

Hacking and Paterson Management Services

Property Factors

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Directors:

Neil J. Watt	John Macleod
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Alan Maxwell	Alan R. Gifford
Alastair J. Leitch	Christopher T.W. Graham

Consultants:

Ian H. Hart MBE
George Watson FRICS

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

Our Ref: 4752/G Innes

9th September 2015

Dear Sirs,

RE: Planning Application No. 14/00943/P; Refused Planning Permission on 23rd June 2015 Request for Review

We request a review of the above decision and enclose supporting documentation for the Notice To Review the Refusal of Planning Permission (Application 14/00943/P) for the removal of condition 5 of planning permission 00/00811/FUL at Play Park Adjacent to Bothwell Gardens, Dunbar, East Lothian, EH42 1PZ.

Should you require any further information please contact the writer.

Yours faithfully,



Gordon Innes
Property Manager
for HACKING & PATERSON MANAGEMENT SERVICES

Received
10 SEP 2015

Also at: 1 Newton Terrace (Sauchiehall Street) Charing Cross, Glasgow G3 7PL
Tel 0141 248 5693 Fax 0141 221 1026

Consideration for Appeal to E.L. Local Review Body Against decision on App. 14/00943/P

Introduction

The submission covered by application 14/00943/P, relating to the request to remove a toddlers play area which was installed under Condition 5 of planning permission 00/00811/FUL, was raised following a request by the Bothwell Gardens proprietors to solicit the agreement of East Lothian Council to the dismantling of the play area and landscape the area to complement the surrounding plantings. The play area is wholly unused and, due to its location directly adjacent to the 'Right of Way' linking with the town centre, is unfortunately an attraction to an older element which at times causes a disturbance to the adjacent householders.

The Bothwell Gardens Proprietors' Association has been constituted in accordance with the requirements of the property deeds for the Ashfield Gardens Development and is responsible for managing the common area aspects of the development which have not been adopted by East Lothian Council, which includes the play area. The request to remove the play area was overwhelmingly approved by the proprietors following consideration of the ongoing costs for inspecting and insuring a fifteen year old facility which continues to be unused together with the anticipated future cost of repair and replacement to meet personnel safety requirements. Future utilisation of this facility is now considered to be especially irrelevant in view of the new and superior Ashfield Play Park which East Lothian Council provided and maintains and which is equidistant from the Bothwell Gardens main access road.

It is also considered appropriate to highlight that the majority of Bothwell Gardens properties are 1930 style detached bungalows which are most suited to an older clientele with the result that the vast majority of current householders are senior citizens, more in need of a bench to rest than a toddlers play area.

Counter Response to Officers Report – Reason for Refusal

- Accessibility

Both the Bothwell Gardens play area and the new Ashfield Play Park are equidistant from the Bothwell Gardens access road entrance and are equally accessible. Significant mention is made of the fact that the Ashfield Play Park is on the south side of the main distributor road thus requiring residents to cross the road to access the area, however at least 50% of the Ashfield residents live on the same side of the distribution road as the Bothwell Gardens residents and are similarly required to cross the road. This aspect cannot be considered to be of any importance in relation to this issue.

- Loss of Facility

No one currently uses this ageing facility and residents are unlikely to do so in future, especially in light of the opening of the new Ashfield Play Park. As previously highlighted, the Bothwell Gardens residents are mainly of advanced years and in view of the design of the development the profile of the residents is unlikely to change significantly in the future. It is therefore considered that removal of this facility would not constitute a loss of amenity to the area but would improve the visual impact on the area due to its exposed location.

- Contrary to Policy C2

It is understood that policy documents have to be all embracing, as strategy documents, in view of the wide spectrum of situations that have to be accommodated by the policy documents, however, to ensure that equitable consideration can be given to changing circumstances it should be possible for independent review of proposed change to accept that some variations to outline policy can be implemented if the technical parameters required under C2 Policy can still be met, as they are in this instance. With regard to the question of financial contribution required of developers in lieu of providing a play area, I would respectfully point out that Caledonia Homes Ltd., as developers of the Bothwell Gardens houses, made a huge contribution to the new play park in that they backfilled, levelled and landscaped the whole area to the south of the main distribution road to provide a football pitch, an area which has now been subdivided to construct the Ashfield Play Park. This contribution was in addition to providing the play area within the development as required under planning permission 00/00811/FUL.

Conclusion

It is the considered view of the Bothwell Gardens proprietors that the removal of the existing play area and subsequent landscaping of the area would enhance the general amenity of the area and remove any risk of future disturbance to the immediate residents from misuse of the facility. The provision of outdoor children play facilities for Bothwell Gardens residents which meet the parameters set out in Policy C2 is still met in full by recognising the availability of the new Ashfield Play Park facility, which residents continue to contribute to the maintenance of through Council Tax contribution.

