

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**Town and Country Planning (Development Management Procedure) (Scotland) Regulations
2013****Application for Planning Permission****Reference : 16/01363/FUL****To : Mr James Hewit per Ferguson Planning 54 Island Street Galashiels Scottish Borders TD1 1NU**

With reference to your application validated on **7th November 2016** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Change of Use of land to form motor vehicle display and form sales office from industrial unit (retrospective)**at : Unit 1B And Incorporating Land To West Of Riverside Works Edinburgh Road Jedburgh
Scottish Borders**

The Scottish Borders Council hereby **grant planning permission** in accordance with the approved plan(s) and the particulars given in the application and in accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997, subject to the following direction:

- That the development to which this permission relates must be commenced within three years of the date of this permission.

And subject to the conditions on the attached schedule imposed by the Council for the reasons stated

**Dated 31st March 2017
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed.....
Chief Planning Officer

APPLICATION REFERENCE : 16/01363/FUL**Schedule of Plans and Drawings Approved:**

Plan Ref	Plan Type	Plan Status
P449-SK-001 REV G	Block Plans	Approved

REASON FOR DECISION

The sui generis use is considered to be acceptable. The development is a departure from Policy ED1 although several material considerations ensure that partial loss of an employment unit to car sales is acceptable. Considerable amendments have been made to the plan which will mitigate any adverse impacts to amenity and character. The proposal will create jobs and will not negatively impact upon the vitality and viability of the town centre. The use of this building for a limited time-limited period will not prejudice the long term suitability and availability of the site for Class 4, 5 and 6 employment use. The building has sat dormant therefore bringing it to commercial use will maintain viability, while being compatible with the neighbouring uses. Subject to planning conditions, the proposal is acceptable and complies with policies of the Local Development Plan 2016.

SCHEDULE OF CONDITIONS

- 1 Within 56 days of the date of this Decision Notice, the details of Block Plan (Rev G) shall be implemented in its entirety, as approved by the Planning Authority, except those Landscaping Works, which are to be implemented by condition 5 of this permission. Development shall be implemented in complete accordance with this Approved Plan unless prior written approval for an alternative timescale has been sought and confirmed in writing by the Planning Authority.
Reason: The present form of development is having an unacceptable impact on the character of the Jedburgh and is having an unacceptable impact on road safety with the A68 Trunk Road.
- 2 This permission shall exist for the benefit of Riverside Car Centre and for no other business.
Reason: This permission is granted exceptionally and only in view of the circumstances and nature of the business.
- 3 Consent is granted for a limited period of three years from the date of this consent and the approved use shall cease before the expiry of the period unless a planning application to retain the permitted use has been submitted to and approved by the Planning Authority. In the event that no such planning application has been so approved, the use of the premises shall revert to its current lawful use under Classes 4-6 of the Use Class (Scotland) Order 1997.
Reason: To ensure that the proposed use of this building does not compromise the long term availability of available employment land in Jedburgh.
- 4 The public path through the site, identified as Core Path 107, must be maintained open and free from obstruction in the course of development and in perpetuity. No stiles, gates, steps or barriers to access may be erected that would deter the potential future use.

Reason: To protect public access rights to this Core Path both during and after development.

- 5 The landscaping plan, Block Plan Rev G, as approved, shall be implemented within the first planting season from the date of this planning permission. These landscaping works will be maintained for a period of three years upon planting, during which time, all failed planting shall be replaced. The applicant shall notify the Planning Authority that the approved planting (as per the approved Landscape Plan) is available for inspection after this three year period, at which point, the approved landscaping scheme shall have been implemented and landscaping established in its entirety.

Reason: To ensure effective assimilation of the development to its surroundings.

- 6 Details of the position, size, colour, materials and method of illumination of any signage to be displayed on the building, within the site or on the site boundaries to be submitted to and approved in writing by the Planning Authority prior to any signage being displayed. Thereafter the works are to be carried out strictly in accordance with the approved details.

Reason: In accordance with the provisions of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1994.

FOR THE INFORMATION OF THE APPLICANT

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.

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. A form is enclosed with this decision notice for this purpose.

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



Regulatory Services

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.

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.

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.