
PLANNING APPEALS & REVIEWS

Briefing Note by Chief Planning Officer

PLANNING AND BUILDING STANDARDS COMMITTEE

9th January 2017

1 PURPOSE

- 1.1 The purpose of this briefing note is to give details of **Appeals** and **Local Reviews** which have been received and determined during the last month.

2 APPEALS RECEIVED

- 2.1 Planning Applications

Nil

- 2.2 Enforcements

Nil

3 APPEAL DECISIONS RECEIVED

- 3.1 Planning Applications

Nil

- 3.2 Enforcements

Nil

4 APPEALS OUTSTANDING

- 4.1 There remained one appeal previously reported on which a decision was still awaited when this report was prepared on 20th December 2016. This relates to a site at:

- | | |
|---|---|
| <ul style="list-style-type: none">• Land North West of Whitmuir Hall, Selkirk | <ul style="list-style-type: none">• |
|---|---|

5 REVIEW REQUESTS RECEIVED

- 5.1 Reference: 16/01114/FUL
Proposal: Erection of poultry cold store/hay store
Site: Field No 0328 Kirkburn, Cardrona
Appellant: Cleek Poultry Ltd

Reasons for Refusal: 1. The application is contrary to Policies PMD2, ED7 and EP5 of the Scottish Borders Local Development Plan 2016 and Supplementary Planning Policies relating to Special Landscape Area 2- Tweed Valley in that the proposed building will be prominent in height, elevation and visibility within the landscape and will have a significant detrimental impact on the character and quality of the designated landscape. 2. The application is contrary to Policies PMD2 and ED7 of the Scottish Borders Local Development Plan 2016 in that it has not been adequately demonstrated that there is an overriding justification for the proposed building and that would justify an exceptional permission for it in this rural location and, therefore, the development would appear as unwarranted development in the open countryside. The proposed building is not of a scale that appears suited for the uses proposed on the agricultural holding on which it would be situated, which further undermines the case for justification in this location.

6 REVIEWS DETERMINED

- 6.1 Reference: 16/01114/FUL
Proposal: Erection of poultry cold store/hay store
Site: Field No 0328 Kirkburn, Cardrona
Appellant: Cleek Poultry Ltd

Reasons for Refusal: 1. The application is contrary to Policies PMD2, ED7 and EP5 of the Scottish Borders Local Development Plan 2016 and Supplementary Planning Policies relating to Special Landscape Area 2- Tweed Valley in that the proposed building will be prominent in height, elevation and visibility within the landscape and will have a significant detrimental impact on the character and quality of the designated landscape. 2. The application is contrary to Policies PMD2 and ED7 of the Scottish Borders Local Development Plan 2016 in that it has not been adequately demonstrated that there is an overriding justification for the proposed building and that would justify an exceptional permission for it in this rural location and, therefore, the development would appear as unwarranted development in the open countryside. The proposed building is not of a scale that appears suited for the uses proposed on the agricultural holding on which it would be situated, which further undermines the case for justification in this location.

Method of Review: Review of Papers

Review Decision: Decision of Appointed Officer Upheld

7 REVIEWS OUTSTANDING

- 7.1 There remained one review previously reported on which a decision was still awaited when this report was prepared on 20th December 2016. This relates to a site at:

- | | |
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| • Land North West of 4 Rink Farm | • |
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8 SECTION 36 PUBLIC LOCAL INQUIRIES RECEIVED

Nil

9 SECTION 36 PUBLIC LOCAL INQUIRIES DETERMINED

Nil

10 SECTION 36 PUBLIC LOCAL INQUIRIES OUTSTANDING

10.1 There remained one S36 PLI previously reported on which a decision was still awaited when this report was prepared on 20th December 2016. This relates to a site at:

- | | |
|---|--|
| <ul style="list-style-type: none"> (Whitelaw Brae Wind Farm), Land South East of Glenbreck House, Tweedsmuir | <ul style="list-style-type: none"> |
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Approved by

Ian Aikman
Chief Planning Officer

Signature

Author(s)

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Background Papers: None.

Previous Minute Reference: None.

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

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