

22 JAN 2018



Democratic Services

Notice of Review

NOTICE OF REVIEW

UNDER SECTION 43A(8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (AS AMENDED) IN RESPECT OF DECISIONS ON LOCAL DEVELOPMENTS

THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW PROCEDURE) (SCOTLAND) REGULATIONS 2008

THE TOWN AND COUNTRY PLANNING (APPEALS) (SCOTLAND) REGULATIONS 2008

IMPORTANT: Failure to supply all the relevant information could invalidate your notice of review.

Use BLOCK CAPITALS if completing in manuscript

Applicant(s)

Agent (if any)

Name GREG BLACKLOCK

Name

Address 1 EILDON TERRACE

Address

Postcode TD6 0PY

Postcode

Contact Telephone 1

Contact Telephone 1

Contact Telephone 2

Contact Telephone 2

Fax No

Fax No

E-mail*

E-mail*

Mark this box to confirm all contact should be through this representative:

* Do you agree to correspondence regarding your review being sent by e-mail?

Yes No [checked] []

Planning authority SBC

Planning authority's application reference number 17/01230/FUL

Site address 1 EILDON TERRACE, TD6 0PY

Description of proposed development ERECTION OF BOUNDARY FENCE + DRIVEWAY

Date of application 13/09/17 Date of decision (if any) 7/11/17

Note. This notice must be served on the planning authority within three months of the date of the decision notice or from the date of expiry of the period allowed for determining the application.

Nature of application

- 1. Application for planning permission (including householder application)
- 2. Application for planning permission in principle
- 3. Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission; and/or modification, variation or removal of a planning condition)
- 4. Application for approval of matters specified in conditions

Reasons for seeking review

- 1. Refusal of application by appointed officer
- 2. Failure by appointed officer to determine the application within the period allowed for determination of the application
- 3. Conditions imposed on consent by appointed officer

Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- 1. Further written submissions
- 2. One or more hearing sessions
- 3. Site inspection
- 4. Assessment of review documents only, with no further procedure

If you have marked box 1 or 2, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing are necessary:

Happy to meet face to face to discuss further

Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- | | Yes | No |
|--|-------------------------------------|--------------------------|
| 1. Can the site be viewed entirely from public land? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Is it possible for the site to be accessed safely, and without barriers to entry? | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

SEE SEPERATE DOCUMENT

Have you raised any matters which were not before the appointed officer at the time the determination on your application was made?

Yes No

If yes, you should explain in the box below, why you are raising new material, why it was not raised with the appointed officer before your application was determined and why you consider it should now be considered in your review.

List of documents and evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

Checklist

Please mark the appropriate boxes to confirm you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requiring a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

Declaration

I the applicant/agent [delete as appropriate] hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents.

Signed

Date

20/1/18

The Completed form should be returned to the Head of Corporate Administration, Scottish Borders Council, Council Headquarters, Newtown St. Boswells TD6 0SA.

Thank you for taking the time to look over our appeal regarding the erection of the garden fence.

When looking over all the email correspondence we have received, it seems like everything we proposed could be supported but the only part that would cause issue would be the tall fence that runs along the pavement beside the Bowden Road.

When we moved into this house in August there was a fence along this area but it was rotten and was being held up by a 7-foot overgrown hedge so we wanted to remove the hedge and fence and put up a new one.

At the top of the Bowden road there is a house that has a 5/6-foot fence and from what we gather, planning permission was granted for this fence.

The reason we chose a fence of this height is because we have an almost 9-month old little girl who looks like she is going to be on the move pretty soon. The way the house is positioned the majority of the garden is to the front of the house. If she is going out, I would expect this to be the area she would play in. The fence is not for privacy, it is for the safety and security of her. The Bowden Road is a very busy road during the day and there are a lot of large lorries and farm vehicles that use this so we have to think about what is going to be the best in terms of safety for her if she is out playing.

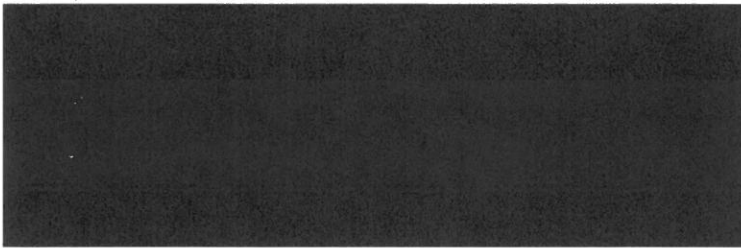
As well as having our child, we have a very friendly dog that likes to say hello to people. I read on the Newtown Community Council Meeting notes that there was a vicious dog attack very close to our house in which the police were involved, I would be afraid that if we were to have a low fence, this could compromise the safety of the child and the dog.

Regarding the driveway that we proposed, we feel that this is something that would be extremely beneficial to have. My partner is currently on maternity leave but is due to go back to work at the end of January and at that time we will have grandparents looking after the child at our house some of the days of the week. During my partner's time off, she has found that parking is a big problem during the day. There have been times that she has gone away to appointments/shopping and by the time she has returned, there are no spaces near to the house as they have been taken up by council workers and visitors to the council. This is not only of the Bowden Road but we have now found that the cars are parking in Eildon Terrace. Not being able to park near the house is not ideal with having a little child on a busy street so we feel that the driveway we propose would be a lot safer for getting our child in and out of the car but it would also take our vehicles off the street allowing for more parking during the day for staff and visitors to the council buildings.

Upon speaking to neighbours and looking at the planning application on the council website, no objections or comments were made regarding the fence and driveway. The roads department had no objections and we are getting a lot of comments from passers-by to say that we have made such an improvement compared to what was there before we moved in.

We would love to be able to work with you on this to see if we came come up with a solution/compromise and would happily meet face to face to discuss this further.

Thank you for taking the time to read this and we look forward to hearing from you soon.



Greg Blacklock & Lucy Dods