

SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY

MINUTE of Meeting of the LOCAL REVIEW
BODY held in the Council Chamber, Council
Headquarters, Newtown St Boswells, TD6
0SA on Monday, 14 March, 2016 at 10.00
am

- Present:- Councillors R. Smith (Chairman), J. Brown (Vice-Chairman), J. Campbell,
J. A. Fullarton, I. Gillespie, D. Moffat, S. Mountford and B White
- Apologies:- Councillor M. Ballantyne
- In Attendance:- Lead Officer Plans and Research, Solicitor (G. Nelson), Democratic Services
Team Leader, Democratic Services Officer (F. Walling).

MEMBER

Councillor Gillespie, although present at the start of the meeting, had to leave due to unforeseen circumstances and did not take part in consideration of the review.

1. REVIEW OF APPLICATION 15/00769/FUL

There had been circulated copies of the request from Mr Kerr Renwick of Donerentin, Camphouse, Camptown, Jedburgh, to review the decision to refuse the planning application in respect of the siting of a caravan for permanent residence (retrospective) on land south of Camphouse Farmhouse, Camptown, Jedburgh. Included in the supporting papers were the Decision Notice, Notice of Review, officer's report of handling and papers referred to in the report, consultations and a list of relevant policies. The Local Review Body considered a piece of new evidence that had been submitted with the review. After taking legal advice Members concluded that given the minor ancillary nature of the new evidence it could be referred to in determining the case, despite the fact it could have been submitted at the time of the application. After initial discussion Members concluded that the caravan was not located within a building group and that their consideration should focus on whether there was economic justification for a permanent residence at this site. The Local Review Body noted that some information had been submitted by the applicant regarding a business venture which was part of the application proposal but considered that this information was insufficient. It was also noted that there was no information about the ownership of the farm holding and the interests, if any, of other family members, particularly in respect of who was living in the existing farmhouse at Camphouse.

VOTE

Councillor Fullarton, seconded by Councillor Mountford, moved that the decision to refuse the application be upheld.

Councillor Brown, seconded by Councillor White, moved as an amendment that the review be continued for further procedure and that further written information be requested from the applicant, to be provided within two months, in the form of:-

- (a) a professionally prepared long term Business Plan, for the whole of the farm; and*
- (b) confirmation of the ownership of the farm holding and the interests that other family members had in this.*

On a show of hands Members voted as follows:-

Motion - 3 votes

Amendment - 4 votes

The amendment was accordingly carried.

Discussion continued about the design of the caravan which was the subject of the planning application. The improvements that had been carried out to the residence, as evidenced in the photographs provided, were noted. However, concern was expressed that the caravan in its present form did not have a building warrant and that even if there was economic justification for an additional permanent residence on this farm holding that the caravan may constitute an inappropriate design and may not conform to the Placemaking and Design guidance. Members concluded that further discussion on this issue would be required in the event that, the applicant demonstrated through further written submissions that, there was an economic justification for an additional permanent residence on this farm holding.

DECISION

AGREED:-

- (a) that the request for a review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) in accordance with Section 43B of the Town and Country Planning (Scotland) Act 1997 the review could be determined with reference to the new evidence referred to in the Notice of Review documentation;**
- (c) that the review could not be considered without further procedure in the form of further written submissions; and**
- (d) to request the applicant to provide, within two months, the following additional information:-**
 - (i) a professionally prepared long term Business Plan, for the whole of the farm; and**
 - (ii) confirmation of the ownership of the farm holding and the interests that other family members had in this.**

The meeting concluded at 11.20 am