

**Walling, Fiona**

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**From:** localreview  
**Subject:** FW: Planning appeal 19/00005/RREF - Deans Bar, Hawick

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**From:** Pauline Deans [REDACTED]  
**Sent:** 03 July 2019 22:34  
**To:** localreview <localreview@scotborders.gov.uk>  
**Subject:** RE: Planning appeal 19/00005/RREF - Deans Bar, Hawick

Hi Fiona,

Thanks for that. I would like to make the following comments:

- At the hearing Lynn Crothers advised that Environmental Health had not asked us to install the required air conditioning units and when asked by one of the Councillors who had asked, she thought it was Building Standards. The information provided by Building Standards states that "the existing system serving the function room was appropriate to meet the functional standard" it was therefore not Building Control that asked for the units. Planning have advised that "this same enquiry has been addressed to Building Standards, and I concur that the latter is indeed best placed to advise the Local Review Body on that particular matter". I would like to raise the fact that for the past 2.5 years I have been unable to use that room due to it having unsuitable ventilation!! I have lost tens of thousands of pounds in lost revenue because of this and it still seems to be unclear as to what it is that is required of us.
- Lynn Crothers also advised at the hearing that Environmental Health had been generously assisting us in this matter, when in fact I was refused meetings regarding the noise reports and our proposals for reducing noise. Instead she offered me an interview under caution. At that interview she also advised me that even if I did manage to get the function room open, she would issue an 11pm curfew the same as she did for the front bar. I feel she has not been impartial since becoming involved in this process and has in my opinion made her mind up that we are a noise nuisance despite never setting foot in the bar.
- She also advised at the hearing that our noise reports were sent in later than they actually were and that Environmental Health did not agree the methodology for the noise assessments, which they then stated were incorrect, when in fact we have the email between CSP Acoustics and Environmental Health that confirms this. This adds to my point that she has not been impartial.
- Police Scotland have established that the upstairs neighbour is harassing us, our staff and delivery drivers. Environmental Health have pursued this so called noise issue for 2.5 years and are not addressing the fact that the neighbour has created a noise problem by making a gap in the floor/ceiling space by removing insulation, but instead are taking legal action against my business for noise. This is more relevant to the front bar than the back but as this all stems from that neighbour I have mentioned this to highlight that Environmental Health are supporting him in his campaign to the detriment of my business.

Kind regards  
Mark Deans

Sent from [Mail](#) for Windows 10

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**From:** localreview <localreview@scotborders.gov.uk>  
**Sent:** Wednesday, June 26, 2019 3:01:03 PM  
**To:** [REDACTED]  
**Subject:** Planning appeal 19/00005/RREF - Deans Bar, Hawick

Dear Mr Deans

**PLANNING APPLICATION  
PROPOSED DEVELOPMENT:**

**Deans Bar 3 Orrock Place Hawick Scottish Borders TD9 0HQ  
Variation of condition 4 of planning permission 16/00753/FUL to reinstate  
2 no windows in lieu of air conditioning units**

Thank you for the additional information received today by post, from yourself, in connection with the above appeal and in response to the request in my letter of 30 May 2019. As explained in that letter this information will now be passed to the Council's Environmental Health Officer who will have 14 days to send comments to the Local Review Body.

Also, as stated in the letter of 30 May 2019, the appointed Planning Officer and Building Standards Officer were asked for information on the following:-

- With the proposed acoustic boards in place at the windows, do the extractor fans currently installed provide adequate ventilation in terms of condition 4 of planning permission 16/00753/FUL and the requirements of building standards/environmental health as appropriate.

I have attached copies of the information they provided. If you have any comments to make on this information please send these to the Clerk of the Local Review Body at Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA or by email to [localreview@scotborders.gov.uk](mailto:localreview@scotborders.gov.uk) within 14 days (i.e. by 11 July 2019 at the latest).

Kind regards  
Fiona Walling

Fiona Walling  
Democratic Services Officer  
Customer & Communities  
Scottish Borders Council  
Council Headquarters  
NEWTOWN ST BOSWELLS TD6 0SA  
Tel: 01835 826504 (Direct Line)  
e-mail [fwalling@scotborders.gov.uk](mailto:fwalling@scotborders.gov.uk)  
Web | [Twitter](#) | [Facebook](#) | [Flickr](#) | [YouTube](#)

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