

Clovenfords and District Community Council

Planning Application Ref No: 17/01008/FUL, Appeal Ref No: 17/00053/RREF

Comments with regard to the Amended Site Plan Ref 9303.1.02B

Points to Note

- a. The original tree survey carried out by Tree Force to support the Planning Application 17/01008/FUL in May 2017, recommends the removal of 16 trees. The reason given for the removal of 13 of these trees is that the tree root systems are within the footprint of the proposed development.
- b. Camerons, as agent for the applicant, in the Appeal Statement in December 2017, re-iterate the requirement for removal of 14 trees. It is claimed that this would have a positive effect on the remaining trees.
- c. The amended plan 9303.1.02B, shows the removal of only 3 trees. It is stated that removal of the 3 trees is required because their location is within the footprint of the proposed dwelling. There is no information regarding the fate of the remaining trees either before, during or after construction of the proposed dwelling. It would appear from the amended plan that they no longer require to be removed!

Concerns

1. The 3 trees identified on the plan for removal are healthy and mature (trunk circumferences of 95cm, 74cm and 36cm). There is an additional tree (27cm circumference), not shown on the plan, which would also require removal. **It is of concern that 4 healthy and mature trees will be removed to facilitate erection of a dwelling which is of no benefit to the woodland.**
2. With regard to the trees previously identified for removal because their root systems are within the footprint of the proposed dwelling, 2 of these are on the East side boundary. They are both healthy and mature (54cm and 40cm circumference) but are right next to (2cm from) the proposed dwelling boundary. It is unbelievable that these 2 trees do not require removal. If not removed they will be damaged during construction or will cause damage to the proposed dwelling and will then be removed. **It is of concern that these 2 trees have not been identified for removal when it is very apparent that they would have to be removed during the building process.**
3. A further 5 trees on the East side are within 2metres of the proposed boundary. 1 of these has a circumference of 155cm but does not appear to be shown on the plan.
4. On the West side of the boundary there are 4 trees, 3 of which are substantial and sited within 2metres of the proposed boundary. 1 of these (identified as tree 7 on the drawing) is only 1.4metres from the boundary and has a circumference of 150cm, a second tree nearby has a circumference of 134cm.
5. The mature trees described in para 3 and 4 will have significant root systems. Based upon readily available tree root protection area information, a significant portion of their root systems will be within the footprint of the proposed dwelling. (That is why Tree Force recommended their removal). The construction methods described in the initial planning application claim that damage to tree roots will be minimised. But not eliminated. Therefore damage to tree roots can be expected. **It is of concern that a significant number of mature tree root systems will be damaged during the construction phase of the proposed dwelling. Any damage to these root systems is unwelcome.**

6. With regard to root protection areas, those shown on the amended plan appear to be shown smaller than would be expected for such mature trees. This gives the impression that root systems appear less intrusive on the proposed development.
7. Further to the concern regarding below ground damage there are concerns for the wellbeing of these trees above ground level. The proposed dwelling has a ridge height of 10metres (approx. 32ft). **Note**, for comparison, the ridge height of the existing dog kennels is 4metres (13ft). This ridge extends the full length of the dwelling, 14metres (approx45ft). Due to the height and shape of these trees there will be impact between the dwelling roof and tree limbs and branches. When taking into account the height, spread and future growth potential of these trees, it is apparent that further tree reduction or removal is inevitable. **The likelihood of tree surgery being required on these trees either during or after completion of the dwelling is significant. This is of concern to the community council.**
8. It is believed that the trees in this woodland are covered by a 'blanket' tree preservation order. This makes it extremely difficult to monitor, control or approve any work carried out on these trees. This has been clearly demonstrated by the felling of several mature oak trees on the edge of these woods. No records can be found for approval by the SBC Tree Officer for this work to be carried out. Therefore what confidence can Clovenfords and District Community Council have about the control of any future tree management in these woods? **The method for the control and monitoring of any tree work carried out in these woods is of concern to the community council.**

In summary, the concerns of the Clovenfords and District Community Council have not been alleviated by the amended plan, ref 9303.1.02B. Rather, concerns have been increased for the future wellbeing of this woodland and the trees therein should this appeal be granted to replace dog kennels with an unnecessary dwelling house.

