

SCOTTISH BORDERS COUNCIL

CHEVIOT AREA COMMITTEE

15 DECEMBER 2004

APPLICATION FOR PLANNING PERMISSION

ITEM:	REFERENCE NUMBER: 04/01984/OUT
OFFICER:	Frank Bennett
LOCAL MEMBER:	Councillor A Nicol
PROPOSAL:	Erection of house and garage
SITE:	Land adjacent to Carnlea, Main Street, Heiton
APPLICANT:	Mark Graham
AGENT:	None

SITE AND APPLICATION DESCRIPTION:

The site, 0.03 acres in area, situated on the west side of the Heiton, is level ground contained by the gardens of adjacent residential properties. Some years ago, there was a timber chalet on the ground. There is now a garage /shed within the site which would be removed. The site can be accessed from a cul-de-sac road already serving the four neighbouring houses which has an entrance/exit on to Main Street. The application is in outline, although the applicant has indicated he would erect a single storey house.

PLANNING HISTORY:

Planning approval for neighbouring houses was obtained in the mid 1970's and four houses subsequently built, with the application site being land containing a chalet which was removed, although the cleared site has remained undeveloped.

In June 1994, full planning consent for a house on the site (Ref.R127/94) was given which subsequently lapsed in 1999. The committee approved this application contrary to the advice of the Director of Roads and Transportation whose comments were similar to those put forward in relation to the current application. These were that the access on to the Main Street was not of a suitable standard to accommodate a fifth house and visibility on to the main A class road was inadequate. In response to these comments, the Director of Planning's advice to the Committee in 1994 was that "the bungalow is (would be) located on an in-fill site which has already demonstrated its ability to accommodate a house when used for the chalet. The determining issue with this application is that of the access road. While I share some of the concern of the Director of Roads and Transportation, I believe that this application is not creating a worse situation to that which existed when the original chalet was in use. I therefore do not believe that there are sufficient grounds upon which to justify refusal of the application".

DEVELOPMENT PLAN POLICIES:

Approved Structure Plan 2001-2011

None

Roxburgh Local Plan 1995

Policy 18

In established residential areas there will be a presumption in favour of retaining existing uses. To protect the amenity and character of these areas any development should meet the following criteria:-

1. Appropriate form of development for a residential area;
2. Appropriate scale of development for a residential area;
3. No unacceptable increase in traffic or noise;
4. Not visually intrusive.

OTHER PLANNING CONSIDERATIONS:

None.

CONSULTATION RESPONSES:

Scottish Borders Council Consultees

Director of Technical Services – The access on to Main Street (an A class road) has practically zero visibility due to boundary hedges. Unless the access entrance/exit can be widened to allow two cars to pass at the junction the visibility splays of 2.5 x 100 metres in both directions could be achieved, support for the application could not be given.

Other Consultees

Scottish Water – It is understood from the applicant that Scottish Water have confirmed that as the property has an existing sewer connection and is to be rebuilt, they will permit the use of the existing connection, but for domestic purposes only.

Community Council – reply awaited.

OTHER RESPONSES:

None.

PLANNING ISSUES:

Whether further development should be resisted until the road access junction on to the A698 has been widened and visibility improved.

ASSESSMENT OF APPLICATION:

The site is of sufficient size to accommodate a house, having previously accommodated a dwelling house. The land is within a residential area recognised in the Local Plan. There have been no representations from neighbours although in a recent similar application (withdrawn) a neighbour expressed the view that the house should be single storey to have lesser impact on neighbours amenity. The determining issue concerns the adequacy of the access junction on to

the A698 and the visibility requirements at the access entrance. The applicant has been unable to obtain agreement of householders to widen the road and improve or improve visibility which would result in a loss of garden area of the properties concerned and a need to rebuild boundary walls.

The previous Planning Authority approved use of the access in question for four houses, and in 1994, its further use for an additional house. In the latter instance, this was against the advice of the Director of Roads and Transportation. Although this permission has now lapsed, it is maintained that the traffic situation may not be greatly different then as it is some years later, although undoubtedly there has been some increase in traffic on Main Street. As part of the Sunlaws development for 82 houses to the south of the village, traffic calming measures for the village are in prospect with the objective of reducing the speed of vehicles passing through the village. While this will not overcome the situation at the access entrance/exit, it should mean that vehicles are moving more slowly along the Main Street as vehicles from the access are emerging, and similarly, as vehicles are stationary getting ready to turn right off the main Road into the access.

In view of the history of the site in residential use, and the previously granting of consent it is considered that the application can be supported.

RECOMMENDATION BY HEAD OF DEVELOPMENT CONTROL:

The application is recommended for approval subject to the following conditions:

1. The subsequent approval by the Planning Authority of the means of access, the layout of the site, the design and siting of any buildings and the landscape treatment of the site.
Reason: Approval is in outline only.
2. The means of water supply and of both surface water and foul drainage to be submitted for the approval of the Planning Authority.
Reason: To ensure that the site is adequately serviced.
3. The details of all boundary walls and/or fences to be submitted to and approved by the Planning Authority before the development is commenced.
Reason : To safeguard the visual amenity of the area.
4. The house and garage to be single storey
Reason: In the interests of maintaining the amenity and outlook of occupiers of neighbouring residential properties.

*Original copy of report signed by
BRIAN FRATER (Head of Development Control)*

