

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Application for Planning Permission

Reference : 17/00257/FUL

To : Mr & Mrs David & Jane Gordon per David Jane Architects 5 High Street Innerleithen Scottish Borders EH44 6HA

With reference to your application validated on **21st February 2017** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Replacement windows and installation of chimney flue

At : 5 High Street Innerleithen Scottish Borders EH44 6HA

The Scottish Borders Council hereby **refuse** planning permission for the **reason(s) stated on the attached schedule**.

**Dated 14th April 2017
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed



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Chief Planning Officer

APPLICATION REFERENCE : 17/00257/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
13011-101-B	Elevations	Refused
ECOLINK SOLUTIONS	Sections	Refused
EMISSIONS GRAPHS	Specifications	Refused
13011-LOC	Location Plan	Refused
ABCAT TEST	Report	Refused
ABCAT BACKGROUND	Report	Refused
PRODUCT SPECIFICATIONS	Specifications	Refused
RESIDUALS OF WOOD BURNING	Specifications	Refused

REASON FOR REFUSAL

- 1 The application is contrary to Policy EP16 of the Scottish Borders Local Development Plan in that the proposed flue is of insufficient height to allow fumes to disperse properly without adversely affecting the air quality and residential amenity of surrounding property occupiers.

FOR THE INFORMATION OF THE APPLICANT

It should be noted that:

Please note that the replacement windows may still be proceeded with under planning permission reference 15/01079/FUL.

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning 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 require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 OSA.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, 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 may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997.