

SCOTTISH BORDERS COUNCIL

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO
CHIEF PLANNING OFFICER**

PART III REPORT (INCORPORATING REPORT OF HANDLING)

REF : 18/00644/PPP

APPLICANT : Mr, Mrs and Mr Archie, Helen & Hugh Shaw Stewart

AGENT : Camerons Ltd

DEVELOPMENT : Erection of dwellinghouse (renewal of planning permission 15/00036/PPP)

LOCATION: Land North West Of Chapel Cottage
Melrose
Scottish Borders

TYPE : PPP Application

REASON FOR DELAY:

DRAWING NUMBERS:

Plan Ref	Plan Type	Plan Status
9176/A/01-02 A	Site Plan	Refused
ASK 140709/01	Other	Refused

NUMBER OF REPRESENTATIONS: 0

SUMMARY OF REPRESENTATIONS:

No representations.

Roads Planning Section: provided the conditions regarding access and parking that were attached to the previous approval are attached to any subsequent approval, Roads has no objections to this proposal.

Archaeology Section: the original application was determined without reference to archaeological concerns; as such, there are no archaeological comments at this time.

Landscape Architect: seeks the imposition of four standard conditions - specifically LA04; LA08; LA09' and LA07 - to protect existing trees and hedges, and allow for an appropriate landscaped boundary treatment for the site.

Education and Lifelong Learning and the Community Council have been consulted, but did not respond to the public consultation.

PLANNING CONSIDERATIONS AND POLICIES:

LOCAL DEVELOPMENT PLAN - Adopted Scottish Borders Local Development Plan (2016)

PMD1: Sustainability

PMD2: Quality Standards

HD2: Housing in the Countryside

HD3: Protection of Residential Amenity

EP8: Archaeology
EP9: Gardens and Designed Landscapes
EP13: Trees, Woodlands and Hedgerows
IS2: Developer Contributions
IS7: Parking Provision and Standards
IS9: Waste Water Treatment and Sustainable Urban Drainage

SUPPLEMENTARY PLANNING GUIDANCE

- New Housing in the Borders Countryside
- Placemaking and Design
- Trees and Development
- Landscape and Development
- Householder Development
- Development Contributions
- Waste Management

Recommendation by - Stuart Herkes (Planning Officer) on 21st July 2018

BACKGROUND

This application proposes the reinstatement of a recently expired Planning Permission in Principle (15/00036/PPP) for the erection of a new dwellinghouse on the site of a pre-existing lodge house; but which is currently the southeast corner of a field or paddock, adjacent to the B6359. The site lies within the Linthill Designed Landscape.

Planning Consent 15/00036/PPP was issued subject to six conditions on 15 July 2015, but more than three years on, has now expired (as of 15 July 2018). No detailed application (AMC) was made in the three years immediately proceeding the date of issue of Planning Consent 15/00036/PPP. Moreover, no detailed application (AMC) has been lodged in the period prior to the expiry of this Planning Permission in Principle (PPP).

I would note that the current PPP application was registered on 24 May 2018, and therefore before the expiry of Planning Consent 15/00036/PPP. However, rather than take the opportunity to make an AMC application to extend the life of the permission granted under Planning Consent 15/00036/PPP - by making an AMC application - the Applicant's preference has been to seek to renew the Planning Permission in Principle itself. Accordingly, the Planning Authority is obliged to consider the principle of this proposal anew, in relation to the policies and proposals of the prevailing statutory development plan.

PLANNING POLICY CONTEXT

In this context - namely, the context of there having been a very recent approval of the same proposal for essentially the same site - critical concerns are whether or not there have in fact been any significant changes in the interim period either on site, or within the policies and proposals of the statutory development plan that would reasonably require the Planning Authority to take any different position to that it took at the time of the determination of Planning Application 15/00036PPP.

With regard to circumstances on site, the plot would appear to be no different from the time of the earlier application, in that it is still the corner of an open field immediately adjacent to the public road (B6359). I am content that there are no new or different circumstances on the ground to be taken into consideration that would require or justify the Planning Authority taking any different view of the site from the time of its previous most recent assessment.

With respect to planning policy, the statutory development plan in 2015 was the Scottish Borders Consolidated Local Plan (Adopted 2011). Regard was also had, inter alia, to the Supplementary Planning Guidance Notes on New Housing in the Borders Countryside (December 2008) and Placemaking and Design (2010). The latter SPGs remain current. In the interim then, the only key difference between the context within which the previous proposal was assessed and that within which the current proposal is to be assessed, is that the statutory development plan is now the Scottish Borders Council Local Development Plan 2016.