George Dormand

On behalf of

Clovenfords and District Community Council

**2 Craigmyle Gardens,
Clovenfords,
Selkirkshire,
TD1 3LP**

Chief Executive

27 FEB 2018

Democracy

23rd February, 2018

**Ms. L. McGeoch,
Clerk To The Local Review Body,
Scottish Borders Council,
Council Headquarters,
Newtown St. Boswells,
Melrose,
TD6 0SA.**

**Planning Ref: 17/01008/FUL
Appeal Ref: 17/00053/RREF**

Dear Madam,

**PLANNING APPLICATION – Derelict Dwelling Land West Of
Glenkinnon Lodge, Peelburnfoot,
Clovenfords, Scottish Borders
PROPOSED DEVELOPMENT Erection Of Replacement
APPLICANT Dwelling House – Mr. Adam Elder**

**APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY
PLANNING (SCOTLAND) ACT 1997 TOWN AND COUNTRY
PLANNING (SCHEMES OF DELEGATIONS AND LOCAL REVIEW
PROCEDURE) (SCOTLAND) REGULATIONS 2013**

**I thank you for your letter of 20th February, 2018, updating me on
the latest situation regarding the above.**

**May I first of all point out that I object to the use of the words
“Derelict Dwelling” in your headings. To the best of my knowledge,
there is no evidence that this building was ever a
dwelling, except for dogs and pigs. Being that this is the case,
“Replacement Dwelling” is also incorrect.**

Having re-read my initial objection letter to you of 21st July, 2017, I am still of the same opinion and nothing has changed.

Having reviewed the latest updated drawing, 9303.1.02 rev B, I feel it has very little, if any, impact on my original objections. It would appear that the only difference is that Mr. Elder only intends to remove 3 trees instead of 14.

As Mr Elder is the "Client" on this drawing, can I bring the attached article by East Lothian Courier to your attention.

I object to this Planning Appeal.

Yours faithfully

Robert Morton

Encs:

Community councillors feel "duped" over Whynot? plans

http://www.eastlothiancourier.com/news/northberwick/14817726.Community_councillors_feel_quot_duped_quot_over_Whynot_plans/

www.eastlothiancourier.com

1 min read

whynot? on North Berwick High Street

Community councillors feel "duped" over Whynot? plans

Bill Macnair, North Berwick Community Council vice-chairman

ANGRY community councillors felt they had been "duped" after an application for an extension to Whynot? was approved.

The application, for an extension and outdoor seating to the rear of the High Street premises, was granted by East Lothian Council's planning committee this month.

Ward councillors and local residents had raised concerns over the outdoor seating aspect of the application.

Adam Elder, who runs Whynot?, which is home to various independent traders, made a presentation to the community council when the application was first submitted and said then that the outdoor seating was "a mistake" and would be rectified on the application.

However, the seating aspect remained part of the planning application, which was later approved.

That brought an angry reaction from Bill Macnair, vice-chairman of North Berwick Community Council (NBCC) .

He said at their meeting: “So what you are telling me is that we’ve been told one thing, but we’ve got something completely different? We were told there would not be any outside seating, but that is what the application is for. I feel like we’ve been duped.”

Jim Goodfellow, ward councillor and a member of the planning committee, told the community council: “The opinion of the planning officials was that if there is a 1.8-metre fence it would be acceptable.”

Mr Macnair, though, was disappointed for local residents, who had attended an earlier NBCC meeting to voice their concerns at the application.

He added: “The residents were put at ease that it was going to be changed and there wasn’t going to be outside seating.”

Fellow community councillor Hilary Smith, though, said: “Just because he has planning permission does not mean he will exercise it.”, a view Mr Macnair described as “naive.

While Sheila Sinclair added: “I think we should write to Adam [Elder] and express our disappointment.”

Noise concerns were also raised by local residents, but Mr Goodfellow said the council’s noise team would deal with any complaints, although it is not expected to be an issue, as the extension will only be open between 10am and 5.30pm.

After lengthy debate, the community council agreed to draft a letter to Mr Elder, voicing their concerns.

