
PLANNING APPEALS & REVIEWS

Briefing Note by Chief Planning Officer

PLANNING AND BUILDING STANDARDS COMMITTEE

28th March 2016

1 PURPOSE

- 1.1 The purpose of this briefing note is to give details of **Appeals** and **Local Reviews** which have been received and determined during the last month.

2 APPEALS RECEIVED

- 2.1 Planning Applications

Nil

- 2.2 Enforcements

Nil

3 APPEAL DECISIONS RECEIVED

Nil

- 3.2 Enforcements

Nil

4 APPEALS OUTSTANDING

- 4.1 There remained 3 appeals previously reported on which decisions were still awaited when this report was prepared on 18th March 2016. This relates to sites at:

<ul style="list-style-type: none"> Land South East of Halmyre Mains Farmhouse (Hag Law), Romanno Bridge 	<ul style="list-style-type: none"> Land North East and North West of Farmhouse Braidlie (Windy Edge), Hawick
<ul style="list-style-type: none"> Land North of Upper Stewarton, (Kilrubie Wind Farm Development), Eddleston, Peebles 	<ul style="list-style-type: none">

5 REVIEW REQUESTS RECEIVED

- 5.1 Reference: 15/00100/FUL
Proposal: Erection of Class 1 retail foodstore with ancillary works including car parking, access and landscaping
Site: Land and Buildings at Wilton Mills, 31 - 32 Commercial Road, Hawick
Appellant: Wilton Mills Ltd

Reason for Refusal: The proposal is contrary to policies H3 and ED3 of the Scottish Borders Consolidated Local Plan Adopted 2011 and policy ED3 of the Local Development Plan 2013 and Supplementary Planning Guidance: Commercial Road Hawick 2009 in that there is no spare retail capacity to accommodate a Class 1 foodstore in Hawick and the quantitative need for the proposed foodstore has not been adequately substantiated. In addition, the submission has failed to identify a qualitative need for the store as the proposal would not provide a different retail offer from existing foodstores in the town. As a result, a retail store on this edge-of-centre site would have a direct detrimental impact on the vitality and viability of an already vulnerable town centre.

- 5.2 Reference: 15/01354/FUL
Proposal: External alterations and erection of 4 No flagpoles
Site: Office West Grove, Waverley Road, Melrose
Appellant: Rural Renaissance Ltd

Reason for Refusal: The proposed development is contrary to Adopted Local Plan Policy G1 in that the erection of the four no flagpoles, would not in its scale (principally in the height and number of flag poles featured) in culmination with its siting, be compatible with, or respectful of, the character of the surrounding area and neighbouring built form.

- 5.3 Reference: 15/01491/FUL
Proposal: Erection of dwellinghouse and detached garage/annex
Site: Land West of Whistlefield, Darnick
Appellant: Mr and Mrs P Burns

Reasons for Refusal: 1. The development will conflict with Policies G1 and G7 of the Consolidated Local Plan 2011 because the proposed dwellinghouse is not of a design quality that complies with the Council's Supplementary Planning Guidance "Placemaking and Design" 2010. The proportions of roof to wall, plan depth and overall footprint and profile all combine to produce an inappropriate form and massing which amount to an unacceptable overall design. The development will also contribute negatively to the visual amenity of the surrounding area as a result. 2. The development will conflict with Policy NE4 of the Consolidated Local Plan 2011 in that the development may lead to loss of mature trees that have public amenity value, and the application contains insufficient information to demonstrate that this will not be the case. The potential loss of the trees will harm the visual amenity of the surrounding area.

6 REVIEWS DETERMINED

Nil

7 REVIEWS OUTSTANDING

7.1 There remained one review previously reported on which a decision was still awaited when this report was prepared on 18th March 2016. This relates to a site at:

• Land South of Camphouse Farmhouse, Camptown, Jedburgh	•
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8 SECTION 36 PUBLIC LOCAL INQUIRIES RECEIVED

Nil

9 SECTION 36 PUBLIC LOCAL INQUIRIES DETERMINED

Nil

10 SECTION 36 PUBLIC LOCAL INQUIRIES OUTSTANDING

10.1 There remained 3 S36 PLIs previously reported on which decisions were still awaited when this report was prepared on 18th March 2016. This relates to sites at:

• Land North of Nether Monynut Cottage (Aikengall IIa), Cockburnspath	• Cloich Forest Wind Farm, Land West of Whitelaw Burn, Eddleston
• (Whitelaw Brae Wind Farm), Land South East of Glenbreck House, Tweedsmuir	•

Approved by

Ian Aikman
Chief Planning Officer

Signature

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Background Papers: None.

Previous Minute Reference: None.

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

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