



*Planning and
Economic Development*

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

**Town and Country Planning (Development Management Procedure) (Scotland) Regulations
2008**

Application for Planning Permission

Reference : 11/00430/FUL

**To : W G And Mrs M Walker per Guy Bailey Land Agent & Rural Surveyor The Priory
Linton Kelso Scottish Borders TD5 8AG**

With reference to your application validated on **1st April 2011** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

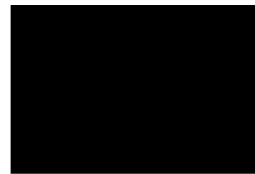
Proposal : Erection of dwellinghouse and storage building and formation of access

at : Land South East Of 37 Mainsfield Avenue Morebattle Scottish Borders

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

**Dated 2nd June 2011
Planning and Economic Development
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed



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Head of Planning and Regulatory Services

APPLICATION REFERENCE : 11/00430/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
0920-01	Floor Plans	Refused
0920-02	Elevations	Refused
51009	Floor Plans	Refused
HP/2094-102	Site Plan	Refused
HP/2094-103	Sections	Refused
HP/2094-100	Location Plan	Refused
HP/2094-101	Site Plan	Refused

REASON FOR REFUSAL

- 1 The proposed development is contrary to Policy H8 of the Consolidated Scottish Borders Structure Plan (20011), Policy D2 of the Consolidated Scottish Borders Local Plan (2011) and the adopted Supplementary Planning Guidance on New Housing in the Borders Countryside (2008), in that the site is out with any recognised settlement or building group and the need for the house has not been adequately substantiated, and that, accordingly, the proposed development would represent a sporadic form of development in the open countryside.
- 2 The proposed development would furthermore be contrary to policy G1 of the Consolidated Scottish Borders Local Plan (2011) and the adopted Supplementary Planning Guidance on Placemaking and Design January 2010, in that the proposed design of dwellinghouse is not of an acceptably high standard to warrant approval and would be detrimental to the visual amenities of the area.
- 3 The proposed development is contrary to Policy D1 of the Consolidated Scottish Borders Local Plan (2011), in that:
 - Suitable justification for the development of the business at this site, outwith any recognised settlement has not been adequately substantiated, and that, accordingly, the proposed development would represent a sporadic form of development in the open countryside.
 - The development has not been suitably demonstrated to be incapable of location within the development boundary of a settlement.

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 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 OSA.

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



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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.