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Clovenfords,
Selkirkshire,
TD1 3LP**

Chief Executive

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dwelling, except for dogs and pigs. Being that this is the case,
“Replacement Dwelling” is also incorrect.**

Having re-read my initial objection letter to you of 21st July, 2017, I am still of the same opinion and nothing has changed.

Having read Mr. Elder's latest Appeal, I have the following comments to make:-

It seems Mr. Elder's Appeal is exactly the same as his original Planning Application, except that he proposes to remove 3 trees instead of 14. While this will have less of an impact on the woodland, it does not address any of the other concerns. I still feel the impact on the birds and animals of the woodland would be affected by this proposed development.

With reference to item 2. of his Response – I believe that the documents submitted with the original Application were altered to state that this building was once a dwelling. The original document that Mr. Elder refers to clearly states that this was not the case. He states himself that there is “no verified evidence”. As stated in my letter of 21st July, this building is only 21 sq.m and is split into four sections – you would have to sleep standing up!

In section 2.1 he uses the skylight as proof of a dwelling – I think we could come up with all sorts of scenarios that would equally explain the skylight and the use of a sprung bed frame! I, therefore, disagree that any of Mr. Elder's “three elements” lead to the belief that there was once human occupation of this building.

I might add that Mr. Elder states that the Appeal Objections dropped by half from the original number. I would suggest that this was due to the short time scale for the Appeal and, like myself, some people were away over the Festive Period and some were unwell.

I did send a letter in January concerning the Appeal, but having been unwell I missed the deadline by two days and the letter was not accepted, which I totally accept.

The long and short of this is that 3 tree against 14 trees does not alter my original opinion or objections. There is still no guarantee that if Mr. Elder gets Planning Permission he will not sell on with Planning Permission or build the house and set a precedent for further development. This woodland is very special to the local community and many surrounding communities.

I object to this Planning Appeal.

Yours faithfully

Carol Morton (Mrs)

**Encs: You may find the enclosed also of interest.
East Lothian Courier – 22nd October 2016**

Community councillors feel "duped" over Whynot? plans

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whynot? on North Berwick High Street

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CLERK TO THE LOCAL REVIEW BODY
08 MAR 2018
Democratic Scotland
Clerk to the Local Review Body
Scottish Borders Council Headquarters
Newtown St. Boswells
Melrose
TD6 0SA

16 Craigmyle Park
Clovenfords
Galashiels
TD1 3LA

28 February 2018

Dear Madam

Planning Reference: 17/01008/FUL & 17/00053/RREF

We refer to your letter dated 20 February 2018 informing us of the decision of the Local Review Body (LRB) at its meeting on 19 February to allow those who made representations in relation to the appeal the opportunity to respond to new evidence submitted by the applicant in respect of the effect of the proposal on trees within this woodland site. Together with five other local residents, I attended the LRB meeting and understand from the discussion at that meeting that the new evidence relates to the statement in the first full paragraph on page 2 of the appeal letter dated 15 December 2017 that the proposal requires the removal of only 3 self-seeded sycamore trees (as shown on the up-dated drawing 9303_1_02B) rather than the 14 trees originally proposed. The members considered that this "new" information should be accepted in terms of Section 43B of the 1997 Planning Act, as amended.

In relation to this new evidence, the size and scale of the proposed dwellinghouse remains the same and its effect on the protected trees and the surrounding woodland would be felt far beyond the confines of the external walls of the building as a result of the associated road and drainage works that are required. The amended drawing does not change, in any way, our views of the impact of the proposed development on the trees that are subject to the Tree Preservation Order and the biodiversity of the surrounding woodland designated as a SSSI. Our position as detailed in our previous representations, dated 21 July 2017 and 12 September 2017 has not changed.

