
PLANNING APPEALS & REVIEWS

Briefing Note by Chief Planning Officer

PLANNING AND BUILDING STANDARDS COMMITTEE

6th February 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 27th January 2017. 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">• |
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5 REVIEW REQUESTS RECEIVED

- 5.1 Reference: 16/01425/PPP
Proposal: Erection of dwellinghouse
Site: Land East of Keleden, Ednam
Appellant: Mr & Mrs Brian Soar

Reason for Refusal: The proposals would be contrary to Policy PMD4 of the Scottish Borders Local Development Plan 2016 in that the erection of a dwellinghouse on this site would result in development outwith the development boundary of the village as defined on the settlement profile map for Ednam, leading to unjustified encroachment into the open countryside and coalescence with the Cliftonhill building group. The proposed dwelling is not a job generating development in the countryside that has economic justification under Policy ED7 or HD2; it is not an affordable housing development that can be justified in terms of Policy HD1; a shortfall in the provision of an effective 5 year land supply has not been identified and it is not a development that would offer significant community benefits that would outweigh the need to protect the development boundary.

6 REVIEWS DETERMINED

- 6.1 Reference: 16/00844/FUL
Proposal: Erection of 2 No dwellings for holiday let, and associated infrastructure works
Site: Land North West of 4 Rink Farm Cottages, Galashiels
Appellant: Mr J M & R Bayne

Reason for Refusal: By virtue of the elevated, isolated and visible location of the proposed holiday lets and associated works, the proposed development will result in unacceptable landscape and visual impacts and will adversely affect the landscape quality of the Tweed, Ettrick and Yarrow Confluences Special Landscape Area within which the site is located. This is contrary to Policies PMD2, ED7 and EP5 of the Scottish Borders Local Development Plan 2016. The potential economic benefits of the development are not considered to outweigh the adverse landscape and visual impacts.

Method of Review: Review of Papers & Site Visit

Review Decision: Decision of Appointed Officer Overturned

- 6.2 Reference: 16/00866/FUL
Proposal: Variation of Condition 3 of planning permission 06/00243/OUT and Condition 5 of planning permission 13/00897/PPP pertaining to access road
Site: Plots 1 & 2, Site At The Putting Green, Auchencrow, Eyemouth
Appellant: Mr & Mrs P Costello

Reason for Refusal: The proposal to vary the condition to allow retention of the gravel surface would be contrary to policies HD2, PMD2 and HD3 of the Local Plan 2016 in that the use of this material would result in a substandard access to property to the detriment of road safety and neighbouring amenity.

Method of Review: Review of Papers

Review Decision: Decision of Appointed Officer Overturned

7 REVIEWS OUTSTANDING

7.1 There remained no reviews previously reported on which decisions were still awaited when this report was prepared on 27th January 2017.

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 27th January 2017. 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)

Name	Designation and Contact Number
Laura Wemyss	Administrative Assistant (Regulatory) 01835 824000 Ext 5409

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.

Contact us at Place, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA. Tel. No. 01835 825431 Fax No. 01835 825071
Email: PLACetransrequest@scotborders.gov.uk