

**SCOTTISH BORDERS COUNCIL**

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

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

**REF :** 23/00847/FUL

**APPLICANT :** Mr Gary Johnstone

**AGENT :**

**DEVELOPMENT :** Erection of boundary fence (retrospective)

**LOCATION:** 24 - 1 Ettrick Terrace  
Hawick  
Scottish Borders  
TD9 9LJ

**TYPE :** FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
A Location Plan	Location Plan	Refused
Fence	Photos	Refused
Fence 2	Photos	Refused
Fence 3	Photos	Refused
Fence 4	Photos	Refused
Fence 5	Photos	Refused
Fence 6	Photos	Refused

**NUMBER OF REPRESENTATIONS: 1**  
**SUMMARY OF REPRESENTATIONS:**

No consultations were received.

One representation was received from a Mr Michael Scott who objected to the proposal on the basis of the height of the fence.

**PLANNING CONSIDERATIONS AND POLICIES:**

In determining the application, the following policies and guidance were taken into consideration:

National Planning Policy Framework 4 (2023)

Policy 1: Tackling the climate and nature crises

Policy 14: Design, quality and Place

Policy 16: Quality homes

Scottish Borders Local Development Plan (2016)

Policy PMD2: Quality Standards

Policy HD3: Protection of Residential Amenity

Supplementary Planning Guidance:

Placemaking and Design (2010)  
Householder Development (2006)

**Recommendation by** - Stuart Small on 31st July 2023

This application seeks retrospective planning permission for the erection of a boundary fence at 24-1 Ettrick Terrace, Hawick. The site is an end terraced dwellinghouse located at the junction of Ettrick Terrace and St Ninians Road. The height of the fence is 1.6 metres.

Assessment

The key planning issues under consideration for the assessment of the application are the scale, design and materials of the development and the impact it has on the amenity and privacy of neighbouring properties.

Layout, siting and design

Policy PMD2 of the Local Development Plan requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders townscapes and to integrate with its landscape surroundings. The policy contains a number of standards that would apply to all development. Policy 14 of NPF4 protects against developments that are poorly designed and detrimental to the amenity of the surrounding area.

Ettrick Terrace and St Ninians Road is characterised by similar dwellings that are set back from the public road and footpath and are set within generous areas of front garden ground. The character of the front gardens between the dwellings and the public road vary along Ettrick Terrace but those that have not been converted to driveways all feature low boundary treatments. Other tall fences may exist in the general surrounding area, but this street is not characterised by them.

The 1.6m fence appears to be excessively high adjacent to the roadway and has an intrusive impact upon the visual amenities of the area given this part is characterised by hedges and low fencing/walls. As such, the fence appears as an uncomfortably placed structure in this particular setting and forms an incongruous feature that would not be in keeping with the surrounding area. For this reason, it is considered that the fence is contrary to Policy PMD2.

Residential amenity

Policy HD3 of the LDP and Policy 16 of the NPF4 aims to protect the amenity and privacy of neighbouring properties from inappropriate development. I have considered the impact of the development on the neighbouring amenity of surrounding residential properties and I am satisfied that the proposal does not adversely impact upon daylight, sunlight, outlook and privacy. The proposal is considered to comply with Policy HD3 of the LDP and Policy 16 of NPF4.

**REASON FOR DECISION:**

The development would be contrary to Policy PMD2 of the Scottish Borders Local Development Plan 2016 and Policy 14 of NPF4 in that it would constitute a prominent and incongruous form of development that would have an adverse impact on the character and appearance of the surrounding area.

**Recommendation:** Refused

- 1 The development would be contrary to Policy PMD2 of the Scottish Borders Local Development Plan 2016 and Policy 14 of NPF4 in that it would constitute a prominent and incongruous form of development that would have an adverse impact on the character and appearance of the surrounding area.

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