We note that, although, "new" information relating to community benefits, the use of the proposed dwellinghouse as affordable housing and the applicant's business credentials was also included in the appeal letter dated 15 December 2017 and was discussed at the LRB meeting on 19 February, the members decided that this information would not be accepted in terms of Section 43B of the Act. We note, however, that there was no discussion of the "new" information on the validity of the Valuation Roll extract in the Planning Statement submitted in support of the application, referred to in the applicant's letter dated 27 January 2018, where it is suggested that the entry from the 1915 Valuation Roll for the County of Selkirk incorporated as Appendix 1 in the Planning Statement might somehow be the result of some anomaly in the preparation of the valuation roll. The applicant refers in that letter to a standard quote from the ScotlandsPeople website relating to the initial production of valuation rolls in the past, which is not relevant in this case. We trust that, should the LRB decide to accept this "new" information, that those who made representations will be given the opportunity to respond to this new evidence before any final decision is made on this appeal.

Yours faithfully,

Dr Douglas and Mrs Brenda Hope

Chief Executive

06 MAR 2018

Democracy Centre

17 Craigmyle Park
Clovenfords
Galashiels
Selkirkshire
TD1 3LA

Clerk to the Local Review Body
Scottish Borders Council Headquarters
Newton St. Boswells
Melrose
TD6 0SA

Date: 28th February 2018

Dear Sir/Madam

Reference Planning Application: 17/00053/RREF

Planning Application: Derelict Dwelling Land West of Glenkinnon Lodge Peelburnfoot
Clovenfords Scottish Borders.

Please accept this letter as our response to your letter of 20th February 2018 based on the amended plan 9303.1.02 B and its position in relation to the compliance with Policy EP13

POLICY EP13:

TREES, WOODLANDS AND HEDGEROWS) of the Local Development Plan 2016

The Council will refuse development that would cause the loss of or serious damage to the woodland resource unless the public benefits of the development clearly outweigh the loss of landscape, ecological, recreational, historical, or shelter value.

Comments

- The particulars of sale as outlined by John Clegg & Co Chartered Surveyors & Forestry Agents classified Peel Wood and Peel Lodge Grove as a diverse and charming mature woodland in the Scottish Borders.
- The woodland designated as a SSSI was never sold with property development opportunities.
- The erection of a dwelling house would clearly in our view cause a loss and serious damage to the woodland irrespective on how many trees are removed.
- We fail to understand how the original plans have identified the removal of 14 trees with amended plans now featuring the removal of only 3 trees.
- We see no public benefit arising from the unnecessary removal of any trees in the building of any dwelling house.
- The loss and damage to the landscape, ecological, recreational, historical or shelter value within the proposal, offer no public benefits whatsoever.

Any development that may impact on the woodland resource should:

- a) *aim to minimise adverse impacts on the biodiversity value of the woodland resource, including its environmental quality, ecological status and viability; and*

Comments against Point a

- The building of a large detached house with associated vehicle parking in an SSSI designated woodland would have a significant adverse effect on the biodiversity value of the woodland resource, including its environmental quality, ecological and viability
- b) *where there is an unavoidable loss of the woodland resource, ensure appropriate replacement planting, where possible, within the area of the Scottish Borders; and*

Comments against Point b

- The loss of woodland is clearly avoidable if there is no residential development within the woodland.
- c) *adhere to any planning agreement sought to enhance the woodland resource*

Comments against Point c

- The enhancement of the woodland resource will not in any way be delivered through the erection of a large detached house.

Summary

Mr Elder in his letter of 27th January 2018 writes *'Peel Wood is an exceptionally beautiful and precious place. I share all objector's ideals to maintain it as such. I will do my utmost to preserve and protect it for as long as I can'*

Comments

- We strongly believe that the above statement can only be guaranteed if Peel Wood remain as an existing woodland and preserved in its Natural Habitat in the Scottish Borders without the intrusion of any residential or commercial development now or at any time in the future.

Yours faithfully,

James & Jennifer Crichton

Further Comments on Planning Appeal 17/00053/RREF

With reference to your letter of 20 February 2018 asking about changes to my position in relation to compliance with Policy EP13 based upon the amended plan submitted on behalf of Mr Elder, **I can categorically state that having given very careful consideration to the amended plan I feel even more strongly that the appeal should be refused.**

In giving my reasons for objecting to the proposed building, it is important to note the following:

Any young tree less than 3.5ft tall is described as a seedling and I have ignored any of these growing within or close to the footprint of the proposed dwelling. Furthermore, I have also ignored any dead or badly damaged trees in and around the proposed building area.

