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02/02/2015

Clerk of the Local Review Body
Committee Team
Communications and Democratic Services
John Muir House
Haddington
East Lothian
EH41 3HA

Dear Sir/Madam,

Please accept the following as our supporting documentation for the Notice To Review the Refusal of Planning in Principal (Application 14/00733/PP) for the erection of a house in the garden of Alderburn Cottage, Fenton Barns, North Berwick, EH39 5AW.

Yours Faithfully,

Malcolm Sievwright
Director
Two Balding Builders Ltd

Reasons for Refusal of Planning Permission

- 1) The erection of a house on the application site would be new build housing development in the countryside of East Lothian for which a need to meet the requirements for the operation of an agricultural, horticultural forestry or other employment use has not been demonstrated. The proposal is therefore contrary to Part 1(b) of Policy DC1 of the adopted East Lothian Local Plan 2008
- 2) If approved the proposed development would set an undesirable precedent for the development of new houses in the countryside of East Lothian, the cumulative effect of which would be the suburbanisation of the countryside to the detriment of its character and amenity
- 3) It has not been satisfactorily demonstrated that the site could be developed for the erection of one house without harm to the trees within the application site, which are protected by Tree Preservation Order No 121. The principle of the erection of a house on the site is therefore contrary to Policies NH5 and DP14 of the adopted East Lothian Local Plan 2008

Arguments against the Reasons for Refusal of Planning Permission

The plot identified in the planning application has been deemed by the Planning Authority to be in the countryside. The plot is surrounded by Fenton Steading, which comprises 12 residential units, Alderburn Cottage (currently being developed into 2 residential units) and 3 further residential units to the West of Alderburn Cottage. The plot is contained within the garden of Alderburn Cottage.

This clearly puts the plot within a settlement and as such we argue that this plot would therefore comply with Policy DP7 of the adopted East Lothian Local Plan 2008 which deals with development within Infill, Backland and Garden Ground.

Should the Planning in Principle be granted we would look to demonstrate in a detailed planning application that the plot can accommodate the entire development. We have support from local residents in the neighbouring steading, cottages and businesses for a development that they believe will enhance the location.

Complying with Policy DP7 would mean that there would not be a precedent for development in the countryside as the development would not be considered to be in the countryside.

We would argue that demonstrating that the site could accommodate a dwelling within the plot without damaging the trees protected but the Tree Preservation Order 121 should be reserved for inclusion in the detailed planning application that would have to follow in order for the development to progress. However, we believe use of appropriate building technologies like pile foundations with reinforced concrete edge beams instead of traditional strip foundations would lead to a suitable development being planned while preserving the trees identified in the order.

Conclusion

East Lothian is, by our understanding, 750 units short of effective housing in terms of the Strategic Development Plan (SESplan). We believe that the development should be considered to comply with policy DP7 which would permit the development within the garden grounds of Alderburn Cottage without setting a precedent of detrimental development in the countryside of East Lothian. This would allow this development to contribute towards the housing land supply in terms of maintaining a 5 year housing land supply which is called for in Policy 7 of SESplan.

We believe that this development, for the reasons outlined above, complies with the overall aims and objectives of the Strategic Development Plan and as such should be granted. As such, we would respectfully ask that the Local Review Body overturn the decision of the planning officer and grant the permission in principal.