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SCOTTISH BORDERS COUNCIL LOCAL REVIEW BODY

MINUTE of Meeting of the LOCAL REVIEW
BODY conducted remotely by Microsoft
Teams Live Event on Monday, 21 September
2020 at 10.00 am

Present:- Councillors S. Mountford (Chairman), A. Anderson, J. A. Fullarton,
S. Hamilton, H. Laing, C. Ramage and N. Richards

Apologies:- Councillors E. Small

In Attendance:- Principal Planning Officer – Major Applications/Local Review, Solicitor (S.
Thompson), Democratic Services Team Leader, Democratic Services Officer
(F. Walling).

1. **REVIEW OF 19/01256/FUL**

There had been circulated copies of the request from Ms Jess Windsor, per Urban Animation, 22 Westhall Gardens, Edinburgh to review the decision to refuse the planning application for erection of 15 No huts with associated access and car parking on land East of Wester Deans, West Linton. The supporting papers included the Notice of Review; Decision Notice; Officer's Report; papers referred to in the Officer's Report; Consultations; general comment; and a list of policies. In their initial discussion Members noted that the proposal was not for a commercial business and therefore did not require the submission of a business case in support of the application. Members initially discussed the site of the proposed development in terms of visual impact and compatibility within the rural surroundings. With regard to the suitability of the proposal, Members discussed the means of access to the site and the practicality of the use of sustainable transport. Whilst recognising that the huts would be individually owned, they expressed concerns about a lack of detail about servicing the site and the absence of an overall management scheme. After a lengthy debate, opinion remained divided as to whether these concerns could be addressed by suspensive conditions.

VOTE

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

Councillor Laing, seconded by Councillor Ramage, moved as an amendment that the decision to refuse the application be reversed and the application approved.

Members voted as follows:-

Motion - 2 votes

Amendment - 4 votes

The amendment was accordingly carried and the application approved,

DECISION

DECIDED that:-

- (a) **the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**

- (b) the review could be considered without the need for any further procedure on the basis of the papers submitted;**
- (c) the proposal would be consistent with the Development Plan; and**
- (d) the officer's decision to refuse the application be reversed and planning permission be granted, subject to conditions, for the reasons detailed in Appendix I to this Minute**

2. REVIEW OF 20/00343/FUL

There had been circulated copies of the request from Mrs Carly Anderson, per Ferguson Planning, 54 Island Street, Galashiels, to review the decision to refuse the planning application for siting of 3 No glamping pods and associated works on land south west of Stouslie Farmhouse, Hawick. The supporting papers included the Notice of Review (including the Officer's Report and Decision Notice); consultations; and a list of policies. Members noted that the proposal was for the provision of tourist accommodation and that a comprehensive business case had been submitted in support. They went on to consider the visual impact of the proposed development in the context of the surrounding landscape paying particular attention to its elevated position. After careful consideration they concluded that the landscape impacts of the proposed development, which were mainly from the south, were mitigated by existing trees to the rear of the site and so were acceptable.

DECISION

AGREED that:-

- (a) the request for review had been competently made in terms of Section 43A of the Town and Country Planning (Scotland) Act 1997;**
- (b) the review could be considered without the need for any further procedure on the basis of the papers submitted;**
- (c) the proposal would be consistent with the Development Plan; and**
- (d) the officer's decision to refuse the application be reversed and planning permission be granted, subject to conditions, for the reasons detailed in Appendix II to this Minute**

The meeting concluded at 11.30 am



APPENDIX I

**SCOTTISH BORDERS COUNCIL
LOCAL REVIEW BODY DECISION NOTICE**

**APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND)
ACT 1997**

**THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW
PROCEDURE) (SCOTLAND) REGULATIONS 2013**

Local Review Reference: 20/00019/RREF

Planning Application Reference: 19/01256/FUL

Development Proposal: Erection of 15 No huts with associated access and car parking

Location: Land East of Wester Deans, West Linton

Applicant: Ms Jess Windsor

DECISION

The Local Review Body reverses the decision of the appointed officer and grants planning permission for the reasons set out in this decision notice subject to conditions and informatives as set out below.

