




Mr And Mrs Jerry And Shona Ponder  
per Ferguson Planning  
54 Island Street  
Galashiels  
Scottish Borders  
TD1 1NU

**Please ask  
for:**  


Cameron Kirk  
01835 825253

**Our Ref:**  
**Your Ref:**

21/01625/PPP

**E-Mail:**

cameron.kirk@scotborders.gov.uk

**Date:**

22nd March 2022

Dear Sir/Madam

**PLANNING APPLICATION AT Land East Of The Garden Cottage South Laws Duns Scottish Borders**

**PROPOSED DEVELOPMENT:           Erection of dwellinghouse and formation of new access**

**APPLICANT:                           Mr And Mrs Jerry And Shona Ponder**

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 : 21/01625/PPP**

**To : Mr And Mrs Jerry And Shona Ponder per Ferguson Planning 54 Island Street Galashiels  
Scottish Borders TD1 1NU**

With reference to your application validated on **13th October 2021** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

**Proposal : Erection of dwellinghouse and formation of new access**

**at : Land East Of The Garden Cottage South Laws Duns Scottish Borders**

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

**Dated 18th March 2022  
Regulatory Services  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**John Hayward  
Planning & Development Standards Manager**

**APPLICATION REFERENCE : 21/01625/PPP**

**Schedule of Plans and Drawings Refused:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
11833-04	Location Plan	Refused

**REASON FOR REFUSAL**

- 1 The proposed development fails to comply with Policy HD2 of the Scottish Borders Local Development Plan 2016 and Supplementary Planning Guidance, New Housing in the Borders Countryside 2008, as it would not relate well to the existing building group, it would break into an undeveloped field, outwith the building groups's sense of place, and it would result in ribbon development along the public road, which would adversely impact upon the composition and quality of the landscape character. Furthermore, the proposed development fails to comply with Policy ED10 as it would result in the permanent loss of prime quality agricultural land.

**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).