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Text House

Main Street

Denholm

Hawick

TD9 8NU

30th June 2019

Application 19/00857/FUL **FENCE/(BARRIER)** **BLANK FIELD** (More Properly Manse Field)

And -- **Approved Erection of Dwelling Houses 15/01552/FUL**

Developer Contributions to Denholm Village School / Social Housing £10k

We refer to the above application **19/00857/FUL** and would make the following observations:

1) It is noted that the application refers to Blank Field, which in fact is more properly known as Manse field, Denholm. This site has full planning permission for two houses agreed by the Council – Planning Reference 15/01552/FUL.
2) The Roads Department have approved appropriate access plans for this site. Over the past Months the Denholm Mill Proprietors Association have erected a number of barriers to impede access to this site on land (Road Verge) adopted by SBC, as confirmed by the Roads Department.
3) This barrier is now removed as it impedes legally registered access rights to Manse Field[i].
4) No proprietor listed on the attached " Denholm Mill proprietors Association" has any
5) legal Title to Land set out in LAND OWNERSHIP PLAN (1993). The Plan states "LAND SOLD TO DENHOLM MILL 1993" . This is erroneous as no ownership rights passed to the Denholm Mill owners , under this deed.
6) The erection of a 2.1 M high Fence/Barrier will be inappropriate as it impedes line of sight view for vehicles exiting the housing development. The Planting of fruit trees will be inappropriate as it is not contained within the already agreed planting scheme for approved plans - 15/01552/FUL.
7) The Fence/Barrier line impedes legally registered access rights (See Below ROX14973)
8) The erection of a Fence/Barrier has no basis in Law, as no Title is retained by any of the Residents of Denholm Mill. SBC Legal Department have reviewed Purported Denholm Mill Residents Title to this Land. The applicant's own legal advisors indicate no title exists to Land, which is in contradiction to Land Ownership Plans submitted as part of this application.
9) We have received no neighbour notification.
10) In Summary, This is a vexatious application.

Andrew Haddon

Sandra Ewart

Owners Manse Field

Title Registered with Scottish Land Registry – March 2019. ROX 14973.

Comments for Planning Application 19/00857/FUL

Application Summary

Application Number: 19/00857/FUL
Address: Land South East Of Bungalow Denholm Mill Denholm Scottish Borders
Proposal: Erection of fence
Case Officer: Brett Taylor

Customer Details

Name: Mr WILLIAM ROBERTS
Address: Wester Middles, Hawick, Scottish Borders TD9 8LL

Comment Details

Commenter Type: Community Council
Stance: Customer made comments neither objecting to or supporting the Planning Application
Comment Reasons:
Comment:No comments or objections from D&DCC