



C & V Developments
per Ferguson Planning
54 Island Street
Galasheils
Scottish Borders
TD1 1NU

Please ask for: Cameron Kirk
☎ 01835 825253
Our Ref: 22/00081/FUL
Your Ref:
E-Mail: cameron.kirk@scotborders.gov.uk
Date: 6th July 2022

Dear Sir/Madam

PLANNING APPLICATION AT Land West Of 1 The Wellnage Station Road Duns Scottish Borders

PROPOSED DEVELOPMENT: Erection of two dwellinghouses with access and associated works

APPLICANT: C & V Developments

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: 22/00081/FUL

To: C & V Developments per Ferguson Planning 54 Island Street Galasheils Scottish Borders TD1 1NU

With reference to your application validated on **27th January 2022** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal: Erection of two dwellinghouses with access and associated works

At: Land West Of 1 The Wellnage Station Road Duns Scottish Borders

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

**Dated 29th June 2022
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE: 22/00081/FUL

Schedule of Plans and Drawings Refused:

| Plan Ref | Plan Type | Plan Status |
|-----------------|-----------------------------|--------------------|
| P759-PL-LOC | Location Plan | Refused |
| P759-PL-001 | Proposed Site Plan | Refused |
| P759-PL-002 | Proposed Plans & Elevations | Refused |

REASON FOR REFUSAL

- 1 The proposed development fails to comply with Policy EP7 of the Scottish Borders Local Development Plan 2016 in that the development would have a significant adverse impact upon the setting of The Wellnage, a category B listed building. The proposed dwellinghouses, in the location identified, would isolate The Wellnage from its historic setting and erode the relationship between The Wellnage and the public road, which forms part of its primary setting. Furthermore, the proposal would result in the loss of a further section of historic boundary wall to create a vehicular access to the application site, which would further erode the historic character, layout and integrity of the historic estate.

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).