

**SCOTTISH BORDERS COUNCIL**

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO  
CHIEF PLANNING OFFICER**

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF :** 21/01132/FUL

**APPLICANT :** Lisa Dawkins

**AGENT :**

**DEVELOPMENT :** Erection of pergola and boundary fencing (retrospective)

**LOCATION:** 58 George Street  
Peebles  
Scottish Borders  
EH45 8DN

**TYPE :** FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
1 of 2	Location Plan	Refused
2 of 2 [6 sheets]	Photos	Refused

**NUMBER OF REPRESENTATIONS: 0**  
**SUMMARY OF REPRESENTATIONS:**

No representations or consultation replies were received.

**PLANNING CONSIDERATIONS AND POLICIES:**

Scottish Borders Local Development Plan 2016  
PMD2 - Quality standards  
HD3 - Protection of residential amenity

The site is not strategic, therefore the policies contained within SESplan have not been considered.

The following council guidance is material:  
Placemaking and design;  
Privacy and sunlight guide.

**Recommendation by** - Ranald Dods (Planning Officer) on 8th September 2021

Site and proposal  
58 George Street, Peebles is an unlisted traditional terraced property.

The application is made in retrospect for a pergola within and fencing surrounding the front garden. The application arises from an enforcement enquiry.

Layout and design

The pergola is a 2.75m high structure formed from square sections of timber. The pitched roof, running parallel to the street, is finished in artificial grass. The 1.25m high lapboard fencing to the front has been laid in a horizontal manner with a random appearance. The 1.5m high fencing to the sides of the garden is close boarded with a uniform appearance.

#### Visual impact

The random appearance of the fence fronting the road is at odds with the rest of the fencing on this section of the street. The gate, which has the same style of boarding, is different in height to the fencing and that adds to the discordant appearance. The fencing at the sides of the garden is far better visually but the difference in height with the front fence is somewhat jarring. Whilst pergolas are garden features, those are generally found to the rear of houses, rather than in front gardens. In this instance, the pergola is an unprecedented feature in the street, the appearance of which is made all the more obtrusive with the inclusion of artificial grass on the roof. The resulting adverse visual impact of both the variation in fence heights and styles and the provision of the pergola detracts from the open character of the street frontages. Though the roofing finish could be addressed by condition, the pergola is out of character with the street in principle by virtue of its siting, and the variation in fence heights and styles cannot be reasonably resolved by planning condition either. That leads me to conclude that the proposal cannot be supported as the impact would detract from both the character and the visual amenity of this street.

#### Impact on amenity

The proposals would not, in themselves, be detrimental to privacy and overshadowing would not result from either the fence or the pergola.

#### Conclusion

The pergola and fencing is contrary to policies PMD2 and HD3 of the Local Development Plan 2016 in that the siting of the pergola and the varied height and style of the fencing would have an unacceptably adverse impact on the character and visual amenity of this residential area. There are no other material considerations that are sufficient to overcome the adverse visual impact resulting from the proposed development

#### **REASON FOR DECISION :**

The pergola and fencing is contrary to policies PMD2 and HD3 of the Local Development Plan 2016 in that the siting of the pergola and the varied height and style of the fencing would have an unacceptably adverse impact on the character and visual amenity of this residential area. There are no other material considerations that are sufficient to overcome the adverse visual impact resulting from the proposed development

#### **Recommendation:** Refused

- 1 The pergola and fencing is contrary to policies PMD2 and HD3 of the Local Development Plan 2016 in that the siting of the pergola and the varied height and style of the fencing would have an unacceptably adverse impact on the character and visual amenity of this residential area. There are no other material considerations that are sufficient to overcome the adverse visual impact resulting from the proposed development

**“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.**