

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

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

**Application for Planning Permission**

**Reference : 16/01371/FUL**

**To : Mr Geoffrey Bain per G53 Design Ltd. Per Ruari Gardiner 209 Muirshiel Crescent Glasgow UK  
G53 6XD**

With reference to your application validated on **2nd November 2016** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

**Proposal : Change of use of agricultural buildings and alterations to form 12 No dwellinghouses**

**at: Agricultural Buildings South East Of Merlewood Hutton Castle Barns Hutton Scottish Borders**

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

**Dated 5th February 2018  
Regulatory Services  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**Signed**



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**Depute Chief Planning Officer**

**APPLICATION REFERENCE : 16/01371/FUL**
**Schedule of Plans and Drawings Refused:**

Plan Ref	Plan Type	Plan Status
PL01	Location Plan	Refused
PL010	Floor Plans	Refused
PL011	Roof Plan	Refused
PL002	Site Plan	Refused
PL015	Elevations	Refused
PL014	Elevations	Refused
PL013	Roof Plan	Refused
PL012	Elevations	Refused
PL016	Elevations	Refused
PL017	Elevations	Refused
PL009	Floor Plans	Refused

**REASON FOR REFUSAL**

- 1 The application is contrary to Policy PMD2 (Quality Standards) and HD3 (Residential Amenity) of the Scottish Borders Local Development Plan 2016 in that the proposed development would not be compatible with neighbouring uses, with a reasonable likelihood of unacceptable residential amenity impacts arising for the future occupants of the proposed dwelling units.
- 2 The application is contrary to the Supplementary Planning Guidance: New Housing in the Borders Countryside 2008 in that the proposed development would conflict with the operations of a working farm.
- 3 The application is contrary to Policy IS2 (Developer Contributions) of the Scottish Borders Local Development Plan 2016 and Supplementary Planning Guidance: Affordable Housing and Development Contributions in that the applicant has not committed to paying the necessary development contributions towards deficiencies in infrastructure and services which will be created or exacerbated as a result of the development.
- 4 The application is contrary to Policies EP1 (International Nature Conservation Sites), EP2 (National Nature Conservation Sites and Protected Species) and EP3 (Local Biodiversity) of the Scottish Borders Local Development Plan 2016 and the Supplementary Planning Guidance on Biodiversity 2005 in that the potential impact on protected species is unknown as the required ecological surveys have not been carried out.
- 5 The application is contrary to Policies PMD2 (Quality Standards) in that the proposed parking and access arrangements would result in an adverse impact on road safety.

**FOR THE INFORMATION OF THE APPLICANT**

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 0SA.