

21 JUL 2016

Mrs Maureen Scott  
Block 1 Flat 6 Elder Court  
Elder Street  
Tranent  
EH32 1EN

Ms Fiona Stewart  
Committees Assistant  
East Lothian Council  
John Muir House  
Haddington  
East Lothian  
EH41 3HA

6/7/16

Dear Fiona,

**Reference: Planning Application 15/00211/P; Notice of Review**

Further to your letter of 1/7/16 please find enclosed a completed Notice of Review as requested.

Please let me know if you require further information and I would also be obliged if you could outline the next stage of the process with likely dates for a final decision.

Yours sincerely

A black rectangular redaction box covers the signature area, obscuring the name and any handwritten notes.

Maureen Scott

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Mrs Maureen Scott  
Block 1 Flat 6 Elder Court  
Elder Street  
Tranent  
EH32 1EN

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

27/6/16

Dear Sir/Madam,

**Reference: Planning Application 15/00211/P**

I am writing in response to the letter dated 8<sup>th</sup> June 2016, from the Council, informing me of the Planning Committees decision to overturn their original decision with regards to the replacements windows at the above noted address. For clarity I would note that the original correspondence from the planning department gave consent to the planning application. Now, some 14 months later, I have received this latest communication which notes an "administrative error" in relation to the application and as such permission has now been refused.

Following advice from the Citizens Advice Bureau, Planning Aid Scotland, my lawyer and from the local Councillor I am now lodging appeal against this decision to withdraw permission under section 43A of the Town and Planning (Scotland) Act 1997.

Before I specify the points on which I would like to base the appeal I would make the following statement.

At no time was I made aware that planning permission was required in regards to replacing windows in the above note property. I have received no communication from the Council informing me that the property falls within a conservation area. The housebuilder from who I purchased the property did not inform me of this fact and when asked, the company who supplied and fitted the windows, indicated clearly to me that no planning consent was required. Since I had replaced windows in a property previously owned by myself in Tranent, with no requirement for planning consent, I saw no reason to challenge this opinion.

That being said as soon as I was made aware of the issue I immediately submitted a planning application. I was relieved and pleased to be notified in 2015 that permission had been granted as the uncertainty was causing undue stress and anxiety.

With regards to the appeal I feel strongly that I have the basis on which to make it. The following points are the key issues I'd like to address to the committee;

1. Planning consent was awarded in 2015 based on detailed photographs, drawing and technical information regarding the windows in question
2. At no time and by no official body was I made aware that the property noted above is in a conservation area. The development of flats sits off the main area of Church Street, on the old Royal British Legion site.

3. The location of the properties, being beside the boarded up site of Fa'side Lodge, is a new build as of 2005 and there is no question that they are of traditional style. They are a modern development that, quite frankly, were very shoddily built and would not normally be expected in a conservation area.
4. The windows that were replaced were of extremely poor quality and examples of these can be seen in the three blocks. They are poorly fitted, of low quality and the current state of them are dilapidated, with peeling paint and wood that is rotting. In my case the poor fit and quality resulted in excessive heating bills and a perpetual cold in the flat, especially in the winter months. I opted to replace with high quality, triple glazed units that matched the original design differing only in their material which is uPVC. This immediately improved the temperature in the flat and cut heating bills drastically. This is important to me as I am on a fixed state pension income as well as having general environmental benefits.
5. The new windows add to the aesthetic appearance of the block and do not detract in any way from the overall impression of the building. As you will see from the pictures supplied as part of the application they are almost identical to those that were replaced.
6. The committee should note that there are a large number of traditionally built properties in Church Street that have windows and doors that are of uPVC construction of a similar type to those fitted in this case. I fully support the need to conserve our historic areas but I do question why uPVC windows in a relatively new block of flats, tucked away off Church Street, are deemed inappropriate when other, older, traditional properties on the main road have them.
7. The quality of the finish of the new windows far exceeds that which was replaced and will remain an asset to the property for years to come.

I wish that I had known that planning consent was a requirement as this would have averted this currently very stressful situation. I have never been in a position where I was at odds with any kind of official body and I have always strove to operate within the formal and informal laws of the communities in which I have lived.

As a pensioner the uncertainty and the prospect of having to remove and replace, at a very considerable expense, what are very high quality windows, is making me quite ill and I can only hope that this can be resolved in my favour.

The advice and opinion received from Citizens Advice, Planning Aid Scotland and the Councillor I spoke to has encouraged me in making this appeal and the overwhelming view of these bodies is that the windows look the same as before and that having such a high quality construction can only be an asset to the building.

