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Ms Louise McGeoch
Clerk to the Local Review Body
Scottish Borders Council

22 March 2023

BY EMAIL ONLY

Dear Ms McGeoch

NOTICE OF REVIEW 22/00045/RREF 17 GEORGE STREET, EYEMOUTH

Thank you for your recent correspondence and the opportunity to respond to the comments of the appointed Planning Officer on the impact of National Planning Framework 4 on the Notice of Review and the comments of the Heritage and Design Officer. We are grateful for the opportunity to make our response.

The comments of the Heritage and Design Officer have been reviewed. We are satisfied that the comments do not give rise to change of the submitted Heritage Statement.

It appears that the Heritage and Design Officer is intractably fixed to the assessment provided in the first consultation response. Specifically, while the comments have identified the reduction that has been made in the scale of the proposed development they have failed to appreciate the significance of this revision. Rather the comments merely restate the position taken by the Heritage and Design Officer in previous consultation responses.

The proposed development is considered to be acceptable in heritage terms, the reasoning and justification for which remains as per the Heritage Statement.

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It is considered essential to note that Policy 7 of NPF4 does not materially change the planning policy context in which the Planning Application or Notice of Review are determined, as set out below.

Policy EP9 of the Scottish Borders Local Development Plan (2016) requires that development proposals “*preserve or enhance the special architectural or historic character and appearance of the Conservation Area*”.

Policy 7 of National Planning Framework 4 requires that development proposals “*in or affecting Conservation Areas will only be supported where the character and appearance of the Conservation Area and its setting is preserved or enhanced*”.

Firstly, it is plainly clear that the two adopted policies share a single spirit and are not contradictory of each other. Therefore, the Heritage Statement (prepared before adoption of NPF4) remains up to date in its substance and effect.

Secondly, it should be noted that neither adopted policy create a singular requirement for development proposals to enhance a Conservation Area. Both policies require that the character and appearance of the Conservation Area are “*preserved or enhanced*”.

The submitted Heritage Statement sets out how aspects of the design preserves the character and appearance of the Conservation Area, while others serve to enhance the character and appearance.

All other matters raised have been addressed in previous representations, principally the Appeal Statement and Heritage Statement submitted, revision of which is not required. The proposed development has been proven to meet the relevant tests established in adopted policy and is considered to be acceptable in heritage terms.

The Appellant is grateful for this opportunity to address the comments of the appointed Planning Officer and thank the Local Review Officer, the Clerk to the Local Review Body, and her staff accordingly.

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It is our hope that members of the LRB find these comments to be clear and helpful in completing their determination of the matter at hand.

Yours sincerely



Ferguson Planning