

Two Rivers Veterinary Practice Ltd
per Ericht Planning & Property Consultants
Ericht Planning Consultants
Gifford House
Bonnington Road
Peebles

Please ask for: Stuart Small
☎ 01835 825055
Our Ref: 23/00056/FUL
Your Ref:
E-Mail: stuart.small@scotborders.gov.uk
Date: 20th March 2023

Dear Sir/Madam

PLANNING APPLICATION AT 2 Rowan Court Cavalry Park Peebles Scottish Borders

PROPOSED DEVELOPMENT: Change of Use from Class 4 to Class 2 Veterinary Practice

APPLICANT: Two Rivers Veterinary Practice Ltd

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 : 23/00056/FUL

**To : Two Rivers Veterinary Practice Ltd per Ericht Planning & Property Consultants Ericht
Planning Consultants Gifford House Bonnington Road Peebles EH45 9 HF**

With reference to your application validated on **18th January 2023** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Change of Use from Class 4 to Class 2 Veterinary Practice

at : 2 Rowan Court Cavalry Park Peebles Scottish Borders

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

**Dated 17th March 2023
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 23/00056/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
A Location Plan	Location Plan	Refused
Plan 1	Existing Plans	Refused

REASON FOR REFUSAL

- 1 The development would be contrary to Policy 26 of the NPF4 and Policy PMD3 and Policy ED1 of the Local Development Plan 2016 in that the use as a veterinary practice (falling within Class 2 of The Town and Country Planning (Use Classes) (Scotland) Order 1997, as amended, would be a commercial activity that would not be complementary, or ancillary, to the Cavalry Park Strategic High Amenity Site and a use such as that would prejudice its primary function. Furthermore, it would ultimately lead to the loss of allocated business and industrial land when there is a known need for such sites. Other material considerations, including the applicant's need for new premises, are fully acknowledged but, on balance, do not override the loss of the site to Class 4 uses, nor the potentially undesirable precedent that would result from the loss of this extent of floorspace to a non-compliant use.

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).