



Mr Mark McGlone  
per ACJ Design ACJ Group  
5 Moycroft Industrial Estate  
Elgin  
Scotland  
IV30 1XZ

**Please ask for:** Brett Taylor  
X6628  
**Our Ref:** 21/01639/FUL  
**Your Ref:**  
**E-Mail:** brett.taylor@scotborders.gov.uk  
**Date:** 20th April 2022

Dear Sir/Madam

**PLANNING APPLICATION AT Land West Of Cavers Hillhead Cavers Hawick Scottish Borders**

**PROPOSED DEVELOPMENT:** Erection of dwellinghouse

**APPLICANT:** Mr Mark McGlone

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: 21/01639/FUL**

**To: Mr Mark McGlone per ACJ Design ACJ Group 5 Moycroft Industrial Estate Elgin Scotland IV30 1XZ**

With reference to your application validated on **22nd October 2021** 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 Cavers Hillhead Cavers Hawick Scottish Borders**

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

**Dated 19th April 2022  
Regulatory Services  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**John Hayward  
Planning & Development Standards Manager**

**APPLICATION REFERENCE: 21/01639/FUL**

**Schedule of Plans and Drawings Refused:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
514.1.01	Location Plan	Refused
514.1.02	Proposed Plans & Sections	Refused
514.1.03	Proposed Plans	Refused
514.1.04	Proposed Elevations	Refused

**REASON FOR REFUSAL**

- 1 The development is contrary to Policy HD2 of the Local Development Plan 2016 and New Housing in the Borders Countryside Guidance 2008 because it would constitute housing in the countryside that would not relate well to the existing building group and would lead to an unjustified sporadic expansion of development into a previously undeveloped field. Furthermore, there is no overriding economic justification to support the development. Material considerations do not outweigh the resulting harm.

**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](mailto: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).