DEVELOPMENT PROPOSAL

The application relates to the erection of 15 No huts with associated access and car parking. The application drawings and documentation consisted of the following:

Plan Type	Plan Reference No.
Location Plan 1:2500	1 of 7
Location Plan 1:10000	2 of 7
Proposed Site Plan 1:1250	3 of 7
Proposed Site Plan 1:500 north	4 of 7
Proposed Site Plan 1:500 south	5 of 7
Elevations	6 of 7
Planting Plan	7 of 7

PRELIMINARY MATTERS

The Local Review Body initially considered the review, which had been competently made, under section 43A (8) of the Town & Country Planning (Scotland) Act 1997 at its meeting on 21 September 2020.

After examining the review documentation at that meeting, which included a) Notice of Review; b) Decision Notice; c) Officer's Report; d) Papers referred to in Officer's Report; e) Consultations; f) General comment and g) List of Policies, the Review Body noted that the applicant had requested further procedure in the form of a site visit but did not consider it necessary in this instance and proceeded to determine the case.

REASONING

The determining issues in this Review were:

- (1) whether the proposal would be in keeping with the Development Plan, and
- (2) whether there were any material considerations which would justify departure from the Development Plan.

The Development Plan comprises: SESplan Strategic Development Plan 2013 and the Scottish Borders Local Development Plan 2016. The LRB considered that the relevant listed policies were:

- Local Development Plan policies: PMD1, PMD2, ED7, HD3, EP1, EP2, EP3, EP13, IS7 and IS9

Other Material Considerations

- SBC Supplementary Planning Guidance on Placemaking & Design 2010
- SBC Supplementary Planning Guidance on Landscape and Development 2008
- SBC Supplementary Planning Guidance on Trees and Development 2008
- SBC Supplementary Planning Guidance on Biodiversity 2005
- SBC Supplementary Planning Guidance on Waste Management 2015
- Scottish Planning Policy 2014

The Review Body noted that the proposal was for the erection of 15 No huts with associated access and car parking.

Members firstly considered the principle of the development under Policy ED7. They noted that the Policy only required the submission of a business case where this was to support business and tourist proposals in the countryside. They noted that the applicant had clarified the proposal was not a commercial business and was not aimed at tourism, but that the huts would be leisure development for individual owners, their family and friends. The Review Body agreed with the Appointed Officer that a business case was not required for such a leisure development under Policy ED7 and that the principle of leisure development in the form of hutting was supportable under the Policy, being appropriate to a rural location and providing the occupancy was controlled by condition to ensure limited and occasional use only.

The Review Body then considered the criteria set down in Policy ED7 and PMD2 and, in particular, the issues of compatibility with rural surroundings and landscape impact. They noted the Appointed Officer's concerns over landscape, visual impact and the successful establishment of planting at the site to mitigate impacts. However, the Review Body did not consider the impacts to be sufficiently significant to justify refusal and acknowledged that the land was former forestry with new planting and was in a general rural setting characterised by a variety of different uses and buildings, including a number of large poultry units. They also noted the immediately adjoining Cloich Forest with consented wind farm scheme.

Members ultimately felt that the landscape was not of a quality that would be significantly impacted by the development, which was both modest in scale and size of huts. They noted that a landscape scheme had been advanced to a certain extent with the Landscape Architect and that, provided this was secured by condition including future management and maintenance of the planting, there was no reason to suggest the mitigation would not be successful in establishing on site, nor screen the development adequately over time.

