

Walling, Fiona

Subject: FW: Local Review Body - Application 18/01161/FUL Appeal ref 19/00016/RREF
Attachments: Grounds of Appeal.pdf; Milkieston Toll 1.jpg; Milkieston Toll 2.jpg

Hi Fiona

Paul Grigor has responded as below on behalf of RPS. I would agree with his observations.

Derek

Derek Inglis IEng MICE
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From: Grigor, Paul
Sent: 23 August 2019 11:24
To: Inglis, Derek
Subject: FW: Local Review Body - Application 18/01161/FUL Appeal ref 19/00016/RREF

In light of the recent decision of the Local Review Body and the request for the Roads Planning Service to consider the additional information submitted by the applicant in respect of the visibility issues, I would like to comment as follows:

Having considered paragraphs 7.3 and 7.4 along with figures 1 & 2, as requested, my opinion of the visibility issues remains unchanged. The photos contained within Figures 1 & 2 are misleading in that they are taken at a point which is too close to the running carriageway. Having undertaken a further site visit, I have taken photos of the visibility from a setback of 2.4 metres from the edge of the carriageway. This is the recognised setback for visibility splays and represents the drivers eye position without the vehicle overhanging the carriageway. As you can see from Photo 1, due to the gradient of the access and the fence line/vegetation, the visibility is severely compromised. Photo 2 does show an improved visibility splay following the clearing of the trees and roadside vegetation. In addition to visibility from the access, there was a concern over forward visibility for drivers travelling south to be able to see stationary vehicles in the road waiting to turn right into the site. It should be noted that the applicant does acknowledge that the access is not ideal (para. 9.2) and are looking to source a mirror (para. 8.1). The use of mirrors is not supported as they can be misleading in terms of speed and distance of approaching traffic. Furthermore car lights in the mirror often confuse and distract main road drivers.

Visibility issues was only part of the reason for refusal, the other part being the principle of direct access to a derestricted principal road and the intensification of use. It was noted during the latest site visit that 3 vans were on site.

In summary, having considered the additional information I am still off the opinion that this application should be refused for the reason given previously.

Paul Grigor

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From: Walling, Fiona
Sent: 20 August 2019 09:19
To: Inglis, Derek
Cc: Grigor, Paul
Subject: Local Review Body - Application 18/01161/FUL Appeal ref 19/00016/RREF

Derek Inglis
Lead Roads Planning Officer

Derek

Application 18/01161/FUL Appeal ref 19/00016/RREF

PLANNING APPLICATION PROPOSED DEVELOPMENT: Land South West Of Milkieston Toll House Peebles Scottish Borders
Change of use of agricultural land to dog care walking facility and erection of boundary fence
APPLICANT: Mr Paul Lawrie

The appeal of the above application was considered at the Local Review Body meeting yesterday. Following your objection, the application had been refused for the following reason:

'The development is contrary to Policy PMD2 of the Local Development Plan 2016 in that intensified traffic usage of the sub-standard vehicular access creates a detrimental impact on road safety on the A703. The continued use of the existing sub-standard access would result in an unacceptable adverse impact on road safety, including but not limited to the site access'.

New information had been submitted by the agent as part of the Notice of Review documents that had not been before the Planning Officer at the time of determination. This is contained in paragraphs 7.3 & 7.4, Figures 1 & 2 and Annex B of the attached document 'Grounds of Appeal'. Members agreed to defer consideration of this appeal to a future meeting to give Roads Planning an opportunity to comment on whether this new evidence would result in a change of position in objecting to the application.

Please provide any comment you may have to this new evidence to localreview@scotborders.gov.uk by 3 September 2019 at the latest. The applicant/agent will be given 14 days to respond to your comments. Consideration of the application and all additional information will then be continued at a future Local Review Body meeting.

Kind regards
Fiona Walling

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