

Mr Gordon Bain
per Jim Hopkins
Lintburn Gardens
4 St Ronans Terrace
Innerleithen
Scottish Borders

Please ask for: Carlos Clarke
01835 826735
Our Ref: 21/00836/FUL
Your Ref:
E-Mail: cgclarke@scotborders.gov.uk
Date: 29th July 2021

Dear Sir/Madam

PLANNING APPLICATION AT Land at Station Yard Traquair Road Innerleithen Scottish Borders

PROPOSED DEVELOPMENT: Siting of mobile catering truck and alterations to existing access

APPLICANT: Mr Gordon Bain

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 : 21/00836/FUL

To : Mr Gordon Bain per Jim Hopkins Lintburn Gardens 4 St Ronans Terrace Innerleithen Scottish Borders EH44 6RB

With reference to your application validated on **24th May 2021** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Siting of mobile catering truck and alterations to existing access

at : Land at Station Yard Traquair Road Innerleithen Scottish Borders

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

**Dated 28th July 2021
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 21/00836/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
01.19.05 rev 0	Location Plan	Refused
02.19.05 rev 0	Photos	Refused

REASON FOR REFUSAL

- 1 The proposed development would be contrary to Policies PMD3, ED1 and ED3 of the Local Development Plan 2016 in that it would comprise the loss of employment land during the period of consent for the catering truck, thus prejudicing the availability of business and industrial land within the allocated employment land site. Furthermore, it would likely divert trade from the allocated town centre, thus undermining its vitality and viability. The resulting impacts would potentially have adverse economic implications, and these would not be sufficiently overcome by any other material considerations.
- 2 The proposed development would be contrary to Policy HD3 of the Local Development Plan 2016 in that the comings and goings and congregation of customers would potentially undermine the amenity of neighbouring property. The resulting impact would have potentially significant amenity implications, and these would not be sufficiently overcome by any 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 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](#)

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).