




FJ Usher's Children Trust
per Savills
Hannah Belford
Wemyss House
8 Wemyss Place
Edinburgh

**Please ask
for:**


Paul Duncan
01835 825558

**Our Ref:
Your Ref:**

21/00739/PPP

E-Mail:

paul.duncan@scotborders.gov.uk

Date:

23rd December 2021

Dear Sir/Madam

PLANNING APPLICATION AT Land East Of Delgany Old Cambus Cockburnspath Scottish Borders

PROPOSED DEVELOPMENT: Erection of 2no dwellinghouses

APPLICANT: FJ Usher's Children Trust

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 : 21/00739/PPP

**To : FJ Usher's Children Trust per Savills Hannah Belford Wemyss House 8 Wemyss Place
Edinburgh EH3 6DH**

With reference to your application validated on **15th May 2021** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of 2no dwellinghouses

at : Land East Of Delgany Old Cambus Cockburnspath Scottish Borders

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

**Dated 23rd December 2021
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE: 21/00739/PPP

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
5311/01/F	Location Plan	Refused
5311/03/G	Proposed Site Plan	Refused
5311/04/F	Other	Refused
VISUALISATIONS	Other	Refused

REASON FOR REFUSAL

- 1 The development would be contrary to Policy HD2 of the Scottish Borders Local Development Plan 2016 and the New Housing in the Borders Countryside Supplementary Planning Guidance 2008 in that it would not relate sympathetically to the character of the existing building group. The proposal would not respect the scale, siting and hierarchy of buildings within the existing group and would degrade its strong sense of place. This conflict with the Local Development Plan is not overridden 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 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).