

Supporting Document for Planning Application

21/01250/PPP Erect dwelling house with detached garage at Florrie's Field,
Damhead, Rafford.

The photo below shows the Agricultural sheds and a Caravan (used as a site office) from which the previous owner of the field Mr Andrew Harrison ran his Herb growing business.

MR HARRISONS AGRICULTURAL SHEDS

AFPN08/02170/AGR and AFPN09/00690/AGR



He was granted permission to erect these buildings in the field and travelled daily to and from the site. There were also delivery/collection vehicles at various times servicing his business.

We purchased the land from Mr Harrison and cleared it of waste materials and the unsafe structures.

At the same time the land was officially registered as a Small Holding and it is our intention to cultivate part of the land to produce fruit and vegetables using the proposed dwelling as our new home.

We therefore maintain that not only would there be no intensification of use of the lane or the junction but that there would actually be less traffic using the lane and junction on a daily basis.

We also fully intend to construct another official passing place thereby doubling the current number and hence improving the safety for all users of the lane.

We are disappointed that Transportation still deems the visibility and width at the junction to be restricted given that so much money has just recently been spent on improvements.

The owner of 'Kantara' at the junction removed a high hedge which fronted the main road and replaced this with an even higher fence. Following enforcement proceedings the high fence was partially removed and replaced by a fence of the same height but set back from the road to form a visibility splay.

The current situation is that there is a section of the original high fence which still fronts the main road, which contains a gate and which is still more than 1m in height and is contrary to the Scottish Government householder permitted development rights: Guidance Legislation Class 3E:

Class 3E.— (1) The erection, construction, maintenance, improvement or alteration of any gate, fence, wall or other means of enclosure any part of which would be within or would bound the curtilage of a dwellinghouse. (2) Development is not permitted by this class if— (a) any part of the resulting gate, fence, wall or other means of enclosure would exceed 2 metres in height; (b) **any part of the resulting gate, fence, wall or other means of enclosure would exceed one metre in height where it— (i) fronts a road;** or (ii) extends beyond the line of the wall of the principal elevation or side elevation that is nearest a road; (c) it replaces or alters an existing gate, fence, wall or other means of enclosure and exceeds whichever is the greater of the original height or the heights

The new fence was designed and constructed by the council and yet it is currently not in the correct position as per the Council official drawings. The end of the fence where it meets the lane needs to be moved back just over 0.5 m. I have brought this to the attention of enforcement but have been told that no action will be taken, I have also suggested that the section of fence that currently fronts the road be lowered to increase visibility still further but once again no action will be taken.

A considerable amount of public money has been spent on removing and replacing this fence and yet it appears that the visibility is still restricted.

We believe that the improved visibility at the junction is appropriate and more than adequate to observe oncoming traffic in both directions, coupled with the intended additional passing place we therefore submit that it complies with DP1 providing safe access to the road network.

The photos below show the visibility at the junction following the recent improvements and also two cars passing at the junction prior to the recent improvements.

Vehicle at junction



Visibility in North East direction also showing low stone wall erected by the council in 2015 to improve visibility.



Visibility in North West Direction clearly showing oncoming traffic.



2 cars passing at the junction

