

Waterloo Cottage
Chirnside
Duns
Scottish Borders
TD11 3XH
24 October 2021

Clerk to the Local Review Body
Council Headquarters
Newtown St Boswells
Melrose TD6 0SA

21/00027/RCOND Appeal against Scottish Borders Planning Authority decision on application 21/00965/FUL Erection of glazed covered pergola to existing outside seating area (...)

We wish to reiterate the points raised in our original objection comment to application 21/00965/FUL and accept the decision of the Planning Authority to grant temporary permission for 3 months as a benefit to the community in view of regulations imposed due to the Covid 19 pandemic (condition 2 of the decision).

We wish to address further points raised in the applicant's Notice of Review as follows:

1. We would contest the assertion that the crux of the application does not affect residential amenity. Incidents during lockdown mentioned previously and intrusive noise since then continue to raise concerns.
2. The contention that the site of the structure is already an outside seating area is correct. However, as an outside seating area, its use was limited by season and weather conditions. The roofed and substantially enclosed structure for which permanent permission is sought goes beyond the usual understanding of an outside area. It is noted that the applicant contests the Planning Authority's view, also acknowledged in the consultation reply from the Community Council, submitted after the original decision was taken, that the structure would increase usage of the area. This also increases the negative effect on the amenity of our property throughout the year, as greater usage of the structure concentrates noise closer to the garden and rear of our house.
3. It should be noted that, (more than 35 years ago) when we chose to reside adjacent to an established public house, the area in question was used exclusively for parking. The outside seating area was not established until 2007, when the licensing authorities required the erection of the existing fence to protect our privacy and amenity.
4. As stated, the application is not for a smoking shelter. However, the existing structure has been used for this purpose and the distance from the main building makes monitoring use of the area for whatever purpose difficult. If a roofed seating area is required, the applicant should consider siting this adjacent or close to the walls of their main building.
5. We note the offer in the Notice of Review to increase in an unspecified manner the fencing panels to the rear of the seating area to mitigate existing noise impact. While this would increase the enclosed nature of the structure, any reduction in noise impact is doubtful.
6. We would be happy for representatives of the Local Review Body to make an inspection visit to our property to facilitate full assessment of the situation.

Ian and Anna Grant