

Firm Of Corstane
per Ferguson Planning
54 Island Street
Galashiels
Scottish Borders
TD1 1NU

Please ask for: Ranald Dods
☎ 01835 825239
Our Ref: 22/00959/FUL
Your Ref:
E-Mail: ranald.dods@scotborders.gov.uk
Date: 18th August 2022

Dear Sir/Madam

PLANNING APPLICATION AT Land South West Of Corstane Farmhouse Broughton Scottish Borders

PROPOSED DEVELOPMENT: Siting of shepherds hut and siting of cabin (retrospective) to form holiday let accommodation

APPLICANT: Firm Of Corstane

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 : 22/00959/FUL

To : Firm Of Corstane per Ferguson Planning 54 Island Street Galashiels Scottish Borders TD1 1NU

With reference to your application validated on **21st June 2022** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Siting of shepherds hut and siting of cabin (retrospective) to form holiday let accommodation

at : Land South West Of Corstane Farmhouse Broughton Scottish Borders

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

**Dated 16th August 2022
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 22/00959/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
10205-0-LP	Location Plan	Refused
10205-3-01	Existing Site Plan	Refused
10205-3-02	Proposed Block Plan	Refused
10205-3-03	Proposed Site Plan	Refused
10205-3-04	Proposed Plans & Elevations	Refused
10205-3-05	Proposed Plans & Elevations	Refused

REASON FOR REFUSAL

- 1 The development would be contrary to policy ED7 of the Local Development Plan 2016 in that insufficient information has been submitted to demonstrate that the proposal is capable of being developed and operated as a viable holiday accommodation business in this location, potentially resulting in unsustainable development in a rural location. The need to site the development in this particular location has not been adequately justified. The proposed development would be isolated and physically segregated from the operation of Corstane Farm and would break into a previously undeveloped field. As a result, the proposed development would represent a sporadic and unjustified form of development in the countryside. No overriding case for the development as proposed has been substantiated. This conflict with the development plan is not overridden by other material considerations.
- 2 The proposal would be contrary to policy PMD2 of the Local Development Plan 2016 in that: The development would not respect the character of the surrounding area and the neighbouring built form, particularly the cabin. It would be an incongruous development, extending into an undeveloped field, that would not create a sense of place based on a clear understanding of the context and the cabin has not been designed in sympathy with the design and character of the existing buildings. Furthermore, the development would not relate sympathetically to the landscape setting of the NSA, conflicting with the terms of policy EP4. These deficiencies could not be addressed by means of landscaping or other mitigation. No overriding case for the development as proposed has been substantiated. This conflict with the development plan is not overridden by 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 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).