

# Public Document Pack



## SCOTTISH BORDERS COUNCIL THURSDAY, 10 NOVEMBER, 2016

A MEETING of the SCOTTISH BORDERS COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST. BOSWELLS on THURSDAY, 10 NOVEMBER, 2016 at 10.00 AM

J. J. WILKINSON,  
Clerk to the Council,  
3 November 2016

<b>BUSINESS</b>																																				
1.	<b>Convener's Remarks.</b>																																			
2.	<b>Apologies for Absence.</b>																																			
3.	<b>Order of Business.</b>																																			
4.	<b>Declarations of Interest.</b>																																			
5.	<p><b>Minute</b> (Pages 1 - 14)</p> <p>Consider Minute of Scottish Borders Council held on 29 September 2016 for approval and signing by the Convener. (Copy attached.)</p>	2 mins																																		
6.	<p><b>Committee Minutes</b></p> <p>Consider Minutes of the following Committees:-</p> <table style="width: 100%; border-collapse: collapse;"> <tbody> <tr><td>(a) Community Planning Strategic Board</td><td style="text-align: right;">8 September 2016</td></tr> <tr><td>(b) Galashiels Common Good Fund</td><td style="text-align: right;">8 September 2016</td></tr> <tr><td>(c) Eildon Area Forum</td><td style="text-align: right;">8 September 2016</td></tr> <tr><td>(d) Jedburgh Common Good Fund</td><td style="text-align: right;">14 September 2016</td></tr> <tr><td>(e) Kelso Common Good Fund</td><td style="text-align: right;">14 September 2016</td></tr> <tr><td>(f) Cheviot Area Forum</td><td style="text-align: right;">14 September 2016</td></tr> <tr><td>(g) Pension Fund</td><td style="text-align: right;">15 September 2016</td></tr> <tr><td>(h) Pension Fund Board</td><td style="text-align: right;">15 September 2016</td></tr> <tr><td>(i) Police, Fire &amp; Rescue and Safer Communities Board</td><td style="text-align: right;">16 September 2016</td></tr> <tr><td>(j) Local Review Body</td><td style="text-align: right;">19 September 2016</td></tr> <tr><td>(k) Executive</td><td style="text-align: right;">20 September 2016</td></tr> <tr><td>(l) Teviot &amp; Liddesdale Area Forum</td><td style="text-align: right;">20 September 2016</td></tr> <tr><td>(m) Scrutiny</td><td style="text-align: right;">22 September 2016</td></tr> <tr><td>(n) LLP Strategic Governance Group</td><td style="text-align: right;">22 September 2016</td></tr> <tr><td>(o) Civic Government Licensing</td><td style="text-align: right;">23 September 2016</td></tr> <tr><td>(p) Audit &amp; Risk</td><td style="text-align: right;">26 September 2016</td></tr> <tr><td>(q) Planning &amp; Building Standards</td><td style="text-align: right;">3 October 2016</td></tr> </tbody> </table>	(a) Community Planning Strategic Board	8 September 2016	(b) Galashiels Common Good Fund	8 September 2016	(c) Eildon Area Forum	8 September 2016	(d) Jedburgh Common Good Fund	14 September 2016	(e) Kelso Common Good Fund	14 September 2016	(f) Cheviot Area Forum	14 September 2016	(g) Pension Fund	15 September 2016	(h) Pension Fund Board	15 September 2016	(i) Police, Fire & Rescue and Safer Communities Board	16 September 2016	(j) Local Review Body	19 September 2016	(k) Executive	20 September 2016	(l) Teviot & Liddesdale Area Forum	20 September 2016	(m) Scrutiny	22 September 2016	(n) LLP Strategic Governance Group	22 September 2016	(o) Civic Government Licensing	23 September 2016	(p) Audit & Risk	26 September 2016	(q) Planning & Building Standards	3 October 2016	5 mins
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	<p>(r) Executive 4 October 2016  (s) Petitions &amp; Deputations 6 October 2016  (t) Executive 18 October 2016  (u) Jedburgh Common Good Fund 19 October 2016  (v) Civic Government Licensing 21 October 2016</p> <p>(Please see separate Supplement containing the public Committee Minutes.)</p>	
7.	<p><b>Committee Minute Recommendation</b> (Pages 15 - 16)</p> <p>Consider the recommendation made by the Police, Fire &amp; Rescue and Safer Communities Board held on 16 September 2016. (Copy attached.)</p>	5 mins
8.	<p><b>Open Questions</b></p>	15 mins
9.	<p><b>Draft Supplementary Guidance - Housing</b> (Pages 17 - 488)</p> <p>Consider report by Service Director Regulatory Services. (Copy attached.)</p>	15 mins
10.	<p><b>Hawick Action Plan - Update</b> (Pages 489 - 502)</p> <p>Consider report by Corporate Transformation and Services Director. (Copy attached.)</p>	15 mins
11.	<p><b>On-Street Parking and Traffic Management</b></p> <p>Consider report by Chief Roads Officer. (Copy to follow.)</p>	15 mins
12.	<p><b>Response to Scottish Government Consultation on Social Security in Scotland</b> (Pages 503 - 732)</p> <p>Consider report by Chief Executive. (Copy attached.)</p>	10 mins
13.	<p><b>Response to the Consultation by British Telecom on the Proposed Removal of Public Payphones in the Scottish Borders</b> (Pages 733 - 776)</p> <p>Consider report by Chief Executive. (Copy attached.)</p>	10 mins
14.	<p><b>Scottish Government Forestry Consultation - Response</b> (Pages 777 - 786)</p> <p>Consider report by Corporate Transformation and Services Director. (Copy attached.)</p>	10 mins
15.	<p><b>Early Retirement/Voluntary Severance</b> (Pages 787 - 790)</p> <p>Consider report by Chief Executive. (Copy attached.)</p>	5 mins
16.	<p><b>Any Other Items Previously Circulated</b></p>	
17.	<p><b>Any Other Items Which the Convener Decides Are Urgent</b></p>	
18.	<p><b>Private Business</b></p> <p>Before proceeding with the private business, the following motion should be approved:-</p> <p>“That under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information</p>	

	as defined in the relevant paragraphs of Part 1 of Schedule 7A to the aforementioned Act.”																			
19.	<p><b>Committee Minutes</b></p> <p>Consider private Sections of the Minutes of the following Committees:-</p> <table> <tr> <td>(a)</td> <td>Pension Fund</td> <td>15 September 2016</td> </tr> <tr> <td>(b)</td> <td>Executive</td> <td>20 September 2016</td> </tr> <tr> <td>(c)</td> <td>LLP Strategic Governance Group</td> <td>22 September 2016</td> </tr> <tr> <td>(d)</td> <td>Civic Government Licensing</td> <td>23 September 2016</td> </tr> <tr> <td>(e)</td> <td>Executive</td> <td>18 October 2016</td> </tr> <tr> <td>(f)</td> <td>Civic Government Licensing</td> <td>21 October 2016</td> </tr> </table> <p>(Please see separate Supplement containing private Committee Minutes.)</p>	(a)	Pension Fund	15 September 2016	(b)	Executive	20 September 2016	(c)	LLP Strategic Governance Group	22 September 2016	(d)	Civic Government Licensing	23 September 2016	(e)	Executive	18 October 2016	(f)	Civic Government Licensing	21 October 2016	
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#### NOTES

- 1. Timings given above are only indicative and not intended to inhibit Members' discussions.**
- 2. Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.**

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Please direct any enquiries to Louise McGeoch Tel 01835 825005  
email [lmcgeoch@scotborders.gov.uk](mailto:lmcgeoch@scotborders.gov.uk)

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**SCOTTISH BORDERS COUNCIL**

MINUTE of MEETING of the SCOTTISH BORDERS COUNCIL held in Council Headquarters, Newtown St. Boswells on 29 September 2016 at 10.00 a.m.

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Present:- Councillors G. Garvie (Convener), S. Aitchison, W. Archibald (from para 12), M. Ballantyne, S. Bell, C. Bhatia, J. Brown, J. Campbell, K. Cockburn, M. Cook, A. Cranston, V. Davidson, G. Edgar, J. Fullarton, I. Gillespie, J. Greenwell, G. Logan, W. McAteer, S. Marshall, J. Mitchell, D. Moffat, S. Mountford, A. Nicol, D. Parker, D. Paterson, S. Scott, R. Smith, G. Turnbull, T. Weatherston, B. White.

Apologies:- Councillors B. Herd, F. Renton, R. Stewart, J. Torrance.

In Attendance:- Chief Executive, Depute Chief Executive (Place), Corporate Transformation and Services Director, Chief Financial Officer, Service Director Assets & Infrastructure, Service Director Regulatory Services, Chief Social Work Officer, Chief Legal Officer, Chief Roads Officer, Chief HR Officer, Customer Services Manager, Clerk to the Council.

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**1. CONVENER'S REMARKS**

- 1.1 The Convener, on behalf of the Council, congratulated all the Borders Olympic and Paralympic athletes and in particular Libby Clegg who had won 2 gold medals. He advised that a civic reception would be held later in the year.
- 1.2 The Convener advised that Councillor Brown, on his behalf, had accepted a petition from WASPI (Women Against State Pension Inequality) as part of their national campaign.

**DECISION NOTED.**

**2. ORDER OF BUSINESS**

Councillor Parker, seconded by Councillor Bell, moved that Item 24 on the agenda, relating to the Great Tapestry of Scotland, be considered in public in the interests of transparency rather than in private as shown on the published agenda. This was unanimously approved and it was agreed that it be considered as Item 19 on the agenda.

**3. THE WORK OF CABX IN THE BORDERS**

The Convener welcomed Euan Robson, Chair of Borders Citizens Advice Consortium; Martyn Buckley, a Director of BCAC and also Central Borders CAB; and Rhona Calder, Manager of the Roxburgh and Berwickshire CAB, to the meeting. Mr Robson gave a presentation on the work of the CAB in the Borders. He outlined the current provision in the Borders and the types of advice that were being given. He thanked the Council for renewing their funding. Mr Robson and Ms Calder answered Members' questions and commented on the challenges of getting volunteers. The Convener thanked Mr Robson for his presentation.

**4. MINUTE**

The Minute of the Meeting held on 25 August 2016 was considered.

**DECISION**

**AGREED that the Minute be approved and signed by the Convener.**

**5. COMMITTEE MINUTES**

The Minutes of the following Committees had been circulated:-

Local Review Body	15 August 2016
Executive	16 August 2016
Hawick Common Good Fund	16 August 2016
Teviot & Liddesdale Area Forum	16 June 2016
Scrutiny	18 August 2016
Civic Government Licensing	19 August 2016
Selkirk Common Good Fund	30 August 2016
Peebles Common Good Fund	31 August 2016
Tweeddale Area Forum	31 August 2016
Berwickshire Area Forum	1 September 2016
Planning & Building Standards Executive	5 September 2016
	6 September 2016

#### **DECISION**

**APPROVED the Minutes listed above.**

#### **6. OPEN QUESTIONS**

The questions submitted by Councillors McAteer, Marshall, Fullarton and Turnbull were answered.

#### **DECISION**

**NOTED the replies as detailed in Appendix I to this Minute.**

#### **7. HAWICK FLOOD PROTECTION PROJECT SCHEME PUBLICATION DATE DECISION**

With reference to paragraph 18 of the Minute of 28 March 2013, there had been circulated copies of a report by the Depute Chief Executive Place providing an update on the progress of the Hawick Flood Protection Scheme and proposing that the Preferred Scheme be considered by Council at its meeting on 23 February 2017. The report explained that the Project Team continued to deliver the Hawick Flood Protection Scheme on programme and in February 2016 the completion date had been accelerated by six months to the revised substantial completion date of June 2021, with the reprofile of the project budget to allow the detailed design to commence in parallel with the scheme publication process. Keeping to the current programme provided nine months of programme float before the end of the Scottish Government funding period in March 2022. This provided a period of time to rectify 'valid' objections to the published scheme or undertake a Public Local Inquiry before it effected the funding viability of the project. The Project Team required Scottish Borders Council to approve the Preferred Scheme on 23 February 2017 allowing the preparation of the appropriate documents to enable the scheme to be published on 18 April 2017, with the determination period running in parallel with the pre-election ('Purdah') period for the 2017 Local Government Election.

#### **DECISION**

##### **AGREED:-**

**(a) to note the progress made on the project to date; and**

**(b) that a report be brought to Scottish Borders Council meeting on 23 February 2017 to consider the Preferred Scheme for publication.**

#### **DECLARATION OF INTEREST**

Councillor Edgar declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the Chamber during the discussion.

#### **8. SCOTTISH GOVERNMENT BARCLAY REVIEW OF BUSINESS RATES IN SCOTLAND - CONSULTATIVE RESPONSE**

There had been circulated copies of a report by the Service Director Neighbourhood Services on a proposed response to the Scottish Government's Business Rates Review, being led by the Barclay Review Group. The report explained that a call for submissions was issued by the Scottish Government on 13 July 2016 with a deadline for responses of 7 October 2016.

Contributions had been invited to inform the re-design of the business rates system to better support business and incentivise investment. The proposed response to the consultation was set out in Appendix 2 to the report and focused on the need for more frequent valuations as well as consideration of the properties which should feature in the valuation roll. The response also outlined some of the key issues with the current suite of reliefs and exemptions and recommended a review of these to ensure they were targeted to those businesses that required support and better encourage growth and investment.

**DECISION  
AGREED:-**

- (a) the response to the Scottish Government's Business Rates Review, as set out in Appendix 2 to the report; and**
- (b) that the Service Director of Neighbourhood Services report, in due course, on the outcome of the Review and how it would affect Scottish Borders Council and businesses in the Scottish Borders.**

**9. ANNUAL REPORT OF THE CHIEF SOCIAL WORK OFFICER 2015/16**

There had been circulated copies of a report by the Chief Social Work Officer containing the ninth annual report on the work undertaken on behalf of the Council in the statutory role of Chief Social Work Officer. The annual report, attached as Appendix A to the covering report, provided the Council with an account of decisions taken by the Chief Social Work Officer in the statutory areas of Fostering and Adoption, Child Protection, Secure Orders, Adult Protection, Adults with Incapacity, Mental Health and Criminal Justice. The report also gave an overview of regulation and inspection, workforce issues and social policy themes over the year April 2015 to March 2016, and highlighted some of the key challenges for Social Work for the coming year. Mrs Torrance, the Chief Social Work Officer, also commented on the publication of the Account's Commission Report on Social Work and highlighted the emphasis the report placed on Councillors having a clear responsibility for the oversight of social work services. The report also highlighted the role of the Chief Social Work Officer and her duty of oversight and challenge and the reporting of concerns to Members. Mrs Torrance answered Members' questions and confirmed that, while paperwork completed by social workers needed to be minimised, a balance was needed to ensure that recording was carried out properly, as recording risk assessments and chronologies was essential.

**DECISION**

**AGREED to approve the report of the Chief Social Work Officer for 2015/2016.**

**10. STATEMENTS OF ACCOUNTS 2015/16**

There had been circulated copies of a report by KPMG, the Council's Auditors together with a report by the Chief Financial Officer and a copy of the Annual Accounts 2015/16. The Chief Financial Officer's report explained that the Council's External Auditors, KPMG, had now completed the audit of the Council's 2015/16 Annual Accounts. KPMG had prepared the Annual Audit Report and had provided an unqualified independent audit opinion. The Annual Audit Report summarised KPMG's conclusions, including:

- An unqualified audit opinion
- Statements supported by high quality working papers;
- KPMG concur with management's accounting treatment and judgements;
- KPMG concluded positively in respect of financial sustainability, financial management, governance and transparency and value for money.

KPMG had identified two Grade 3 (minor) recommendations requiring action and these had been accepted by management and would be enacted within the agreed timescales. As required under the Local Authority Accounts (Scotland) Regulations 2014, the audited Annual Accounts for Scottish Borders Council, Scottish Borders Council's Pension Fund, SBC Common Good Funds, the SBC Charitable Trusts, Bridge Homes LLP, SB Support and SB Cares, copies of which had also been circulated, had been presented to the Audit & Risk

Committee prior to signature. Councillor Ballantyne as Chairman of the Audit and Risk Committee commented on that Committee's review of the accounts and was pleased with the report received. She highlighted that the level of risk covered by balances was lower and suggested that the level of Reserves not be allowed to fall any lower. Councillor White as Chairman of the Pension Fund Committee commented on the operation of the new Board system and the fact that performance had exceeded the benchmark over the last 4.5 years. He paid tribute to the Committee and its advisors.

## **DECISION**

**AGREED to approve the following audited accounts:-**

- (a) the Scottish Borders Council's audited Annual Accounts for the year to 31 March 2016;**
- (b) the Scottish Borders Council's Pension Fund audited Annual Accounts for the year to 31 March 2016;**
- (c) the Scottish Borders Council Common Good Funds' (Charity SC031538) audited Annual Accounts for the year to 31 March 2016;**
- (d) the SBC Welfare Trust (Charity SC044765) audited Annual Accounts for the year to 31 March 2016;**
- (e) the SBC Education Trust (Charity SC044762) audited Annual Accounts for the year to 31 March 2016;**
- (f) the SBC Community Enhancement Trust (Charity SC044764) audited Annual Accounts for the year to 31 March 2016;**
- (g) the Thomas Howden Wildlife Trust (Charity SC015647) audited Annual Accounts for the year to 31 March 2016;**
- (h) the Ormiston Trust for Institute Fund (Charity SC019162) audited Annual Accounts for the year to 31 March 2016;**
- (i) the Scottish Borders Council Charity Funds' (Charity SC043896) audited Annual Accounts for the year to 31 March 2016;**
- (j) the Bridge Homes LLP audited Annual Accounts for the year to 31 March 2016;**
- (k) the SB Supports audited Annual Accounts for the year to 31 March 2016; and**
- (l) the SB Cares audited Annual Accounts for the year to the 31 March 2016.**

## **11. ANNUAL REPORT ON TREASURY MANAGEMENT 2015/16**

With reference to paragraph 12 of the Minute of 17 December 2015, there had been circulated copies of a report by the Chief Financial Officer containing the annual report of treasury management activities undertaken during the 2015/16 financial year. The annual report provided an analysis of performance against targets set in relation to Prudential and Treasury Management Indicators. All of the performance comparisons reported upon were based on the revised indicators agreed as part of the mid-year report approved in December 2015. The report also detailed the Council's borrowing requirement to fund capital investment undertaken during 2014/15, how much the council actually borrowed against the sums budgeted, and the level of external debt carried on the council's balance sheet within approved limits. During the year the Council had, where possible, deferred borrowing using surplus cash rather than undertaking new borrowing and therefore did not undertake additional long term borrowing during the year. Treasury management activity for the year had been undertaken in compliance with approved policy and the Code and the Council remained under-borrowed against its Capital Financing Requirement (CFR) at 31 March 2016.