Your favourable consideration of this position would be appreciated.



26 JUN 2015

App No. 14/00943/P

**EAST LoTHIAN COUNCIL
DECISION NOTICE**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2008**

**Bothwell Gardens Proprietors' Association
c/o Hacking And Paterson
Per Gordon Innes
103 East London Street
Edinburgh
EH7 4BF**

APPLICANT: Bothwell Gardens Proprietors' Association

With reference to your application registered on 17th April 2015 for planning permission under the above mentioned Acts and Regulations for the following development, viz:-

**Removal of condition 5 of planning permission 00/00811/FUL
at
Play Park Adjacent To Bothwell Gardens
Dunbar
East Lothian**

East Lothian Council as the Planning Authority in exercise of their powers under the above-mentioned Acts and Regulations hereby **REFUSE PLANNING PERMISSION** for the said development.

The reasons for the Council's refusal of planning permission are:-

- 1 The play park within the application site is easily accessible to the residents of Bothwell Gardens and provides a local facility for residents with young children. The loss of this facility would be to the detriment of the amenity of future residents of the Bothwell Gardens housing development. The proposal is contrary to the purpose and integrity of Policy C2 of the adopted East Lothian Local Plan 2008.

The report on this application is attached to this Decision Notice and its terms shall be deemed to be incorporated in full in this Decision Notice.

Details of the following are given in the application report:

- the terms on which the Planning Authority based this decision;
- details of any variations made to the application in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997.

The plans to which this decision relate are as follows:

<u>Drawing No.</u>	<u>Revision No.</u>	<u>Date Received</u>
DWG001	-	20.03.2015
DWG002	-	20.03.2015
DWG003	-	20.03.2015
DWG004	-	20.03.2015

23rd June 2015



Iain McFarlane
Service Manager - Planning

NOTES

If the applicant is aggrieved by the decision to refuse permission for the proposed development, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to the Clerk to the Local Review Body, Committee Team, Communications and Democratic Services, John Muir House, Haddington, East Lothian EH41 3HA.

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

OFFICER REPORT

11/06/15

App No. 14/00943/P

Application registered on 17th April 2015
Target Date 16th June 2015

Proposal	Removal of condition 5 of planning permission 00/00811/FUL	SDELL	Y /N
		CDEL	Y /N
Location	Play Park Adjacent To Bothwell Gardens Dunbar East Lothian	Bad Neighbour Development	Y /N

APPLICANT: Bothwell Gardens Proprietors' Association

Is this application to be approved as a departure from structure/local plan? ~~Y~~/N

**c/o Hacking And Paterson
Per Gordon Innes
103 East London Street
Edinburgh
EH7 4BF**

DECISION TYPE: **Application Refused**

PLANNING ASSESSMENT

This application relates to a play park, measuring some 45 square metres in area, which is located on the west side of the southwest end of Bothwell Gardens and is on the north side of Lochend Road.

The application site is in an area defined as being of residential character and amenity by Policy ENV1 of the adopted East Lothian Local Plan 2008.

In June 2001 planning permission 00/00811/FUL was granted for the erection of 40 houses and garages, the formation of a vehicular access and for associated works. Planning permission 00/00811/FUL has been implemented and the housing development is known as Bothwell Gardens.

Condition 5 of planning permission 00/00811/FUL states:

"The play area indicated on drawing 3216/01/G docketed to this planning permission shall be equipped and available for use prior to the last house of those to be erected on plots 5, 6, 7 and 8 being occupied. The play area when provided shall be used for such purposes at all times thereafter unless agreed in writing by the Planning Authority.

Reason:

To ensure the satisfactory laying out of the play area in the interest of the amenity of the future occupants of the dwellings hereby approved."

Planning permission is now sought for the removal of condition 5 of planning permission 00/00811/FUL to allow for the removal of the play park and the laying to grass of the area of land.

It is stated on the planning application form that when the development at Bothwell Gardens was built in 2003 a play park was installed and that now the owners of the houses of Bothwell Gardens seek to remove the park and landscape the area. It is purported that the park is presently unused and unattractive, and requires annual maintenance. It is further stated that due to the recent installation of a large play park, known as Ashfield Park, on land adjacent to Lochend Road there are adequate facilities in the area.

Condition 5 of the grant of planning permission 00/00811/FUL requires the provision of a play park. At the time of the determination of planning permission 00/00811/FUL the Council's Landscape and Countryside Manager and the Head of Community Services advised that the details of the play park proposed was of an acceptable standard to serve the houses the subject of that application.