The housing in the countryside policy which Planning Application 15/00036/PPP was assessed relative to, was underpinned by Policy D2 of the Consolidated Local Plan (2011); whereas within the current statutory development plan, the equivalent policy is Policy HD2 of the Scottish Borders Council Local Development Plan (adopted 2016). With respect to the assessment of replacement dwellinghouse proposals, there are critical differences between these two policies - Policy D2 and Policy HD2.

SUPERSEDED POLICY D2: HOUSING IN THE COUNTRYSIDE

Within the Report of Handling on Planning Application 15/00036/PPP, it was stated that "the application is acceptable in terms of policy D2 (d) of the CSBLP". This is a reference to Section (D) 'Rebuilding' of Policy D2 Housing in the Countryside, within the Consolidated Scottish Borders Local Plan 2011. This advised that "(t)he proposed rebuilding or restoration of a house may be acceptable provided that either: ..." and then proceeded to identify six alternative criteria (numbered 1 to 6 inclusive), each of which, if satisfactorily met, would be a sufficient basis of support for the principle of a replacement dwellinghouse. Additionally, and beyond one or other of these six criteria, the proposal was also required to address satisfactorily two additional criteria: criterion 7 and 8.

With regard to criteria 1 to 6, it is apparent that so little of the historic building remained that it could not have been considered to have addressed - or otherwise reasonably have been assessed under - any of the criteria from 1 to 5 inclusive. However, criterion 6 allowed that account might be taken of: "evidence of the existence of the building in terms of criteria (a) - (c) immediately above, or alternatively sufficient documentary evidence exists relating to the siting and form of the previous house and this evidence is provided to the satisfaction of the Council". It is not clear what the reference "(a) - (c)" relates to, because all items above criterion 6 within Policy D2, are numbered only. However, the latter part of criterion 6 reasonably allows that the Applicant might simply present documentary evidence of the pre-existence of a house on the site, and that the Planning Authority might be sufficiently satisfied by that same evidence as to support the principle of a replacement house, provided at least that it was otherwise satisfied that criteria 7 and 8 could, or would, be satisfactorily addressed within the specific design and layout of the proposal.

Criterion 7 required that the siting and design of new buildings should reflect and respect the historical building pattern and the character of the landscape setting. Criterion 8 required that the extent of new building should not exceed what is to be replaced. (While I would not consider that Criteria 7 and 8 of Policy D2 had in fact been met directly by the proposal made under Planning Application 15/00036/PPP, it was possible that the detailed design might have addressed these concerns; an informative was attached to the consent to guide this aspect of the proposal at the AMC stage).

The Applicant, I note, has reasonably provided the same information that was previously reviewed by the Planning Authority at the time of its determination of Planning Application 15/00036/PPP. This information was considered to address all of the above concerns; and was ultimately sufficient to allow the Planning Authority to support Planning Application 15/00036/PPP, subject to a Section 69 legal agreement to collect the requisite development contribution, and subject to conditions to address concerns with respect to the achievement of appropriate drainage, water supply, access, parking and turning arrangements within the site boundary.

Had all of the above noted criteria been retained within Planning Policy HD2 of the Scottish Borders Council Local Development Plan 2016, I would have considered this Authority obliged to support the proposal again, and on exactly the same terms as before; which is to say, subject to the imposition of the same or equivalent (if updated) planning conditions as those that were previously attached to Planning Consent 15/00036/PPP. However, the position with respect to replacement dwellings has been significantly revised within Policy HD2 of the Scottish Borders Council Local Development Plan 2016; and as noted above, and notwithstanding the previous approval, the current planning application - a new PPP application (and not an AMC application made ulterior to the PPP application) - must be assessed against the new and current housing in the countryside policy.

POLICY HD2: HOUSING

There is no equivalent section on the rebuilding of a dwellinghouse, under Policy HD2: Housing in the Countryside. Instead, proposals that would previously have been assessed under Section D of superseded Policy D2 now fall to be assessed under one or other of Section D or Section E of current Policy HD2.

