

Avocet Farms Ltd
per The Energy Workshop
Per Dan Grierson
The Media Centre
7 Northumberland Road
Huddersfield

Please ask for: Paul Duncan
☎ 01835 825558
Our Ref: 18/00519/FUL
Your Ref:
E-Mail: paul.duncan@scotborders.gov.uk
Date: 21st January 2021

Dear Sir/Madam

PLANNING APPLICATION AT Land North East Of Alba Cottage Fishwick Berwick-Upon-Tweed Scottish Borders

PROPOSED DEVELOPMENT: Erection of polystructure cattle shed and hydroponics unit and associated groundworks (retrospective)

APPLICANT: Avocet Farms 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 : 18/00519/FUL

**To : Avocet Farms Ltd per The Energy Workshop Per Dan Grierson The Media Centre 7
Northumberland Road Huddersfield United Kingdom HD1 1RL**

With reference to your application validated on **2nd May 2018** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

**Proposal : Erection of polystructure cattle shed and hydroponics unit and associated groundworks
(retrospective)**

at : Land North East Of Alba Cottage Fishwick Berwick-Upon-Tweed Scottish Borders

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

**Dated 15th January 2021
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 18/00519/FUL

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
JF MCKENNA	Brochures	Refused
P3164 Drawing Register	3D View	Refused
P3164 S107 REV A	3D View	Refused
P3164 S108 REV A	3D View	Refused
P3164 S02 REV B	Proposed Plans	Refused
P3164 S04 REV A	Proposed Roof Plan	Refused
O69-03 REV C	Location Plan	Refused
P3164 S05 REV B	Proposed Elevations	Refused

REASON FOR REFUSAL

- 1 The development is contrary to Local Development Plan policies EP1 (International Nature Conservation Sites and Protected Species), EP2 (National Nature Conservation Sites and Protected Species), EP3 (Local Biodiversity) and EP15 (Development Affecting the Water Environment) in that the development has not adequately demonstrated that unacceptable adverse ecological impacts would not arise.
- 2 The development is contrary to LDP policy ED7 (Business, Tourism and Leisure Development in the Countryside) in that the development would adversely affect the rural character of the area by introducing sporadic new build development to an undeveloped area without adequate justification.
- 3 The development would be contrary to Local Development Plan (LDP) policy PMD2 (Quality Standards) in that development would not fit in with Borders landscape surroundings. The proposed materials would contribute to an unacceptable appearance giving rise to unacceptable visual impacts, to the detriment of the landscape surroundings of the area.

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).