At the time of determination of application 00/00811/FUL the adopted East Lothian Local Plan 2000 formed part of the development plan and was therefore a material consideration in the determination of that application. The provision of the play park was consistent with the requirements of Policy C3 (Children's Outdoor Play Provision in New Housing Development) of the adopted East Lothian Local Plan 2000. Policy C3 required the provision of a toddlers play area in housing developments of between 20 and 50 houses.

The adopted East Lothian Local Plan 2000 has since been superseded by the adopted East Lothian Local Plan 2008. Through Policy C2 (Play Space in New General Needs Housing Development), the adopted East Lothian Local Plan 2008 contains a similar requirement for the provision of a play area suitable for children aged 0-8 in housing developments of between 20 and 50 houses.

The play park that has been provided within the application site appears to be well maintained and in good condition.

Since the grant of planning permission 00/00811/FUL, East Lothian Council has provided a large play park on the west side of Lochend Road some 200 metres to the southeast of the play park at Bothwell Gardens. That play park was provided through local funding. It is part of a larger area of recreation amenity open space on the west side of Lochend Road. In terms of its location relative to the houses of Bothwell Gardens the large play park is some 200 metres away on the opposite side of Lochend Road, the main distributor road of the wider housing area.

The Council's Principal Amenity Officer advises that the larger play park on the west side of Lochend Road is within the catchment area for the houses of Bothwell Gardens, and that, if that larger play park had been in existence when planning permission 00/00811/FUL was determined then, rather than the provision of a new play park facility, a financial contribution

would have been sought from the developer towards play park provision for the 40 houses the subject of planning permission 00/00811/FUL. He further states that although it is claimed that the play park at Bothwell Gardens is unused this does not mean that it would not be needed in future as the occupants of the houses change over time.

Even had the larger play park at Lochend Road been available when planning application 00/00811/FUL was determined, there would still have been a requirement for the provision of play park facilities within the the application site itself or through a contribution towards a play park for the 40 houses development. The removal of the play park at Bothwell Gardens would therefore be contrary to Policy C2 of the adopted East Lothian Local Plan 2008, which requires play facilities to be incorporated within such housing developments.

The new play area is some 200 metres away from the play park within the application site and is on the opposite of a main distributor road. The play park within the application site is easily accessible to the residents of Bothwell Gardens and provides a local facility for residents with young children. The loss of this facility would be to the detriment of the amenity of future residents of the Bothwell Gardens housing development.

In these circumstances the removal of condition 5 of planning permission 00/00811/FUL is contrary to Policy C2 of the adopted East Lothian Local Plan 2008.

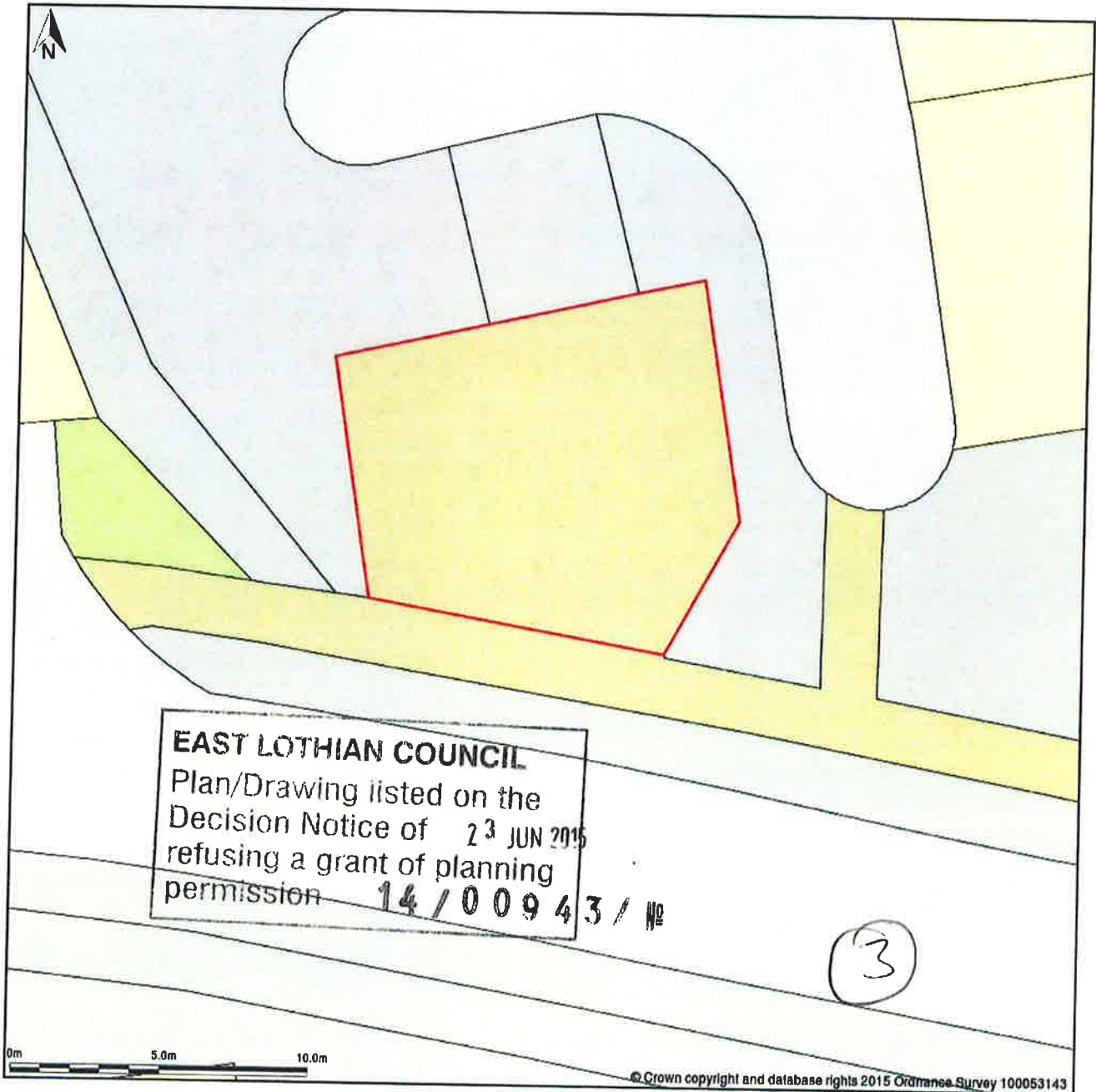
REASON FOR REFUSAL:

- 1 The play park within the application site is easily accessible to the residents of Bothwell Gardens and provides a local facility for residents with young children. The loss of this facility would be to the detriment of the amenity of future residents of the Bothwell Gardens housing development. The proposal is contrary to the purpose and integrity of Policy C2 of the adopted East Lothian Local Plan 2008.

LETTERS FROM

11/06/15

Play Park adjacent to Bothwell Gardens, Dunbar, EH42 1PZ



Block Plan shows area bounded by: 367835.91917031,678246.44763516 367871.91917031,678282.44763516 (at a scale of 1:200) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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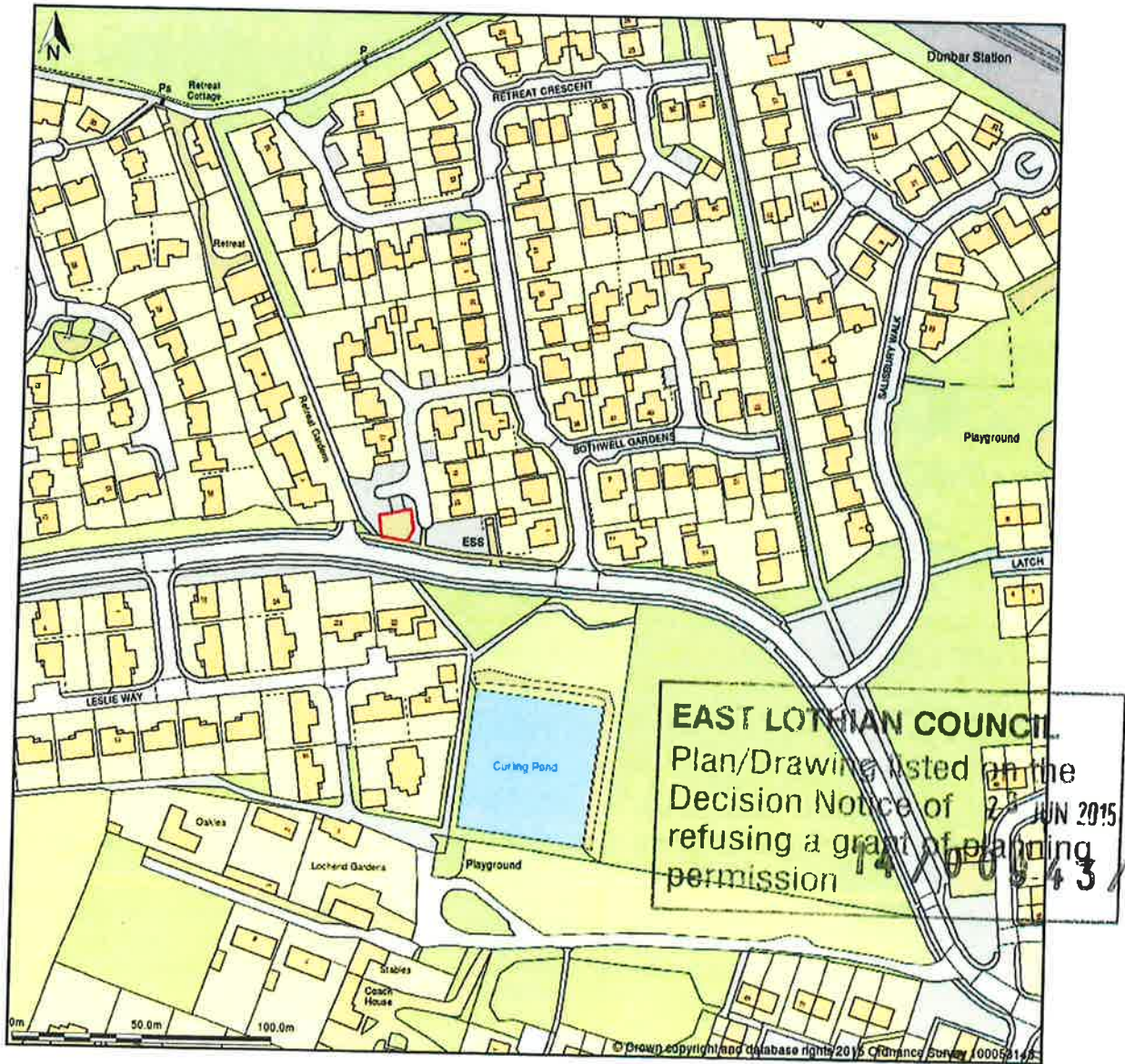
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REGISTERED
17 APR 2015