Members then considered policy PMD1 and the issue of over-reliance on private cars and sustainable means of transport to the site. There were a number of concerns expressed in relation to owners bringing supplies to the site, water supply, foul drainage and waste removal provision and how such proposals would actually encourage access to the site without use of a private car. Members were concerned at the lack of information on these matters and particularly how they would be managed, given the fact that the huts would all be individually owned. However, the Review Body did recognise that being in a rural location, use of sustainable transport to the site would be more limited in any case and that, provided such concerns could be addressed by suspensive conditions seeking full details to be agreed, a certain degree of access to the site by private car would be expected and acceptable. The details to be agreed for each hut by suspensive conditions would include means of water supply, drainage, waste storage/removal and a management and maintenance scheme for the whole development.

The Review Body then considered other material issues relating to the proposal including residential amenity, site access and ecology but were of the opinion that such issues did not outweigh their decision to support the proposal and that appropriate conditions could address them satisfactorily. There was discussion over vehicular access to each hut for emergency vehicles but Members concluded that this matter could be considered in a condition covering overall access details.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that consent for the development was consistent with Policies PMD1, PMD2 and ED7 of the Local Development Plan. The development was considered to be a leisure development appropriate in scale and design to the rural location and accessible to sustainable methods of transport. Subject to conditions, including new planting and management of the development, impacts on the surrounding countryside and infrastructure were considered to be acceptable. Consequently, the application was approved subject to the conditions and informative listed.

DIRECTIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

CONDITIONS

1. The occupation of the huts shall be restricted to any person staying for a maximum of 3 months in total within any calendar year.
Reason: Permanent residential use in this location would conflict with the established planning policy for this rural area.
2. No development to be commenced until samples of all external materials for the huts are submitted to, and approved in writing by, the Planning Authority. The development then to be implemented in accordance with the approved materials.
Reason: To safeguard the visual amenity of the area.

3. No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the planning authority. Details of the scheme shall include (as appropriate):
 - i. existing and finished ground levels in relation to a fixed datum preferably ordnance
 - ii. existing landscaping features, hedgerows and trees to be retained, protected and, in the case of damage, restored
 - iii. location and design, including materials, of walls, fences and gates
 - iv. soft and hard landscaping works including new tree planting
 - v. existing and proposed services such as cables, pipelines, sub-stations
 - vi. A programme for completion and subsequent maintenance.

Reason: To ensure the satisfactory form, layout and assimilation of the development.

4. No development to be commenced until a tree survey identifying the existing trees within the site is submitted to, and approved by, the Planning Authority. The identified trees then agreed for retention to be protected at all times during construction and building operations, by the erection of substantial timber fence around the trees or tree areas, together with such other measures as are necessary to protect the trees and their roots from damage. Details of the methods it is proposed to use shall be submitted by the applicant to the Local Planning Authority and be approved by them in writing. The approved protective measures shall be undertaken before any works commence on the site and must, thereafter be observed at all times until the development is completed.

Reason: To ensure that adequate precautions are taken to protect trees during building operations.

5. No development to be commenced until further details of the access junction, site roadway, parking area and paths to the huts are submitted to, and approved in writing by, the Planning Authority. The details shall also include information on access by emergency vehicles. Once approved, the details then to be completed before occupation of the first hut.

Reason: In the interests of road and pedestrian safety.

6. No development to be commenced until a scheme of management and maintenance of the development, including any factoring arrangements, is submitted to, and approved in writing by, the Planning Authority. The scheme shall include all huts, roads, paths, water, drainage, waste storage, fencing and all existing and proposed trees, The development then to be operated in accordance with the approved scheme.

Reason: To safeguard the visual amenity of the area and secure appropriate controls over the operation of the site.

7. No development to be commenced until a scheme of waste storage for each hut is submitted to, and approved in writing by the Planning Authority. Once approved, the development then to be operated in accordance with the approved scheme.

Reason: To ensure that the development is adequately serviced and does not have a detrimental effect on amenity and public health.

8. No development to be commenced until further details of the provision of a water supply and of disposal of foul and surface water for each hut are submitted to, and approved in writing by the Planning Authority.