Section E of the latter, relates to 'Replacement Dwellings' and is only applicable in the case of an existing house. Given that there is no existing house on the current application site (the corner of a field), I am content that the current proposal is only reasonably assessed under Section D of Policy HD2, which relates to 'Restoration of Houses'. However, the provisions of this section are that beyond the conversion of an existing building: "(t)he restoration of a house may also be acceptable provided that the walls of the former residential property stand substantially intact (normally at least to wallhead height)". Since there is in fact no building - even any remnant of a building - above ground level on the site, the current proposal clearly does not comply with the provisions of Section D either. Since the site is otherwise isolated, and no justification has been given in terms of an economic requirement for a business appropriate to this rural locality to have a worker accommodated on this site for operational reasons, I am content that the proposal is not in fact now capable of support under the Council's Housing in the Countryside Proposal.

I note both the provision of evidence of an historical presence of a house (lodge house) on the site, and I note also, that the Planning Authority has previously supported the principle of this proposal. However, neither of these considerations are, I consider, sufficient in themselves or collectively, to allow me to support the application contrary to the strict requirements of the policies of the statutory development plan. In short, I consider that the application is only now reasonably refused on the basis that the proposal does not comply with the provisions of Policy HD2, and there are no material considerations which would justify any departure from that position.

OTHER CONCERNS

I note that we have received the consultation responses of Roads, Archaeology and Landscaping, which do not object to the proposals. Ultimately, an ability to address or satisfy the particular concerns raised, might be capable of being addressed under planning conditions, however, this in itself does not outweigh the position noted above with respect to the assessment of the principle of this proposal. However, in the context of an assessment of an application which seeks to renew a previous PPP consent, I would note the following points:

Roads' concerns are capable of being addressed, as it advises, through the imposition of the conditions that were imposed on Planning Consent 15/00036/PPP. The specific conditions would be appropriately updated, to make them more precise - specifically to make them clear and enforceable. This would though entail relatively minor changes to the original conditions, and would be to the benefit of any consent issued.

I note the advice of the Archaeology Section, which I understand to mean that there are in fact archaeological implications pertaining to this proposal, albeit that these were not addressed at the time of the determination of the previous planning application. Given that the same archaeological implications were present at the time of the previous assessment of the application which this current application seeks to renew, it would not be reasonably maintained that these were new concerns which were not before the Planning Authority at the time of the original assessment of the proposal. Accordingly, if this application were approved, I would acknowledge that archaeological work would not be appropriately required in relation to it. The point with regard to potential archaeological implications would now only be appropriately addressed through an informative advising as to the potential to encounter archaeology within ground works, and the potential legal implications of this. I would be clear though that while I consider the loss of the opportunity to address the archaeological implications of this proposal to be lamentable, this has not informed my recommendation of refusal in this case. My recommendation is based only on the assessment of the principle under the policies and proposals of the statutory development plan.

While some of the Landscape Section's concerns would be met by the re-imposition of the previous conditions which required re-planting, again it would not be reasonable to require any new works or investigations with regard to concerns that were equally prevalent at the time of the assessment of the previous planning application. Accordingly, and in the event of approval of this application which explicitly seeks to renew a previous PPP consent, the measures identified to protect trees would not be reasonably imposed.

A Waverley Contribution has already been collected under a Section 69 legal agreement. Accordingly no contributions would be required in the event of the application being supported.

No equivalent location plan has been provided, so the drawings informing the decision, are only the site plan and visibility splay drawing which were both approved under the previous PPP consent for the site.

An odd detail is the indicated presence in plan, on the visibility splay drawings of a communal bin storage area which appears would serve the wider array of properties accessible off the main driveway. Notwithstanding efficiency and accessibility considerations, in the event of approval such a prominent location for the bin store would not be appropriate, both in terms of its impacts upon the setting, character and amenity of the proposed house. Had the proposal been supported, then it would have been appropriate to have sought a more discreet accommodation of this bin storage provision off-site; perhaps more reasonably and realistically on the opposite side of the driveway access road from the proposal.

REASON FOR DECISION :

The planning application should be refused for the following reason:

- 1) The proposed development is contrary in principle to Adopted Local Plan Policy HD2 and the advice of Supplementary Planning Guidance - New Housing in the Borders Countryside (December 2008) in that it lies out with the Development Boundary, and: (i) the site is not well-related to any existing rural building group (let alone to any building group capable of augmentation in accordance with the requirements of Policy HD2, Section A, 'Building Groups'); and (ii) the Applicant has not demonstrated that there is any operational need for a new dwellinghouse to be located at the site as a direct operational requirement of any agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside.

