

I have received a copy of a letter from Mr Iain Logan of Benview, Tayinloan. He evidently considers that he is better placed than the Planning Authority to propose draft conditions, and is now proposing even more stringent and far reaching conditions than those advanced by Mr Peter Bain of the Council following the recent LRB Hearing. It is obvious that he is intent on attempting to frustrate the permission which the LRB indicated it was prepared to issue. I respectfully submit that the Authority should not entertain such conduct.

I respectfully submit that Mr Logan's relentless pursuit of his own interests has passed beyond what is reasonable in the circumstances, and that it is open to the LRB now to disregard his further requests.

However, in the interests of a measured reply, my clients' response to the draft conditions now proposed by Mr Logan is as follows

- 1 A title matter, and therefore irrelevant.
- 2 A title matter, and therefore irrelevant.
- 3 A title matter, and therefore irrelevant.
- 4 Unnecessary. The removal and reinstatement of the wall, if required, is a matter to be agreed with its owner(s) and in due course the Building Control officer. The wall is neither listed nor situated in a Conservation Area.
- 5 Unnecessary. This is a matter probably to be designed in advance, but in any event to be agreed with the Building Control Officer before work is carried out. The statements appended to Reason 5 are mere assertion, and unsupported by any scientific or engineering evidence.
- 6 Mere assertion; the use of the applicants' private ground without damage to neighbours' interests is required as a matter of law. The installation and procurement of the water supply to either or both of the proposed new dwellings is a matter for the developer.

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Changes to existing draft conditions

- 6(iv) A matter for the Building Control Officer in due course.
- 6(iii) The external finish of the houses is a matter for the Building Control Officer. The applicant disagrees that a wood finish will be appropriate for a permanent dwellinghouse.
- 9 A matter for the LPA as Drainage Authority. The applicant is required to meet modern drainage standards.

Mr Logan's additional observations are noted. No communication has been received from Largie Estate concerning intimation, or a failure of intimation, to it when the application was made. The application and the LRB Hearing were duly advertised in accordance with the regulations.

Yours sincerely

*John Campbell
for James and Veronica Blair*