

SPR Planning Local Review Body

From: JOHN MUNRO [REDACTED]
Sent: 09 December 2024 15:49
To: SPR Planning Local Review Body
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Dear Ms. Simpson,

Thank you for your letter of 6/12.

It is noted that the officials responsible for the refusal have not sought to explain/justify the reasons given for their decision or refute my contentions regarding these. Thus it may reasonably be assumed that they accept the latter.

Only one of the eleven external objectors responded to the opportunity to comment. However this party did not address any of the matters described in my "reasons for refusal" submission nor relate his comments to any official policies and criteria. The assertions are not supported by any factual justification and are without merit. In my submission I referred to these issues in some detail, noting that the proposed building would have a "footprint" of only about 130 m² and its distance from nearby buildings would be similar to that of these to each other.

Since it would scarcely be possible to see, from any public place, both the new building and nearby ones together, due to the presence of high trees on the frontages of the land no existing views would be changed. Thus the claim that there would be a negative effect on the nearby "listed" buildings is baseless. Nor would the existing pattern of widely separate buildings be altered since the new building would be on a "gap site".

As already noted in my submission the historic character of the area has already been radically changed by the conversion of what was once a minor road carrying only horse-drawn vehicles and pedestrians into a busy main road carrying high traffic volume, including heavy vehicles.

This objector was the only one to express any of the above opinions.

He said that the land is not a vacant plot but part of that containing the nearby house. That is not the case. It was legally excised from the latter in 1973 and has been in different legal ownership since then. A planning application cannot be accepted without agreement by the landowner so if what this party says was right the application would not have been registered.

None of the few objectors referred to the development plan or other official policies so it may be reasonably assumed that they were unaware of these and the fact that the HRA states that decisions must be based on official policies and criteria which were adopted before the application

was lodged . The onus is upon the authority to show with evidence that a proposal does not conform to these. That has not happened in this case. As was already pointed out the issues referred to by both officials and objectors are ones which cannot legitimately be used to refuse an application for "approval in principle" but only to decide the conditions which a "full" application will require to meet.

In the light of the above I find no reason to change any of the opinions i have already expressed and strongly hold to the view that this proposal conforms to all relevant provisions of the PKC development plan and transport strategy , "Tayplan " and national policies , in particular NPF 4 , which all authorities are bound to apply.

The refusal is thus deemed to be unjustified and "ultra vires"

The above completes my response .

Yours sincerely

John Munro