

Mr James Hewit
per Ferguson Planning
54 Island Street
Galashiels
Scottish Borders
TD1 1NU

Please ask for: Euan Calvert
☎ 01835 826513
Our Ref: 20/00283/FUL
Your Ref:
E-Mail: ecalvert@scotborders.gov.uk
Date: 5th May 2020

Dear Sir/Madam

**PLANNING APPLICATION AT Unit 1B And Incorporating Land To West Of Riverside Works
Edinburgh Road Jedburgh Scottish Borders TD8 6EA**

PROPOSED DEVELOPMENT: Change of use of land to form motor vehicle display and
form sales office from industrial unit (renewal of previous consent 16/01363/FUL) and
erection of new sales building (retrospective)

APPLICANT: Mr James Hewit

Please find attached the formal notice of refusal for the above application.

Drawings can be found on the Planning pages of the Council website at
<https://eplanning.scotborders.gov.uk/online-applications/>.

Your right of appeal is set out within the decision notice.

Yours faithfully

John Hayward

Planning & Development Standards Manager

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (as amended)

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

Application for Planning Permission

Reference : 20/00283/FUL

To : Mr James Hewit per Ferguson Planning 54 Island Street Galashiels Scottish Borders TD1 1NU

With reference to your application validated on **9th March 2020** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Change of use of land to form motor vehicle display and form sales office from industrial unit (renewal of previous consent 16/01363/FUL) and erection of new sales building (retrospective)

at : Unit 1B And Incorporating Land To West Of Riverside Works Edinburgh Road Jedburgh Scottish Borders TD8 6EA

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

**Dated 1st May 2020
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 20/00283/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
LOC Rev D	Location Plan	Refused
001 Rev H	Proposed Block Plan	Refused

REASON FOR REFUSAL

- 1 The sui generis use would be a departure from and does not comply with Policy ED1 of the Local Development Plan. There are no material considerations which justify departure from the aim of Policy ED1, which seeks to avoid dilution of the industrial estate with other uses. The proposed permanent and unrestricted use would not fit with the District Site criteria of Policy ED1 and would set an undesirable precedent. It has not been demonstrated that this proposal will create jobs. There has been no demonstration of marketing history to demonstrate any period of dormancy or vacancy in letting the buildings for Class 4, 5 or 6 use. It has not been demonstrated that this sui generis use is a necessity to maintain viability of the site.
- 2 The proposal does not comply with Policy PMD2 of the Local Development Plan in respect of boundary treatments and integration with the surroundings. It will cause significant adverse impacts to the character and visual amenity of this sensitive northern gateway to Jedburgh. The landscape mitigation proposals will not protect this gateway from long lasting adverse impacts to character and amenity of this high amenity gateway.

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 (as amended) within three months from the date of this notice.

The notice of review must be submitted on the standard form and addressed to the Clerk of The Local Review Body, Democratic Services, Scottish Borders Council, Council Headquarters, Newtown St Boswells. TD6 0SA or sent by email to localreview@scotborders.gov.uk. The standard form and guidance notes can be found online at [Appeal a Planning Decision](#). Appeals to the Local Review Body can also be made via the Scottish Government Planning and Environmental Appeals Division by clicking on the following link [PEAD](#)

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 (as amended).