



*Planning and
Regulatory Services*

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

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

Application for Planning Permission

Reference: 13/01048/FUL

**To: Mr Mark Fisher per Ferguson Planning Tower Room Tweed Horizons Centre Newtown
St Boswells Scottish Borders TD6 0SG**

With reference to your application validated on **10th September 2013** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal: Change of use from Class 4 - 6 (industry/storage) to Class 1 (retail) and alterations to entrance door


at: Land And Building North 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 conditions on the attached schedule imposed by the Council for the reasons stated

Dated 3rd February 2014
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA

Signed


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Head of Planning and Regulatory Services

Visit <http://eplanning.scotborders.gov.uk/online-applications/> to view Planning Information Online

APPLICATION REFERENCE : 13/01048/FUL**Schedule of Plans and Drawings Approved:**

Plan Ref	Plan Type	Plan Status
	Location Plan	Approved
	Floor Plans	Approved

REASON FOR DECISION

The proposed change of use to a retail unit is considered to be acceptable. The site lies within a safeguarded employment site and is contrary to Policy ED1. However, it is considered that there are mitigating factors that outweigh the loss of the unit to retail use, in that the applicant has demonstrated a sequential test confirming no other suitable sites are available, the proposal will create jobs and will not result in any negative impact upon the vitality and viability of the town centre. Due to the current economic climate, it is considered that there is sufficient land supply with Jedburgh to meet long term demands based on recent take up figures and that the use of this building for a time-limited period will not prejudice the long term suitability and availability of the site for employment use. It is not considered that the proposal will harm the visual amenities or the amenities of neighbouring land and properties. Subject to planning conditions, the proposal is considered acceptable and complies with Policy G1, G4, H3, ED3, H2 and Inf4 of the Consolidated Local Plan 2011.

SCHEDULE OF CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006.
- 2 The change of use granted by this planning permission shall endure for a period of three years from the date of this notice. At the end of this period, or if the use hereby permitted ceases before the expiry of the period, the use of the premises shall revert to its current lawful use under Classes 4-6 of the Use Class (Scotland) Order 1997 unless a planning application to retain the permitted use has been submitted to and approved by the Planning Authority.
Reason: To ensure that the proposed use of building does not compromise the long term availability of available employment land in Jedburgh.
- 3 The goods to be sold from the premises shall be restricted to camping, caravan and associated outdoor accessories. No convenience goods (including food or drink) of any kind shall be sold from the premises.
Reason: To ensure that the goods are related to Borders Leisure and no other goods are sold which may impact upon the vitality and viability of the town centre.
- 4 The path indicated Core Path 107 must be maintained open and free from obstruction in the course of development and in perpetuity and shall not form part of the curtilage of the property. No stiles, gates, steps or barriers to access may be erected that would deter the potential future use.
Reason: To protect access rights during and after development.

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
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 appeal to the Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of the appeal should be addressed to The Directorate for Planning and Environmental Appeals, 4 The Courtyard, Callendar Business Park, Falkirk FK1 1XR. A copy of the notice of the appeal must, at the same time, be sent to the Legal Services Section, Scottish Borders Council, Council Headquarters, Newtown St. Boswells, Melrose TD6 0SA.



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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.