

**CHIEF PLANNING OFFICER
PLANNING AND REGULATORY SERVICES
SCOTTISH BORDERS COUNCIL HQ
NEWTON ST BOSWELLS
MELROSE TD6 0SA**

Dundas Cottage
Hopehouse
Ettrick Valley
TD7 5HU

25th April 2019

Dear Madam or Sir

**BUILDING PLOT 19/00521/AMC
PROPOSAL FOR PLANNING PERMISSION**

With regard to the above application, and our legal Title and Interest to the subject site, as owners of Dundas Cottage which overlooks the subject plot, we make the following points and rely on you to take our concerns into full consideration and account in your decision making process.

1. **The waste water\soak away route for Dundas Cottage** drains under B709 road into the proposed site. Our deeds refer to the subject plot and to our 'right of access ...to portions of meadow ground... with a servitude in our favour and our wayleave for sewage drain carried to said field...with cesspool and drain outlet in connection therewith and right of access at all times for the purpose of inspecting and repairing said cesspool and drains'. In summary, our drainage system into the subject land must not be interfered with; damaged or blocked up. Also, we must not be hindered from gaining access for maintenance and repair purposes. Accordingly, we note that the proposed build comes close to our drainage site. As such, we ask that the Applicants acknowledge our legal right of access and that they undertake to make good any damage caused during the course of the proposed building works with immediate repair of a high quality. In a related matter, we note that The Applicant's proposed **domestic water bore hole** is situated very near to our waste water drain site on The Plan.
2. **Plot Access** – The proximity of The Captain's Road off the B709 and close to the blind dip at the humped back bridge over Hopehouse Burn is currently, a hazardous junction. The proposed access to be formed in this application, almost directly opposite the Captain's Road, would exacerbate the risk of injury to walkers and domestic, agricultural and wild animals as well as cyclists, motorcyclists and other road users (please refer to our letter of 8th October 2018 on application 18-01256-PPP for a full description of the hazards). It is our belief that creating another access on this, already hazardous strip of the B709, with its blind bends, hidden dips, fast, narrow width, poor drainage, potholed surfaces and weak verges and ditches, without first repairing the structure and introducing and enforcing a 20mph speed limit at Hopehouse would greatly increase the risk to vulnerable road users. In September 2018 a motorcyclist was killed very near to this junction. We would therefore ask that the Scottish Borders Council Planning Department introduce appropriate **road calming measures** in advance of approval of this application.
3. **Site Access** – we note that there is mention of a hardstanding for bins. We ask that any proposed access point be sufficiently large to allow heavy vehicles such as the bin collection lorry and other goods and site vehicles to draw in, off the B709 and out of the way of traffic on the B709. In addition, we expect that any parked up heavy plant will not encroach on the B709.
4. **Construction Works** - – it is our belief that increased construction works within this proven hazardous section of the B709 – the only thoroughfare in this part of the Borders, with no diversion routes possible – has the potential to cause the existing residents and travellers untold inconvenience and substantial increased risk to pedestrians, animals, children and other road users. We would therefore ask that a detailed schedule of proposed commence

date, time line, completion date and logistics of heavy plant usage/storage and site access be submitted as part of this planning application in order to reassure residents that every effort will be made by The Applicant to keep disruption and build time to a minimum for the duration of the works.

5. **Light, Air and View** – we note that the proposed finished ridge level of the construction is 234.45m and we trust that this height will not, under any circumstances, exceed this limit. In accordance with this measurement, we note that the proposed planting of trees at the back of the buildings, next to the B709 and opposite Dundas Cottage will be a mix of Scots Pine and Silver Birch. While we welcome The Applicant's choice of indigenous trees, it is well documented that these species can attain heights of 40 feet or more in a short period of time. Accordingly, we trust this tree line will be capped to no more than 2 metres above the B709 level, by sensitive pruning such that the trees are not permitted to block the light, air and view from Dundas Cottage over time.
6. **Dundas Cottage Access** – For personal reasons, it is imperative that we are able to come and go from our property freely and with that in mind, we must retain our access at all times to and from our property which includes our front of house parking, front of house pedestrian access and rear access to and from our driveway off the Captain's Road. We raise this issue because we know the restrictions and shortcomings of the junction at the B709 and The Captain's Road and we are concerned that construction work at this point may impede free movement and access at times, as well as significantly increase danger and hazards to road users.

The significantly historic house of Dundas Cottage has stood on its site for nearly 170 years and in that time the application field opposite has been natural and unexploited or used for the grazing of sheep. Notwithstanding the progressive and worsening flooding issues associated with the application plot, which in itself should render this site unfit for a substantial building project such as the proposed application 1900521/AMC, for the sake of the fragile community of Hopehouse and good neighbourly relations, it is our hope that the Scottish Borders Council and in particular, the Planning Department, will consider the issues we have raised herein, very seriously and authorise our points as conditions of this planning application. In particular we ask that the Scottish Border Council work with the community of Hopehouse to introduce traffic calming measures at this junction, prior to commencement of any approved building work at the application site.

Your serious consideration of the issues we have raised here is greatly appreciated.

Yours faithfully

Mairi Briggs

Graeme Briggs