**DECISION  
AGREED:-**

- (a) to note that treasury management activity in the year to 31 March 2016 had been carried out in compliance with the approved Treasury Management Strategy Policy; and
- (b) the annual report of Treasury Management activities for 2015/16 as detailed in Appendix 1 to the report.

**12. 6 MONTH REVIEW OF 2016/17 TO 2025/26 CAPITAL PLAN**

12.1 With reference to paragraph 8 of the Minute of 11 February 2016, there had been circulated copies of a report by the Chief Financial Officer providing Members with the findings and recommendations of the 6 month review of the 2016/17 to 2025/26 Capital Plan. The 2016/17 to 2025/26 Capital plan was approved by Full Council on 11 February 2016. As part of the approval it was agreed a review of the Plan should be undertaken after 6 months due to uncertainties regarding the delivery of some projects and the ongoing development and refinement of various strategies including the sports pitch replacement programme, the waste strategy, the school estate review and the requirements of IT strategy. This review had now been undertaken, in conjunction with the Service Director Assets and Infrastructure, of all projects within the Capital Plan to ensure they met the required criteria. In total £2.941m of proposed revisions to the capital programme had been identified with revised proposals relating to Kelso High School, Langlee and Broomlands primary schools, the cemetery acquisition block and the 3G pitch replacement programme. The report further recommended additional resources be applied to allow the upgrade and demolition of assets with the balance £2.441m being allocated to the emergency and unplanned schemes pending further recommendations regarding the use of this funding being submitted to Elected Members. The contingencies held within Kelso High School and Langlee and Broomlands Primary School were no longer required and could be returned to the Emergency/Unplanned Schemes. The Cemetery Land Acquisition and development block and the Peebles 3G Synthetic Pitch, had for a number of reasons been unable to be progressed and overall deliverability of these projects was highly uncertain. Rather than leaving this funding unapplied within the programme for an indeterminate period, it was recommended these projects be removed from the current capital plan and the funds returned to Emergency/Unplanned Schemes. When deliverable proposals requiring funding were brought to members for consideration this funding would be reviewed. The Transformation Programme identified savings for property would require the Council to adopt a more flexible, more efficient property portfolio with a reduced footprint. This would require an element of capital funding which was currently not identified in the Plan. If the capital funds were not identified revenue savings would not be achieved.

12.2 Councillor Parker commented on the additional money which was now available and proposed that some of these additional funds be allocated for road repairs. He moved, seconded by Councillor Mitchell, the following Motion to replace recommendation (h) in the report:-

“Council agrees to allocate £2.4 million to the following projects listed below:

From this allocation £422k would be used to bridge the capital gap between the money bid for through SCOTS from the Scottish Government for flood damage at Bowanhill Bridge, Selkirk Flood Scheme, and Newmill Bridge near Jedburgh.

The balance of the capital funding of £1.978 million would be allocated as follows:

Patching in Towns/Villages	-	£400k
Patching on Rural A & B Roads		
Short Overlays	-	£200k
Drainage	-	£ 50k

Resurfacing - £1,328k  
**£1,978k**

Identified Sites for Resurfacing - £1,328k

<u>Berwickshire</u>		
High Street, Greenlaw	375m	February 2017
Currie Street, Duns	350m	February 2017
A6105 West End, Chirnside	350m	March 2017
Creel Rd/Murrayfield, St Abbs	200m	December 2016
<u>Cheviot</u>		
Golf Course Road, Kelso	400m	March 2017
Main Street, St Boswells	400m	April 2017
<u>Teviot &amp; Liddesdale</u>		
Gladstone Street, Hawick	140m	March/April 2017
Wester Braid Road, Hawick	100m	January 2017
Main Street, Denholm	350m	February 2017
Drumlanrig Place, Hawick	180m	January 2017
<u>Tweeddale</u>		
South Park Drive, Peebles	200m	December 2016
High Street, Peebles	250m	March 2017
Rosetta Road, Peebles	150m	October/November
Connor Street, Peebles	350m	2016
		January 2017
<u>Eildon</u>		
Windyknowe Road, Galashiels	550m	December 2016
Crofts Road, Lauder	250m	December 2016
Island St/Hall St. Junction	120m	April 2017
A7 Torsonce	250m	November 2016
Douglas Place, Selkirk	140m	January 2017

The £400k for patching would be used across The Borders to support next year's Surface Dressing programme which is currently under development.

The £200k for short overlays would also be distributed across The Borders to sites identified as being most in need of this type of repair.

The £50k of drainage money would likewise be used across the road network and targeted at sites with known drainage issues and sites earmarked for 2017/18 surface dressing.

Assuming an early positive decision on the funding being available, the roads teams have indicated that the bulk of the work (85% to 90%) could be completed in the 2016/17 financial year. The balance of the funding and schemes would be completed in the first quarter of the 2017/18 financial year. Work could start on some of these schemes in October through SBc Contracts as they are scheduled to complete the last of the Bellwin related bridge works by the end of September.

This scheduling is based on the assumption that we have an average winter. Were we to have an exceptionally bad spell of weather that required roads resource to be diverted towards winter and emergency response that could impact on the percentage of scheme works delivered in 2016/17.”

- 12.3 In light of the situation regarding the provision of a 3G pitch in Peebles and the problem of pitch flooding at the Gytes, Councillor Bhatia, seconded by Councillor Bell, moved the addition of a further recommendation as follows:-

“That the Service Director for Assets & Infrastructure liaises with Peebles Rovers and Peebles FC to scope the works required to make improvements to the grass pitches at Violet Bank, Peebles, and report back to Council by December 2016 on the costs and timescales to deliver this project.”

- 12.4 Members discussed the proposals for the Capital Plan and unanimously approved the amendments detailed above.

**DECISION  
AGREED:-**

- (a) to the reallocation of £0.833m from the Kelso High School budget;
- (b) to note the position regarding Langlee and Broomlands Schools projects;
- (c) to the removal of Peebles 3G Pitch £1.288m from the current capital plan due to ongoing uncertainty re deliverability;
- (d) to the removal of £0.82m from the Cemetery Land Acquisition and Development budget from the current capital plan;
- (e) to allocate £0.25m to the Office Accommodation Transformation Program to enable the upgrade of existing office accommodation in Paton Street initially to accommodate CGI’s new service centre;
- (f) to allocate £0.25m to the Demolition and Site Preparation Block;
- (g) to note the shortfall in grant for flood damage awarded by Transport Scotland of £422,000;
- (h) to approve the allocation of £2.4 million to fund roads projects as detailed in paragraph 12.2 above; and
- (i) that the Service Director for Assets & Infrastructure liaise with Peebles Rovers and Peebles FC to scope the works required to make improvements to the grass pitches at Violet Bank, Peebles, and report back to Council by December 2016 on the costs and timescales to deliver this project

**MEMBER**

Councillor Archibald joined the meeting during consideration of the above item.

13. **EARLY RETIREMENT/VOLUNTARY SEVERANCE**

There had been circulated copies of a report by the Chief Executive seeking approval for 2 members of staff who had requested early retirement and voluntary severance. If both applications were approved, a total one-off cost of £61,927 would be incurred. In total, £82,641 of direct recurring employee cost savings would be delivered each year. The average payback period for all staff was 0.93 years.

## **DECISION**

**AGREED to approve both applications as detailed in the report with the associated costs being met from the voluntary severance/early retirement budget for 2016/17 of £61,927.**

### **14. COMMUNITY PLANNING GOVERNANCE ARRANGEMENTS**

There had been circulated copies of a report by the Chief Executive on proposed changes to the Community Planning governance arrangements in the Scottish Borders, and in particular an amendment to the membership and remit of the Community Planning Strategic Board. The report explained that at its meeting on 8 September 2016, the Community Planning Strategic Board agreed to changes to its current governance structure. These changes required Council approval as the Community Planning Strategic Board was a formal committee of Council. The aim of any Community Planning Partnership was to establish what could be done differently and better by the partners by getting together and co-ordinating existing services or joining up to provide services which will reduce inequalities and improve outcomes for communities. A review of the governance structure of the Community Planning Partnerships was carried out by officers of the statutory community planning partners, who concluded that the Scottish Borders Community Planning Partnership would be best served by having two groups – a large consultative group that set the strategic direction for community planning and a smaller decision making group that ensured the strategic direction was being followed. The Community Planning Consultative Partnership would comprise representatives from each of the Statutory Partners and those partners listed in Schedule 1 of the Community Empowerment (Scotland) Act 2015. A revised smaller Scottish Borders Community Planning Strategic Board would be retained as the decision making group for the Community Planning Partnership, and would comprise representatives from the 5 Statutory Partners along with 3 other community planning partners. It was suggested that one of the Council representatives should be the Executive Member for Social Work rather than the Depute Leader (Health Service). It was agreed that consideration of the amendment to membership be delegated to the Clerk to the Council in consultation with the Leader and the Leader of the Opposition.

## **DECISION**

**AGREED:-**

- (a) the governance arrangements for the Community Planning Partnership in the Scottish Borders; and**
- (b) the amendment of the Scheme of Administration to take account of the new Community Planning Strategic Board membership and remit, as detailed in Appendix 1 to the report, subject to any amendment to the Council representation agreed by the Clerk to the Council in consultation with the Leader and Leader of the Opposition.**

### **15. LOCAL GOVERNMENT BOUNDARY COMMISSION FOR SCOTLAND 5TH REVIEW OF ELECTORAL ARRANGEMENTS - DECISION OF SCOTTISH MINISTERS**

With reference to paragraph 16 of the Minute of 29 June 2016, there had been circulated copies of a report by the Chief Executive advising Members of Scottish Ministers' decision on the Local Government Boundary Commission for Scotland's recommendations for the Scottish Borders Council area. The report explained that on 14 September 2016, Joe Fitzpatrick, MSP, Minister for Parliamentary Business, advised of his decision not to implement the recommendations made by the Commission for the Scottish Borders Council area. The electoral arrangements currently in effect for Scottish Borders would therefore continue to apply. Members also noted that the other smaller amendments previously agreed by Council would also not be implemented. While Members were pleased that there would be no reduction made to Councillor numbers there was disappointment that the smaller amendments which had addressed errors made when the original boundaries were drawn would not now be implemented. Councillor Cook, seconded by Councillor Moffat, moved that "Scottish Borders Council notes the decision of the Minister for Parliamentary

Business in respect of the Local Government Boundary Commission for Scotland's final recommendations. While welcoming the Minister's decision as it pertains to the Hawick & Hermitage, Hawick & Denholm and Jedburgh wards in the Scottish Borders Council area, Council is disappointed that the Minister ignored Council's representations on the defects inherent in the recommendations and methodology presented to him by the Local Government Boundary Commission. No decision on councillor numbers in the Scottish Borders or nationally should have been taken until a clear, comprehensive and evidence-based review had been conducted. The terms of this motion should be communicated to the Minister." The Motion was unanimously approved.

#### **DECISION**

- (a) NOTED Scottish Ministers' decision that there would be no changes to the current arrangements for the number and boundaries of Wards in the Scottish Borders Council area.**
- (b) AGREED that a letter be sent to the Minister for Parliamentary Business in the terms detailed above.**

#### **16. SCRUTINY COMMITTEE MEMBERSHIP**

It was noted that Councillor Logan had resigned from the Scrutiny Committee which left a vacancy in terms of membership and also the position of Chairman. Councillor Ballantyne, seconded by Councillor Cockburn, moved that Councillor Turnbull be appointed to the Committee and the position of Chairman and this was unanimously approved.

#### **DECISION**

**AGREED that Councillor Turnbull be appointed to the Scrutiny Committee and also to the position of Chairman of the Committee.**

#### **ADJOURNMENT**

The meeting adjourned for lunch and reconvened at 1.00 p.m.

#### **MEMBERS**

Councillors Davidson, Gillespie and Scott did not re-join the meeting after lunch.

#### **17. GREAT TAPESTRY OF SCOTLAND**

With reference to paragraph 16 of the Minute of 18 December 2014, there had been circulated copies of a report by the Corporate Transformation and Services Director providing an update on the Borders Railway Blueprint Project to establish a permanent home for the Great Tapestry of Scotland (GTS) in the Scottish Borders. The previously favoured location was at Tweedbank. However, the potential now existed to locate the GTS in Galashiels bringing significant benefits to the town. This report now sought an in principle decision to locate the GTS in Galashiels pending further work with partners and a subsequent report to Council on 10 November 2016. The report outlined the work undertaken since May this year including the feasibility Study by Page Park, the Detailed Business Case by Jura Consultants and the Cost Plan by Turner Townsend. The buildings which the GTS would occupy, as well as the wider regeneration benefits for the town were laid out as well as a range of community and partnership working which could be tapped into to create the GTS building within Galashiels. The report explained that this option had become possible as a building now being considered was not vacant at the time of the original assessment of Galashiels in summer 2014. When the former Poundstretcher building became available in April 2016 the Council took immediate action to assess the proposition. The key conclusions of the work to date were that due to the availability of the building in Galashiels locating the GTS in a purpose built building, but also linked to and utilising the existing former Post Office building, was a viable proposition. The detailed Business Case concluded that the project, if delivered as part of a wider regeneration project for Galashiels Town Centre, would result, after three years, in a small surplus from the GTS visitor attraction. Consequently the report recommended that, in principle, locating the GTS in Galashiels as part of a wider regeneration project should be pursued. David Paton of Page Park and Paul Jardine of Jura

Consultants were present at the meeting and gave a presentation on the proposal and answered Members' questions including expected visitor numbers, proposed ticket pricing, and the different opportunities offered by Galashiels and Melrose. Councillor Bell, seconded by Councillor Aitchison, moved that at present only recommendations (a) and (d) be approved with the final decision to be taken at the Council meeting on 10 November 2016 when all the required information would be available. This motion was unanimously approved.

#### **DECISION**

- (a) **NOTED the Feasibility Study completed by Page / Park, the Detailed Business Case completed by Jura Consultants and the Cost Consultants Report completed by Turner Townsend.**
- (b) **AGREED to request that the Corporate Transformation & Services Director bring forward a further report in respect of a final decision on the project to Council on 10 November 2016.**

#### **18. PRIVATE BUSINESS**

##### **DECISION**

**AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in Appendix II to this Minute on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 1, 6, 8 and 9 of Part I of Schedule 7A to the Act.**

#### **SUMMARY OF PRIVATE BUSINESS**

##### **19. Minute**

The private section of the Council Minute of 25 August 2016 was approved.

##### **20. Committee Minutes**

The private sections of the Committee Minutes as detailed in paragraph 5 of this Minute were approved.

*The meeting concluded at 2.25 p.m.*

**SCOTTISH BORDERS COUNCIL**  
**29 SEPTEMBER 2016**  
**APPENDIX I**

**Questions from Councillor McAteer**

**1. To the Executive Member for HR & Corporate Improvement**

Can the Executive Member advise on the total number of staff who have left Scottish Borders Council since May 2012 as a result of a compromise or similar confidentiality arrangement and at what total cost in terms of termination payments or lump sums.

**Reply from Councillor Cook**

Since May 2012 eight employees have left the employment of Scottish Borders Council as a result of a compromise, now settlement, agreement.

The total cost paid as settlement sums was £145,833.72.

Settlement Agreements are only entered into when a departure from the Council is necessary for operational reasons. They are a practical tool which protects the individual and the Council.

Had the employees left under the Early Retirement/ Voluntary Severance Scheme, the cost would have been £248,925.90, including pension costs.

Had they left through compulsory redundancy the cost would have been £310,452.23, including pension costs.

**Supplementary**

Councillor McAteer asked if Councillor Cook was happy that this was dealt with in an open and transparent way. Councillor Cook advised that the agreements were confidential but Members were consulted before they were agreed and he noted no comments from Councillor McAteer. He confirmed he was satisfied with the process.

**2. To the Executive Member for Economic Development**

Can the Executive Member for Economic Development explain the reasons for rejecting the Future Hawick proposed rates relief pilot scheme designed to help struggling businesses in one area of that town and capable of being extended to other Borders communities. In addition can he explain why he did not consider it appropriate to discuss these reasons with local elected and representative Members before making his decision?

**Reply from Councillor Bell**

It was not possible to cost the individual proposal in the absence of specific definitions from Future Hawick. However Officers estimate that to allow 100% Rates relief to High Street traders for 6 months during 2016/7 would cost the Council £94,000. It can be strongly argued that all of the existing reliefs and exemptions are already effective in assisting local businesses and limit the potential financial impact that implementing a scheme under the Community Empowerment Act may provide. As the cost needs to be fully met by the Council's own finances, any further reduction will put a strain on other Council services. In view of the open-ended approach suggested in the Future Hawick proposal (which officers cautioned against), and particularly the suggestion of wider provision of relief to all existing businesses, officers consider that the proposal is unaffordable in the short term and unsustainable in the longer term for Hawick.