A young tree is considered to be a sapling if it has a DBH (diameter measured at 4.5ft above ground level) of 1 to 5 inches (2.5 to 12.5cm) depending on type, usually from 3 to 15 years old. **Trees with larger diameters are classed as mature trees.**

The amended plan purports to illustrate the need to fell only 3 trees. Having spent time measuring tree circumferences and distances of trees from the existing and/or proposed walls of the new building, it has become clear that **6 trees need to be felled before any building works can even commence.** Three of these trees stand entirely within the footprint of the proposed building, one with a DBH of 30cm, one with a DBH of 13cm and one with a DBH of 9cm. **The first two provide a significant canopy above the kennels which will be lost after felling** and the third one, although it has, for some reason, not been included on the amended map, is more than 6metres high. Of the three other trees which must be felled, there is one 7cm from the front wall of the kennels, designated tree number 10 on the plan 9303.1.02.B which is still marked for felling; it is a mature tree with a DBH of 24cm and a significant canopy, plus 2 other trees on the east side of the dog kennels which have trunks only 2cm from a proposed boundary wall, one with a DBH of 17cm and one slightly less.

Furthermore, the tree felling will not end there as **there are seven trees on the east side of the existing/proposed boundary with trunks wholly or partially within 2 metres of the said boundary**, one of which has a DBH of 50cm (circumference 155cm) but was never labelled for felling and does not appear to be included on the amended plan, another one has a DBH of 43cm and had originally been included for felling.

Similarly, on the **west side there are a further four trees within 2 metres of a boundary wall, three of which are substantial.** One is less than 1.4metres from the existing kennels boundary. This has a DBH of 48cm (circumference 150cm) and its trunk is even closer to the proposed dwelling higher from the ground. Infact, it forks higher up into two main boughs, one of which will need to be completely removed as it will interfere with the proposed new boundary wall as it sits over the footprint of the kennels. Another one of the substantial trees has a DBH of 43cm (circumference 134cm).

Coming back to the **east side of the proposed building, there are actually twelve trees with trunks wholly or partially within 3 metres of the boundary wall.**

It is, therefore, very evident that there are a total of 18 trees at potential risk in a designated TPO area if this proposal were to be approved, with a likelihood that during the building of the proposed dwelling or at a later stage in the near future, many, if not all of these 18 trees will be felled.

This deduction is based on the close proximity of these trees to the proposed dwelling which have RPA (root protection area) radii which will lie wholly or partially within the footprint of the proposed

construction. The survey carried out by Tree Force on behalf of the applicant suggests there are 15 such trees and recommends their removal, but I have counted a total of 18 trees.

The proposed method of using screw piles for the foundation system may well be less invasive and cause less damage than traditional methods for digging and laying foundations but cannot and does not avoid damage. Had we been talking about traditional methods, then recommended guidelines are that dwellings should not be constructed with side walls within 6 metres of trees and front walls within 8 metres of trees. Here we have a situation in which the 18 trees all lie within 3 metres of the proposed building and for which significant damage will surely occur as their roots will be destroyed or damaged in the building process. The fact that the damage to the root systems may be reduced using the screw pile system **does not eliminate** significant damage to the tree roots.

Furthermore, many of the trees have branches which will interfere/overlap directly with the proposed walls and/or roof of the dwelling which would require them to be lopped.

So far, I have not even considered trees numbered 1 and 2 on the amended plan, or other trees which exist in the proposed parking area, all of which do not appear to be shown on the plan. **I also have serious concerns about possible damage to these trees, particularly the two very large copper beech and the chestnut trees, which have DBH's of 90cm (circumference 283cm), 85cm (circumference 267cm) and 35cm (circumference 110cm) respectively. There is a potential for damage to their root systems.**

I wish to make two further points in view of the applicant's appeal.

First, he says that the number of initial objections has dropped by half for the appeal and that he hopes that, in time, the other objectors will accept his presence as an inhabitant in the wood as a good thing for the community. This is worded in such a way that it implies that those people who initially objected but did not follow up with further objections to the appeal no longer objected. This is totally unsubstantiated and quite simply untrue. I have spoken to some of these people who did not follow up with further objections to the appeal and, without exception, they told me that they still objected but believed their initial objections would suffice and be carried forward as objections to the appeal.