Reason: To ensure that the development is adequately serviced and does not have a detrimental effect on amenity and public health.

9. No development to be commenced until a Construction Environmental Management Plan, incorporating the latest good practice guidelines and statutory advice, is submitted to, and approved in writing in writing by, the Planning Authority. Any works shall thereafter be carried out strictly in accordance with the approved Plan.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP1, EP2 and EP3.

10. No development shall be undertaken during the breeding bird season (March to August), unless in strict compliance with a Species Protection Plan for breeding birds, including provision for pre-development supplementary survey, that shall be submitted to and approved in writing by the Planning Authority.

Reason: To protect the ecological interest in accordance with Local Development Plan policies EP2 and EP3.

INFORMATIVES

1. With regard to Condition 3, the Landscape Officer of the Council advises the following:

Tree planting should be cell grown trees, all protected by tree tubes supported with robust tree stakes. Planting should be throughout the site at approx. 3m spacing (i.e. 1 plant/ 9 sq. metres) although this should not be regular and should take into account existing regeneration and hut positions, concentrating on areas immediately around the huts to improve their assimilation.

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

Under The Control of Pollution Act 1974, the Council recommends the following hours for noisy construction-related work:

Monday-Friday 0700-1900

Saturday 0800-1300

Sunday and Public Holidays - no permitted work (except by prior agreement with the Council)

Contractors will be expected to adhere to the measures contained in BS 5228:2009 "Code of Practice for Noise and Vibration Control on Construction and Open Sites".

For more information or to make a request to carry out works outside the above hours, please contact an Environmental Health Officer at the Council.

Notice of Initiation of Development

Section 27 of the Town and Country Planning (Scotland) Act (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable.

Notice of Completion of Development

Section 27B requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

Transco, Susiephone Department, 95 Kilbirnie Street, Glasgow, G5 8JD
Scottish Power, Riccarton Mains Road, Currie, Edinburgh, EH14 5AA
Scottish Water, Developer Services, 419 Balmore Road, Possilpark, Glasgow G22 6NU
British Telecom, National Notice Handling Centre, PP404B Telecom House, Trinity Street, Stoke on Trent, ST1 5ND
Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA
Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL
BP Chemicals Ltd, PO Box 21, Bo'ness Road, Grangemouth, FK2 9XH
THUS, Susiephone Department, 4th Floor, 75 Waterloo Street, Glasgow, G2 7BD
Susiephone System – **0800 800 333**

If you are in a Coal Authority Area (Carlops or Newcastleton), please contact the Coal Authority at the following address: The Coal Authority 200 Lichfield Lane, Berry Hill, Mansfield, Nottinghamshire NG18 4RG.

Notice Under Regulation 22 of the Town & Country Planning (Schemes of Delegation and Local Review procedure) (Scotland) Regulations 2013.

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

Signed... Councillor S Mountford
Chairman of the Local Review Body

Date.....29 September 2020



APPENDIX II

**SCOTTISH BORDERS COUNCIL
LOCAL REVIEW BODY DECISION NOTICE**

**APPEAL UNDER SECTION 43A (8) OF THE TOWN AND COUNTRY PLANNING (SCOTLAND)
ACT 1997**

**THE TOWN AND COUNTRY PLANNING (SCHEMES OF DELEGATION AND LOCAL REVIEW
PROCEDURE) (SCOTLAND) REGULATIONS 2013**

Local Review Reference: 20/00021/RREF

Planning Application Reference: 20/00343/FUL

Development Proposal: Siting of 3 No glamping pods and associated works

Location: Land South West of Stouslie Farmhouse

Applicant: Mrs Carly Anderson

DECISION

The Local Review Body reverses the decision of the appointed officer and grants planning permission for the reasons set out in this decision notice subject to conditions as set out below.

