




Phen Farms  
per Smith And Garratt Rural Asset Management  
The Guildhall  
Ladykirk  
Scottish Borders  
TD15 1XL

**Please ask  
for:**  


Brett Taylor  
X6628

**Our Ref:  
Your Ref:**

21/00992/PPP

**E-Mail:**

brett.taylor@scotborders.gov.uk

**Date:**

15th April 2022

Dear Sir/Madam

**PLANNING APPLICATION AT Plot 1 Land North Of Belses Cottage Jedburgh Scottish Borders**

**PROPOSED DEVELOPMENT:           Erection of dwellinghouse**

**APPLICANT:                           Phen Farms**

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: 21/00992/PPP**

**To: Phen Farms per Smith And Garratt Rural Asset Management The Guildhall Ladykirk Scottish Borders TD15 1XL**

With reference to your application validated on **16th June 2021** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

**Proposal: Erection of dwellinghouse**

**At: Plot 1 Land North Of Belses Cottage Jedburgh Scottish Borders**

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

**Dated 14th April 2022  
Regulatory Services  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**John Hayward  
Planning & Development Standards Manager**

**APPLICATION REFERENCE: 21/00992/PPP**

**Schedule of Plans and Drawings Refused:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
BPHE01_07	Location Plan	Refused
BPHE01_02	Proposed Block Plan	Refused
BPHE01_03	Proposed Plans	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 be unrelated to a 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. The resulting visual impact of the development would be adverse and, therefore, also conflict with policy PMD2
- 2 The development is contrary to policy PMD2 of the Local Development Plan 2016 in that the means of access onto a public road out with a settlement boundary would adversely affect the road safety of this road, including but not limited to the site access without providing any overriding economic and or road safety improvements.

**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).