Secondly, I wish to point out that the applicant has recently planted a number of seedlings in the wood. These are only 6" to 12" in height and therefore, I trust that the applicant will not claim that he has been planting trees in the wood, replacement or otherwise, as that would be quite misleading!

In summary, with a risk of root damage/disturbance and branch/bough removal to the 18 trees wholly within or in close proximity to the proposed dwelling plus the risk to trees in the proposed parking area, I firmly believe that based upon Policy EP13, the Local Review Body should refuse planning permission to the appeal for this proposed dwelling house in Peel Wood as the council have a responsibility *"to refuse development that would cause the loss of or serious damage to the woodland resource"*.

Jacqueline Dormand

Glenkinnon Lodge
Peelburnfoot
Clovenfords
Galashiels
TD1 3LH

Clerk to the Local Review Body
Scottish Borders Council
Council Headquarters
Newtown St. Boswells
Melrose
TD6 0SA

6th March 2018

Dear Sir/ Madam

**Planning Application: Derelict *Dwelling* Land West of Glenkinnon Lodge Peelburnfoot Clovenfords
Scottish Borders**

Planning Reference: 17/01008/FUL

Appeal Reference: 17/00053/RREF

I refer to your letter of 20th February 2018.

The amended plan does not change my previous representations in relation to compliance with Policy EP13 (Trees, Woodlands and Hedgerows) of the Local Development Plan 2016.

Any residential development would be contrary to this Policy and would have dire consequences for this old woodland with its rich history and ecology – it is believed to be the last remaining part of the old Ettrick Forest which includes the 500 year-old Glenkinnon Oak.

The storyboard (Glenkinnon Burn Biodiversity Trail) in the community woodland on the east side of the burn describes it thus:

"Ancient woodland like that which grows on the opposite bank of the Glenkinnon Burn is very special."

This storyboard has been supported by Borders Forest Trust and Scottish Borders Council, among others.

To allow this development in such a special piece of woodland would set an unacceptable precedent which would threaten all other woodlands in the Borders, especially those which don't have the historical and ecological importance of this one.

The number of trees to be removed initially seems to be arbitrary and gets adjusted downwards as the application process progresses, presumably to a number which the applicant believes will make the application successful. The house cannot exist with only 3 trees removed – the proposed footprint alone covers more than three. If 14 trees were required to be removed under the original application, presumably they still need to be removed and will eventually be felled if the application is allowed.

If permission is granted for any residential development in this woodland, more trees will inevitably be removed or damaged due to the following:

- The installation of services (electricity, water, drainage, etc.).
- Damage (accidental or intentional) during the actual building work amongst the trees
- The provision of light
- To improve the views from the large cathedral windows, particularly towards the river
- To eliminate the danger from falling trees and branches
- To reduce the risk of fire from the proposed woodburning stove

We cannot possibly predict what a future owner might do to the trees in the woodland.

Three old oaks subject to TPOs have already been felled by the applicant and we have been unable to find the formal documentation to permit this. (Subsequently, maintenance to trees at Craigmyle was carried out, and the proper documentation for this work is accessible on the planning website).

With the precedent of the three recently-felled oaks, it would seem doubtful that TPOs alone will provide adequate protection to the woodland and “forgiveness rather than permission” will be sought – too late to save the trees.

If the Council is serious about enforcing its Policy EP13, this application, which would effectively remove the status of “Woodland” from part of Peel Wood and change its status to residential use, should be refused.

Finally, the plan 9303.1.02 B gives a false impression of the location and setting of the site because it doesn't show the topography. The kennels (and the proposed building) sit in an isolated position within the woodland, distinctly separate from the houses at Peel and Glenkinnon. This can easily be confirmed by visiting the site which is clearly woodland and an integral part of Peel Wood – surely exactly what EP13 is designed to protect.

Yours faithfully

Christopher Whitmore

Glenkinnon Lodge
Peelburnfoot
Clovenfords
Galashiels
TD1 3LH

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Scottish Borders Council
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6th March 2018

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Appeal Reference: 17/00053/RREF

I refer to your letter of 20th February 2018 and amended plan 9303.1.02 B.

