

Regulatory Services  
Scottish Borders Council  
Newtown St Boswells  
Melrose  
TD6 0SA

Church House  
Off Raemartin Square  
West Linton  
Peeblesshire  
EH46 7ED

SBC Ref (22/01935/FUL)

28/03/23

Dear SBC Regulatory Services

As part of our planning review appeal to Scottish Borders Council (to be submitted by Ferguson Planning) we ask please that you overturn the planning decision (22/01935/FUL) on 20<sup>th</sup> January 2023 and grant permission for our wooden clad gates. This is requested especially as we and our entire community are puzzled by this decision particularly as NOT one member of our community objected and now, we have letters of unanimous support from West Linton Community Council<sup>1</sup>, a SBC Councillor<sup>2</sup> and 25 consultees / residents<sup>3&4</sup>.

### Examples of West Linton community support

1. **WL Community Council** - "... In light of Mr & Mrs Barton's explanation we now better understand the background to the proposal and why they wish to retain the gates to maintain the sense of privacy and security. The Community Council does not regard timber gates as out of keeping in the conservation area, as there are numerous timber gates in the surrounding area – in any case the iron gates are still there and the cladding is reversible. **It was therefore decided (unanimously) that the Community Council should support the appeal. We would ask you to take these comments into account when considering the appeal.**"

2. **Councillor Drummond Begg** - "Mr and Mrs Barton's wish to create a small private outdoor space seems proportionate and appropriate. Their **gates do not harm the appearance of the beautifully maintained property or the surrounding area. They are the same height as the wooden gates of a neighbour's property, look attractive and are in keeping with the range of styles in the lane.**"

3. **Chair of WL Village Centre Trust (WL consultee & neighbour)** - "I am writing to confirm that the WLVCT Trustees have no objection to the application to add wooden cladding to the original gates. The original wrought-iron gates are retained. **The style of the wooden cladding is in keeping with similar wooden gates at the neighbouring property a few yards further down the lane.**"

4. **Mossman Cottage (WL consultee & neighbour)** – "We did not respond to the consultation as we had no objections and **are very surprised to learn** that it should be refused, particularly as there are **no other objections** from neighbours or our Community Council, including those that have recently had planning approval."

### Further context for our appeal

We have lived here almost 26 years as the second longest residents in our lane. We work hard to maintain and not change the exterior of Church house as we respect that we are simply guardians of our home for future generations. However it is a home. Our only reason for cladding our metal gates with wooden panels and then decorating them accordingly last

summer was to give ourselves some privacy & security from the natural evolution of residential development around us. Raemartin Hotel has been converted into flats, the White House has been converted into separate homes, in addition to **4 new planning approvals** that have been made opposite, next door and at the end of the lane. One in particular leaves us looking at the gable end of a two story modern building clad with black wooden panelling. Hopefully this is relevant in relation to the context of the style of our gates. We did not amend our property as a result of these developments. However the most recent one was the approval, on appeal during Covid restrictions by the Scottish Reporter, (**against the wishes** of neighbours, WL Community Council and **SBC planning** committee) for a 3 bedroom home by a property developer right opposite our drive in this terribly narrow lane (which is only 1 vehicle wide) Furthermore the happy success of the Village Centre, opposite our front entrance, has recently stated it had **53 events** in its last published figures in November 2022 compared to 2017 data of **only 8 events** . This has also increased events 7 days a week both day and night. This narrow unadopted lane has had huge increases in traffic, vehicular and pedestrian, outside the front of our house & garden, which is really our only outdoor space that is currently not directly overlooked by neighbours. It used to be virtually empty.

We apologise as we were completely unaware that cladding our metal gates with removable wood (retaining the existing metal gates for posterity) required any planning permission, particularly as the un-adopted lane outside is not serviced by SBC with gritting, pot-hole repairs or refuse collection. So we were surprised to receive a SBC Enforcement Notice last October, informing us that **one** person had objected and we must now submit a retrospective planning application. Following dialogue with SBC, we quickly complied with our application, particularly as we had sought informal advice from SBC if this would be rejected and were advised, once we sent pictures, that this would not be an outright 'no' although naturally the procedure of consultation would be necessary. So with this advice, we commissioned Ferguson Planning, as we have minimal experience or knowledge of such processes having not needed planning approval before.

After our retrospective planning application was submitted mid-December, about 18 neighbours were officially consulted by SBC as well as WL Community Council. We gather that **no objections** were received, even from those consultees who have recently developed in the area , the Historical society and that WL Community Council responded with a "No Comment" as our gates application had been discussed at their 9<sup>th</sup> January meeting. Due to a misunderstanding on what date our gates would be discussed, this was without us being aware or present to explain our application's context. However this 'no comment' has since **been reviewed** to a more granulated **and fully supportive** response and now **has given 100% support for the gates** .

Everyone we have asked, who didn't reply to the consultation, advised us that they thought the gates were attractive and did not think it an issue worthy of objection. So we were shocked and disappointed to learn that despite there being **no recorded opposition** to our wooden clad gates, SBC refused planning permission on 20<sup>th</sup> January 2023, due to your Planning Officer's perceptions regarding the quality of materials used and their detrimental impact on the character and appearance on the West Linton conservation area. This is **now completed rejected** by **residents letters** as well as by our **Community Council and a local Councillor**.

Given that our immediate neighbours have had 6ft high wooden gates for many years and have recently constructed a wooden panelled garage facing the same un-adopted lane, as well as there being lots of other wooden & metal gates / garage doors of varying age in the

nearby conservation area, this is why we wish to appeal against what seems to be a **subjective and inconsistent decision**.

As stated, having had further opportunity to explain the context for cladding our gates to consultee neighbours, fellow residents and WL Community Council, we can supply over **25 letters of support**, that ask SBC please to grant us planning permission, given how many people in our community think that our gates are appropriate and proportionate for our house and conservation area of the village.

Yours faithfully

Mark & Glenda Barton