Recommendation: Refused

- 1 The proposed development is contrary in principle to Adopted Local Plan Policy HD2 and the advice of Supplementary Planning Guidance - New Housing in the Borders Countryside (December 2008) in that it lies out with the Development Boundary, and: (i) the site is not well-related to any existing rural building group (let alone to any building group capable of augmentation in accordance with the requirements of Policy HD2, Section A, 'Building Groups'); and (ii) the Applicant has not demonstrated that there is any operational need for a new dwellinghouse to be located at the site as a direct operational requirement of any agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside.

“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.

**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: 18/00030/RREF

Planning Application Reference: 18/00644/PPP

Development Proposal: Erection of dwellinghouse (renewal of planning permission
15/00036/PPP)

Location: Land North West of Chapel Cottage, Melrose

Applicant: Mr, Mrs and Mr Archie, Helen & Hugh Shaw Stewart

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 erection of a dwellinghouse. The application drawings and documentation consisted of the following:

Plan Type	Plan Reference No.
Site Plan	9176/A/01-02 A
Other	ASK 140709/01

PRELIMINARY MATTERS

The Local Review Body considered the review, which had been competently made, under section 43A (8) of the Town & Country Planning (Scotland) Act 1997 at its meeting on 19th November 2018.

After examining the review documentation at that meeting, which included: a) Notice of Review (including officer's report); b) Decision Notice; c) Papers referred to in officer's

report; d) Consultations; and e) List of Policies, the Review Body proceeded to determine the case. They also noted the applicant's request for further procedure in the form of a site visit and hearing but did not consider these necessary after considering the case and viewing photographs and plans of the site and surroundings.

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, HD2, HD3, EP8, EP13, IS2, IS3, IS7 and IS9

Other Material Considerations

- SBC Supplementary Planning Guidance on New Housing in the Borders Countryside 2008
- SBC Supplementary Planning Guidance on Placemaking & Design 2010
- SBC Supplementary Planning Guidance on Privacy and Sunlight 2006
- SBC Supplementary Planning Guidance on Trees and Development 2008
- SBC Supplementary Planning Guidance on Landscape and Development 2008
- SBC Supplementary Planning Guidance on Waste Management 2015
- SBC Supplementary Planning Guidance on Development Contributions 2011

The Review Body noted that the proposal was for planning permission in principle to erect a dwellinghouse on the site and that a previous consent had been granted for the same proposal in July 2015. Members understood that the previous consent was accepted by the Council as being in compliance with the Consolidated Local Plan in force at that time which accepted the erection of a replacement dwellinghouse on a site where only documentary evidence was verified of the existence of a previous dwellinghouse.

Members gave significant weight to the fact that this consent was still in existence at the time that the new application was submitted to renew. They understood that an alternative approach could have been to submit an application for the details of the design and siting in the form of an Application for Approval of Matters Specified as Conditions. However, as an application was submitted instead to renew the planning permission in principle, they agreed that the Appointed Officer correctly had to apply the current Local Development Plan Policy.

There was further discussion about the terms of Policy HD2 in relation to whether it continued to support dwellinghouses on the site of a former house where no physical evidence remained. Members noted that the former Policy D2 supported such cases but there was some debate about whether Clauses D and E of Policy HD2 contained the same support as contended by the applicant. In particular, the Review Body discussed the use of the term "original" building in criterion b) of Clause E. They also agreed that there was no building group present and that there was no submitted justification for occupation of the house for economic reasons.

Ultimately, Members concluded that HD2 did not clearly support development on the site of a former house where no physical remains exist. However, Members were of the opinion that considerable weight must still be attached to the fact that a consent existed at the time of application for renewal and that this should outweigh the terms of the Local Development Plan Policy in this instance.

It was accepted that the design and siting of the house, which should reflect the history of the site as a location for a lodge house, would be properly addressed at the stage of an application for Approval of Matters Specified as Conditions. Members also noted that development contributions had already been paid by legal agreement associated with the previous consent.

CONCLUSION

After considering all relevant information, the Local Review Body concluded that whilst the development was not consistent with Policies PMD2 and HD2 of the Local Development Plan and relevant Supplementary Planning Guidance, the existence of a previous consent at the time of application for renewal was a significant material consideration which outweighed the Local Development Plan and Guidance in this instance.

