

Mr M Campbell
per Ferguson Planning
54 Island Street
Galashiels
Scottish Borders
TD1 1NU

**Please ask
for:**


Carlos Clarke
01835 826735

Our Ref: 23/01003/FUL

Your Ref:

E-Mail: cgclarke@scotborders.gov.uk

Date: 15th November 2023

Dear Sir/Madam

PLANNING APPLICATION AT Former Gas Works Princes Street Innerleithen Scottish Borders

PROPOSED DEVELOPMENT: Commercial storage facility comprising 30 no. storage containers with associated works

APPLICANT: Mr M Campbell

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 : 23/01003/FUL

**To : Mr M Campbell 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 : Commercial storage facility comprising 30 no. storage containers with
associated works**

at : Former Gas Works Princes Street Innerleithen Scottish Borders

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

**Dated 14th 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 : 23/01003/FUL

Schedule of Plans and Drawings Approved:

Plan Ref	Plan Type	Plan Status
L(-1)101	Location Plan	Refused
L(-1)102	Existing Site Plan	Refused
L(-1)151	Proposed Site Plan	Refused
L(-3)351	Proposed Sections	Refused

REASON FOR REFUSAL

The development would be contrary to Policy IS8 of the Local Development Plan 2016 and Policy 22 of National Planning Framework 4 in that it would be sited within a flood risk area and would potentially lead to increased flood risk affecting surrounding properties, thus putting the safety of persons at risk, and risking damage to property. Furthermore, the proposal would, by having such flood implications, fail to account for and adapt to climate change risks, to the detriment of neighbouring properties and public safety, thus conflicting with Policies 1 and 2 of National Planning Framework 4. Other material considerations do not outweigh these policy conflicts and the resulting harm that would potentially arise from the development.

SCHEDULE OF CONDITIONS

- 1 The development would be contrary to Policy IS8 of the Local Development Plan 2016 and Policy 22 of National Planning Framework 4 in that it would be sited within a flood risk area and would potentially lead to increased flood risk affecting surrounding properties, thus putting the safety of persons at risk, and risking damage to property. Furthermore, the proposal would, by having such flood implications, fail to account for and adapt to climate change risks, to the detriment of neighbouring properties and public safety, thus conflicting with Policies 1 and 2 of National Planning Framework 4. Other material considerations do not outweigh these policy conflicts and the resulting harm that would potentially arise from the development.

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).