As regards the second part of your question:

When Future Hawick presented a request to investigate a pilot Non Domestic Rates relief scheme the work was actually commissioned by myself and Cllr Smith, as Executive Members, and SBC officers Mrs Craig & Mr McGrath, when the 4 of us met with Future Hawick. But the first I heard of a final scheme was when I opened an e-mail from yourself with a declaration of support for the proposal. The second e-mail I opened that evening was from another Hawick Councillor with more praise and a declaration of support. It was only when I got to the third e-mail that I actually got a copy of Future Hawick's proposal which was not sent to the Executive Members and Officers who

commissioned the work; but to all 6 Hawick & District Councillors and to myself and Cllr Parker. The actual proposal was from a political and a practical perspective unsupportable, but you and other Hawick Councillors were already declaring unqualified support and I knew the next place I'd read about that would be in the Hawick Press.

I did you a favour by closing the subject down – because I stopped speculation about an impractical and unsupportable scheme. But I did not actually reject it, I said I would not propose it to the Executive.

I also said that I would ask officers to report on how best the Council can support the revitalisation of Hawick High Street, and continue our town centre regeneration efforts across the whole of the Scottish Borders; these reports come before the Executive next week.”

### **Question from Councillor Marshall**

#### To the Executive Member for Environmental Services

Can the Executive Member provide reassurance that the recent charges imposed for disposal of trade or business waste will not result in increased fly-tipping throughout the Borders.

#### Reply from Councillor Paterson

It is first worth reminding members as to the reason for introducing the Community Recycling Centre Trade Waste Policy as approved by Council last year.

That is to expand on the existing range of services available for businesses by providing small traders with a cost effective and legislatively compliant means of disposing of their waste and recycling, whilst ensuring the Council recovers its costs. The majority of Scottish Councils already allow traders access to their recycling centres and there is clear evidence of a demand for the service within the borders.

Changes to service provision such as this do not come without risk. However it is important to recognise that fly tipping is an illegal activity, which the Council strongly condemns and if caught could result in fines of up to £40,000 or imprisonment. It is certainly not a justified reason for not introducing this service change.

I can confirm that the issue of fly tipping has been discussed in detail and it is considered that the existing processes are adequate to deal with this matter. However, the situation will be monitored regularly and action taken where necessary.

I am also pleased to report that a member of staff will be engaging with traders over the coming weeks to maximise take up of the trade access scheme.

#### Supplementary

Councillor Marshall advised that, although this was not a criticism of the Council, he was starting to be approached by businesses with concerns and asking if the charges could be reviewed. Councillor Paterson advised that the report approved did include the requirement for a review to be carried out after 3 months on how the system was operating.

### **Questions from Councillor Fullarton**

#### 1. To the Executive Members for Planning & Environment

With the suggested amalgamation of SESTRAN and SESPLAN, what are the likely implications for this Council for (a) governance and (b) budget?

#### Reply from Councillor Smith

The recent independent review of the planning system recommended a new role for Strategic Development Plan teams and closer links with Strategic Transport Authorities. Scottish Ministers are still considering that recommendation.



The Strategic Development Plan Manager for the SESplan area retired at the beginning of September. Until there is clarity about the future of Strategic Development Plans, and in view of the suggested stronger links with SEStran, it is proposed that the SEStran Manager assumes management responsibility for both teams on an interim basis. This position will be reviewed when Ministers have made a final decision on the future of Strategic Development Plans.

There are no immediate budgetary implications from the interim governance arrangements. In the longer term it is possible that some savings may be achieved if a joint manager is appointed on a permanent basis. Any other budgetary implications will only become clear once Ministers have given clear direction as to how the teams should operate.

#### Supplementary

Councillor Fullarton asked that the position be monitored and Councillor Smith assured him that this would be done.

#### 2. To the Executive Member for Community Safety

Newspapers have recently reported that some serving police officers of Police Scotland have signed a petition calling for Police Scotland to be scrapped – does the Executive Member agree with this?

#### Reply from Councillor Moffat

This is a matter for Police Scotland.

#### Supplementary

Councillor Fullarton asked Councillor Moffat as Chairman of the Police Board if he could ascertain what was behind the unrest. Councillor Moffat advised that he was not the Chairman or a member of the national Police Board so this was not his role.

#### **Question from Councillor Turnbull**

#### To the Executive Member for Roads and Infrastructure

Mobile "smiley face" speed warning signs are very popular with the public in the Borders particularly in our villages. Do you agree that there is a good case to increase the numbers available to meet the demands by the public and in the interest of road safety?

#### Reply from Councillor Edgar

I would certainly agree that the signs are popular with communities.

At the moment there are 2 of these signs and they are rotated around 17 agreed locations (based on identified need). As research has shown that the signs work most effectively when they are used sparingly this provides a reasonable balance, albeit most communities would like to see the signs "*in their town*" more frequently.

The bigger issue with increasing the number of signs however is the time and staff resource involved in deploying them. The signs have a relatively short battery life (typically 7 days) and need to be brought in for re-charging between each use. For the best part this is undertaken as part of other duties when staff are in an area. It would not be possible to deploy an increased number of signs without impacting significantly on the work of the section.

#### Supplementary

Councillor Turnbull asked if the sign which he believed was broken would be replaced. Councillor Edgar confirmed that costs would be checked and a replacement purchased if this was cost effective.

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**SCOTTISH BORDERS COUNCIL 10 NOVEMBER 2016****STARRED ITEMS FROM COMMITTEE MINUTES****POLICE, FIRE& RESCUE AND SAFER COMMUNITIES BOARD 16 SEPTEMBER 2016****5.4 Fire and Rescue Service**

There had been circulated copies of a report on the Local Fire Plan Development. LSO Farries advised that the purpose of the report was to seek the Board's views on the development of the next iteration of the Scottish Borders Local Fire Plan (the Plan). He explained that the current, and first, Scottish Borders Local Fire Plan 2014-17 was approved through local scrutiny arrangements in March 2014. The Plan was a 3 year plan and was due to expire at the end of March 2017, a copy of the plan was attached to the report. In recognising that the Plan must reflect national organisational priorities and objectives and meet community needs and expectations, from a local perspective, there was a range of drivers which would support an argument to delay production of the next plan. The LSO recognised the need for SFRS to be fully engaged with the production of the LOIP in the Scottish Borders and highlighted a desire to encompass this work in the local Fire plan. Taking into consideration the main drivers the Local Senior Officer for Midlothian, East Lothian & Scottish Borders proposed that the current Plan was extended until December 2017. The extension of the Plan would allow a Plan development timeline to be adopted as follows:-

- (a) Monitor and horizon scan emerging SFRS organisational, and external stakeholders, strategic priorities, objectives and plans (June -Dec 2016),
- (b) Conduct in depth data analysis of local activity/incidents and emerging risks to inform local priorities and needs in the Scottish Borders area (Jan -March 2017),
- (c) Engage with key stakeholders, partners and members of the community on first tranche priorities, objectives and expectations (April-June 2017),
- (d) Develop new draft Plan for the Scottish Borders (May-July 2017),
- (e) Consult with key stakeholders, partners and members of the community on the draft Plan (August -October 2017), and
- (f) Submit draft Plan for the Scottish Borders for Council approval November – December 2017.

**DECISION**

- (a) **NOTED** the reports.
- \* (b) **AGREED** to recommend to Council that the current Scottish Borders Local Fire Plan be extended until December 2017 and to approve the proposed timeline for the production of the next Scottish Borders Local Fire Plan.

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## **DRAFT SUPPLEMENTARY GUIDANCE: HOUSING**

### **Report by Service Director Regulatory Services**

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## **SCOTTISH BORDERS COUNCIL**

**10 November 2016**

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### **1 PURPOSE AND SUMMARY**

- 1.1 This report seeks Council approval of the draft Supplementary Guidance on Housing (in Appendix A) as a basis for public consultation.**
- 1.2 Scottish Borders Council Local Development Plan (LDP) was adopted on 12 May 2016. As recommended by the Directorate for Planning and Environmental Appeals following the Examination of the LDP, the LDP required the Council to identify a further 916 housing units within the Scottish Borders in order to address a housing shortfall. The process for identifying sites to accommodate the shortfall was via the production of Supplementary Guidance (SG). A draft SG has now been produced identifying proposed sites following consideration and analysis of a number of options.
- 1.3 The Council is therefore recommended to accept the proposed sites within the draft SG with a view to carrying out a public consultation. It is proposed that the draft SG is subject to public consultation for a period of 8 weeks.
- 1.4 Following public consultation, it is intended that a report will be brought back to a future meeting of the Scottish Borders Council to seek final agreement. Once the Council agree the SG it will be referred to Scottish Ministers and on approval it will become part of the adopted LDP.

### **2 RECOMMENDATIONS**

- 2.1 I recommend that the Council:**
  - a) approves the Draft Supplementary Guidance: Housing and its appendices as a basis for public consultation.**
  - b) notes the Environmental Report as set out in Appendix B.**
  - c) agrees to receive a further report following consultation for formal agreement of the Guidance.**

### **3 BACKGROUND**

- 3.1 Scottish Planning Policy (SPP) requires Council's to identify a generous supply of land for housing within all housing market areas, across a range of tenures, maintaining a 5 year supply of effective housing land at all times. SPP sets out that Planning Authorities should prepare an annual housing land audit as a tool to critically review and monitor the availability of effective housing land, the progress of sites through the planning process, and housing completions. A site is only considered effective, where it can be demonstrated that within 5 years it will be free of constraints, and can be developed for housing.
- 3.2 The Strategic Development Plan (SDP) 2013 provides high level strategic guidance and the context for the LDP, setting an overall housing requirement for the SESplan area derived from the Housing Need and Demand Assessment (HNDA) output. The LDP should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement in full. Policy 5: Housing Land, sets out the housing land requirement for each Local Authority for the plan period.
- 3.3 The Scottish Borders LDP sets out the vision, aims and spatial strategy for the Scottish Borders and contains detailed policy, proposals and guidance for future development. One of the aims is to provide a generous supply of land for mainstream and affordable housing. Policy HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding, intends to assist the Council to maintain the 5 year effective housing land supply at all times. The housing land audit process is used to monitor the need for any additional land release.
- 3.4 Following the Examination of the LDP Reporters from the Directorate for Planning and Environmental Appeals stated that there was a shortfall in housing land within the Scottish Borders and that the LDP did not identify sufficient land to meet the requirement contained within the SDP. The Reporter recommended that the Council, within 12 months of adoption of the LDP, should prepare and submit to Scottish Ministers Supplementary Guidance in order to identify additional sites to provide for a further 916 housing units.
- 3.5 At its meeting on 17 December 2015 the Council considered the Reporters' decision letter. Members ultimately agreed to accept the recommendations and the Plan was consequently referred to Scottish Ministers as part of the formal adoption process. Following formal adoption of the LDP in May 2016 work commenced on the production of the SG as required. As also agreed by Members on 17 December 2015 the Council wrote to the Chief Planner, Chief Reporter and the Chairman of the Planning Review Committee expressing serious concerns on the approach taken by the Reporter on Renewable Energy policy and Housing Land provision, and on the time taken to deliver the Examination Report.

## 4 THE SUPPLEMENTARY GUIDANCE

- 4.1 In order to produce the SG an update of the housing shortfall was considered. This took cognisance of, for example, planning approvals since the Examination where housing numbers had been approved on allocated sites which exceeded the indicative number stated in the LDP. Taking this into consideration, the adjusted housing land requirement is now 811 housing units. This is the housing requirement the SG must address. Further details of this calculation are included within part 4 of the SG.
- 4.2 In terms of the location of site options to meet the required 811 units, the Reporters did not state where these units should be located within the Scottish Borders. It was therefore considered that taking into account matters such as housing land take-up, development interest and population projections the split should roughly be within the identified LDP Housing Market Areas (HMA) as follows: Central - 60%, Berwickshire - 20% and Northern - 20%. Although consideration was given to the Southern HMA no suitable sites were identified.
- 4.3 The Reporters did state that in order to help identify these sites consideration should initially be given to potential housing numbers from mixed use, redevelopment, longer term housing and longer term mixed use sites within the LDP 2016.
- 4.4 A call for sites was then carried out on 28<sup>th</sup> January until 31<sup>st</sup> March 2016. Specific criteria requirements for any submitted sites were laid down in a pro forma and guidance note (see Appendix 1 of the SG). These included for example, that the site capacity should be no less than 5no houses, the site should be effective, any infrastructure issues should be addressed and the identification of any interested developer.
- 4.5 In total 165no sites were considered for inclusion in the SG. This included those submitted as part of the call for sites and those considered as identified in para 4.3. A RAG (red, green, amber) process was then carried out. This involved carrying out detailed site assessments for each proposal against criteria within a matrix (see Appendix 4 of SG).
- 4.6 The RAG process ultimately confirmed the following classifications :
- Green: It was considered that the site met the criteria satisfactorily;
  - Amber: The site requires further investigation/consultation or mitigation and/or potential constraints were identified within/adjacent to the site;
  - Red: The site was not considered to meet the criteria.

The "red" sites were removed from further consideration within the process and of those remaining, internal and external consultations were carried out. This resulted in a number of matters being raised which in essence concluded collectively as to whether sites could be considered appropriate for inclusion within the SG.

- 4.7 The sites ultimately identified are contained within the SG. For each site included is a site plan, a site code, a site area, whether the proposal is a preferred or alternative proposal and a list of relevant site requirements. The site requirements were identified following responses from the internal and external consultees. In total the SG identifies 931 preferred units and 629 alternative units. These totals allow a healthy flexibility to meet the 811no required units when the SG is finalised following the public consultation. In summary the SG proposes the following sites :

#### BERWICKSHIRE HOUSING MARKET AREA

##### Preferred Sites

- AAYTO004, Land North of High Street, Ayton (6 units)
- ACOLD011, Hillview North 1 (Phase 1), Coldstream (100 units).
- AREST004, Reston Long Term 2, Reston (38 units)

##### Alternative Sites

- MDUNS005, South of Earlsmeadow (Phase 1), Duns (100 units).
- AGREE008, Haliburton Road, Greenlaw (65 units)
- AREST003, Reston Long Term 1, Reston (78 units)

#### CENTRAL HOUSING MARKET AREA

##### Preferred Sites

- AGALA032, Lintburn Street, Galashiels (8 units)
- AGALA036, Rose Court, Galashiels (12 units)
- AGALA037, Former Castle Warehouse Site, Galashiels (30 units)
- AHAWI025, Leishman Place, Hawick (5 units)
- AHAWI026, Henderson Road, Hawick (6 units)
- RHAWI011, Factory – Fairhurst Drive, Hawick (10 units)
- AKELS025, Tweed Court, Kelso (20 units)
- AKELS026, Nethershot (Phase 2), Kelso (100 units)
- RKELS002, Former High School Site, Kelso (50 units)
- ANEWS005, The Orchard, Newstead (6 units)
- ASELK033, Angles Field, Selkirk (30 units)
- MSELK002, Heather Mill, Selkirk (75 units)
- MTWEE002, Lowood, Tweedbank (300 units)

##### Alternative Sites

- AANCR002, Dick's Croft 2, Ancrum (60 units)
- AGALA033, Huddersfield Street, Galashiels (26 units)
- AHAWI027, Burnfoot (Phase 1), Hawick (60 units)
- AKELS028, Hendersyde, Kelso (190 units)
- ANEWS006, Newstead North, Newstead (23 units)
- ASELK040, Philiphaugh Mill, Selkirk (19 units)
- ASELK041, Philiphaugh 2, Selkirk (8 units)

#### NORTHERN HOUSING MARKET AREA

##### Preferred Sites

- MINNE001, Caerlee Mill, Innerleithen (35 units)
- MPEEB006, Rosetta Road Mixed Use, Peebles (30 units)
- MPEEB007, March Street Mill, Peebles (70 units)

##### Alternative Sites

No alternative sites were identified

- 4.8 An Environmental Report (Appendix B) has been prepared alongside the Draft SG, a copy of which has been placed in the Members Library. Furthermore, an Equalities Impact Assessment and Rural Proofing has also been undertaken.



- 4.9 It is proposed that the Draft SG is subject to public consultation for a period of 8 weeks. This will include the requirement to carry out neighbour notifications of the proposed sites to all land and property owners around the site boundaries. Following consultation, the SG will be referred back to the Scottish Borders Council.

## **5 IMPLICATIONS**

### **5.1 Financial**

There are no substantive cost implications arising for the Council. There is budget to cover the necessary consultation elements.

### **5.2 Risk and Mitigations**

The key risks are considered to be:

#### Risk of not providing guidance

Failure to produce the SG would mean the Council would not have the statutorily required 5 year effective land supply.

#### Risk of providing guidance

There are no perceived risks related to the adoption of the guidance by the Council.

### **5.3 Equalities**

An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications.

### **5.4 Acting Sustainably**

The SG has been subject to environmental appraisal under the terms of the Environmental Assessment (Scotland) Act 2005. An Environmental Report (ER) has been prepared alongside the SG. The Environmental Report sets out a detailed assessment of the potential impacts of the proposals within the SG, and puts forward any necessary mitigation requirements.

### **5.5 Carbon Management**

There are no known effects on carbon emissions directly affecting the Council.

### **5.6 Rural Proofing**

The proposals within the SG have been subject to assessment, including rural impact.

### **5.7 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals in this report.

## **6 CONSULTATION**

- 6.1 In developing the Draft Supplementary Guidance Housing to date, a considerable number of relevant internal and external parties have been consulted as set out in paragraph 4.1 to 4.6 of this report. The next phase will include public consultation as set out in paragraph 4.9.

- 6.2 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Service Director Strategy & Policy, the Chief Officer Audit and Risk, the Chief Officer Human Resources and the Clerk to the Council are being consulted and any comments received will be incorporated in the final report.

