



Mr Mark Graham  
per Ferguson Planning  
54 Island Street  
Galashiels  
Scottish Borders  
TD1 1NU

**Please ask  
for:**  


Euan Calvert  
01835 826513

**Our Ref:** 23/01065/FUL

**Your Ref:**

**E-Mail:** ecalvert@scotborders.gov.uk

**Date:** 20th September 2023

Dear Sir/Madam

**PLANNING APPLICATION AT Land Adjacent Carnlea Main Street Heiton Scottish Borders**

**PROPOSED DEVELOPMENT:** Erection of dwellinghouse

**APPLICANT:** Mr Mark Graham

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 : 23/01065/FUL**

**To : Mr Mark Graham per Ferguson Planning 54 Island Street Galashiels Scottish  
Borders TD1 1NU**

With reference to your application validated on **14th July 2023** for planning permission under the  
Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

**Proposal : Erection of dwellinghouse**

**at : Land Adjacent Carnlea Main Street Heiton Scottish Borders**

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

**Dated 18th September 2023  
Planning and Regulatory Services  
Environment and Infrastructure  
Council Headquarters  
Newtown St Boswells  
MELROSE  
TD6 0SA**

**John Hayward  
Planning & Development Standards Manager**

**APPLICATION REFERENCE : 23/01065/FUL**

**Schedule of Plans and Drawings Approved:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
Transport statement	Report	Refused
000	Location Plan	Refused
001	Proposed Plans & Elevations	Refused
002	Proposed Elevations	Refused
003	Proposed Site Plan	Refused
004	Proposed Block Plan	Refused
005	Proposed Site Plan	Refused
006	Proposed Plans	Refused

**REASON FOR REFUSAL**

The proposed development would not comply with National Planning Framework 4 Policy 14 in that vehicular access to the site is poorly designed, detrimental to the amenity of the surrounding area and inconsistent with the six qualities of successful places. In addition, the proposal is contrary to Policies PMD2: Quality Standards and PMD5: Infill Development of the Local Development Plan 2016 in that the development would result in additional vehicular traffic on a substandard private access to the detriment of road safety, both vehicular and pedestrian, and the proposed upgrade of the junction with the A698 is not supported as it would appear incongruous with the linear streetscape and any scheme in isolation may have a detrimental effect on road safety.

**SCHEDULE OF CONDITIONS**

- 1 The proposed development would not comply with National Planning Framework 4 Policy 14 and Policies PMD2: Quality Standards and PMD5: Infill Development of the Local Development Plan 2016 in that the development would result in additional vehicular traffic on a substandard access to the detriment of road safety, both vehicular and pedestrian, and the proposed upgrade of the junction with the A698 would appear incongruous with the linear streetscape and any scheme in isolation may have a detrimental effect on road safety.

**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 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).