


Mr J Warnock
per Ferguson Planning
54 Island Street
Galashiels
Scottish Borders
TD1 1NU

**Please ask
for:**


Ranald Dods
01835 825239

**Our Ref:
Your Ref:**

21/00030/PPP

E-Mail:

ranald.dods@scotborders.gov.uk

Date:

12th March 2021

Dear Sir/Madam

PLANNING APPLICATION AT Land South West of Rachan Woodlands Broughton Scottish Borders

**PROPOSED DEVELOPMENT: Erection of dwellinghouse with outbuildings and associated work
including new access**

APPLICANT: Mr J Warnock

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 : 21/00030/PPP

To : Mr J Warnock per Ferguson Planning 54 Island Street Galashiels Scottish Borders TD1 1NU

With reference to your application validated on **13th January 2021** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of dwellinghouse with outbuildings and associated work including new access

at : Land South West of Rachan Woodlands Broughton Scottish Borders

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

**Dated 5th March 2021
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 21/00030/PPP**Schedule of Plans and Drawings Refused:**

Plan Ref	Plan Type	Plan Status
0001-C	Location Plan	Refused

REASON FOR REFUSAL

- 1 The development would be contrary to policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that it would not relate sympathetically to an existing building group and no overriding case for a dwellinghouse on the site has been substantiated. The applicant has failed to demonstrate that there exists no appropriate site within a building group and there is no suitable existing house or other building capable of conversion for the required residential use and no overriding case for a dwellinghouse on the site has been substantiated. This conflict with the development plan is not overridden by other material considerations.
- 2 The development would be contrary to policy EP4 of the Local Development Plan 2016 in that it is likely to have a significant adverse effect on the qualities for which the site and its surroundings have been designated and no overriding case for a dwellinghouse on this site within the Upper Tweeddale National Scenic Area has been substantiated. This conflict with the development plan is not overridden by other material considerations.
- 3 The development would be contrary to policy EP10 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that proposed house is not carefully sited and is not informed by and respectful of the historic landscape structure. No overriding case for a dwellinghouse on this site within the locally designated Rachan designed landscape has been substantiated. This conflict with the development plan is not overridden by other material considerations.

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 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 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).