**Approved by**

**Brian Frater**

**Service Director Regulatory Services**

**Signature .....**

**Author(s)**

Name	Designation and Contact Number
Charles Johnston	Lead Planning Officer (Forward Planning)

**Background Papers:** None

**Previous Minute Reference:** Scottish Borders Council, 17 December 2015

**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.

Contact us at Jacqueline Whitelaw, Environment and Infrastructure, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825431, Fax 01835 825071, email [eitranslationrequest@scotborders.gov.uk](mailto:eitranslationrequest@scotborders.gov.uk)

**DRAFT SUPPLEMENTARY GUIDANCE: HOUSING**

**SCOTTISH BORDERS COUNCIL**

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## **Appendices**

Appendix 1: Pro Forma & Guidance Note (Used for the Call for Sites process)

Appendix 2: All sites submitted (Call for Sites process)

Appendix 3: List of all sites where a stage 1 assessment was undertaken

Appendix 4: Template for the stage 1 assessment

Appendix 5: List of sites assessed (Longer term, allocated or other sites identified with potential)

Appendix 6: Database report for stage 1 site assessments

Appendix 7: List of consultees, as part of the stage 2 site assessment

Appendix 8: All sites subject to consultation as part of the stage 2 site assessment

Appendix 9: Methodology used for the stage 2 site assessment

Appendix 10: Database report for all stage 2 site assessments

## **Additional Accompanying Documents**

1. Strategic Environmental Assessment (SEA)
2. Equality Impact Assessment (EIA)
3. Rural Proofing

## 1. Introduction and Purpose

### Introduction

1.1 This draft Supplementary Guidance (SG) has been prepared in accordance with Policy HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding, as contained within the Scottish Borders Local Development Plan (LDP). The Examination of the LDP concluded that there was a shortfall in housing land within the Scottish Borders and that the LDP did not identify sufficient land to meet the requirement contained within the SESplan Supplementary Guidance (SSG). The Reporter recommended that the Council, within 12 months of adoption of the LDP, prepare and submit to Scottish Minister's Supplementary Guidance in order to identify additional sites to provide for a further 916 units.

### Purpose of Guidance

1.2 The purpose of the SG is to support the implementation of Policy HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding, as contained within the LDP. The SG will form part of the Local Development Plan which will be used in the determination of planning applications once adopted.

1.3 The SG aims to;

- Identify a further 916 units to meet the housing shortfall;
- Ensure that Scottish Borders Council has a 5 year effective housing land supply; and
- Provides preferred and alternative options for sites, as a basis for consultation, and this will then be refined to provide the requirement set by Policy HD4.



## **Preparation**

- 1.4 This Draft SG sets out preferred and alternative sites for consideration in meeting the housing shortfall. The appendices contain background information which was used to inform the production of the SG, including the outcomes from the site assessment. A Strategic Environmental Assessment (SEA) has been undertaken for the SG which is set out in a separate document. Furthermore, an Equality Impact Assessment (EIA) and Rural Proofing have been undertaken, in respect of the SG.

## 2. Policy Context

### National Policy (Scottish Planning Policy)

- 2.1 Scottish Planning Policy (SPP) requires Council's to identify a generous supply of land for housing within all housing market areas, across a range of tenures, maintaining a 5 year supply of effective housing land at all times. SPP sets out that Planning Authorities should prepare an annual housing land audit as a tool to critically review and monitor the availability of effective housing land, the progress of sites through the planning process, and housing completions. This is to ensure a generous supply of land for house building is maintained and there is always enough effective land for at least 5 years. A site is only considered effective, where it can be demonstrated that within 5 years it will be free of constraints, and can be developed for housing.

### Regional Policy (SESplan)

- 2.2 The Strategic Development Plan (SDP), produced by the South East Scotland Development Planning Authority (SESplan), covers Edinburgh and the South East of Scotland. SESplan provides high level strategic guidance and provides the context for the LDP, setting an overall housing requirement for the SESplan area derived from the Housing Need and Demand Assessment (HNDA) output. The LDP should allocate a range of sites which are effective or expected to become effective in the plan period to meet the housing land requirement in full. Policy 5: Housing Land, sets out the housing land requirement, for each Local Authority for the plan period.
- 2.3 Policy 7: Maintaining a Five Year Housing Land Supply, states that sites for greenfield housing development proposals either within or outwith the identified Strategic Development Areas (SDA) may be allocated in the LDP or granted planning permission to maintain a five year effective housing land supply, subject to the following criteria;
- The development will be in keeping with the character of the settlement and local area;
  - The development will not undermine green belt objectives; and
  - Any additional infrastructure required as a result of the development is either committed or to be funded by the developer.

### Local Policy (LDP)

- 2.4 The Scottish Borders LDP sets out the vision, aims and spatial strategy for the Scottish Borders and contains detailed policy, proposals and guidance for future development. One of the aims is to provide a generous supply of land for mainstream and affordable housing. Policy HD4: Meeting the

Housing Land Requirement/Further Housing Land Safeguarding, intends to assist the Council to maintain the 5 year effective housing land supply at all times. The housing land audit process is used to monitor the need for any additional land release.

- 2.5 The LDP was formally adopted on 12th May 2016 and within 1 year of this, the Council is to submit the SG to Ministers. The SG will identify the additional sites to provide for a further 916 units, as set out within Policy HD4. The longer term housing and mixed use sites identified in the LDP will be considered in the first instance, however that does not preclude looking beyond those in order to meet the shortfall.

### **Placemaking Principles**

- 2.6 Placemaking is an overarching principal policy within SPP which is echoed within the Development Plan. SPP states that '*Placemaking is a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. The outcome should be sustainable, well-designed places and homes which meet people's needs*'. The overarching policy principles for placemaking, contained within SPP are outlined below.

*SPP Planning Outcome:*

*Planning makes Scotland a successful, sustainable place – supporting sustainable economic growth and regeneration, and the creation of well-designed places.*

*SPP Placemaking Policy Principles:*

- *Planning should take every opportunity to create high quality places by taking a design-led approach*
- *Planning should direct the right development to the right place*
- *Planning should support development that is designed to a high-quality, which demonstrates the six qualities of successful place (distinctive, safe and pleasant, welcoming, adaptable, resource efficient and easy to move around and beyond.*

- 2.7 Placemaking is underpinned within the LDP policies (PMD1 – PMD5), which incorporate placemaking and design policies. These policies aim to ensure that housing development within the Scottish Borders meets the principles set out within SPP.
- 2.8 The criteria used in the stage 1 assessment and the methodology for the stage 2 assessment, take into consideration these placemaking principles, to ensure that any housing sites taken forward are sustainable, well designed and meet the needs of the people within the Scottish Borders.

### 3. Housing Land Requirement & Contribution

#### Housing Land Requirement

3.1 The Scottish Borders housing land requirement, as set out in the Development Plan, is outlined in Table 1.

*Table 1: Housing Land Requirement*

<b>Housing Requirement</b>	<b>2009-2025</b>
SSG Requirement for Scottish Borders 2009-2019	9,650
SSG Requirement for Scottish Borders 2019-2025	3,280
Additional Requirement for 2025	492
<b>Total</b>	<b>13,422</b>

#### Housing Land Supply Contributions

3.2 The baseline position takes into account the 2014 Housing Land Audit (HLA). The total contributions to the housing land requirement are contained within Table 2, as set out in Appendix 2 of the LDP. The overall potential contribution towards the requirement up to 2025 is 12,506 units, which represents a shortfall of 916 units. This takes into account the addition/removal of any sites through the LDP Examination process.

*Table 2: Total contributions to the requirement (2009-2025)*

<b>Contributions to the Requirement</b>	<b>2009-2025</b>
Potential supply	10,324
Completions (2009-2014)	1,837
Demolitions (2014-2025)	-220
New Allocations in the Plan	565
<b>Total</b>	<b>12,506</b>

- 3.3 The total housing land supply contribution includes the potential supply, allowance for past completions (2009-2014), allowance for future demolitions (2014-2025) and all new housing/mixed use allocations within the LDP. The potential supply is calculated up to 31<sup>st</sup> March 2014, using the 2014 HLA.

#### **Distribution of Housing**

- 3.4 SESplan identifies 3 Strategic Development Areas (SDAs), Central, Eastern and Western while the Local Development Plan (LDP) identifies 4 Housing Market Areas (HMAs), Berwickshire, Central, Northern and Southern. The LDP does not specify a distribution for the additional 916 units. However, SPP states that a generous supply of land for each housing market area should be provided, in order to maintain a 5 year effective housing land supply.
- 3.5 In order to distribute the shortfall of housing, broadly within the SDAs and surrounding area, the population projections for each SDA and surrounding area have been assessed. The population projections indicate that the population split is 20% Berwickshire, 60% Central and 20% Northern at 2026. Therefore, this SG will look to provide additional sites broadly in line with these projections. Consideration was given to opportunities within the Southern HMA, however no suitable opportunities were identified.

#### 4. Identification of Housing Shortfall

- 4.1 Initially it was required to assess progress in meeting the shortfall for 916 houses. The assessment considered allocated sites and changes in site capacities. This allowed an update to the shortfall to be calculated.

##### Allocated LDP Sites (Site Capacity Contribution)

- 4.2 Housing and mixed use sites allocated within the LDP (with indicative capacities) are included in the contribution already, as shown in Table 2. 'RDUNS003; Disused Chicken Hatchery, Clockmill' in Duns is allocated as a redevelopment site, with an indicative capacity for 20 units. This site was not included within the contribution in Table 2 above and provides additional units towards the housing shortfall, see Table 3 below.

Table 3: Allocated LDP Sites (Site Capacity Contribution)

Allocated LDP Site (Not included in the contribution)				
Site Code	Site Name	Settlement	HMA	Site Capacity
RDUNS003	Disused Chicken Hatchery, Clockmill	Duns	Berwickshire	20
<b>Total Contribution of units towards housing shortfall</b>				<b>20</b>
<b>Residual Shortfall Required</b>				<b>896</b>

##### Additional Potential (Increases in Site Capacity)

- 4.3 There is additional site capacity in a number of instances, for allocated sites which were included within the 2014 HLA. This is where planning consent has been granted since 1<sup>st</sup> April 2014, which results in an increased overall site capacity. Table 4 shows the sites where there is additional site capacity, which can be considered towards the housing shortfall.

Table 4: Additional Potential (Increases in Site Capacity)

<b>Additional Potential (Increases in Site Capacity)</b>					
<b>Site Code</b>	<b>Allocation</b>	<b>Site Name</b>	<b>Settlement</b>	<b>HMA</b>	<b>Additional Site Capacity</b>
EC13B	Housing	Meigle	Clovenfords	Central	3
EM35D	Housing	Broomilees Road	Darnick	Central	4
Former allocation in a previous Local Plan	Housing	North of Jedward Terrace	Denholm	Central	5
AGALA024	Housing	Easter Langlee Expansion Site	Galashiels	Central	27
RGALA001	Redevelopment	St Aidans Church	Galashiels	Central	6
AGATT007	Housing	St Aidans	Gattonside	Central	19
zRO9	Redevelopment	High Street Gap Site	Innerleithen	Northern	6
<b>Total Contribution of units towards housing shortfall</b>					<b>70</b>
<b>Residual Shortfall Required</b>					<b>826</b>

**Allocated Sites (Additional Potential)**

4.4 There is additional potential to those allocated redevelopment sites which are not included within the contributions in Table 2, however have gained planning consent since 1<sup>st</sup> April 2014. This is shown in Table 5 below and provides an addition.

Table 5: Allocated Sites (Additional Potential)

<b>Allocated Sites (Additional Potential)</b>					
<b>Site Code</b>	<b>Allocation</b>	<b>Site Name</b>	<b>Settlement</b>	<b>HMA</b>	<b>Additional Site Capacity</b>
RHAWI010	Redevelopment	Cottage Hospital	Hawick	Central	15
<b>Total Contribution of units towards housing shortfall</b>					<b>15</b>
<b>Residual Shortfall Required</b>					<b>811</b>



4.5 Therefore, in summary, the SG will require to provide capacity for an additional 811 housing units.

## 5. Additional sites to contribute towards the housing shortfall

### LDP Examination & Policy Context

- 5.1 The policy preamble to Policy HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding, states that *'The longer term housing and mixed use sites identified in the plan will be considered first, but that will not preclude looking beyond those in the event that the shortfall cannot be met from those sites considered to have acceptable impacts'*. The LDP also states that the Council will assess the candidate sites against the criteria set out in SESPlan Policy 7: Maintaining a five year housing land supply.
- 5.2 The Council has therefore undertaken an assessment process that considers the longer term housing and mixed use sites, sites put forward in response to a 'Call for Sites', allocated mixed use sites, allocated re-development sites and other sites that it viewed as having potential to meet the shortfall.

### Call for Sites Process

- 5.3 The 'Call for Sites' process was undertaken between January and the end of March 2016. This provided an opportunity for land owners, developers, agents and any other interested parties to submit proposals for consideration. The Council produced a Pro Forma and requested that it was completed for each site submitted, along with a site map clearly showing each site. The Pro Forma and Guidance Note are attached in Appendix 1. The Council received 114 submissions, containing the required information. Appendix 2 contains a list of all sites submitted as part of the 'Call for Sites' process.

### Site Assessment Process

- 5.4 A total of 165 sites have been assessed. An initial stage 1 assessment was undertaken to identify sites with potential and this was followed by a detailed site assessment. The detailed site assessment provided the basis for the identification of preferred and alternative sites to meet the housing shortfall.
- 5.5 A stage 1 assessment was undertaken for 165 sites, which included the following;
- 11 longer term housing sites, identified within the LDP;
  - 114 sites submitted as part of the 'Call for Sites' process;
  - 6 longer term mixed use sites, identified within the LDP;

- 4 allocated mixed use sites, contained within the LDP;
- 24 allocated redevelopment sites, contained within the LDP; and
- 6 other sites identified by the Council as having potential.

Appendix 3 contains a list of all the sites where a stage 1 site assessment was undertaken and Appendix 4 contains the template for the assessment used for the stage 1 assessment.

- 5.6 The 11 longer term housing sites and 6 longer term mixed use sites identified within the LDP which were assessed, contained within Appendix 5.
- 5.7 There are 16 allocated mixed use sites identified within the LDP. 12 of these sites were already included in the potential contribution, as identified within Table 2. A stage 1 assessment was undertaken on the remaining 4 sites, to ascertain whether the sites were suitable to be taken forward within the Housing SG with an indicative housing capacity. These are contained within Appendix 5.
- 5.8 There are 49 allocated redevelopment sites identified within the LDP. 25 of these sites were already included in the potential contribution, as identified within Table 2. A stage 1 assessment was undertaken on the remaining 24 sites, to ascertain whether the sites were suitable to be taken forward within the Housing SG with an indicative housing capacity<sup>1</sup>. Appendix 5 contains a list of the redevelopment sites assessed.
- 5.9 6 other sites, identified by the Council as having potential for housing, have been assessed. These sites are contained within Appendix 5.

<sup>1</sup>It should be noted that the site 'RDUNS003' for 20 units has been counted above in 4.2, it already has an indicative site capacity within the LDP, which was not previously counted within the contribution. 'RHAWI010' for 15 units has been counted above in 4.4. The site is allocated for redevelopment and was not included in the potential contribution, as identified within Table 2. Since April 2014, the site has received planning consent for 15 units.

### (a) Stage 1 RAG Assessment

5.10 For the 165 sites, an initial stage 1 RAG (red, amber & green) assessment was undertaken. For all sites submitted as part of the Call for Sites process, the information submitted as part of the submission and Pro Forma was taken into consideration. All sites were assessed against the 14 criteria within the matrix, which is attached as Appendix 4. It should be noted that the criteria was in line with the policies contained within the LDP and Policy 7: Maintaining a five year housing land supply, as contained within SESplan. An assessment was undertaken for each of the sites against the criteria contained within the stage 1 matrix, and this resulted in conclusions as follow -

- Green: It was considered that the site met the criteria satisfactorily;
- Amber: The site requires further investigation/consultation or mitigation and/or potential constraints were identified within/adjacent to the site;
- Red: The site was not considered to meet the criteria.

Once each of the criteria had been assessed, an overall conclusion was drawn for each site, this included an overall RAG outcome.

5.11 Appendix 3 contains a list of all sites, by housing market area, where a stage 1 assessment was undertaken and the RAG outcome. The outcomes are contained in Table 6 below.

*Table 6: RAG outcomes*

<b>RAG</b>	<b>Number of sites</b>
Red	111
Amber	25
Green	29

5.12 The site assessment conclusion for the red RAG sites was recorded in the site assessment database. A report from the site assessment database, containing all the conclusions for all red sites is contained within Appendix 6.

## **(b) Stage 2 Assessment**

### **Consultation**

5.13 Following on from the stage 1 RAG assessment, a stage 2 assessment was undertaken for all the remaining 53 sites (green and amber). This included a detailed site assessment and consultation with internal and external consultees. A list of the consultees is contained within Appendix 7 and a list of the sites subject to consultation is attached as Appendix 8.

### **Database Assessment**

5.14 A full site assessment was undertaken for all sites subject to consultation. Appendix 9 contains the methodology used in the database full site assessment. The internal and external consultation provided an opportunity for any constraints to be raised and mitigation suggested, where necessary. Further to the site assessment, all sites considered to be acceptable for housing have been proposed as either preferred or alternative sites for inclusion within the Housing SG. Appendix 10 contains a report from the site assessment database, containing all the conclusions for all stage 2 site assessments.

## 6. Preferred and Alternative Sites

### Berwickshire Housing Market Area

6.1 Table 7 outlines the preferred housing sites within the Berwickshire HMA, totalling 144 units. Table 8 outlines the alternative sites, totalling 243 units within the Berwickshire HMA.

