

SCOTTISH BORDERS COUNCIL

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

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 21/01187/FUL

APPLICANT : Mrs Yvonne Huggins-Haig

DEVELOPMENT : Alterations to existing driveway and formation of new access (part retrospective)

LOCATION: Hardens Hall
Hardens Road
Duns
Scottish Borders
TD11 3NS

TYPE : FUL Application

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
1 OF 2	Location Plan	Approved
2 OF 2	Proposed Site Plan	Approved

NUMBER OF REPRESENTATIONS: 1
SUMMARY OF REPRESENTATIONS:

One objection has been received. All issues raised have been considered by the Planning Authority. The letter raises the following material planning considerations:

- o Road Safety

Consultations

Community Council has raised concerns regarding visibility and road safety relating to the accesses.

Roads Planning Service do not object to the application subject to a condition being attached.

PLANNING CONSIDERATIONS AND POLICIES:

Scottish Borders Local Development Plan 2016

PMD2: Quality Standards

HD3: Protection of Residential Amenity

Recommendation by - Cameron Kirk (Assistant Planning Officer) on 10th November 2021

Site description and development

Hardens Hall is a detached dwellinghouse located approximately 1.5 miles north west of the centre of the settlement of Duns. The property has an ancillary building located to the south of the dwellinghouse.

Planning permission is sought, part retrospectively, for alterations to the existing driveway that used to serve the dwellinghouse, Hardens Hall, which now serves the ancillary building associated with Hardens Hall. A new access has been formed from the public road (C98) which serves Hardens Hall.

This application relates solely to the alterations to the existing access and formation of a new access from the public road. No other matters are being considered under the cover of this application.

Relevant planning history

21/00067/UNDEV - Enforcement case.

Assessment

The key planning issues are the layout, siting and design of the accesses and the impact they have on road safety, as well as the surrounding locality.

This planning application was submitted as the result of an enforcement case 21/00067/UNDEV for the formation of a new access from the public road (C98).

The existing access serves the ancillary building associated with the dwellinghouse Hardens Hall, whilst a new access has been formed from the public road to serve Hardens Hall. The general principle of forming two access from the public road is considered to be acceptable.

Roads Planning Service was consulted as part of the application process. They do not object to the application subject to a condition being attached to ensure that the accesses are formed as per service layby detail DC-2 to the satisfaction of the Council within 12 weeks of the date of any consent. Their recommended condition will be attached to any permission granted.

The layout, siting and design for the accesses are acceptable. They do not unduly impact upon the amenity or privacy of the surrounding locality.

The development does not unduly impact on the amenity or privacy of neighbouring properties.

The Planning Authority received one objection to the application which raised concerns regarding road safety. The Community Council also raised concerns regarding road safety. As previously mentioned, Roads Planning Service was consulted on the application and they did not raise any concerns regarding road safety.

In consideration of the above, the development is considered to comply with the relevant policies contained within the Scottish Borders Local Development Plan 2016. It is recommended that the application be granted.

REASON FOR DECISION :

Subject to compliance with the schedule of conditions, the development will accord with the relevant provisions of the Local Development Plan 2016 and there are no material considerations that would justify a departure from these provisions.

Recommendation: Approved - conditions & informatives

- 1 The accesses hereby approved shall be formed as per service layby detail DC-2, to the specification of the Council, within 12 weeks of the date of this consent unless otherwise agreed in writing by the Planning Authority. Thereafter, the accesses shall be permanently retained and maintained as such. Reason: To ensure the accesses are formed to an adequate standard and to protect the integrity of the public road.

Informatives

It should be noted that:

- 1 The service layby to be formed as per standard detail DC-2.
- 2 It should be borne in mind that only contractors first approved by the Council may work within the public road boundary.

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