

Miss Dawn Kilpatrick
per Malcolm McEwen
The Old Bowling Green
Bonchester Bridge
Hawick
Scottish Borders

Please ask for: Scott Shearer
☎ 01835 826732
Our Ref: 20/00796/FUL
Your Ref:
E-Mail: sshearer@scotborders.gov.uk
Date: 27th October 2021

Dear Sir/Madam

PLANNING APPLICATION AT Land West Of Causewayfoot Cottage Wolflee Hawick Scottish Borders

PROPOSED DEVELOPMENT: Erection of dwellinghouse

APPLICANT: Miss Dawn Kilpatrick

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 : 20/00796/FUL

**To : Miss Dawn Kilpatrick per Malcolm McEwen The Old Bowling Green Bonchester Bridge Hawick
Scottish Borders TD9 8JS**

With reference to your application validated on **21st July 2020** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of dwellinghouse

at : Land West Of Causewayfoot Cottage Wolflee Hawick Scottish Borders

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

**Dated 22nd October 2021
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 20/00796/FUL

Schedule of Plans and Drawings Refused:

| Plan Ref | Plan Type | Plan Status |
|-----------------|---------------------|--------------------|
| MM 2008 / 4 | Location Plan | Refused |
| MM2008 / 2 | Proposed Elevations | Refused |
| MM2008 / 3 | Proposed Plans | Refused |
| MM2008/1 | Proposed Elevations | Refused |
| | Proposed Site 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 the proposed development is located outside of the identifiable boundaries of the Wolfelee building group which is contained by the woodland and public road to the north of the site. This development would appear divorced from the building group and would fail to respect its character and historic sense of place. No economic case has been substantiated to support a house out with the extent of the building group.
- 2 The development would be contrary to Policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 and criteria h) and k) of Policy PMD2 and the Placemaking and Design SPG in that the form and design of the proposal would fail to sensitively integrate with the architectural style of the countryside location and would detract from the character and sense of place of the rural area.
- 3 The development would be contrary to Policy IS8 of the Local Development Plan 2016 in that the site is located within the 1 in 200 year functional floodplain of the Catlee Burn. This development would be at significant risk of flooding from the Catlee Burn and no information has been provided to demonstrate that the proposal can be safely developed on this land free from flood risk and without increasing the probability of flooding elsewhere.

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).

Visit <http://eplanning.scotborders.gov.uk/online-applications/>