Table 7: Preferred Sites (Berwickshire HMA)

<b>Berwickshire Preferred Sites</b>			
<b>Site Code</b>	<b>Site Name</b>	<b>Settlement</b>	<b>Indicative Capacity</b>
AAYTO004	Land North of High Street	Ayton	6
ACOLD011	Hillview North 1 (Phase 1)	Coldstream	100
AREST004	Reston Long Term 2	Reston	38
Total Berwickshire Preferred (units)			<b>144</b>

Table 8: Alternative Sites (Berwickshire HMA)

<b>Berwickshire Alternative Sites</b>			
<b>Site Code</b>	<b>Site Name</b>	<b>Settlement</b>	<b>Indicative Capacity</b>
MDUNS005	South of Earlsmeadow (Phase 1)	Duns	100
AGREE008	Halliburton Road	Greenlaw	65
AREST003	Reston Long Term 1	Reston	78
Total Berwickshire Alternative (units)			<b>243</b>

## AAYTO004: Ayton (Preferred)



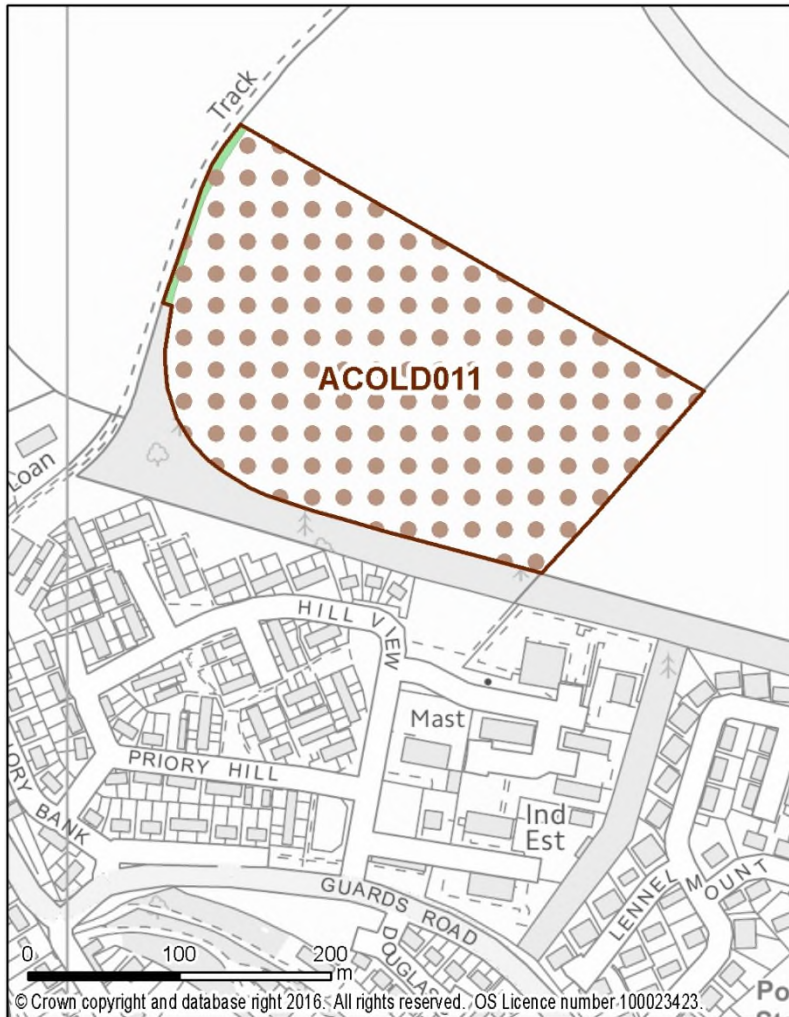
### AAYTO004: Ayton

- Site Name: Land North of High Street
- Site Area: 0.7ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 6

### Site Requirements

- The adjacent watercourse should be taken into consideration in the detailed design of the site
- Protection of boundary features (hedgerows and trees) where possible
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Hedgerow and tree planting is required along the north and west boundaries, to reinforce the settlement edge
- The long term maintenance of landscaped areas must be addressed
- Archaeology evaluation/mitigation is required
- Potential contamination on the site should be investigated and mitigated
- Respect the amenity of existing neighbouring properties.

## ACOLD011: Coldstream (Preferred)



### ACOLD011: Coldstream (Preferred)

- Site Name: Hillview North (Phase 1)
- Site Area: 6.1ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 100

### Site Requirements

- Investigation of any potential flood risk within the site should be undertaken prior to development and mitigation where required
- Investigate the need for diversion of water main in the eastern part of adjacent site SCOLD002
- Protection of boundary features (hedgerows and trees) where possible
- Buffer protection zone along the southern boundary is required, to protect and conserve the existing tree belt to the south
- Provide open space to serve the site and wider settlement. Locate open space along the eastern boundary of the site to provide a buffer between this area and the adjacent employment allocation BCOLD001
- Landscape buffer area to be formed along the western boundary and the eastern boundary between the proposed site and BCOLD001
- Vehicular access from Hill View, A6112 via site BCOLD001 and a minor link from Priors Bank
- Path/cycle linkages to the existing network within Coldstream, particularly linking new open spaces



**ACOLD011 (continued):**

- A Transport Assessment will be required
- Ensure connectivity to future longer term housing sites and adjacent employment site BCOLD001
- Assessment of ecology impacts and provision of mitigation, as appropriate
- The long term maintenance of landscaped areas must be addressed
- Archaeology evaluation/mitigation is required
- The incorporation of employment allocation BCOLD001 into any masterplan
- Potential for on-site play provision.

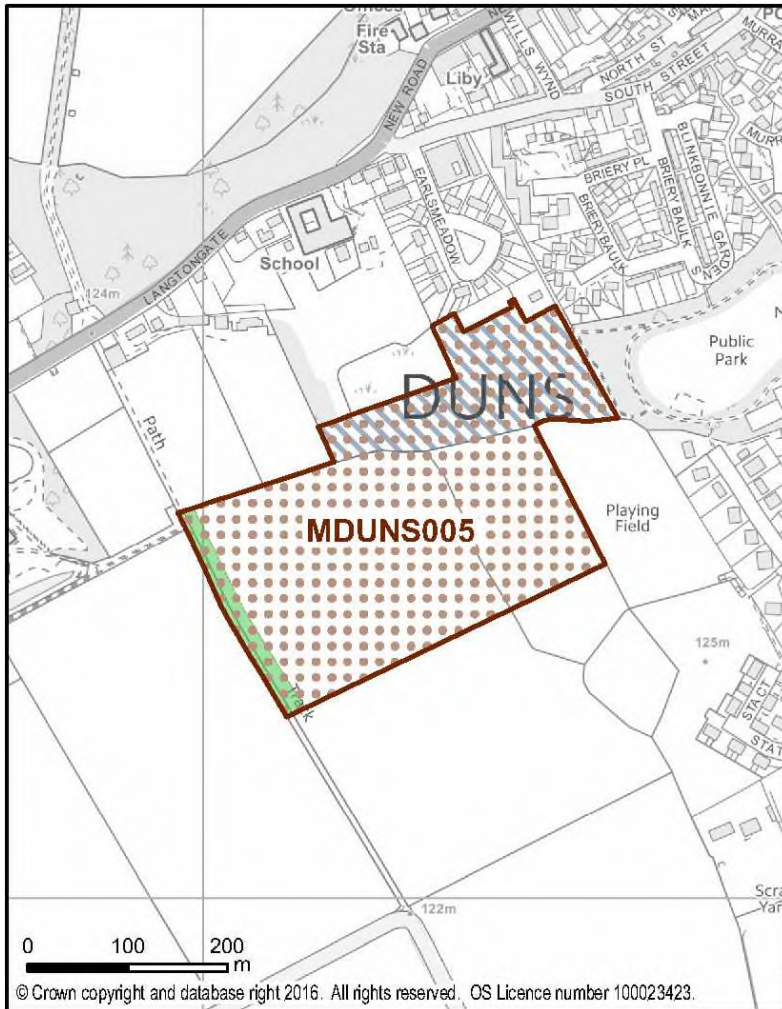
**AREST004: Reston (Preferred)****AREST004: Reston (Preferred)**

- Site Name: Reston Long Term 2
- Site Area: 2.1ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 38

**Site Requirements**

- Refer to approved Planning Brief (Reston Auction Mart)
- A flood risk assessment is required to assess the risk from the small watercourse which potentially flows through the site. Consideration should be given to whether there are any culverted/bridges within or nearby which may exacerbate flood risk
- Existing trees along the boundary should be retained where possible
- Main vehicular access will be via the potential railway station site and/or The Orchard upgraded. A pedestrian/cycle link is likely to be required directly to the Main Street adjacent to the church
- Enhancement of the local path network, access to the potential railway station and links to the village should be provided
- A Transport Assessment will be required
- Parking provision for the potential railway station
- Protection should be given to the existing boundary features
- Structure planting along the southern boundary
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Long term maintenance of landscaped areas to be addressed
- Archaeology evaluation/mitigation is required
- Potential contamination on the site to be investigated and mitigation, where required
- Consideration should be given to open space provision within the site.

## MDUNS005: Duns (Alternative)



### MDUNS005: Duns (Alternative)

- Site Name: South of Earlsmeadow (Phase 1)
- Site Area: 9.4ha
- Proposed Use: Mixed Use (Alternative)
- Indicative Site Capacity: 100

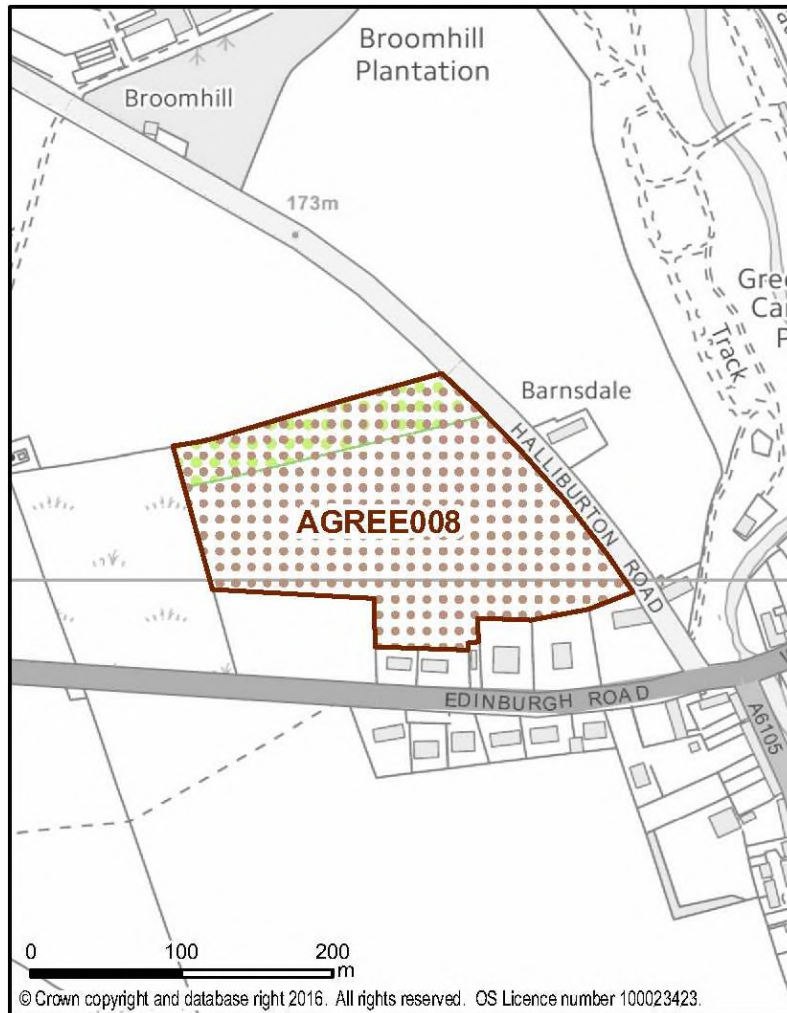
#### Site Requirements

- Flood risk assessment will be required to assess the risk from the small watercourse and mitigation where necessary
- Maintain integrity of wetland (as hatched in blue) and mitigate impacts on hydrology. Investigation of ground conditions required. The wetland area will need to be treated with care to create an attractive wetland feature
- Main vehicular access will be from the A6105 via the adjacent site ADUNS023. The street layout needs to accommodate a secondary vehicular link to the A6112 via Station Avenue
- Potential to enhance the road system around Duns
- A Transport Assessment will be required
- Ensure retention of existing paths in the northern section and opportunity to deliver an important green network connection between public park and Berwickshire High School
- Connecting paths to be incorporated into this area to link pedestrian use from this area to the school, existing town paths and public parks

**MDUNS005 continued:**

- Duns Scotus Way within the northern part of the site to be accommodated within any development
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Creation of a scattered woodland edge to define the site. This should still allow for solar gain, for energy efficiency, within the site
- The long term maintenance of landscaped areas must be addressed
- Archaeology evaluation/mitigation is required
- Consideration for off-site contributions to improvements to public parks, access and play areas
- Provision for an events area to facilitate tourism events.

## AGREE008: Greenlaw (Alternative)



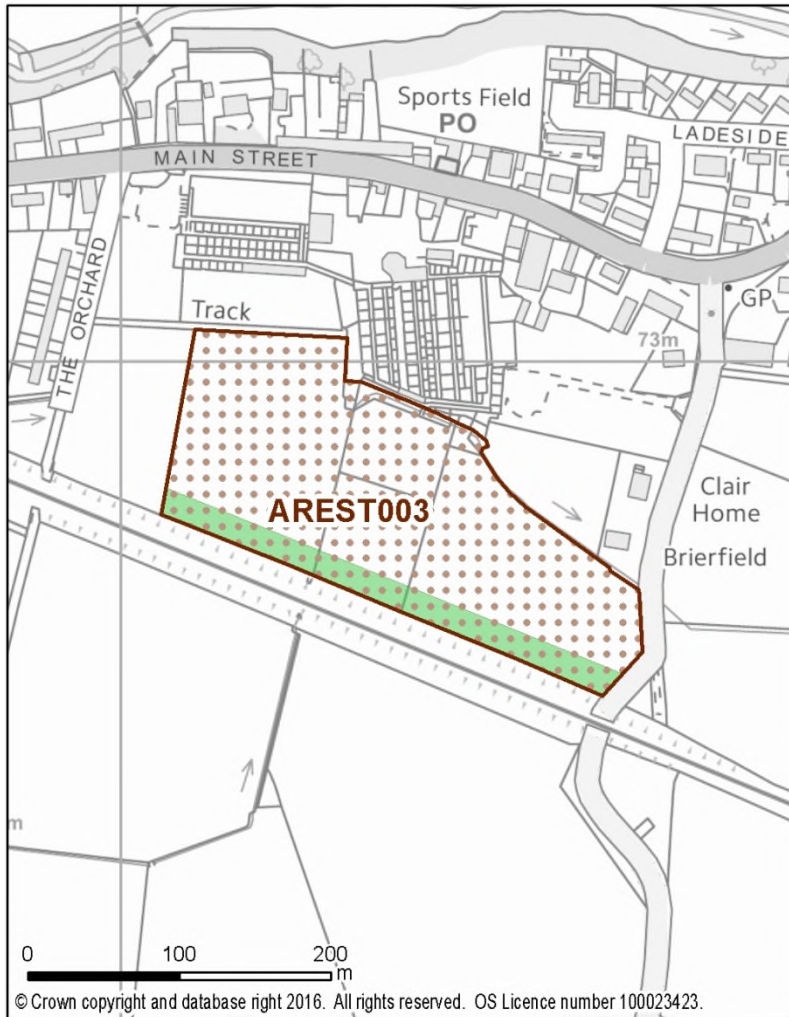
### AGREE008: Greenlaw (Alternative)

- Site Name: Halliburton Road
- Site Area: 3.4ha
- Proposed Use: Housing (Alternative)
- Indicative Site Capacity: 65

### Site Requirements

- Consideration of any surface water runoff from the nearby hills and mitigation where necessary
- Vehicular access from the A697 (Edinburgh Road) to the south via the approved housing site AGREE004. Pedestrian/cycle link to Halliburton Road is required and vehicular access via Halliburton Road should not be ruled out, but will require junction improvements at the A697
- A Transport Assessment will be required
- Improvements to pedestrian access into the centre of the settlement and enhancement to right of way along the site boundary
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Landscaping/open space to be formed at the top of the site. Landscaping to form natural backdrop to development
- The long term maintenance of the landscaped areas must be addressed
- Archaeology evaluation/mitigation is required
- Design and layout should be sympathetic to the local character and take advantage of any solar gain, for energy efficiency
- Potential for on-site play provision.

### AREST003: Reston (Alternative)



### AREST003: Reston (Alternative)

- Site Name: Reston Long Term 1
- Site Area: 3.9ha
- Proposed Use: Housing (Alternative)
- Indicative Site Capacity: 78

### Site Requirements

- Refer to approved Planning Brief (Reston Auction Mart)
- A flood risk assessment is required to assess the risk from the small watercourse which potentially flows through the site
- Existing trees along the boundary should be retained where possible
- Enhancement of local path network, access to the potential railway station and links to the village should be provided
- Consideration for the incorporation of a path from the west linking to Orchard Road and the path down to the riverside
- A Transport Assessment would be required
- Parking provision for the potential railway station
- Protection should be given to the existing boundary features
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Structure planting along the southern boundary
- Long term maintenance of landscaped areas to be addressed
- Archaeology evaluation/mitigation is required
- Consideration for a functional open space, (i.e) sport and recreation provision
- Upgrade would be required in respect of the waste water treatment works and the developer would need to meet the 5 growth criteria.

## Central Housing Market Area

6.2 Table 9 outlines the preferred housing sites within the Central HMA, totalling 652 units. Table 10 outlines the alternative sites, totalling 386 units within the Central HMA.

