

**THIS PAPER RELATES
TO ITEM 3 (g)
ON THE AGENDA**

**Response from the Applicant to the
Interested Party Representations
14/00260/FULL**

Firstly I would just like it to be known that I did approach Mr Stewart and Mr Ferguson prior to the original planning application in December 2014, and both stated they would not object to a balcony. In July 2014 I also made them aware I would be making the application that year and confirmed that they would not have any objections.

No other neighbours objected.

Mr Ferguson's objection is that the proposed Balcony would not allow him an acceptable level of privacy for his home and garden.

Mr Ferguson's house and garden are positioned to the side/rear of our house and his closest boundary is a minimum 10.6 metres from the nearest part of our house, due to the house design and topography of the ground Mr Ferguson's home and garden are already over looked by the houses in Blairdenon Drive, giving him minimal privacy at present.

I don't think the proposed balcony would have any effect on Mr Ferguson's home or garden and would once again quote Mr Stoddart's response about the other balcony under said reference 09/00075FULL "at the closest point it was 4.4m from the boundary and it would not increase overlooking of No 63".

I would assume then that since Mr Ferguson's boundary is a minimum 11.1 metres from the closest point of the proposed balcony and as we already over look his home and garden, that his objection should no longer count.

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Mr Stewart's objection is that the proposed balcony would have an adverse impact on his privacy, he also said the balcony would not allow him quiet enjoyment of his garden amenities.

The photos I attached to the local review application clearly show that Mr Stewart has very little privacy due to the house design and topography of the ground, the balcony would be an area of outside space directly from the Living area of our house. The introduction of the balcony floor would actually increase the privacy for Mr Stewart as it would obstruct our view looking down from our windows.

I don't see how a balcony raised above the existing garden ground would increase any noise levels that would stop Mr Stewart from enjoying his garden.

After reading the human rights acts that Mr Stewart has quoted I cannot see how the introduction of a balcony would have any effect on his human rights, as Mr Stewart has lived happily with us over looking his house and garden for approximately ten years and he bought the house knowing that his garden wasn't private.

We are already aware a balcony of similar size and position on an identical house to ours already satisfied Policy RES 12 and SC8 (09/00075/FULL). 7.5 metre wide x 3.0 metre projection giving a total 22.5 metres square

Does our proposed balcony have an Adverse Impact on Mr Stewarts privacy? No I don't think it will.

Due to drainage that runs through our garden I could not reduce the 2.75 metre projection of the balcony, but we would be prepared to reduce the width to 8.0 metres wide allowing the support post to be outside the bedroom window line and still be balanced on the house, this is now smaller than 09/00075FULL.

I would also be prepared to reduce the height by 170mm by taking 1 step down from our house floor level onto the balcony deck.

William Holley