



*Planning and
Economic Development*

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Town and Country Planning (General Development Procedure) (Scotland) Order 1992

Application for Outline Planning Permission

Reference :08/00759/OUT

To : H Fleming per The Guildhall Ladykirk Scottish Borders TD15 1XL

With reference to your application received on **29th April 2008** for outline planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Erection of dwellinghouse

at : Land East Of The Old Stables Lennel House Coldstream Scottish Borders

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

**Dated 22nd July 2008
Planning and Economic Development
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed 
.....
Head of Planning & Building Standards

1 The proposed development is contrary to Policy H5 of the Scottish Borders Structure Plan, Policy 7 of the Berwickshire Local Plan 1994 and Policies D2 and BE1 of the Scottish Borders Local Plan: Finalised December 2005 (advertised for adoption) and the terms of the New Housing in the Scottish Borders Policy and Guidance Note 1993, as amended, in that

- the site would break beyond the linear form of this part of Lennel constituting a backland form of development and an inappropriate addition to the building group;
- the proposal would potentially have an adverse effect upon the setting of category B listed properties at Lennel
- the access to the site is inadequate in terms of its width, gradient and visibility at its junction with the public road. Furthermore, the land required to facilitate the necessary access improvements is outwith the control of the applicants.

If the applicant is aggrieved by the decision of the Planning Authority, an appeal may be made to the Scottish Ministers under Section 47 of the Town and Country Planning (Scotland) Act 1997, within six months from the date of this notice. The appeal should be addressed to the Chief Reporter, Scottish Executive Inquiry Reporter's Unit, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR.

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 V of the Town and Country Planning (Scotland) Act, 1997.