DIRECTIONS

1. Application for approval of matters specified in the conditions set out in this decision shall be made to the Planning Authority before whichever is the latest of the following:
 - a. the expiration of three years from the date of this permission, or
 - b. the expiration of six months from the date on which an earlier application for approval of matters specified in the conditions set out in this decision notice was refused or dismissed following an appeal.

Only one application may be submitted under paragraph (b) of this condition, where such an application is made later than three years after the date of this consent.

Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

2. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the matters specified in the conditions set out in this decision.

Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

CONDITIONS

1. No development shall commence until the details of the layout, siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be carried out in accordance with the agreed details.

Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

2. No development shall commence until all matters specified in conditions have, where required, been submitted to and approved in writing by the Planning Authority.

Thereafter the development shall only take place in strict accordance with the details so approved.

Reason: To achieve a satisfactory form of development, and to comply with the requirements of Section 59 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.

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):
 - a) existing and finished ground levels in relation to a fixed datum preferably ordnance
 - b) existing landscaping features and trees to be retained, protected and, in the case of damage, restored
 - c) prior to any works on the existing hedgerow, a detailed scheme for the replanting outwith the splay to be submitted to, and approved in writing by, the Planning Authority. Thereafter the replanting is to be carried out concurrently with the wider landscaping of the application site.
 - d) location and design, including materials, of walls, fences and gates
 - e) soft and hard landscaping works including establishment of firm planted boundaries to the plot
 - f) existing and proposed services such as cables, pipelines, sub-stations
 - g) A programme for completion and subsequent maintenance.

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

4. No development shall commence until the details of the access and the parking and turning facilities within the site have been submitted to and approved in writing by the Planning Authority. The details to include:
 - a) parking and turning for two vehicles, excluding garages, within the site
 - b) visibility splays (2.4m x 90m and 2.4m x 160m) to be provided at the main junction with the public road. Thereafter the splays are to be retained in perpetuity.
 - c) A programme for completion and maintenance.

Reason: In the interests of road safety on the junction of the Linthill estate road and the B6359.

5. No development to commence until further details of the provision of foul and surface water drainage are submitted to, and approved by, the Planning Authority. The details should include evidence that arrangements are in place to ensure that the private drainage system will be maintained in a serviceable condition. The development then to proceed in accordance with the approved details.

Reason: To ensure that satisfactory arrangements are made for the disposal of surface and foul water.

6. No development is to commence until a report has been submitted to and approved in writing by the Planning Authority, demonstrating the provision of an adequate water supply to the development in terms of quality and quantity. The report must also detail all mitigation measures to be delivered to secure the quality, quantity and continuity of water supplies to properties in the locality which are served by private water supplies and which may be affected by the development. The provisions of the approved report shall be implemented prior to the occupation of the building(s) hereby approved.

Reason: To ensure that the development is adequately serviced with a sufficient supply of wholesome water and there are no unacceptable impacts upon the amenity of any neighbouring properties.

7. No development shall commence until further details of the provision of waste storage are submitted to, and approved in writing by, the Planning Authority. The development then to proceed in accordance with the approved details.
Reason: To ensure that satisfactory arrangements are made for waste storage and collection.

INFORMATIVES

1. With regard to Condition 4, all work within the public road boundary must be undertaken by a contractor first approved by the Council. Any proposed gate to the access must open into the driveway away from the public road.
2. Please note that there may be the potential to encounter buried and unknown archaeology within the site. You would be advised to contact the Council Archaeology Officer should any be encountered.
3. Whilst not subject to a condition limiting materials or design, it should be noted that the Planning Authority would expect that any subsequent application for Approval of Matters Specified in Conditions, should propose a traditional lodge style dwellinghouse design, making use of traditional materials (stone and render walls, slated roof with appropriate eaves details and a steep roof pitch). Further advice is provided in the SPGs on Placemaking and Design and on New Housing in the Borders Countryside, available from the Council website: www.scotborders.gov.uk. With regards the design of a subsequent application for a dwelling on the plot, it should be noted that high quality contemporary design features that are sympathetic to the context will be considered, though a design statement in such cases would be recommended

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 Section 21 of the Town & Country Planning (Schemes of Delegation and Local Review procedure) (Scotland) Regulations 2008.

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.

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 T. Miers
Chairman of the Local Review Body

Date.....26 November 2018