

Morris, John

Subject: FW: Application No. P/16/0721/FUL

From: Deborah Grant
Sent: 05 June 2017 22:58
To: Morris, John
Cc: WILLIAM GRANT
Subject: Application No. P/16/0721/FUL

Application No. P/16/0721/FUL**Development: Change of Use of Public Open Space to Private Garden Ground and Erection of Outbuilding and Fence (Partially Retrospective)****Location: 4 Kinglass Court, Bo'ness, EH51 9RH**

Further to your letter dated 22nd May 2017 regarding the request for review relating to the above application, we wish to make further representation. We would like to reiterate our points made within our emails dated 8th and 9th January 2017 to Julie Seidel in relation to the original application and in addition, make the following points:

- Within the Legal Agreement relating to the original residential development (Ref. F/90/0861) dated 15th September 1994, it outlines that 'no future development on nor change of use in respect of the said area of ground referred to in this ...woodland area shall be permitted'.
- Despite the initial refusal by Falkirk Council to the applicant's original planning permission request, the applicant has proceeded to erect a pigeon loft which now houses 30+ pigeons.
- Our concerns regarding the use and enjoyment of our own garden has been realised as a result of the pigeons being released during the day with continual circling/low flying around our own and surrounding properties and gardens. With young children, and having a fear of pigeons myself, we have required to resort to either going indoors or having to go elsewhere to enjoy the outdoors, affecting our own human rights to enjoy our own home/garden. This is exacerbated by the resultant mess and health hazard caused by bird excrement. When the owner also cleans out the pigeon loft he chooses to dispose of the waste/bird excrement in the surrounding area, rather than disposing of it responsibly.
- Since the erection of the pigeon loft, this has at times attracted the attention of children. We have seen children climb over the fence to investigate the hut and have concerns regarding the safety of the pigeon loft itself. It is built on a slope with concrete blocks as foundations and the foundations themselves do not look stable. We have grave concerns that by simply leaning on the hut, this could potentially topple over, with severe consequences if children are in the vicinity. Since the trees have been cut down, children have been more inclined to hang around this area and indeed sit on the grassy area of the land itself.
- The felling of the trees and erection of the pigeon loft has had a detrimental impact to the visual amenity/landscape of the area and by approving the application, this could potentially set a precedent, enabling other land owners to carry out similar work, affecting the natural woodland, local wildlife and substantially downgrading the character and appearance of the area further.
- The applicant's Notice of Review and various letters produced as part of the Review does not address the reason why the initial application was refused by Falkirk Council.

We would appreciate if you could consider our initial objection response together with the above and would like to be kept informed of any developments in this application.

Kind regards,

Deborah & William Grant
5 Kinglass Court
Bo'ness
EH51 9RH