

Mr Hugh & Violet Lovatt
per Suzanne McIntosh Planning Limited
45C Bath Street
Portobello
Edinburgh
EH15 1HB

Please ask for: Brett Taylor
X6628
Our Ref: 21/00502/FUL
Your Ref:
E-Mail: brett.taylor@scotborders.gov.uk
Date: 12th August 2021

Dear Sir/Madam

**PLANNING APPLICATION AT Land North East of Buxton House Buxton Road Selkirk
Scottish Borders**

PROPOSED DEVELOPMENT: Modification of Condition 2 of planning permission
12/01191/PPP in respect of extension to period of
permission

APPLICANT: Mr Hugh and Violet Lovatt

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 : 21/00502/FUL****To : Mr Hugh and Violet Lovatt per Suzanne McIntosh Planning Limited 45C Bath Street Portobello
Edinburgh EH15 1HB**

With reference to your application validated on **7th April 2021** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Modification of Condition 2 of planning permission 12/01191/PPP in respect of extension to period of permission**at : Land North East of Buxton House Buxton Road Selkirk Scottish Borders**

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

**Dated 11th August 2021
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 21/00502/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
	Location Plan	Refused

REASON FOR REFUSAL

- 1 The proposed development is contrary to Policy HD2 of the Scottish Borders Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 in that the application site does not constitute an appropriate addition to the building group at Buxton. Furthermore, given the site is currently for sale, any other material considerations, including the applicant's personal circumstances, do not override this policy conflict.

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).