14/00943 NP

[Faint, illegible text]

Play Park adjacent to Bothwell Gardens, Dunbar, EH42 1PZ



Site Plan shows area bounded by: 367707.8046875,678064.1953125 368107.8046875,678464.1953125 (at a scale of 1:2500) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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17 APR 2015

14/00943

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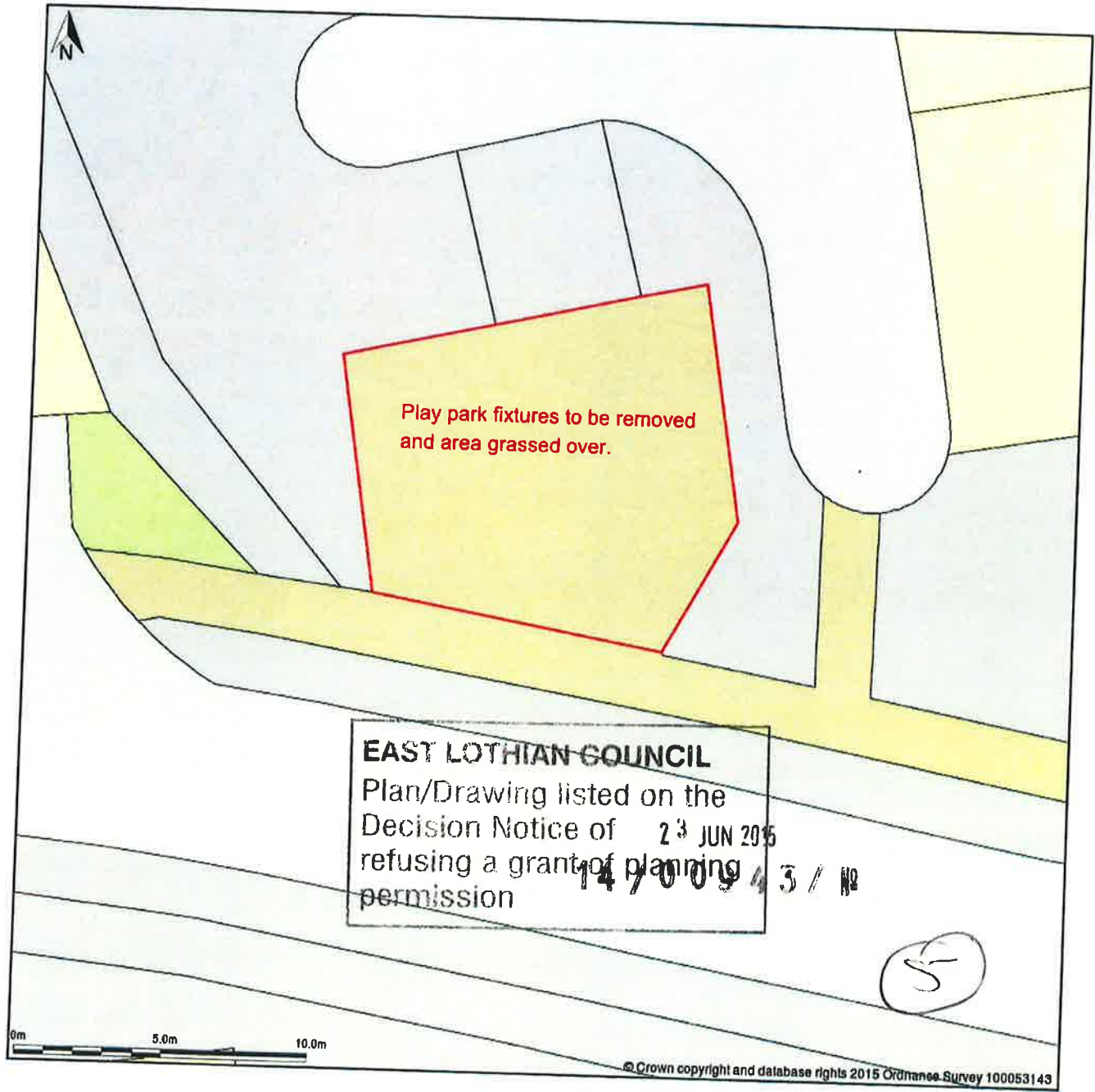