Table 9: Preferred Sites (Central HMA)

<b>Central Preferred Sites</b>			
<b>Site Code</b>	<b>Site Name</b>	<b>Settlement</b>	<b>Indicative Capacity</b>
AGALA032	Lintburn Street	Galashiels	8
AGALA036	Rose Court	Galashiels	12
AGALA037	Former Castle Warehouse Site	Galashiels	30
AHAWI025	Leishman Place	Hawick	5
AHAWI026	Henderson Road	Hawick	6
RHAWI011	Factory, Fairhurst Drive	Hawick	10
AKELS025	Tweed Court	Kelso	20
AKELS026	Nethershot (Phase 2)	Kelso	100
RKELS002	Former High School Site	Kelso	50
ANEWS005	The Orchard	Newstead	6
ASELK033	Angles Field	Selkirk	30
MSELK002	Heather Mill	Selkirk	75
MTWEE002	Lowood	Tweedbank	300
Total Central Preferred (units)			<b>652</b>

Table 10: Alternative Sites (Central HMA)

<b>Central Alternative Sites</b>			
<b>Site Code</b>	<b>Site Name</b>	<b>Settlement</b>	<b>Indicative Capacity</b>
AANCR002	Dick's Croft (Larger Site)	Ancrum	60
AGALA033	Huddersfield Street	Galashiels	26
AHAWI027	Burnfoot (Phase 1)	Hawick	60
AKELS028	Hendersyde (Phase 2)	Kelso	190
ANEWS006	Newstead North	Newstead	23
ASELK040	Philiphaugh Mill	Selkirk	19
ASELK041	Philiphaugh 2	Selkirk	8
Total Central Alternative (units)			<b>386</b>



**AGALA032: Galashiels (Preferred)**



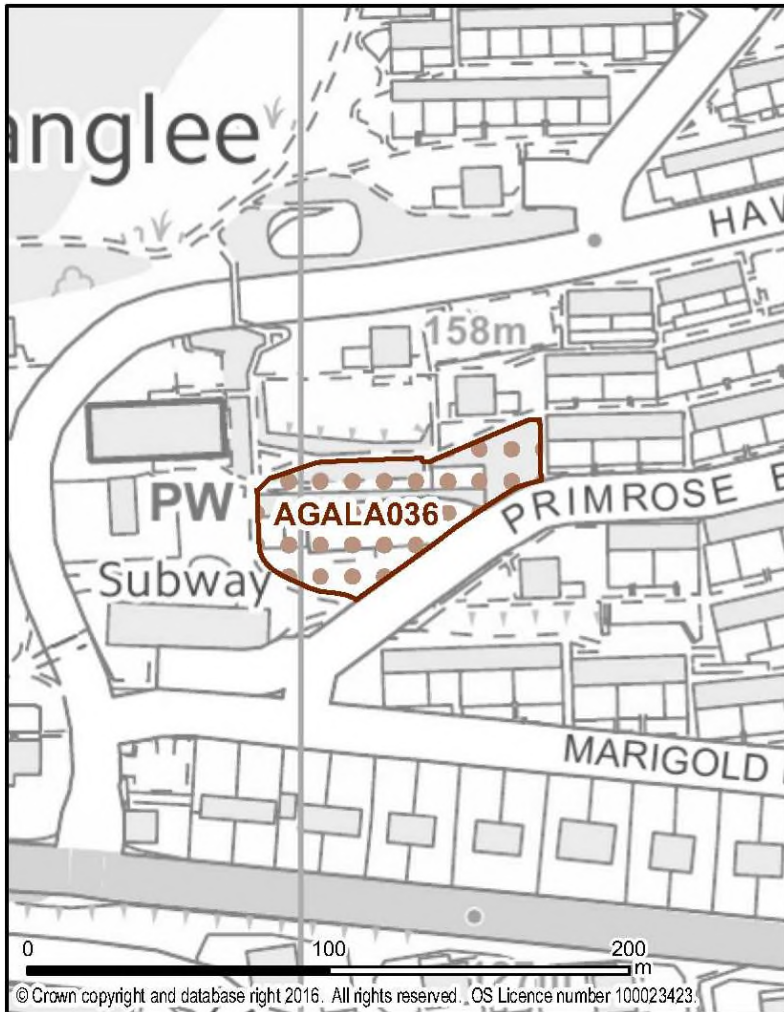
**AGALA032: Galashiels (Preferred)**

- Site Name: Lintburn Street
- Site Area: 0.3ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 8

**Site Requirements**

- The occupancy of the residential units shall meet the definition of affordable housing, as set out in the Local Development Plan, due to the restricted level of parking available
- Must be suitably serviced by parking and cycle storage in the interests of road and pedestrian safety.

**AGALA036: Galashiels (Preferred)**



**AGALA036: Galashiels (Preferred)**

- Site Name: Rose Court
- Site Area: 0.3ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 12

**Site Requirements**

- Potential surface water runoff from nearby hills would require to be considered along with appropriate mitigation
- Existing trees within the site must be retained and protected
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Potential contamination to be investigated and mitigated
- Housing layout and design should exploit the southern aspect and expansive views to the south
- Contact with Scottish Water in respect of water treatment works local network issues.

## AGALA037: Galashiels (Preferred)



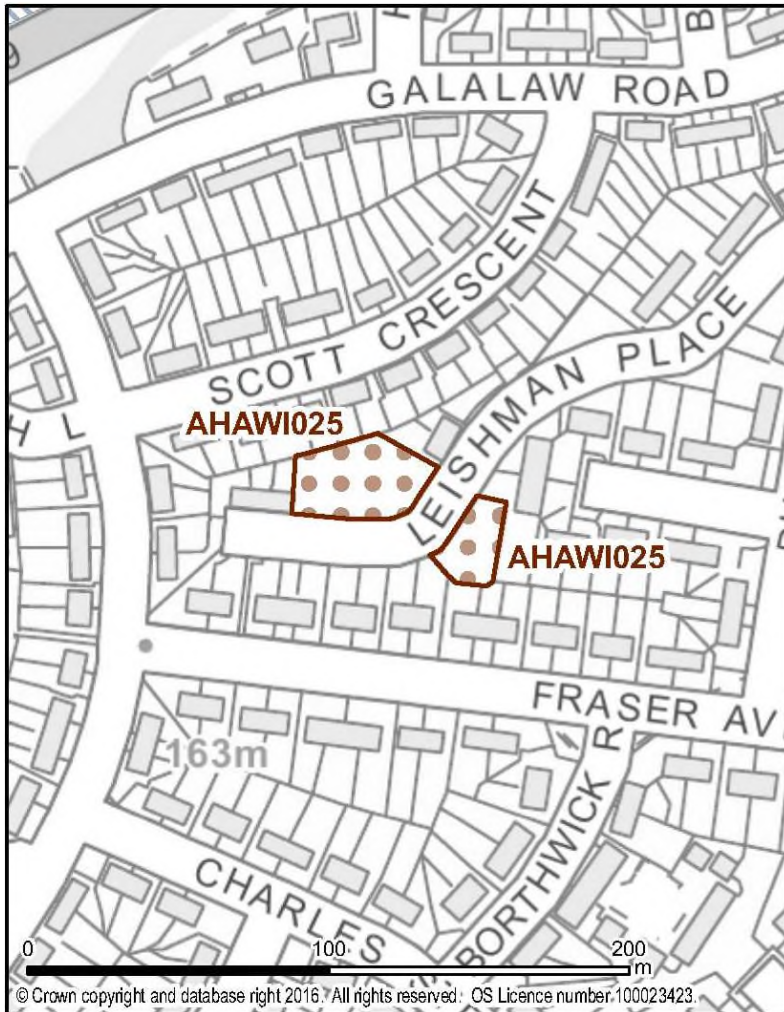
### AGALA037: Galashiels (Preferred)

- Site Name: Former Castle Warehouse Site
- Site Area: 0.3ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 30

#### Site Requirements

- A small part of the site along the south western boundary is included within the 1:200 year surface water flood risk area. This matter would require to be investigated. Site investigations would be required to establish whether or not a culverted watercourse exists. No buildings should be constructed over an existing drain/lade that is to remain active
- Assessment of ecology impacts and provision of mitigation, as appropriate
- The existing mature woodland along the northern boundary and on the eastern part of the site must be retained and protected. A tree survey is required to establish the developable area of the site
- Potential contamination to be investigated and mitigated
- Contact with Scottish Water in respect of water treatment works local network issues
- Archaeology investigation/mitigation is required
- Transport Assessment will be required to address sustainable travel and street connectivity
- The street is adjacent to an existing business and industrial site and the railway line. This must be considered in the design and layout of development.

**AHAWI025: Hawick (Preferred)**



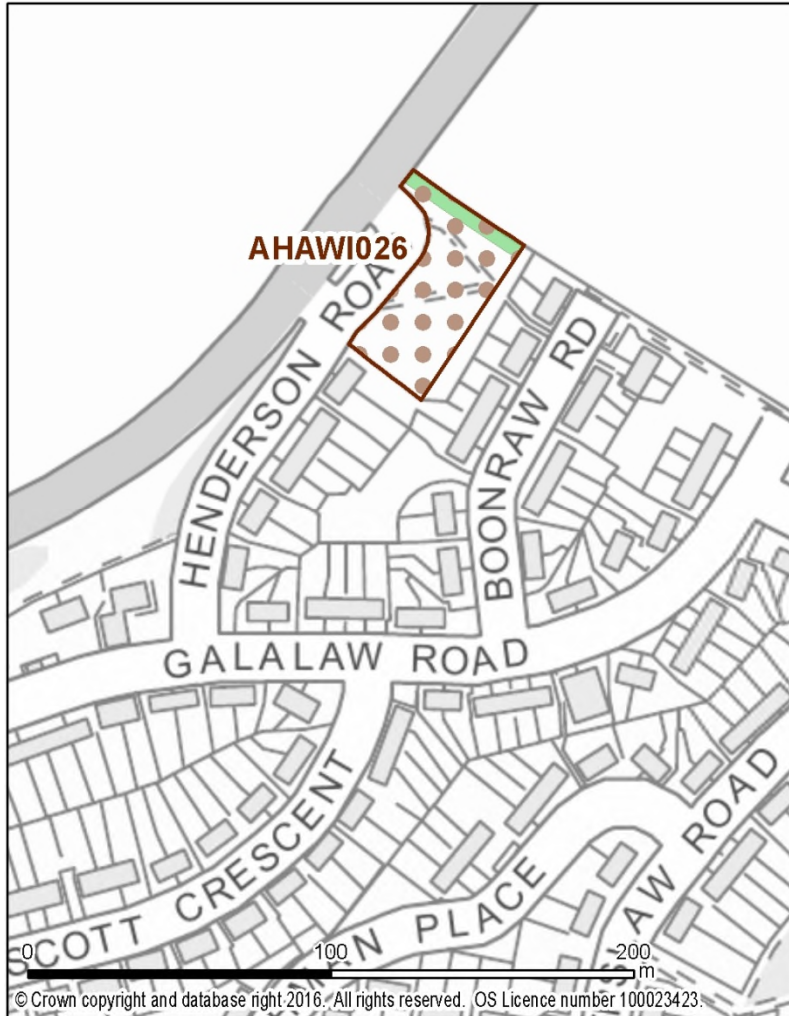
**AHAWI025: Hawick (Preferred)**

- Site Name: Leishman Place
- Site Area: 0.2ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 5

**Site Requirements**

- Amenity of neighbouring residential properties to be addressed
- Boundary trees to be retained.

**AHAWI026: Hawick (Preferred)**



**AHAWI026: Hawick (Preferred)**

- Site Name: Henderson Road
- Site Area: 0.2ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 6

**Site Requirements**

- Alternative pedestrian access between Henderson Road and Boonraw Road to be provided
- Structure planting on the NE boundary is required, and existing trees on this boundary to be retained
- The potential relocation of the adjacent recycling point to be considered
- Amenity of neighbouring residential properties to be addressed.

## RHAWI011: Hawick (Preferred)



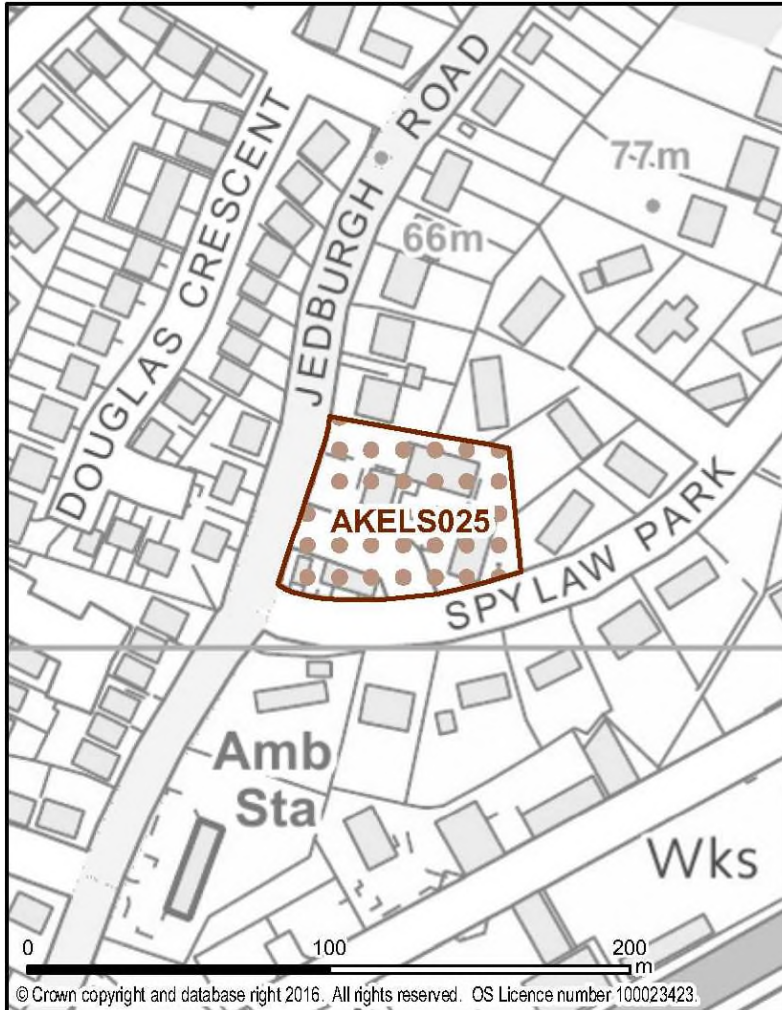
### RHAWI011: Hawick (Preferred)

- Site Name: Factory, Fairhurst Drive
- Site Area: 0.5ha
- Proposed Use: Redevelopment (Preferred)
- Indicative Site Capacity: 10

### Site Requirements

- A buffer zone to be formed to the south of the site to be confirmed through the planning application process, to prevent prejudicing the potential future extension of the Borders Railway through the south of the site, and to prevent loss of light into dwellings
- Potential contamination on the site should be investigated and mitigated
- Extension of the existing footway on the south side of Fairhurst Drive along the northern boundary of the site, and explore the potential to tie this in with the footway on Wilson Drive
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Explore the potential to establish a direct pedestrian link onto Wilson Drive
- Landscaping should be established to the west of the site to help separate the site from the neighbouring garage use
- Potential for surface water runoff issues to be addressed at the design stage as requested by SEPA.

**AKELS025: Kelso (Preferred)**



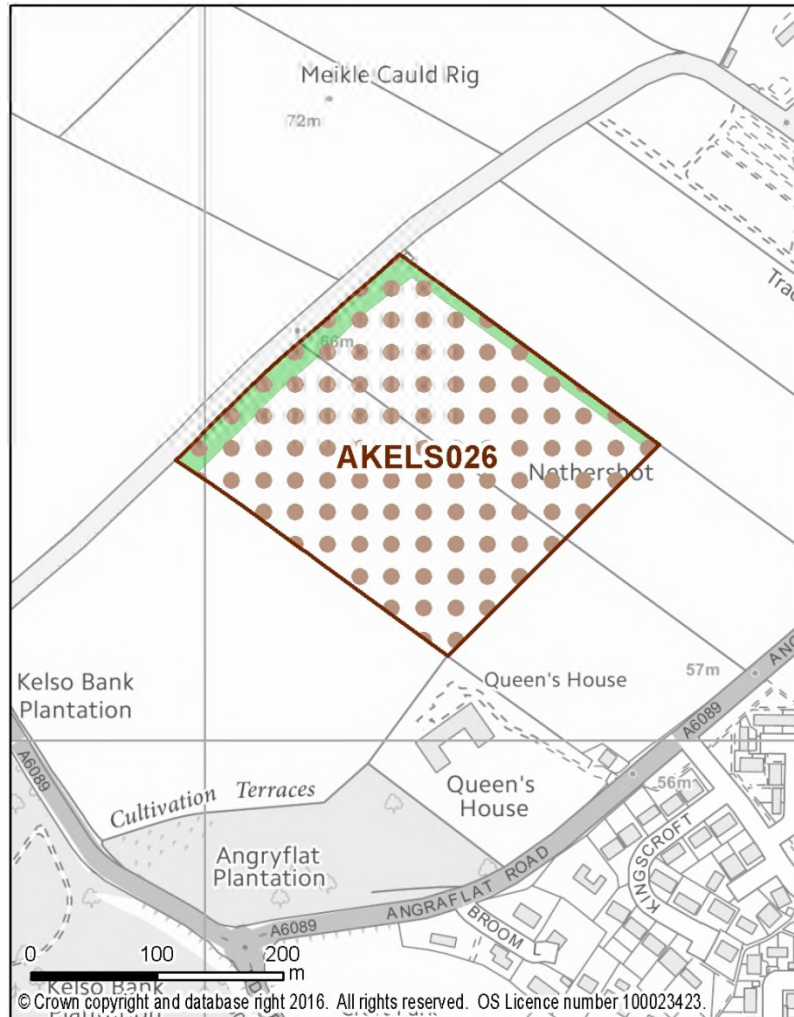
**AKELS025: Kelso (Preferred)**

- Site Name: Tweed Court
- Site Area: 0.4ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 20

**Site Requirements**

- A tree survey is required to influence the design and layout of site. The existing trees within the site are to be retained wherever possible, subject to the outcome of the survey to confirm condition
- It would be desirable to retain Abbeyfield House as part of the site layout
- If the site layout is to be significantly changed a stopping up order for the public roads within the site may be required
- Where possible the development should have a strong street frontage onto the existing streets
- Assessment of ecology impacts and provision of mitigation, as appropriate
- A Water Impact Assessment will be required to be undertaken
- An off-site contribution for play may be required
- Residential amenity of neighbouring residential areas must also be considered.

