



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 Duns Golf Club
Address Quarry Road Duns

Postcode TD11 3NR

Contact Telephone 1
Contact Telephone 2
E-mail* alester2020@gmail.com

Agent (if any)

Name Andrew Lester
Address Wellrig Lea, Pouterlynie, Duns

Postcode TD11 3QL

Contact Telephone 1 07850 852834
Contact Telephone 2
E-mail* alester2020@gmail.com

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 21/01283/PPP

Site address Land South East of Hardens Hall Duns

Description of proposed development Change of use from Greenkeeper's Yard to site for single dwelling house

Date of application 9 Aug 2021

Date of decision (if any) 11 March 2022

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 matter is complex and we would welcome the opportunity to briefly explain the graphics submitted with the Appeal documents

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: No reasons

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.

Planning Permission was refused as it, in the officer's opinion, did not comply with policy and the application was refused.

However, no technical issues have been identified with this proposal which would make this a difficult site to develop. The only issues raised by officers are concerned with impact on the visual amenities and the principle of building outside the identified development boundary.

I have demonstrated in this statement that development on this site would be seen as part of an existing group of buildings and would have no adverse impact on the visual character of the area.

I have also demonstrated that the exception policy PMD4 is applicable in this case as the development would support local employment in a local business and would protect a local recreational asset. I have also shown that other similar consents have been granted under the current local plan, in this area.

For the above reasons it is requested that members now approve this application for a single dwelling under the review procedure.

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.

It has come to our attention that there are now three separate dwelling houses in the former Hardens Hall curtilage and this constitutes a group. This has been confirmed by the owner of the Lodge at Hardens Hall. This information was not available at the time of submitting the original application.

We are also lodging additional graphics in the form of photo montages which more clearly indicate the extent of development in the area.

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.

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| Request for Review report |
| List of Planning applications approved in the area |
| Drawing of the sites approved |
| Plan A showing development groups on Hardens Road relative to the site |
| Plan B showing Developments outwith the development boundary |
| Plan C showing the site relative to the group at Hardens Hall |

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

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 Date

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| 01/11/22 |
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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