Buy A Plan

UK's Fastest and Easiest Planning Site



Play Park adjacent to Bothwell Gardens, Dunbar, EH42 1PZ



Block Plan shows area bounded by: 367835.91917031,678246.44763516 367871.91917031,678282.44763516 (at a scale of 1:200) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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REGISTERED

17 APR 2015

14/00943 NR

[Handwritten signature and notes]

EAST LoTHIAN COUNCIL
Plan/Drawing listed on the
Decision Notice of 23 JUN 2015
refusing a grant of planning
permission 14/00943/W2



REGISTERED
17 APR 2015

6

14/00943 W2

PLANNING
17 APR 2015
14/00943/W2





14100943

14100943
19-11-2014
14100943

John Muir House Haddington EH41 3HA

Tel: 01620 827 216

Email: planning@eastlothian.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000104706-001

14/00943/PM

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

We strongly recommend that you refer to the help text before you complete this section.

- Application for Planning Permission (including changes of use and surface mineral working)
- Application for Planning Permission in Principle
- Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

When the development at Bothwell Gardens, Dunbar, was built in 2003 a play park was installed and now the owners seek to remove the park and change to a landscaped area.
The park is presently unused and unattractive, requiring annual maintenance.
Due to the recent installation of a large play park, Ashfield Park on neighbouring council land on Lochend Rd, there is adequate facilities within the area. This park is less than 100m from the Bothwell Gardens development.

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Have the works already been started or completed? *

No Yes - Started Yes - Completed

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) Applicant Agent

* Request condition No. 5 is removed from planning application
00/00811/FUL Erection of 40 houses, garages, formation of
vehicular access and associated works. Fields at Ashfield Gardens
(phase 1) Dunbar East Lothian.



Agent Details

Please enter Agent details

Company/Organisation:	Hacking and Paterson
Ref. Number:	
First Name: *	Gordon
Last Name: *	Innes
Telephone Number: *	0131 523 1575
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address: *	ginnes@hackingandpaterson.co.uk

You must enter a Building Name or Number, or both:*

Building Name:	
Building Number:	103
Address 1 (Street): *	East London Street
Address 2:	
Town/City: *	Edinburgh
Country: *	UK
Postcode: *	EH7 4BF

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	
Other Title:	
First Name:	
Last Name:	
Company/Organisation: *	Bothwell Gardens Proprietors' Association
Telephone Number:	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address:	

You must enter a Building Name or Number, or both:*

Building Name:	
Building Number:	1-41
Address 1 (Street): *	Bothwell Gardens
Address 2:	
Town/City: *	Edinburgh
Country: *	Scotland
Postcode: *	EH42 1PZ

Site Address Details

Planning Authority:

Full postal address of the site (including postcode where available):

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

Please identify/describe the location of the site or sites.

Northing

Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No



Pre-Application Discussion Details

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (Max 500 characters)

Linda Ritchie - advised that owners within the development need to be in favour of change of use and that we require to provide reason for change and detail of what play park to be changed to.

Title:

Other title:

First Name:

Last Name:

Correspondence Reference Number:

Date (dd/mm/yyyy):

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

Please state the measurement type used: Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: (Max 500 characters)

Play park containing chute and small climbing frame, two swings and a rocker. Mainly bark covering with wet pour under equipment.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) *

Yes No

Note: -

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

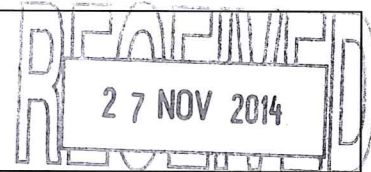
Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details:(Max 500 characters)

These areas are private to each household.

