoilt. Largely due to the inhabitants of the street and careful consideration by yourselves of any potential changes in the area. Another draw was the many schemes evident by an invested community to encourage both the significance and natural beauty of the Village, ie the Community Woodland and Darnick Village Trust. All in the hope that we hold onto the natural charm and incredible pertinence which this historically significant village enjoys.

In my own garden I am led to believe there are Archaeological ruins dating back to the 1700's. The remains of the original building are still very visual, the same ruins existing in the suggested plot, albeit now flattened therein. They shall remain evident in my garden. Which again added to the beauty and unique look of the village and indeed my home. And again, its historical significance. As mentioned in the Archaeological report included on your notifications for this submission, this property is included on General Roy's map of the 1750s the main north to south road (now Smith's Road) leading to Darnick Tower in the north with road frontage crofts and enclosed backland 'rig' fields behind. This is a typically medieval village layout. The property and former building were within the area where we expect medieval and post-medieval backland activity to occur. We really must look after it. Proposing to build on such a site such as this is unthinkable and no more than an opportunity to make a quick buck.

I know that we, as a village will not prevent progress and have adjusted to the new development underway with Crawford's Builders very well, however the current growth of the village itself, Smith's Road in particular which is a tiny street, is becoming a severe issue as most houses are now occupied and the number of vehicles in the street overwhelming at times. We are currently 'fit to burst' as the majority of individual houses have 2-3 vehicles. There are also several existing houses unoccupied and up for sale or rent which would add another possible 2-3 cars for each house, not to mention the current proposal.

This is out of character for the area and in essence, the small site which is adjacent to my garden, is completely inappropriate for a two storey, family structure. When Mr Maxwell bought the piece of ground it was irregular in shape and at that time I allowed him to block off the area to make it easier to manage - as it was meant to be a garden with trampoline for his daughters to play in. At no point did I think or even consider this would be the outcome. The subsequent entry required to that property on the small access path to neighbors' gardens, not fit for purpose and indeed imposition of such a large structure in a small space make it entirely the wrong type of building to be there, given the surrounding area and style of other houses therein. It towers over what are small and personal gardens with no thought for privacy and decent boundaries. It is a historical site, conservation area and the street will not be able to accommodate the additional vehicles which will undoubtedly come along. I'm sure there must be far more suitable sites on which to build in the surrounding areas. Or better still perhaps

Mr Maxwell would like to buy one of the current vacant properties in the street, in fact the house right next door is currently on sale. Problem sorted!

Comments for Planning Application 18/00287/FUL

Application Summary

Application Number: 18/00287/FUL

Address: Land North West Of Doonbye Smith's Road Darnick Scottish Borders

Proposal: Erection of dwellinghouse

Case Officer: Julie Hayward

Customer Details

Name: Mr Stephen Clinkscale

Address: Southview, Smith's Road, Darnick, Scottish Borders TD6 9AL

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Density of site
- Designated Conservation Area
- Detrimental to environment
- Fire Safety
- Inadequate access
- Increased traffic
- Loss of light
- Loss of view
- No sufficient parking space
- Over Provision of facility in area
- Overlooking
- Privacy of neighbouring properties affected
- Road safety
- Value of property

Comment: Firstly, we are bewildered as to how this keeps coming back again and again and find it extremely resource intensive to continue submitting our valid objections!

As proud born and bred Melrosians we indeed understand and embrace what it means to live in and preserve a historic conservation area such as ours. We are most definitely credible in our valid objections and are not "people living in glass houses" as the local architect unprofessionally suggests.

As stated in our earlier objections there is no car parking provision whatsoever shown on the location of floor plans and as parking on Smiths Road already creates a problem for existing house-holders, the introduction of a further house with the need for potentially two cars will only exacerbate the situation. Indeed, the parking situation is further compounded by the fact that Mr Maxwell's employees who do not reside here already park their vehicle in Smiths Road most week

days.

This proposal remains an over development of the site. The proposed house continues to take up the greatest part of the site with little or no amenity space around it. From our vantage point it is most definitely a small garden with shared access and not a building plot. The storage for building materials, space for building construction and vehicular access simply does not exist.

In our view this proposal remains unviable and would negatively impact on privacy for existing gardens and surrounding properties and their values. We would be obliged if you take these points into consideration when making your decision.

