

**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)**

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

**Agent (if any)**

Name

Address

Postcode

Contact Telephone 1

Contact Telephone 2

Fax No

E-mail\*

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

Yes No

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

Planning authority

Planning authority's application reference number

Site address

Description of proposed development

Date of application  Date of decision (if any)

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:

**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 SEPARATE SHEET

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.

DRAWINGS :

- EXISTING PLAN + PHOTOGRAPHS.
- FLOOR PLANS AS PROPOSED.
- ELEVATIONS AS PROPOSED
- PHOTOGRAPHS SHOWING ADJACENT PROPERTIES & OTHERS IN GLENBURGH ROAD.
- PERSPECTIVE VIEWS OF PROPOSALS
- EMAILS FROM MYSELF TO PLANNING OFFICER.

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

22.3.2018

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

## STATEMENT

34 Edinburgh Road, Peebles

20 March 2018

We request a review, as we are of the opinion that we are not being given a fair hearing from the planning authority.

We feel very strongly that a site visit would make clear why we hold this opinion.

My Client wishes to improve & extend her property; all works take place at the rear of the premises & present minimal impact to the bungalow itself & to the general streetscape (through both being at the rear of the house & keeping, as much as possible, the mass of the extension hidden behind the existing building - there are no alterations to the main, front elevation).

We wish the Review Body to consider the following :

(i)

The extension has been designed such that , at the upper level, the massing narrows at the junction with the existing roof (see first floor plan). This means that the main massing of the new extension is pushed further away from the existing roof thereby reducing the visible profile when viewed from Edinburgh Road.

This becomes self explanatory when viewed on-site.

(ii)

The new extension roof level is set below the existing roof ridge; the existing hips to the roof remain unaltered - keeping the house appearance 'as-is'.

(iii)

Material finishes have been specified 'to match existing'; this means that natural slate & roughcast will be utilised; thus any visible area of the proposals will complement & blend into the general finishes & textures already prevalent in Edinburgh Road.

(iv)

The design philosophy applied is that the extension be in 'sympathy' with the existing environment & has *not* been approached in a more contemporary style.

(v)

We are of the opinion, when taking into account the above, that, contra to the Planning Authority's statement, the proposals in the main meet with the standards stated in Planning 'Policy PMD2' of the Local plan.

(vi)

We would also point out that the bungalow property *immediately* to the south of our proposals (No. 32) has a relatively new rear roof box dormer extension which wraps around the existing roof & interferes with the existing hip & side roof thereby completely contravening Planning Advice.

The building immediately to the north (No. 36) also has a 'box' dormer which projects even further past the hip & is therefore much more visible.

Our proposals sit physically between the houses on which these dormers have been constructed &, due to design methods, as outlined above, will present much *less* impact than they do.

There is nothing about our proposed design which will 'jar' or draw the eye.

(vii)

There is already a precedent to justify the 'mansard' type construction of the proposals.

This can be clearly seen as part of the extension to 'Venlaw Lodge' at the junction off the A703, just to the north of the proposals. this building is constructed to the north side of the original lodge & is fully visible from Edinburgh Road.

We would reiterate that a visit to the site would make clear why we feel that the Planning Authority should reconsider their actions.



31 January 2017  
1.14

ranald

i am totally confounded by your comments on this application & would ask if you can look again at the proposals in light of the following.

prior to designing these alterations, i spent a lot of time looking at the existing extensions that you have already approved in this area & quite honestly cannot see how you can group my proposals with those that precede them - most are contra your advice (advice which has been part of the council planning documentation for longer than many of these extensions lifetime).

our proposals are designed in such a way as to be almost invisible from edinburgh road; this attained by narrowing down the new upper level at the junction with the existing roof - see upper floor plan (please also bear in mind that there is a difference in ground level from pavement/roadway to ground floor of around 2.0 metres - this also contributing to the existing bungalow hiding the view of the new extension).

there are no ugly projections as happen with existing properties adjacent & along edinburgh road. the roof hips/ridge are uninterrupted on our proposals (unlike the existing extensions).

i would request a meeting on site to look at the physical (non)impact that the extension would exert.

i am on holiday as from friday 2nd february for a week,, so will not be in a position to meet until sometime during week commencing 12th february.

i would request a meeting, on site, during that week.

looking forward to meeting with you

regards  
andrew

1 February 2018  
4.26

ranald

further to our email communications of yesterday, i have managed to set aside some time to gather together additional information regarding our proposals, all as discussed.

i fully understand where you are coming from but feel that you are seeing a problem (aesthetically) where none exists.

My aim was to have the extension virtually invisible from the main roadway; this attained by setting back the proposals from the view lines; a person would have to be specifically hunting out the extension to see it at all. i would also highlight my earlier comment that the ground floor level of the existing house is set at 2.0 metres approximately from the pavement/main road level at the house - this factor further aids with the extension (at rear of property) being well hidden.

in the design i was keen to ensure the planning authority's advice was borne in mind & implemented :

- no box dormer to front. (in fact - "at all".)
- new roofline should not break the skyline
- the existing roof ridge level to remain.
- any new roof to be lower than main house ridge.
- slate roof finish to match existing.
- existing building not to be compromised.

in my opinion the resultant extension more than complies with this advice.

i would have understood your comments had the remainder of Edinburgh Road, in this location, shown signs of complying with your advice, but no, all of these recommendations have been ignored in quite a number of cases. there is a general free-for-all in the jumble of extensions along the roadway; some more noticeable than others.

i attach my drawing showing perspectives which were prepared at early design stage to give my client an idea of the massing & thought process in getting to my design solution.

as you will note the final design is very close to these sketches.

i have also attached photographs highlighting my comments with regard to existing streetscape.

Hopefully the foregoing additional information will clarify our position & allow you to release formal planning consent.

looking forward to meeting with you on my return from holiday (w/c 12 february).

regards  
drew

**12 February**  
7.26

ranald

where do you want to start with 'replicate bad design" ?  
i shan't go there.

as far as 'masking' is concerned, have you walked the length of edinburgh road ? - not a lot of hiding there !

i don't think my client will have a problem with omitting bedroom windows as suggested. (although can you say why ?)

nor have a problem with P.P.A., so that will be acceptable.

i shall get additional sketch, as requested, to you, showing massing - in next couple of days.

perhaps bad design could be all but obliterated if this approach was addressed to all planning applications.

best regards  
drew

**14 February**  
2.55  
ranald

i am pleased to attach updated photos/perspectives.  
i also confirm no problems with removing south facing windows at upper level.

hopefully this will allow issue of relevant approval.

both my client & myself are mystified as to why extensions very similar to our proposals have been approved.  
as previously explained we spent a lot of time ensuring minimum impact would be caused by the proposals.

regards  
drew

**27 Feb**  
10.37

Rnald

attached - perspective views from edinburgh road as requested.

i presume that this together with omission of south facing windows (apart from bathroom window which will be obscure glazed) at upper level will allow you to issue relevant planning consent.

regards  
drew