

Mr R And Mrs A Shanks  
per Ferguson Planning  
54 Island Street  
Galashiels  
Scottish Borders  
TD1 1NU

**Please ask  
for:**  


Euan Calvert  
01835 826513

**Our Ref:**

23/00695/PPP

**Your Ref:**

**E-Mail:**

ecalvert@scotborders.gov.uk

**Date:**

27th September 2023

Dear Sir/Madam

**PLANNING APPLICATION AT Land East Of Buckletons Stichill Stables Kelso Scottish Borders**

**PROPOSED DEVELOPMENT:** Erection of two dwellinghouses with access and associated works

**APPLICANT:** Mr R And Mrs A Shanks

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 : 23/00695/PPP**

**To : Mr R And Mrs A Shanks per Ferguson Planning 54 Island Street Galashiels Scottish  
Borders TD1 1NU**

With reference to your application validated on **9th May 2023** for planning permission under the  
Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

**Proposal : Erection of two dwellinghouses with access and associated works**

**at : Land East Of Buckletons Stichill Stables Kelso Scottish Borders**

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

**Dated 25th 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 : 23/00695/PPP**

**Schedule of Plans and Drawings Approved:**

<b>Plan Ref</b>	<b>Plan Type</b>	<b>Plan Status</b>
A LOCATION PLAN	Location Plan	Refused
10325_1202	Proposed Site Plan	Refused

**REASON FOR REFUSAL**

It is considered that the proposals are contrary to National Planning Framework 4 policy 17 and policies HD2 and IS6 of the Local Development Plan 2016 and Supplementary Planning Guidance New Housing in the Borders Countryside (2008) in that the development would not be served by suitable road access, contrary to road safety and design standards. In addition, the proposal would be contrary to policy PMD2 of the Local Development Plan 2016 in that the proposed vehicular access would have an adverse impact on road safety, both on users of the private road and on users of the B6364 public road.

Accordingly, the proposed development would represent a sporadic and unjustified form of development in the countryside, which would set an undesirable precedent for similar unjustified proposals.

No material considerations are identified to make this the subject of any exceptional approval.

**SCHEDULE OF CONDITIONS**

- 1 The proposals are contrary to National Planning Framework 4 policy 17 and policies HD2 and IS6 of the Local Development Plan 2016 and Supplementary Planning Guidance New Housing in the Borders Countryside (2008) in that they do not have suitable road access contrary to road safety and design standards. In addition, the proposal would be contrary to policy PMD2 of the Local Development Plan 2016 in that the proposed vehicular access would have an adverse impact on road safety, both for users of the private road and users of the B6364 public road.

Accordingly, the proposed development would represent a sporadic and unjustified form of development in the countryside, which would set an undesirable precedent for similar unjustified proposals.

**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).