Steve and Helen Clinkscale

Comments for Planning Application 18/00287/FUL

Application Summary

Application Number: 18/00287/FUL

Address: Land North West Of Doonbye Smith's Road Darnick Scottish Borders

Proposal: Erection of dwellinghouse

Case Officer: Julie Hayward

Customer Details

Name: Mr Andrew Fallon

Address: Glenview, Smith's Road, Darnick, Scottish Borders TD6 9AL

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Density of site
- Designated Conservation Area
- Detrimental to environment
- Detrimental to Residential Amenity
- Fire Safety
- Height of
- Inadequate access
- Inadequate drainage
- Inadequate screening
- Increased traffic
- Land affected
- Legal issues
- Loss of light
- Loss of view
- No sufficient parking space
- Noise nuisance
- Over Provision of facility in area
- Overlooking
- Poor design
- Privacy of neighbouring properties affected
- Road safety
- Value of property
- Water Supply

Comment: I object to this latest incarnation of the same application to build a house on land north west of Doonbye in Darnick.

There is no material change from the previous flawed and withdrawn attempt at gaining approval, except for the moving of a boundary line which would make Mr Maxwell's tiny plot even smaller and more inadequate, in a construction sense. It should also be noted that no movement of the boundary fence has been made as of yet, potentially due to a spat between the parties concerned.

The change in planning officer for the Darnick area should make no difference to the application of regulations in this case, and the applicant's reference to a previously approved application on land next to Lindesfarne in the village in attempt to justify his own proposal fails to notice the full vehicular access and off street parking provision afforded to that application, something his own property sadly lacks.

All the semantic swivelling and baffling drone-flying in the world cannot negate the fact that Mr Maxwell's plot is not suitable for any building purpose.

In fact, as the owner of the plot immediately to the east of Mr Maxwell's garden ground, if he is permitted to build a dwelling on his plot, then I can expect approval to construct two homes with no parking provision on my land.

Please find below my previous objection, which still stands in the case of this latest application.

Previous comments:

I objected to the previous application for this site (16/01311/FU) to build a dwelling house at land north west of Doonbye and also strongly object to this effective reapplication of the same flawed proposal.

The proposed dwelling house in this latest application is almost identical to the previous attempt to develop a site accessed by a private footpath (not solely owned by the applicant) not suitable as the only access to a new three-bedroom property for residents and services.

I object to the application, as before, on the following grounds:

- 1 - No provision of off-street parking: Smiths Road is already at saturation point in terms of car parking. Even with two properties currently unoccupied it is not uncommon to be forced to park more than 200 yards from my home as all the spaces have been taken. As the father of a three-year-old child this is an unwelcome inconvenience and the last thing the village needs is an additional three-bedroom house with one or two more cars joining the daily fight for a place to park. An extra two or three vehicles would also, in percentage terms, increase the risk of accident or injury, particularly to young children, on an already congested narrow road.
- 2 - Loss of amenity due to overlooking: More than a year ago I purchased the land immediately to the east of, and bounding with, the site of the application. I acquired the overgrown allotment to

provide a family garden for my home, Glenview, while attempting to restore some of the market gardening tradition of the village. Mr Maxwell's proposal would completely ruin my ongoing project. His tiny area of ground earmarked for development was, until his recent purchase, used as a small garden area by the occupier of Jubilee Cottage and is unsuitable for any building, never mind one of the scale proposed. The drawings also indicate a first-floor sitting room window with balcony looking directly over my property, despite assurances from Mr Maxwell that 'no-one would be overlooked' when he revealed his intentions. This oppressive potential overlooking would effectively turn my family garden into a goldfish bowl with no privacy whatsoever and I find that to be an unacceptable prospect. Furthermore, the massing and scale of the proposal would block the afternoon sun from a large area of my garden ground, rendering it useless for growing fruit and vegetables.

3 - Detriment to residential amenity: As alluded to above, the small area of garden ground north west of Doonbye is not suitable for any dwelling, never mind a two-storey, three-bedroom family home. The building would not only overlook my garden ground, but would also dominate the western skyline of the southern end of Smiths Road to the detriment of the village aesthetic and would infringe on the visual amenity of The Gables, Glenview and Darvale, as well as other properties. Furthermore, the site is only accessible via a mutually owned path which is clearly unsuitable as the only access to a new family home and is certainly not acceptable as a reasonable access to a building site during construction or as the only means of providing services to and from a dwelling.

In conclusion: Darnick is a beautiful place to live, but it is losing its green spaces at an alarming rate. The development of a tiny area of garden ground in the heart of the village would be outrageous.