



Notice of Review

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26 FEB 2020

**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 2013

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

Use **BLOCK CAPITALS** if completing in manuscript

**Applicant(s)**

Name Mr & Mrs William Rose

Address 2 Mill Lade, Blyth Bridge, West Linton

Postcode EH46 7HY

Contact Telephone 1  
Contact Telephone 2  
E-mail\*

**Agent (if any)**

Name Kanak Bose

Address Ogscastle, Camwath, Lanark

Postcode ML11 8NE

Contact Telephone 1 01555 840971  
Contact Telephone 2 07736 503321  
E-mail\* kanakbose@yahoo.co.uk

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 Scottish Borders Council

Planning authority's application reference number 19/01645/FUL

Site address Land to the south west of 3 Mill Lade, Blyth Bridge

Description of proposed development

Erection of Dwelling House and detached garage

Date of application 19/11/2019

Date of decision (if any) 20/1/2020

#### Notice of Review

**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 (tick one box)

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:

The flood risk assessment is an ongoing procedure and more information may become available; should it be felt that an ecology report is appropriate we are happy to commission this

#### 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:

## Notice of Review

### Statement

You must state, in full, why you are seeking a review of 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 attached documents entitled Statement of Review

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.

We are now in receipt of flood risk information carried out by our appointed engineers  
We have submitted within the statement of review a note of consequence regarding the applicants and their standing within the rural community

## Notice of 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:** there will be no opportunity to submit further documents to accompany this notice of review.

#### Statement of review

SBC planning refusal notice 19/01645/FUL  
SBC planning refusal notice 19/00194/FUL  
Planning submission drawing OGS 298 01  
Sequential Maps of the village  
Flood Study (3 sheets)  
Letter from SNH regarding the Tarth Water and corridor for biodiversity

**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

[Redacted Signature]

Date

25/2/2020

**The completed form should be returned to the Clerk of the Local Review Body, Democratic Services, Scottish Borders Council, Council Headquarters, Newtown St. Boswells TD6 0SA or sent by email to [localreview@scotborders.gov.uk](mailto:localreview@scotborders.gov.uk)**

## 9 Summary

- The development of this site is a natural progression to finish and close the Mill Lade development and strengthen and enhance the village boundaries to the south of the village.
- Rather than being branded as an 'isolated rural' development the site and the respective building thereon should be considered to be part of the entire building group at Blyth Bridge.
- The boundary treatment and tree-planting proposed around the East, South and West boundaries will complete the soft edge of the south of the village. It will also improve the visual amenity to what is otherwise a derelict piece of ground and will provide an enhanced biodiversity for wildlife.

## 10 Appendices

- No 1 Scottish Borders Council Planning Refusal Notice 19/01645/FUL
- No 2 Scottish Borders Council Planning Refusal Notice 19/00194/FUL
- No 3 Planning Submission Drawing OGS 298 01
- No 4 Sequential Maps of the Village showing how it has developed
- No 5 Flood Study Sections 200-001-FR drawings 001;002;003
- No 6 Letter from SNH (relates to the earlier application)