## AKELS026: Kelso (Preferred)



## AKELS026: Kelso (Preferred)

- Site Name: Nethershot (Phase 2)
- Site Area: 6.3ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 100

### Site Requirements

- The site is to be part of a Masterplan with earlier development phases at Nethershot
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Archaeology investigation/mitigation is required
- Landscaping along the north east and north west boundaries
- Boundary hedges to be retained where possible
- Housing development should orientate habitable rooms to the south east/south west to maximise solar gain
- Access to the site is to be taken through the adjoining site AKELS021 to the south east. Access to longer term housing site to the south west is to be retained. The merits of a secondary vehicular access from the minor public road, on the north western boundary of the site, needs to be assessed. If considered necessary the road will require to be upgraded
- Transport Assessment is required
- A Water Impact Assessment may be required along with associated mitigation
- Investigation and mitigation measures may be required in relation to surface water run-off within the site
- Pedestrian and cycle links from the site to the new adjoining High School site are required.



## RKELS002: Kelso (Preferred)



### RKELS002: Kelso (Preferred)

- Site Name: Former Kelso High School
- Site Area: 2.5ha
- Proposed Use: Redevelopment (Preferred)
- Indicative Site Capacity: 50

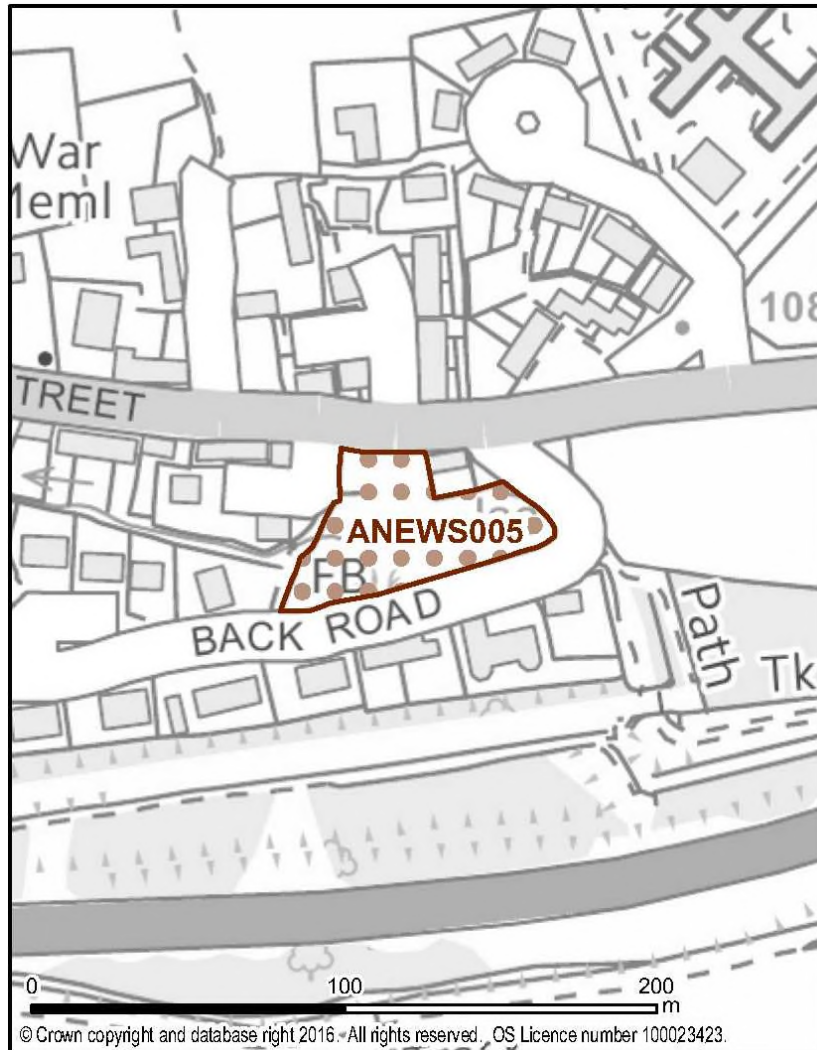
### Site Requirements

- It is intended that a Planning Brief in the form of Supplementary Guidance will be produced for this site
- Transport Statement is required to address sustainable travel and street connectivity
- A variety of uses may be appropriate for the site but, in all cases the established amenity of neighbouring land and property must be protected
- The design and layout of the site must respect the significance of the existing structures and their setting
- Category 'B' Listed Main School building to be retained however removal of other perimeter buildings may be acceptable. Demolition will only be considered if there are overriding environmental, economic, social or practical reasons
- The gates to the north-west and southwest site boundaries should be restored and conserved where possible
- Archaeological evaluation/mitigation is required

**RKELS002 continued:**

- Assessment of ecology impacts and provision of mitigation, as appropriate
- Investigation and mitigation of potential contamination on site
- A tree survey is required to influence the design and layout of the site. The existing trees within the site are to be retained wherever possible, subject to the outcome of the survey to confirm condition
- Structure planting may be required to enhance the setting of the development and protect the residential amenity of neighbouring properties
- Investigation and mitigation measures may be required in relation to surface water run-off within the site.

## ANEWS005: Newstead (Preferred)



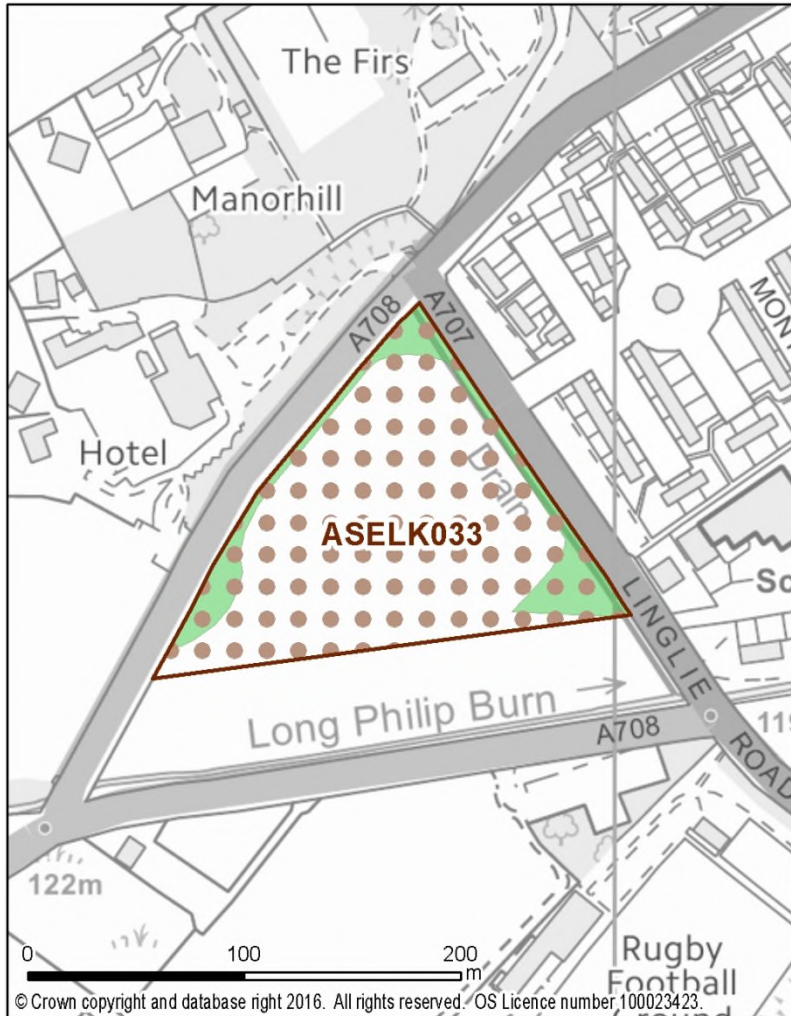
### ANEWS005: Newstead (Preferred)

- Site Name: The Orchard
- Site Area: 0.3ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 6

### Site Requirements

- A flood risk assessment is required and should assess the risk from the small watercourse which is partially culverted through the site
- Explore the potential for culvert removal and channel restoration
- The historic wall to north of the site should be retained
- Archaeological assessment (including archaeological evaluation) is required, with any associated mitigation as identified
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Access to the site to be directly from Back Road. Back Road to be made up to adoptable standard from the junction with Main Street to the access point into the site
- The design and layout of the site should take account of the Conservation Area, the setting of the nearby Scheduled Monument and trees onsite
- No on-site trees to be removed without the prior agreement of the planning authority.

### ASELK033: Selkirk (Preferred)



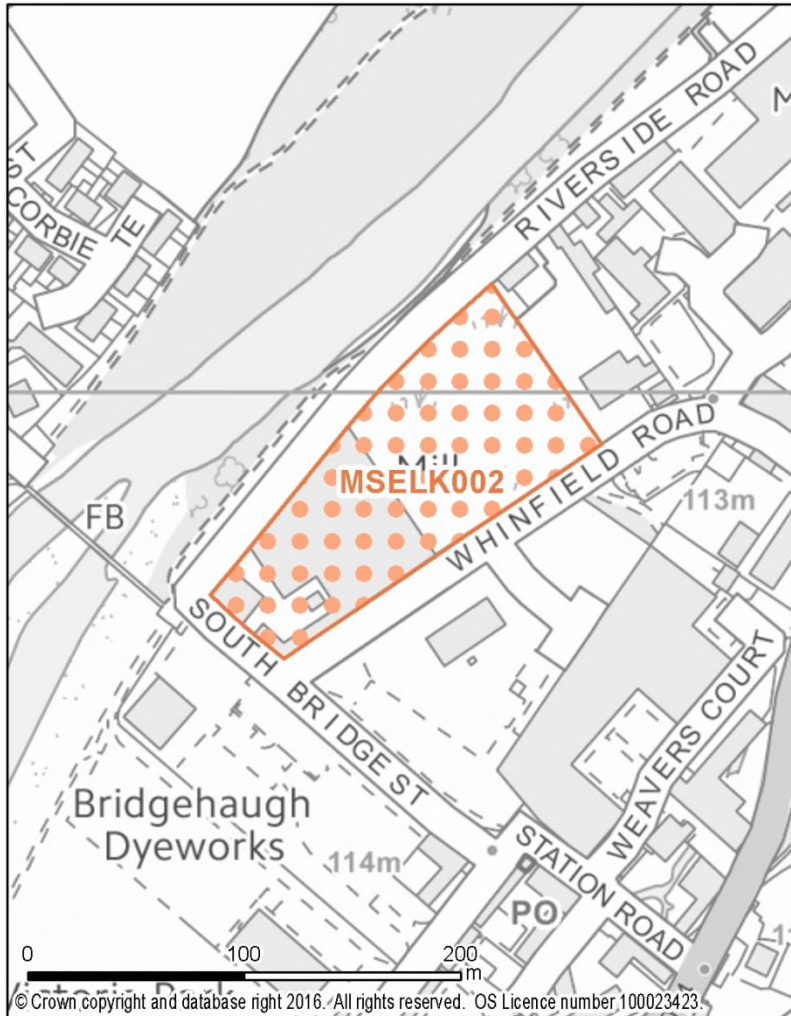
### ASELK033: Selkirk (Preferred)

- Site Name: Angles Field
- Site Area: 2.0ha
- Proposed Use: Housing (Preferred)
- Indicative Site Capacity: 30

### Site Requirements

- The submission of a Flood Risk Assessment should address any risk to the site from the Long Philip Burn, the small drain, as well as the Ettrick Water and address interaction between them is required. The FRA will need to take into consideration the recent changes to the channel and the Flood Protection Scheme as well as blockages to structures
- Development must not have a negative impact upon the setting of the historic battlefield (Battle of Philiphaugh) and the adjacent SBC Garden and Designed Landscape
- Vehicular access will be via the two roads immediately adjacent to the site
- Pedestrian/cycle links to be improved between the site and Selkirk
- The submission of a Transport Statement will be required
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Retain existing trees along the southern and eastern boundaries of the site
- The natural heritage interest of the Long Philip Burn on the southern boundary will require mitigation measures to prevent any impact on the River Tweed Special Area of Conservation
- Development to face outwards over the adjacent roads where possible in order to create an attractive place.

## MSELK002: Selkirk (Preferred)



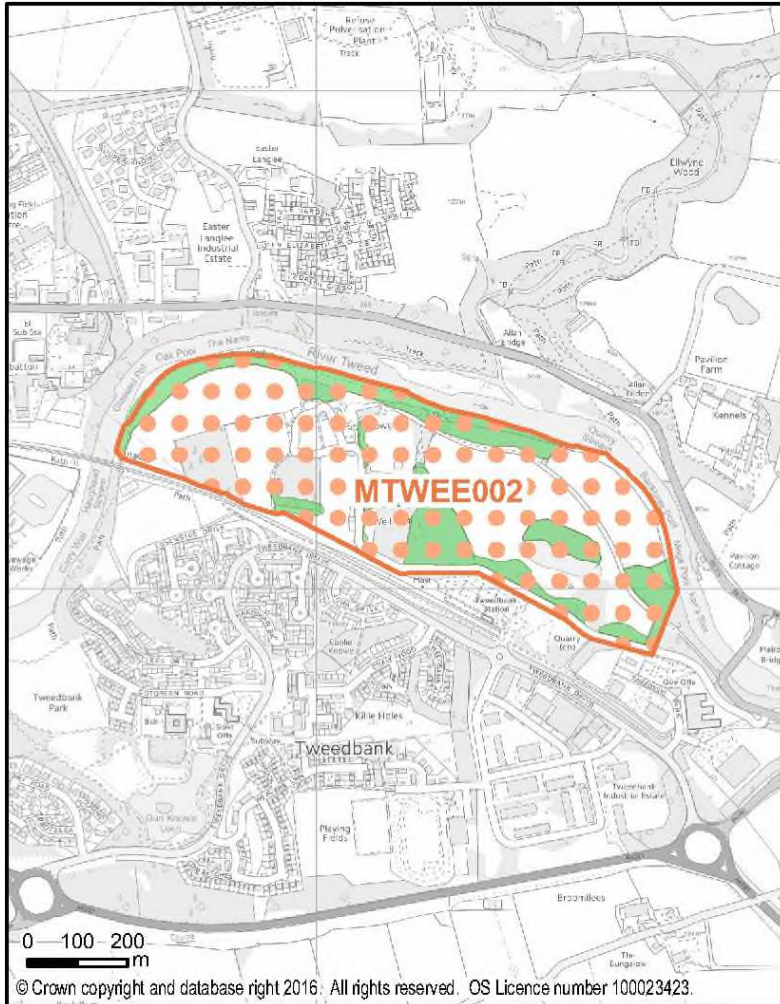
### MSELK002: Selkirk (Preferred)

- Site Name: Heather Mill
- Site Area: 2.0ha
- Proposed Use: Mixed Use (Preferred)
- Indicative Site Capacity: 75

### Site Requirements

- Potential contamination on the site should be investigated and mitigated
- A Transport Assessment will be required
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Pedestrian/cycle access through the site between Whinfield Road and Riverside Road should be provided
- Potential for establishing roads access through the site between Whinfield Road and Riverside Road should be explored
- Potential impact on SAC/SSSI Etrick Water should be assessed and mitigated
- A design vision is required which reflects the context of the site
- Archaeological interests require to be investigated and mitigation measures may thereafter be required
- Development should have attractive frontage to Etrick Water
- The design and layout should ensure no adverse impacts upon the adjacent Special Landscape Area.

## MTWEE002: Tweedbank (Preferred)



## MTWEE002: Tweedbank (Preferred)

- Site Name: Lowood
- Site Area: 33.9ha
- Proposed Use: Mixed Use (Preferred)
- Indicative Site Capacity: 300

### Site Requirements

- This is a mixed use site which will incorporate a mixture of uses including housing and employment. This will be established in more detail by a Masterplan
- Development must be high quality and sustainable
- A comprehensive Transport Appraisal to be undertaken. There will need to be at least two vehicular access points into the site. The appraisal, proportionate to the nature and scale of the allocations, and the trunk road network in the area, would be required to determine any potential cumulative impact of the sites, and would identify appropriate and deliverable mitigation measures on the network including on the A6091, A68 and potentially the A7
- Appropriate internal and external connectivity as well as the creation of effective pedestrian/cycle connectivity with both Tweedbank and Galashiels
- Site access must take cognisance of the possible extension of the Borders Railway and of the potential for a replacement Lowood Bridge
- A Flood Risk Assessment is required as the site is at risk from a 1:200 year flood event from fluvial and surface water flooding. The FRA would require to assess the flood risk from the River Tweed and the developer to demonstrate how the risk from surface water would be mitigated
- Mitigation required to ensure no significant adverse effects on integrity of River Tweed Special Area of Conservation

**MTWEE002: Site Requirements (continued)**

- Mature woodland and parkland trees and buffer area to River Tweed SAC/SSSI to be safeguarded
- There is a significant tree and woodland structure on the estate. Tree survey to BS5837 to be undertaken to inform potential areas of development
- Some archaeological investigation may be necessary before or during development
- The wall that defines much of the southern boundary to be retained as much as possible
- Potential need for Environmental Impact Assessment
- Potential contamination to be investigated and mitigated
- An extension to the Primary School would potentially be required
- A full Drainage Impact Assessment would be required. There is currently no capacity at the Waste Water Treatment Works to accommodate development. An upgrade would be required, the developer would need to meet the 5 growth criteria
- Contact with Scottish Water in respect of water treatment works local network issues
- Potential for on-site play provision
- Existing path network to be safeguarded and potentially extended
- Incorporation of affordable housing as set out in the Local Development Plan
- Assessment of ecology impacts and provision of mitigation, as appropriate
- The design and layout of the site should consider co-location issues in relation to odour from Easter Langlee Landfill (PPC) and Waste Management License exempt composting site at Pavilion Farm.

