

**John Hayward**  
Planning & Development Standards Manager

Mr Mark Graham  
per PD Architecture  
16 Riverside View  
East Broomlands  
Kelso  
Scottish Borders

**Please ask for:** Euan Calvert  
☎ 01835 826513  
**Our Ref:** 22/01105/FUL  
**Your Ref:**  
**E-Mail:** ecalvert@scotborders.gov.uk  
**Date:** 26nd August 2022

Dear Sir

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

**PROPOSED DEVELOPMENT:**    **Erection of dwellinghouse**  
**APPLICANT:**                    **Mr Mark Graham**

I can advise that on review of the application and the associated planning history, planning permission for a similar application has been refused, 20/01327/FUL, and review of this decision refused, 21/00019/RREF, in the past two years.

Under Section 39 (1) of the Town and Country Planning (Scotland) Act 1997 the Planning Authority has taken the decision to decline to determine the application.

There has not been any significant change in either the development plan or any other material consideration since the most recent of the refusals.

The planning authority hereby declines to determine this planning application. Should you have any queries, please contact the above number.

Yours faithfully

John Hayward

Planning & Development Standards Manager

**Privacy Notice :**

The information you have provided will be processed by Scottish Borders Council, Newtown St Boswells, TD6 0SN. You can contact the Council on 0300 100 1800 or [customerservices@scotborders.gov.uk](mailto:customerservices@scotborders.gov.uk).

You can contact the Council's Data Protection Officer using the contact details for the Council as set out above or by email at [dataprotection@scotborders.gov.uk](mailto:dataprotection@scotborders.gov.uk)

**How we will use your information**

We will use your information for the purposes of determining planning or related applications. The Council is entitled to collect and use this information under its statutory duty to provide this service to you.

Whether the application is successful, unsuccessful or withdrawn, the information you have provided will be permanently retained, as the Council is required by legislation to retain this information as part of its public registers of applications.

**Who we may share your information with**

Your information will be accessed by Council staff who need to do so in order to provide the service described above. The Council will not share this information with third parties, but you should be aware that it publishes all information received in relation to planning applications on the planning pages of its website, which it will do for a period of ten years following the determination of the application.

The Council is legally obliged to share certain data with other public bodies such as HMRC, CSA, Police Scotland, Scottish Courts and the Public Services Ombudsman and will do so where the law requires this.

Your information may also be shared and analysed internally in order to provide management information, inform service delivery reform and similar purposes to meet our duty to achieve best value and continuous service improvement.

In general the Council does not transfer personal data outside either the UK or the European Economic Area (EEA) and on the rare occasions when it does so the Council will inform you. The Council will only transfer data outside the UK and the EEA when it is satisfied that the party which will handle the data and the country it is processing it in will provide adequate safeguards for personal privacy.

**Your Rights**

You have the right to request access to any personal data held about you by the Council. You can also request that we restrict the use of your information or even object to any further processing. You can do this by contacting the Data Protection Officer using the contact details provided above. We will respond to your request within thirty calendar days.

For more information on your rights please visit our website <http://www.scotborders.gov.uk/DPYourRights> or if you would like a hard copy of this information, please contact us using the contact details provided above.

If you are unhappy with the way the Council have processed your personal data please contact the Council's Data Protection Officer. If after raising your concerns with the Data Protection Officer you remain dissatisfied you have the right to complain to the Information Commissioner's Office (45 Melville Street, Edinburgh, EH3 7HL, Tel: 0131 244 9001, Email: [scotland@ico.org.uk](mailto:scotland@ico.org.uk)).