

Mr Jimmy Shanks
per Ferguson Planning
37 George Street
Edinburgh
EH2 2HN

**Please ask
for:**


Euan Calvert
01835 826513

Our Ref: 23/00625/FUL

Your Ref:

E-Mail: ecalvert@scotborders.gov.uk

Date: 3rd November 2023

Dear Sir/Madam

PLANNING APPLICATION AT Land East Of Blinkbonny Farmhouse Kelso Scottish Borders

PROPOSED DEVELOPMENT: Erection of dwellinghouse, formation of access and associated works

APPLICANT: Mr Jimmy 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 : 23/00625/FUL

To : Mr Jimmy Shanks per Ferguson Planning 37 George Street Edinburgh EH2 2HN

With reference to your application validated on **2nd May 2023** for planning permission under the Town and Country Planning (Scotland) Act 1997 (as amended) for the following development :-

Proposal : Erection of dwellinghouse, formation of access and associated works

at : Land East Of Blinkbonny Farmhouse Kelso Scottish Borders

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

**Dated 1st November 2023
Planning and Regulatory Services
Environment and Infrastructure
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

**John Hayward
Planning & Development Standards Manager**

APPLICATION REFERENCE : 23/00625/FUL
Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
Location Plan	Location Plan	Refused
22001-RS-01-01-DR-A-1001-P01 REV E	Proposed Plans	Refused
22001-RS-01-ZZ-DR-A-3011-P01 REV C	Proposed Elevations	Refused
22001-RS-01-ZZ-DR-A-3012-P01	Proposed Elevations	Refused
22001-RS-01-ZZ-DR-A-3013-P01	Proposed Elevations	Refused
2201-RS-01-00-DR-A-1000-P01 REV H	Proposed Plans	Refused
22001-RS-01-ZZ-DR-A-3014-P01	Proposed Elevations	Refused
22001-RS-01-ZZ-DR-A-3015-P01	Proposed Elevations	Refused
22001-RS-01-ZZ-DR-A-4001P01	Proposed Sections	Refused
22001-RS-ZZ-00-DR-A-1000-P01	Proposed Site Plan	Refused
22001-RS-ZZ-RF-DR-A-1010-P01	Proposed Site Plan	Refused
22001-RS-ZZ-ZZ-DR-A-5001	3D View	Refused
22001-RS-ZZ-ZZ-DR-A-5002	3D View	Refused

REASON FOR REFUSAL

It is considered that the proposals are contrary to National Planning Framework 4 policy 17 and policy HD2 of the Local Development Plan 2016 and Supplementary Planning Guidance New Housing in the Borders Countryside (2008) in that the proposed development would be sited within a previously undeveloped field, beyond the natural and man-made boundaries of the Blinkbonny building group, outwith the sense of place of the building group and out of keeping with the character of the building group, resulting in an unacceptable adverse impact on the landscape and amenity of the surrounding area.

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.

In addition, the proposal would be contrary to policy PMD2 in that it would result in access tracks leading to the site resulting in significantly adverse impacts upon existing landscape character and rural visual amenity.

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 policy HD2 of the Local Development Plan 2016 and Supplementary Planning Guidance New Housing in the Borders Countryside (2008) in that the proposed development would be sited within a previously undeveloped field, beyond the natural and man-made boundaries of the Blinkbonny building group, outwith the sense of place of the building group and out of keeping with the character of the building group resulting in an unacceptable adverse impact on the landscape and amenity of the surrounding area.

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.

In addition, the proposal would be contrary to policy PMD2 of Local Development Plan 2016 in that it would result in access tracks leading to the site resulting in significantly adverse impacts upon existing landscape character and rural visual amenity.

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).