14 / 00943 / №



Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Are you able to identify and give appropriate notice to ALL the other owners? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Certificates

The certificate you have selected requires you to distribute copies of the Notice 1 document below to all of the Owners/Agricultural tenants that you have provided, before you can complete your certificate.

Notice 1 is Required

I understand my obligations to provide the above notice(s) before I can complete the certificates. *

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that -

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or -

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name: Mr Charles Easton

Address: 1, Bothwell Gardens, Dunbar,
14 / 0 0 9 4 3 / 10

Date of Service of Notice: * 01/03/14

Name: Mr G Eadie

Address: 3, Bothwell Gardens, Dunbar,
RECEIVED
27 NOV 2014

Date of Service of Notice: * 01/03/14

Name: Mr - Pike

Address: 5, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr - Buckley

Address: 7, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mrs M Lindsay

Address: 9, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr F Wood

Address: 11, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Ms C Hodgson

Address: 15, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr J Maxwell

Address: 17, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Ms J Swales

Address: 19, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr A Russell

Address: 21, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mrs E Jones

Address: 23, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Rev I Colthart

Address: 25, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Mr S Purves

Address:

27, Bothwell Gardens, Dunbar,

14 / 00943 / №

Date of Service of Notice: *

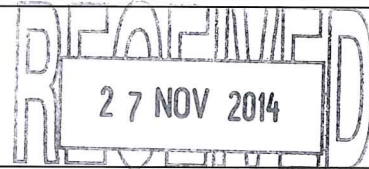
01/03/14

Name:

Mr - Terris

Address:

29, Bothwell Gardens, Dunbar,



Date of Service of Notice: *

01/03/14

Name:

Mr W Moore

Address:

31, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Mrs - Easdale

Address:

33, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Mr J Ross

Address:

35, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Mrs - McLeod

Address:

37, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Mrs - MacDonald

Address: 39, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mrs W Elbourne

Address: 41, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mrs H German

Address: 40, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr - Hunter

Address: 38, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr - Bowman

Address: 36, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr - Hope

Address: 34, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr - Knox

Address: 32, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Ms - Ternant

Address:

30, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Mr A Gray

Address:

28, Bothwell Gardens, Dunbar,

14 / 00943 / №

Date of Service of Notice: *

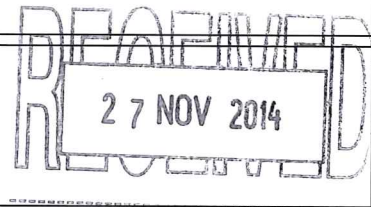
01/03/14

Name:

Rev R Fyffe

Address:

26, Bothwell Gardens, Dunbar,



Date of Service of Notice: *

01/03/14

Name:

Mr S Nicholson

Address:

24, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Mr B Hyslop

Address:

22, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Mr S Paterson

Address:

20, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Mr G Thomson

Address: 12, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr I Ronaldson

Address: 10, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr R Lewis

Address: 8, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr - Henderson

Address: 6, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr - Mackay

Address: 4, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mr - Snaith

Address: 2, Bothwell Gardens, Dunbar,

Date of Service of Notice: * 01/03/14

Name: Mrs - Beattie

Address: 14, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Mrs C Valentine

Address:

16, Bothwell Gardens, Dunbar,

Date of Service of Notice: *

01/03/14

Name:

Mr - Bell

Address:

18, Bothwell Gardens, Dunbar,

14 / 00943 / №

Date of Service of Notice: *

01/03/14

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or -

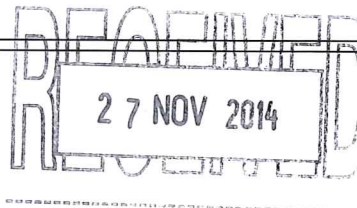
(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

[Redacted Name Field]

Address:

[Redacted Address Field]



Date of Service of Notice: *

[Redacted Date Field]

Signed:

Gordon Innes

On behalf of:

Bothwell Gardens Proprietors' Association

Date:

17/11/2014

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan. *

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement *

Yes N/A

Other Statements (please specify). (Max 500 characters)

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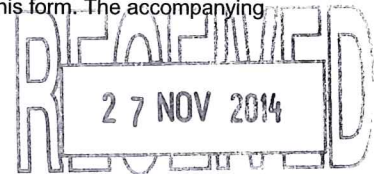
Declare - For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are provided as a part of this application .

