

Mr Stephen Cranston
per Stuart Patterson Building & Timber Frame
Design
5 Burnflat Lane
Hawick
Scottish Borders
TD9 0DZ

Please ask for: Stuart Herkes
01835 825039
Our Ref: 19/01784/FUL
Your Ref:
E-Mail: sherkes@scotborders.gov.uk
Date: 13th February 2020

Dear Sir/Madam

**PLANNING APPLICATION AT Buccleuch Hotel Trinity Street Hawick Scottish Borders TD9
9NR**

**PROPOSED DEVELOPMENT: Part change of use from garage/storage and alterations to
form workshop and storage for joinery business**

APPLICANT: Mr Stephen Cranston

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 : 19/01784/FUL

**To : Mr Stephen Cranston per Stuart Patterson Building & Timber Frame Design 5 Burnflat Lane
Hawick Scottish Borders TD9 0DZ**

With reference to your application validated on **19th December 2019** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Part change of use from garage/storage and alterations to form workshop and storage for joinery business

at : Buccleuch Hotel Trinity Street Hawick Scottish Borders TD9 9NR

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

**Dated 12th February 2020
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 19/01784/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
19-673-1003	Location Plan	Refused
19-673-1001	Existing Site Plan	Refused
19-673-1002	Existing Plans & Elevations	Refused
19-673-2001	Proposed Site Plan	Refused
19-673-2002	Proposed Elevations	Refused
19-673-3002	Proposed Sections & Elevations	Refused

REASON FOR REFUSAL

- 1 The proposal is contrary in principle to Policy ED2 of the Local Development Plan 2016, in that the need for the proposal to operate from this specific location - which is neither an existing or allocated business or industrial site nor an allocated mixed use or redevelopment site - has not been adequately justified; it has not been demonstrated that there would be any significant economic and/or employment benefit from the proposal being sited and operating as proposed; and it has not been demonstrated that the proposal is capable of co-existing satisfactorily with adjoining uses, specifically in that it has the potential to generate noise nuisance impacts that would be liable to have unacceptable impacts upon the residential amenity of existing and consented dwellings within the surrounding area contrary to Policy HD3 of the Local Development Plan 2016. Moreover, the proposal would be most appropriately accommodated on an existing or allocated business and industrial site, where provision exists to accommodate its impacts upon the amenity and environment of the site and surrounding area. There are no other material considerations that would be sufficient to outweigh this policy conflict.
- 2 The proposal is contrary to Policy PMD2 and Policy ED3 of the Local Development Plan 2016, in that it is not compatible with, and does not respect, the character of the surrounding area and neighbouring uses including the Town Centre.
- 3 The proposal is contrary to Policy EP1 of the Local Development Plan 2016, in that it has not been adequately demonstrated that it would not have any unacceptable impact upon a European Protected Species; specifically bats; or their habitat.

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](#)

Visit <http://eplanning.scotborders.gov.uk/online-applications/>

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).