
**Please find attached additional document in respect of
Item No. 4(a) on the agenda for the above meeting**

	<p>(a) Submissions by Officer and Applicant on further information requested. (Pages 3 - 4)</p> <p>(Copy attached)</p>
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From: localreview <localreview@scotborders.gov.uk>
Sent: Wednesday, September 6, 2023 2:55 PM
To: Planning Appeals <PlanningAppeals@scotborders.gov.uk>
Subject: FW: [OFFICIAL] FW: Land South Of Ebba strand Coldingham Sands Coldingham - 22/01357/FUL and 23/00008/RREF

Good Afternoon

I would be obliged if the e-mail below could be added to the Review Portal under reference – 23/00008/RREF and the Agents response.

Many Thanks Fiona

Fiona Henderson
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From: Tim Ferguson <tim@fergusonplanning.co.uk>
Sent: Tuesday, September 5, 2023 1:18 PM
To: localreview <localreview@scotborders.gov.uk>; Henderson, Fiona <FHenderson@scotborders.gov.uk>
Cc: rob cameron [REDACTED]
Subject: FW: [OFFICIAL] FW: Land South Of Ebba strand Coldingham Sands Coldingham - 22/01357/FUL and 23/00008/RREF

CAUTION: External Email

Hi Fiona

I think we have outlined our position within all the documentation lodged with the Appeal and in the most recent submission. We do not intend to repeat the related matters any further.

The Appellant does wish to make it clear that:

1. They would be content with a planning condition to be appended and that outlines that rock hammering would not be permitted. We have outlined numerous times now that we are happy with this. The Case Officer rightly states that he is not suitably qualified to comment on land stability matters but appears to have done so in the determination of the application. Again, the landscape officer we would contest is again not suitable qualified to make detailed remark on such matters but appears to also have done so. A suitable qualified engineer is the appropriate person to comment on such matters.

The entire issue can be easily addressed by a suitable worded condition being applied which can seek no rock hammering and related construction engineering methodology be provided. The Appellant's Architect has issued the proposed construction methodology in the last submission package. Further detailing would be verified by an engineer as part of the condition discharge and building warrant process.

2. We are again content with a pre-start planning condition which seeks a topographical survey and foundation design. The Appellant offered to undertake the topographical Survey during the course of the Appeal proceedings. It was confirmed by the Council's Planning and Legal Department that it was not necessary at this stage as the information provided was sufficient and that the detail could be conditioned. As such, the case officer's comments should be set aside on this matter.
3. The process of preparing for the site construction started prior to the adoption of the LDP. We consider that the road works formed part of the development intention, contrary to assertions by the Case Officer. Moreover, the submission of the Building Warrant again submitted in advance of the current LDP shows a clear start or intention to the construction process.
4. It is acknowledged by the Appellant that the demolition and other construction matters continued into and beyond 2017. As mentioned, it is material to bring things forward to the present day and to note that the LDP2 has been through examination and going to the planning committee this month we understand. This in effect means that the proposal will comply with the associated Building Group Policy within a matter of weeks.

We trust you find the above informative.

Regards

Tim

Tim Ferguson
Director

F E R G U S O N
P L A N N I N G



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