Declaration Name: Gordon Innes

Declaration Date: 24/11/2014

Submission Date: 27/11/2014



Payment Details

Cheque: Hacking & Paterson Management Services, 145568

Created: 27/11/2014 13:02

Play Park adjacent to Bothwell Gardens, Dunbar, EH42 1PZ



Site Plan shows area bounded by: 367707.8046875,678064.1953125 368107.8046875,678464.1953125 (at a scale of 1:2500) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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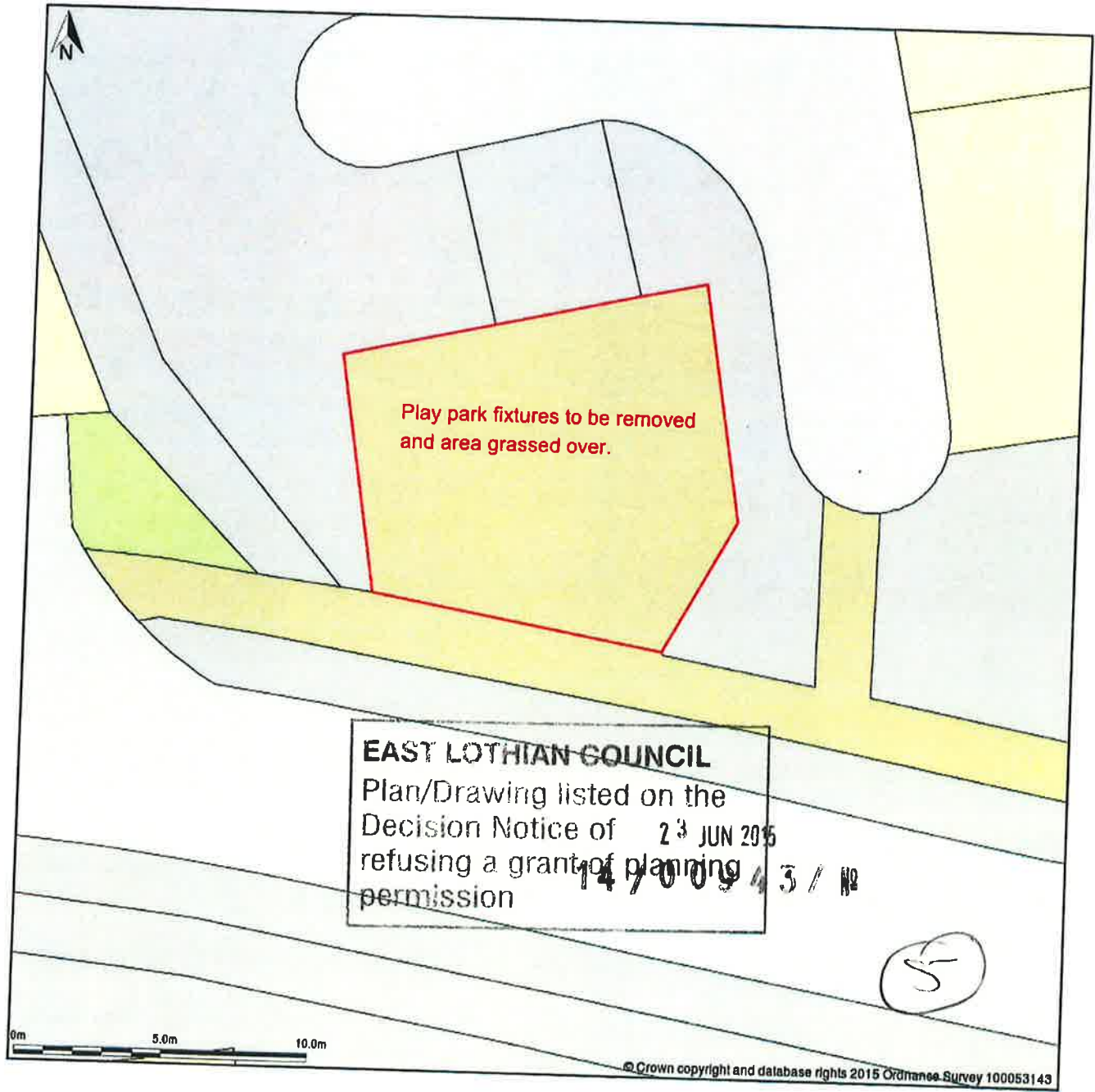


Buy A Plan

UK's Fastest and Easiest Planning Site



Play Park adjacent to Bothwell Gardens, Dunbar, EH42 1PZ



Block Plan shows area bounded by: 367835.91917031,678246.44763516 367871.91917031,678282.44763516 (at a scale of 1:200) The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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REGISTERED
17 APR 2015

14/00943 NR

Handwritten notes and signatures, including a signature that appears to read 'M. ...'

EAST LoTHIAN COUNCIL
Plan/Drawing listed on the
Decision Notice of 23 JUN 2015
refusing a grant of planning
permission 14/00943/W2



REGISTERED
17 APR 2015

6

14/00943 W2

PLANNING
17 APR 2015
14/00943/W2





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Faint, illegible text, possibly a stamp or handwritten notes.