DEVELOPMENT PROPOSAL

The application relates to the siting of 3 No glamping pods and associated works. The application drawings and documentation consisted of the following:

Plan Type	Plan Reference No.
Location Plan	200104-2-01
Proposed Site Plan	200104-1-01
Proposed Drainage Plan	200104-2-01
Proposed Access and Parking Plan	200104-3-01
Proposed Visibility Splay Plan	200104-4-01
Proposed Elevations	200104-9-01
Landscaping Plan	200104-11-01
3D Visual Perspective	1 of 3
3D Visual Perspective	2 of 3
3D Visual Perspective	3 of 3

PRELIMINARY MATTERS

The Local Review Body initially considered the review, which had been competently made, under section 43A (8) of the Town & Country Planning (Scotland) Act 1997 at its meeting on 21 September 2020.

After examining the review documentation at that meeting, which included a) Notice of Review (including Decision Notice, Officer's Report and Papers referred to in Officer's Report); b) Consultations; and c) List of Policies, the Review Body noted that the applicant had requested further procedure in the form of a site visit but did not consider it necessary in this instance and proceeded to determine the case.

REASONING

The determining issues in this Review were:

- (1) whether the proposal would be in keeping with the Development Plan, and
- (2) whether there were any material considerations which would justify departure from the Development Plan.

The Development Plan comprises: SESplan Strategic Development Plan 2013 and the Scottish Borders Local Development Plan 2016. The LRB considered that the relevant listed policies were:

- Local Development Plan policies: PMD1, PMD2, ED7, HD3, EP3, EP13, IS7 and IS9

Other Material Considerations

- SBC Supplementary Planning Guidance on Placemaking & Design 2010
- SBC Supplementary Planning Guidance on Landscape and Development 2008
- SBC Supplementary Planning Guidance on Trees and Development 2008
- SBC Supplementary Planning Guidance on Biodiversity 2005
- SBC Supplementary Planning Guidance on Waste Management 2015
- SBC Supplementary Planning Guidance on Privacy and Sunlight 2006
- Scottish Borders Tourism Strategy 2013-2020
- Scottish Planning Policy 2014

The Review Body noted that the proposal was for the siting of 3 No glamping pods and associated works.

Members firstly considered the principle of the development under Policy ED7. They noted that the Policy required the submission of a business case to support tourist accommodation proposals in the countryside. They agreed with the Appointed Officer that the business case presented was of a high standard with detailed information, including financial projections and sequential assessment of other sites. Members also noted the support of Economic Development and concluded that the business case had been demonstrated. The development represented quality farm diversification and proposed tourist accommodation which should be encouraged under Policy ED7.

The Review Body then considered the criteria set down in Policy ED7 and PMD2 and, in particular, the issues of compatibility with rural surroundings and landscape impact. They noted the Appointed Officer's concerns over prominence and elevated positioning, appreciating that one of the main attractions of the site for tourist development was the open view to the south. They understood that the visibility of the pods from the south was the main issue and debated what mitigation was present, or could be proposed, to address the issue.

Members concluded that the development was modest in scale and form, representing a sporadic small grouping of buildings that had context with other groupings in the wider rural surroundings. There was tree screening to the rear of the site and an existing dry stone dyke which was being retained. Members also noted the proposed new planting which they considered would successfully integrate the development into the surroundings. They did not consider it necessary to specify planting along the southern boundary and were content for this matter to be considered as part of the overall landscaping submission required by condition and for agreement between the applicant and Appointed Officer.

The Review Body then considered other material issues relating to the proposal including sustainable access, road safety, water, drainage and waste disposal but were of the opinion that such issues did not outweigh their decision to support the proposal and that appropriate conditions could address them satisfactorily.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that consent for the development was consistent with Policies PMD2 and ED7 of the Local Development Plan. The development was considered to be an appropriate and justified tourism use in an attractive location, representing farm diversification and of modest scale with limited impacts on the surrounding countryside. Consequently, the application was approved subject to the conditions listed.

DIRECTIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

CONDITIONS

1. The occupation of the glamping pods shall be restricted to genuine holidaymakers, any person staying for a maximum of 3 weeks in total within any consecutive period of 13 weeks. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times.
Reason: Permanent residential use in this location would conflict with the established planning policy for this rural area.
2. No development to be commenced until samples of all external materials for the pods are submitted to, and approved in writing by, the Planning Authority. The development then to be implemented in accordance with the approved materials.
Reason: To safeguard the visual amenity of the area.
3. No development shall take place except in strict accordance with a scheme of hard and soft landscaping works, which has first been submitted to and approved in writing by the planning authority. Details of the scheme shall include (as appropriate):
 - i. existing and finished ground levels in relation to a fixed datum preferably ordnance
 - ii. existing landscaping features, walls, hedgerows and trees to be retained, protected and, in the case of damage, restored
 - iii. location and design, including materials, of walls, fences and gates
 - iv. soft and hard landscaping works including new tree and hedge planting
 - v. existing and proposed services such as cables, pipelines, sub-stations
 - vi. A programme for completion and subsequent maintenance.
Reason: To ensure the satisfactory form, layout and assimilation of the development.

4. No development to be commenced until a scheme of passing places on the public road leading to the site has been submitted to, and approved in writing by the Planning Authority. Once approved, the passing places to be formed before the first pod is occupied.
Reason: In the interests of road safety.
5. No development to be commenced until further details of the access junction, site roadway, parking area, paths, hardstandings and deckings to the pods are submitted to, and approved in writing by, the Planning Authority. Once approved, the details then to be completed before occupation of the first pod.
Reason: In the interests of road and pedestrian safety.
6. No development to be commenced until a scheme of waste storage for each pod is submitted to, and approved in writing by the Planning Authority. Once approved, the development then to be operated in accordance with the approved scheme.
Reason: To ensure that the development is adequately serviced and does not have a detrimental effect on amenity and public health.
7. No development to be commenced until further details of the provision of a water supply and of disposal of foul and surface water for each pod are submitted to, and approved in writing by the Planning Authority.
Reason: To ensure that the development is adequately serviced and does not have a detrimental effect on amenity and public health.

N.B: This permission does not include any consent, approval or licence necessary for the proposed development under the building regulations or any other statutory enactment and the development should not be commenced until all consents are obtained.

Under The Control of Pollution Act 1974, the Council recommends the following hours for noisy construction-related work:
Monday-Friday 0700-1900
Saturday 0800-1300
Sunday and Public Holidays - no permitted work (except by prior agreement with the Council)

Contractors will be expected to adhere to the measures contained in BS 5228:2009 "Code of Practice for Noise and Vibration Control on Construction and Open Sites".

For more information or to make a request to carry out works outside the above hours, please contact an Environmental Health Officer at the Council.

Notice of Initiation of Development

Section 27 of the Town and Country Planning (Scotland) Act (as amended) requires that any person who has been granted planning permission (including planning permission in principle) and intends to start development must, once they have decided the date they will start work on the development, inform the planning authority of that date as soon as is practicable.

Notice of Completion of Development

Section 27B requires that any person who completes a development for which planning permission (including planning permission in principle) has been given must, as soon as practicable after doing so, give notice of completion to the planning authority.

When planning permission is granted for phased development then under section 27B(2) the permission is to be granted subject to a condition that as soon as practicable after each phase, other

than the last, is completed, the person carrying out the development is to give notice of that completion to the planning authority.

In advance of carrying out any works it is recommended that you contact Utility Bodies whose equipment or apparatus may be affected by any works you undertake. Contacts include:

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Scottish Borders Council, Street Lighting Section, Council HQ, Newtown St Boswells, Melrose, TD6 0SA
Cable & Wireless, 1 Dove Wynd, Strathclyde Business Park, Bellshill, ML4 3AL
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1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

Signed... Councillor S Mountford
Chairman of the Local Review Body

Date.....29 September 2020

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