



Carlos Clarke
Scottish Borders Council
Team Leader
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Regulatory Services

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Your ref: 17/00695/FUL
Our ref: NA-SBD-054
21 May 2018

Dear Mr Clarke

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS)
(SCOTLAND) DIRECTION 2009
RESIDENTIAL DEVELOPMENT COMPRISING 34 FLATS WITH ASSOCIATED PARKING
AND RETAINING WALL WORKS, HUDDERSFIELD STREET, GALASHIELS**

I refer to your Council's e-mail and enclosures of 27 March 2018 notifying the above application to Scottish Ministers following consideration by Scottish Borders Council who were minded to grant planning permission against the advice of the Scottish Environment Protection Agency.

Having considered the proposal, Scottish Ministers have decided, in terms of Section 46 of the Town and Country Planning (Scotland) Act 1997 to require the application to be referred to them for determination. Accordingly, a Direction, given in terms of Section 46 is enclosed.

Scottish Ministers have given this Direction in view of the proposed development's significant level of flood risk.

Regulation 35 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 requires the planning authority to serve notice on the applicant for planning permission of the terms of the Direction, of the reasons for issuing it, that the application has been referred to Scottish Ministers and that the decision of Scottish Ministers will be final. In connection with the service of notice, your attention is drawn to regulation 48 of those Regulations which applies section 271 of the 1997 Act. I should be glad if your Council would serve the required notice and let me have a copy. The planning authority is also required to include a copy of the decision to call in the application on the planning register in accordance with regulation 16 and paragraph 3(d) of Schedule 2.



In terms of the Town and Country Planning (Appeals) (Scotland) Regulations 2013, the application will be submitted to Planning and Environmental Appeals Division (DPEA) in Falkirk for an examination by a Reporter. I would be grateful if you would prepare all the application documentation and send it to David Henderson, Head of Performance and Administration, 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR who will make arrangements for processing the case. Information can also be sent electronically via DPEA's ePlanning and Sharepoint sites by contacting the DPEA's office mailbox, dpea@gov.scot for access and advice on use. Thereafter the appointed Reporter has been asked to submit a report with recommendations to Scottish Ministers for their consideration and determination.

Any queries relating to the future handling of the case should be directed to DPEA.

Yours sincerely

LYNDSEY MURRAY

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Scottish Ministers, in exercise of the powers conferred on them by Section 46(1) of the Town and Country Planning (Scotland) Act 1997, and of all other powers enabling them in that behalf, hereby direct that Scottish Borders Council refer to them for determination the application for full planning permission under the Town and Country Planning (Scotland) Act 1997, received by them from Camerons, on behalf of Eildon Housing Association Ltd., for planning permission for residential development comprising 34 flats with associated parking and retaining wall works, Huddersfield Street, Galashiels.

This Direction is given in view of the proposed development's possible significant level of flood risk. .

This Direction may be cited as the Town and Country Planning (Reference of Application) (Scottish Borders Council) (Planning Permission for residential development comprising 34 flats with associated parking and retaining wall works, Huddersfield Street, Galashiels) Direction 2018.

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