

From: localreview <localreview@scotborders.gov.uk>
Sent: Monday, November 13, 2023 10:19 AM
To: Planning Appeals <PlanningAppeals@scotborders.gov.uk>
Subject: FW: [OFFICIAL] Erection of Small Bungalow, Cheviot View, Eden Road, Gordon TD3 6JT - 23/00716/FUL

Good Morning

I would be obliged if this e-mail could be placed on the Portal under reference No. 23/00044/RREF as a matter of urgency in order that it may be included in the Agenda Pack.

Best Wishes Fiona

Fiona Henderson
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From: [REDACTED]
Sent: Tuesday, November 7, 2023 2:58 PM
To: localreview <localreview@scotborders.gov.uk>
Subject: Fwd: [OFFICIAL] Erection of Small Bungalow, Cheviot View, Eden Road, Gordon TD3 6JT - 23/00716/FUL

CAUTION: External Email

In response to the commentary provide by Mr and Mrs Waite, Proprietors of the adjoining property to the West of Cheviot View, known as Sherwood Cottage, the following should be known:

" ourselves at Sherwood Cottage next to plot and our neighbour have parked in same areas next to plot this being for over 40 years with permission"

No such permission exists. Those utilising the space to leave their vehicles are permitted as a gesture of good neighbourliness by the owner of Cheviot view. Previously utilised the space due to the site appearing abandoned. Notwithstanding the period of use there is no precedent in law to maintain a right to continue. The owners of Sherwood Cottage have a right of access from the road, Eden Road, around the store marked in brown, on the Registers of Scotland Cadastral map, to a gate at the rear of their property. This right is registered under Section "D", 'Burdens Section', on Land Registry of Scotland Title Document BER 9773:

"..to the proprietors of the adjoining properties on the west a right of access from the street entrance of the subjects hereby disposed round the east and south sides of the office and store tinted brown on the cadastral map to the gate leading to the said adjoining properties"

This is a right of access only, and no right, permission, or otherwise implied, to leave property of any description on the ground of Cheviot View, merely access only. Furthermore, the Cadastral map clearly defines the east boundary of Sherwood Cottage and identifies the current fence to be trespassing approximately 3 feet into the land of Cheviot View and should be moved to the correct position.

On Fri, Nov 3, 2023 at 11:01 AM localreview <localreview@scotborders.gov.uk> wrote:

Good Morning

**PLANNING APPLICATION Garden Ground Of Cheviot
View Eden Road Gordon Scottish Borders**

PROPOSED DEVELOPMENT: Erection of dwellinghouse

APPLICANT: Mr Nigel Carey

Further to previous correspondence, with regard to the review of the above application, please find attached further representations from interested parties.

Should you have comments to submit regarding these representations please do so before the close of **Wednesday, 15 November 2023**

Regards

Fiona Henderson


Democratic Services Officer

Democratic Services

Resources

Council Headquarters

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