I hope this can be brought to a speedy conclusion and I look forward to hearing from you in due course

Yours faithfully

Mrs Maureen Scott

21 JUL 2016

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EAST LOTHIAN COUNCIL  
Plan/Drawing listed on the  
Decision Notice of 12 JUN 2015



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21 JUL 2016

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15/00211 #



21 JUL 2016

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15/00211

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13 APR 2015



EAST LOTHIAN COUNCIL  
Plan/Drawing listed on the  
Decision Notice of 12 JUN 2015  
granting planning  
permission 15/00211

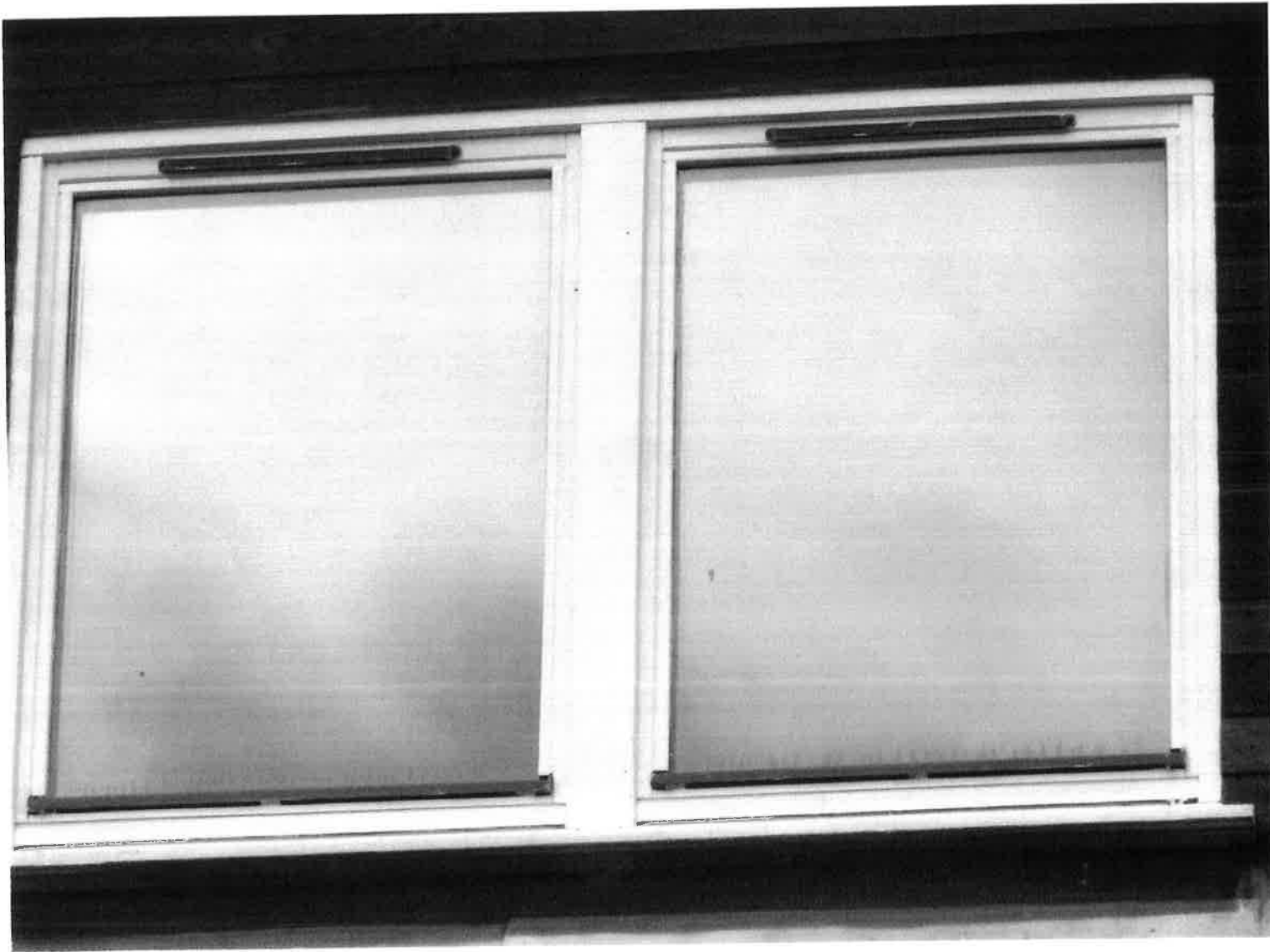
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