The number of trees to be felled is irrelevant and makes no change to my previous representations.

All of Peel Wood was sold as woodland, although not all of it is covered by the SSSI. Ancient and untouched for decades, it is protected by TPOs and the removal of trees would be contrary to Policy EP13 (Trees, Woodlands and Hedgerows) of the Local Development Plan 2016.

Yours faithfully

Patricia Wyllie

From: Louise Gibbard []
Sent: 07 March 2018 11:32
To: Customer Advice
Subject: FAO Local Review Fiona Walling

Ref 17/00053/RREF

Dear Sirs,

I would like to submit a further comment on the above planning appeal. The question asked was does the additional information supplied by the applicant change my views on this application. My answer is no it does not.

I can't understand why the applicant went to the trouble and expense of a formal tree survey in relation to this which recommended the removal of 14 trees to dismiss this in his opinion only 5 and now 3 trees need to be removed. Looking at the site this would seem impossible with a building of this size. Should permission be granted what then happens if the expert opinion was the correct one?

I am of the opinion that the applicant will say anything to push this through and deal with the reality after the event and the woodland, it's plants, animals and bird life will be the ones to suffer.

I also feel if this is genuinely the case then this information would have been available at the time of the original consideration by the planning officer.

In light of this my objection still stands.

Yours faithfully,

Louise Gibbard
Peel Lodge

Sent from my iPad

Walling, Fiona

From: THOMAS WILSON <thomas.wilson@glasgow.ac.uk>
Sent: 07 March 2018 14:40
To: localreview
Subject: Planning Appeal Ref. 17/00053/RREF

Dear Ms McGeoch

We returned home from the USA only this morning at approx.10 am (7th March) to discover your Notices regarding the Appeal by Mr Elder on the matter of Planning Reference 17/01008/FUL.

As a measure of our continuing objections to this proposal, and the cynical amendment regarding the alleged number of trees to be removed in the updated site plan, which we have just viewed on your website, the new proposal does not alter our original views in relation to compliance with Policy EP13 of the Local Development Plan 2016. We find the allegation in the amended plan (Ref. 9303.1.02 B) that only six self-seeded saplings (shown in red) now need to be removed to accommodate this wholly inappropriate structure to be quite incredible. As indicated previously, the fundamental premise and title of this appeal and original application, claiming to be on "derelict dwelling land" for the "erection of a replacement dwelling house" is fallacious and preposterous. Speculation in the applicant's most recent response based on an alleged historical presence of a rusted bed frame does not a dwelling make!

Our apologies for the late response to your letters of 20th February. Fortunately, we opened 6 weeks of back-dated mail immediately upon returning to our home in Craigmyle Park by mid-day.

We trust that the Local Review Body will uphold its sound, evidence-based conclusion.

Yours sincerely

Professor Thomas M. A. Wilson FRSB FRSE and Mrs Judith L. Wilson BEd

Chief Executive

07 MAR 2018

Democratic Services

**4 Craigmyle Gardens
Craigmyle Park
Clovenfords
Selkirkshire
TD1 3LP**

**Tel: 01896 822222
2 March 2018**

Ms Louise McGeoch
Clerk to the Local Review Body
Scottish Borders Council
Newton St Boswells
Melrose
TD6 0SA

Dear Ms McGeogh,

Re: Appeal Ref: 17/00053/RREF

In response to your letter of 20th February I wish it to be noted that "the amended plan change **does not change my position** in relation to compliance with Policy EP13 (Trees, Woodlands and Hedgerows) of the Local Development Plan 2016".

I fail to understand how Mr Elder can rely on a "falsified document" to promote his application. The kennels in the woods **are kennels** and it is therefore incorrect for his application to state that the proposed development is an "erection to replace a dwelling house". The assertions made in his application with regard to "affordable housing/private gated entrance/woodland management" etc etc are totally spurious and of no relevance. This is an application to build a large, private house in ancient woodland to the detriment of the woodland and the entire neighbourhood.

I wish the original decision to stand - Application Refused.

Yours sincerely,

Maureen E Appleyard

