


Buccleuch Estates Ltd
per Ferguson Planning
54 Island Street
Galashiels
Scottish Borders
TD1 1NU

**Please ask
for:**


Stuart Small
01835 825055

**Our Ref:
Your Ref:**

23/01007/PPP

E-Mail:

stuart.small@scotborders.gov.uk

Date:

7th September 2023

Dear Sir/Madam

PLANNING APPLICATION AT Land East of Mos Eislely Teviothead Hawick Scottish Borders

PROPOSED DEVELOPMENT: Erection of dwellinghouse with access and associated works

APPLICANT: Buccleuch Estates 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 : 23/01007/PPP

**To : Buccleuch Estates Ltd per Ferguson Planning 54 Island Street Galashiels Scottish Borders
TD1 1NU**

With reference to your application validated on **5th July 2023** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of dwellinghouse with access and associated works

at : Land East of Mos Eislely Teviothead Hawick Scottish Borders

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

**Dated 6th September 2023
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 23/01007/PPP

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
Location Plan	Location Plan	Refused
10000-CSY-XX-XX-D-A-1202	Proposed Site Plan	Refused
10270-CSY-02-XX-D-A-6201	Proposed Elevations	Refused

REASON FOR REFUSAL

- 1 The development would be contrary to Policy HD2 of the Scottish Borders Local Development Plan (2016), Policies 9 and 17 of NPF4 (2023) and the New Housing in the Borders Countryside Guidance (2008) because it would constitute housing in the countryside that would lead to an unjustified sporadic expansion of development into a previously undeveloped field likely leading to extension of the group that would adversely affect its character. These policy conflicts are not sufficiently 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. To seek a review of the decision, please complete a [request for local review](#) form and return it to the Clerk of the Local Review Body, Democratic Services, 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).