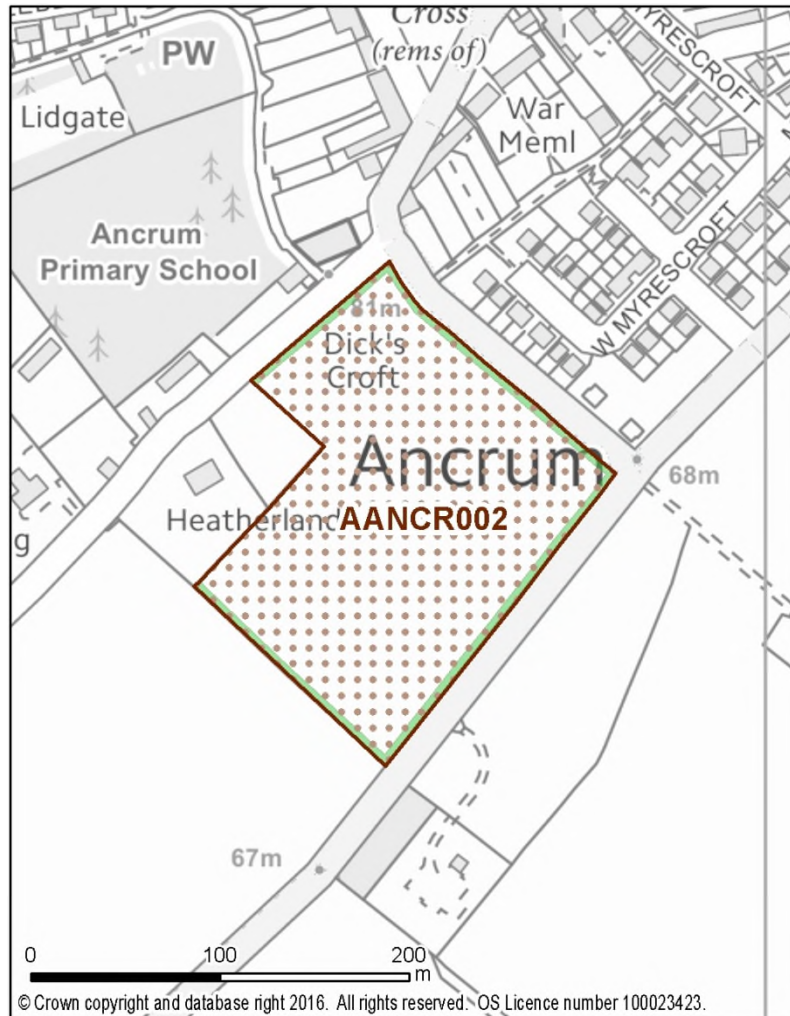
*\*NOTE: Detailed plan outlines developable areas*



\*The plan identifies three areas outlined in black for potential development which will accommodate the proposed housing and employment land.



## AANCR002: Ancrum (Alternative)



### AANCR002: Ancrum (Alternative)

- Site Name: Dick's Croft 2
- Site Area: 3.2ha
- Proposed Use: Housing (Alternative)
- Indicative Site Capacity: 60

#### Site Requirements

- Surface water mitigation measures to be considered during the design stage
- Vehicular access is acceptable from all existing roads adjacent to the site and a strong street frontage onto these roads is recommended
- Connectivity footways are required to the school, village centres and path to Ale Water to the south of the site. Pedestrian linkage to the footpath along the north western edge of the new Myrescroft development should also be incorporated into any proposal. Connectivity for cyclists must also be considered
- The existing roads bounding the site will need to be widened to cater for two way flows along with footways as appropriate. Street lighting and speed limits will have to be extended accordingly
- A Transport Assessment will be required
- The site boundaries require extensive structural landscape planting to create a suitable definition to the edge of the village
- Where possible existing hedgerows are to be retained and supplemented by new planting to relate the development to its rural setting
- The design and layout of the site should take account of the adjacent Conservation Area and the Special Landscape Area

**AANCR002 (continued):**

- Assessment of ecology impacts and provision of mitigation, as appropriate
- The wastewater treatment system requires to be upgraded – the developer will be required to meet Scottish Water’s five growth criteria
- Opportunity for an amenity/play space to be considered at the northern corner of the site which could create a second village green with housing fronting on to the open space in this top corner, and continuing with frontages on to the existing lane.

### AGALA033: Galashiels (Alternative)



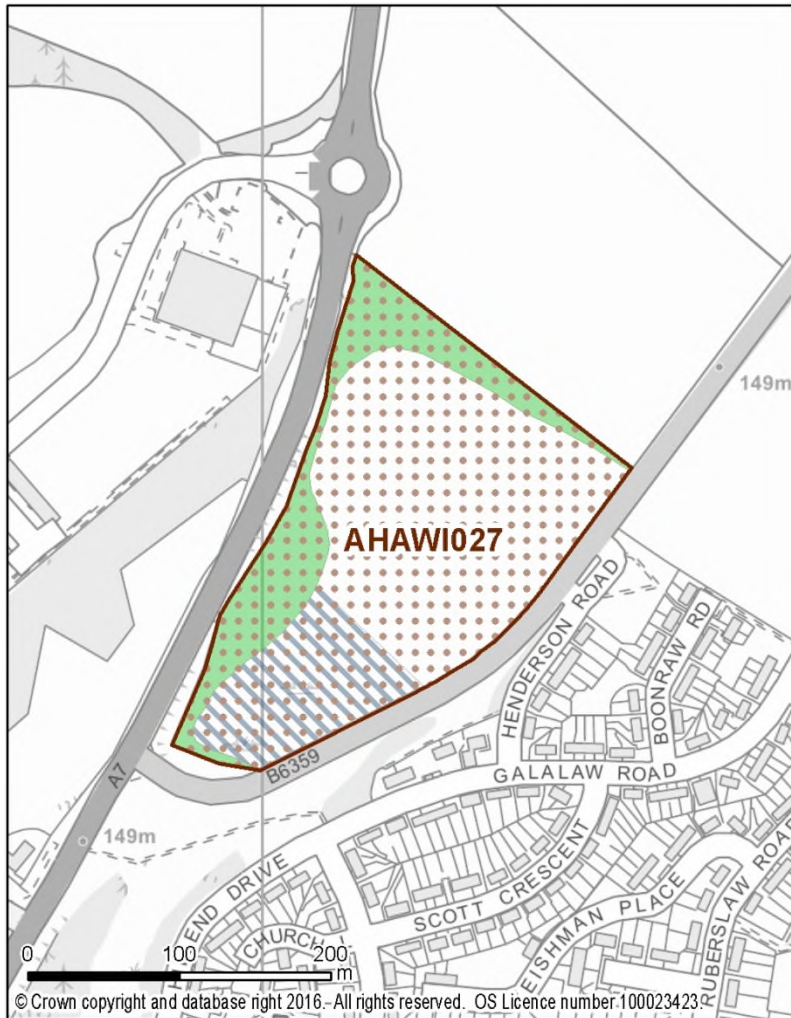
### AGALA033: Galashiels (Alternative)

- Site Name: Huddersfield Street
- Site Area: 0.2ha
- Proposed Use: Housing (Alternative)
- Indicative Site Capacity: 26

#### Site Requirements

- A Flood Risk Assessment is required as the site is at risk from a 1:200 year flood event. Flood risk issues to be discussed and agreed with SEPA
- Surface water drainage shall be designed to comply with Sustainable Urban Drainage principles
- Vehicular access will be a single junction directly onto Huddersfield Street. The submission of a Transport Statement will be required
- A direct pedestrian/cycle link to the footpath leading to the footbridge over the Gala Water is likely to be required
- Connectivity to the riverside path should be maintained and enhanced where possible
- Archaeological features on site should be evaluated and mitigation measures carried out where necessary
- Potential contamination to be investigated and mitigated
- Contact with Scottish Water in respect of water treatment works local network issues
- The site is adjacent to an existing business and industrial site. This must be considered in the design and layout of development
- Mitigation required to ensure no significant effect upon River Tweed SAC
- Assessment of ecology impacts and provision of mitigation, as appropriate.

## AHAWI027: Hawick (Alternative)



### AHAWI027: Hawick (Alternative)

- Site Name: Burnfoot (Phase 1)
- Site Area: 5ha
- Proposed Use: Housing (Alternative)
- Indicative Site Capacity: 60

### Site Requirements

- A flood risk assessment is required to take cognisance of the possibility of a culverted water course within the site, the need for a sustainable drainage system and the wetland area to the south west
- Vehicular access to the site is to be taken from the B6359
- A Transport Assessment will be required
- Provision of pedestrian linkages between the B6359 and the bus laybys on the A7, and along the north-west side of the B6359 to tie in with footways to the A7
- Measures should be taken to improve cycling linkages along the B6359
- The design and layout of the site should aim to enhance the biodiversity value of the site through the creation of restoration of habitats and wildlife corridors and should take cognisance of the sloping nature of the site
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Landscape buffer to the north and west of the site to be provided and provision of a wetland SUDS feature (hatched in blue) with associated open space to the south of the site
- Archaeology interests have been recorded in the surrounding area and archaeological assessment including archaeological evaluation along with associated mitigation measures is required
- Potential contamination on the site should be investigated and mitigated
- A planning brief to be prepared to include the principles of 'Designing Streets'
- Potential for on-site play provision.

## AKELS028: Kelso (Alternative)



### AKELS028: Kelso (Alternative)

- Site Name: Hendersyde (Phase 2)
- Site Area: 9.5ha
- Proposed Use: Housing (Alternative)
- Indicative Site Capacity: 190

### Site Requirements

- The site is to be part of a Masterplan with earlier phases at Hendersyde
- A Water Impact Assessment may be required along with associated mitigation
- Investigation and mitigation measures may be required in relation to surface water run-off within the site
- A Transport Assessment will be required
- Access to the site is to be taken through the adjoining site AKELS022
- Pedestrian links required to the settlement and Broomlands Primary School
- New structure planting is required along the north-eastern and north-western boundaries to provide new visual containment and shelter and screening of views from the north. Structure planting should integrate with existing woodland and walled area adjoining the cemetery site. A management scheme for planting is required
- A buffer zone should be provided to protect existing trees along the south-eastern site boundary
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Assessment of the impact on the River Tweed Special Area of Conservation and any consequent mitigation measures
- Any negative impact on the Garden and Designed Landscape at Hendersyde Park should be avoided
- Archaeological evaluation/mitigation required
- The effect of pipelines through the site must be considered, including consultation with the Health and Safety Executive and Scottish Gas Networks
- Strategic improvements to the foul drainage system will be required
- Respect the amenity of existing neighbouring properties.

## ANEWS006: Newstead (Alternative)



### ANEWS006: Newstead (Alternative)

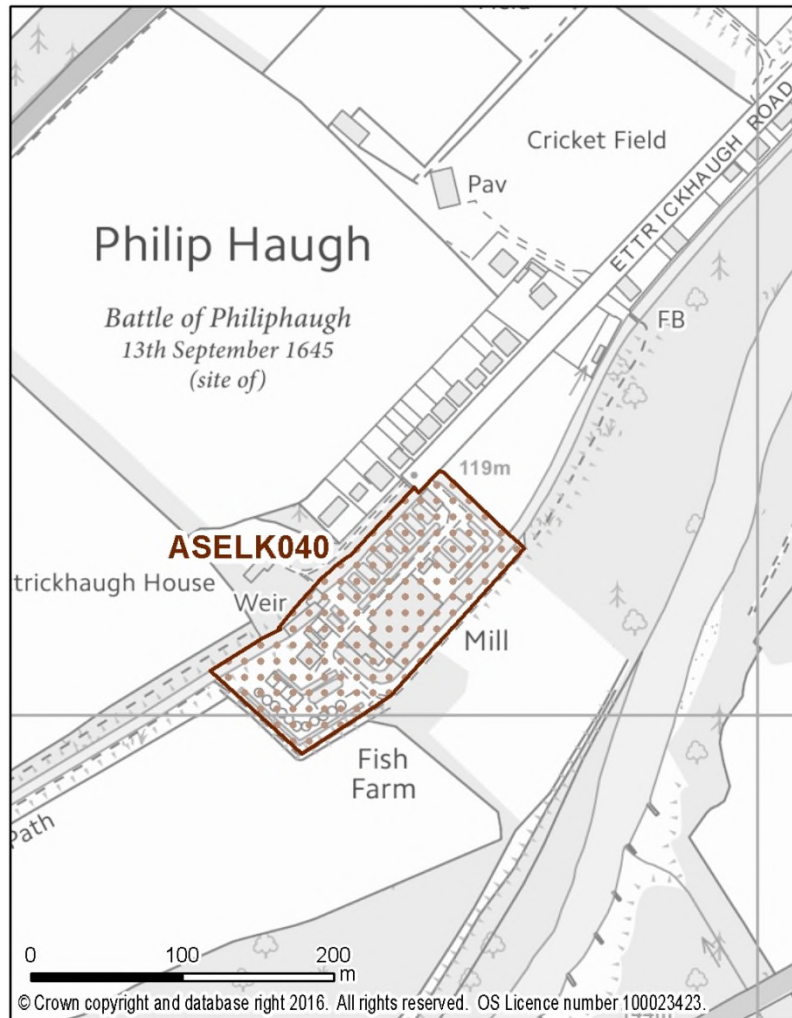
- Site Name: Newstead North
- Site Area: 1.1ha
- Proposed Use: Housing (Alternative)
- Indicative Site Capacity: 23

### Site Requirements

- Development of the site is subject to the developer demonstrating that appropriate roads access both into the site and through the site is achievable from both Rushbank and Eddy Road \*
- Pedestrian access from St John's Wynd and Townhead Way to be maintained. Pedestrian paths through the site to be established, linking with the local path network, including paths at the River Tweed
- A Transport Assessment will be required
- Assessment of ecology impacts and provision of mitigation, as appropriate
- The design and layout of the site should take account of the Conservation Area and any adverse impacts upon any Scheduled Monuments in the vicinity
- Any site layout to ensure protection of healthy trees on the site. No trees on the site to be removed without prior agreement of Council's Landscape section
- Archaeological interests require to be investigated and mitigation measures may thereafter be required
- Amenity of neighbouring properties should be addressed through boundary planting.

*\*In order to achieve satisfactory vehicular access into the site from Rushbank and Eddy Road it must be demonstrated that land can be acquired from any adjoining property owners in order to meet the standards required by the Council's roads planning section. Consideration also to be given to any resultant loss of existing parking.*

## ASELK040: Selkirk (Alternative)



### ASELK040: Selkirk (Alternative)

- Site Name: Philiphaugh Mill
- Site Area: 1.7ha
- Proposed Use: Housing (Alternative)
- Indicative Site Capacity: 19

### Site Requirements

- Appropriate structure planting to be agreed
- Potential contamination to be investigated and mitigated
- Existing mill lade adjacent to site requires to be protected to maintain flow and protect water quality
- Mitigation required to ensure no significant adverse effects on integrity of River Tweed Special Area of Conservation
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Development must not have a negative impact upon the setting of the historic battlefield (Battle of Philiphaugh)
- Some archaeological investigation may be necessary before or during development
- Some widening of Ettrickhaugh Road will be required to mitigate the increase in traffic movements
- Access to the site will require a new bridge over the Ettrickhaugh Burn

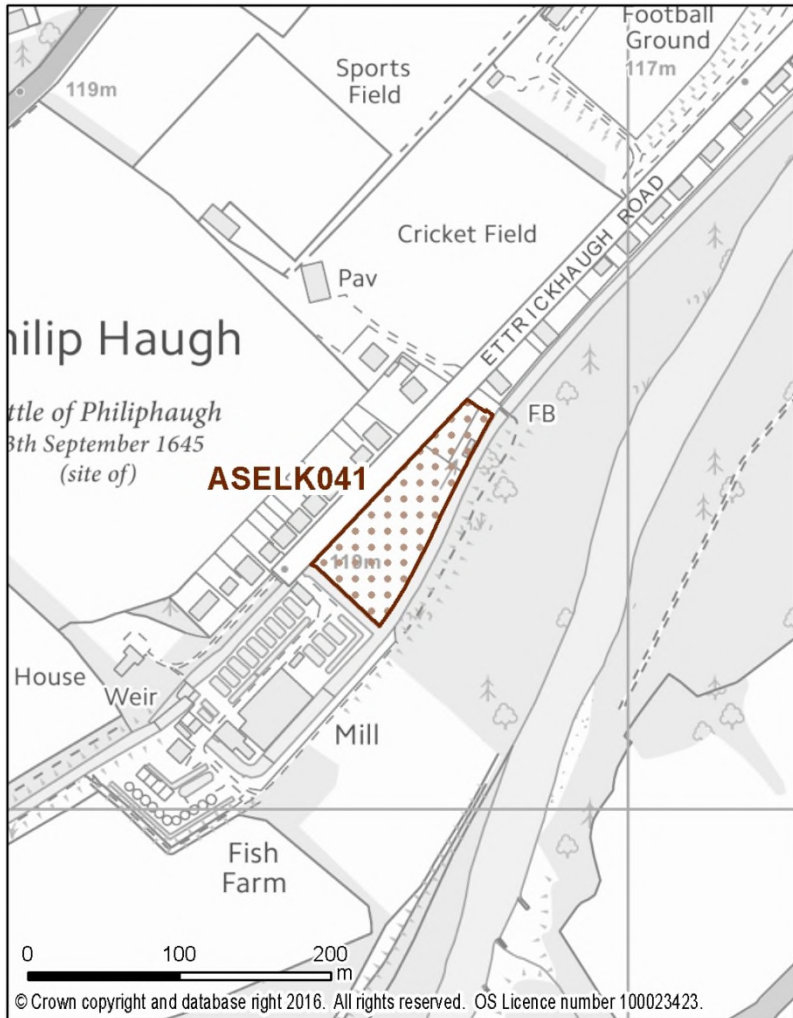
**ASELK040 (continued):**

- Given the site will only have one point of access, any development will require to provide well-connected layout internally with a potential link to the adjoining site to the north east
- Pedestrian/cycle links will be required to take advantage of new riverside path constructed as part of Selkirk Flood Protection Scheme
- Contact with Scottish Water in respect of water treatment works local network issues

*\*SEPA's objection to this proposal on the grounds of flood risk has to be discussed further with the Council*



**ASELK041: Selkirk (Alternative)**



**ASELK041: Selkirk (Alternative)**

- Site Name: Philiphaugh 2
- Site Area: 0.8ha
- Proposed Use: Housing (Alternative)
- Indicative Site Capacity: 8

**Site Requirements**

- Some minor widening to Ettrickhaugh Road will be required to mitigate the increase in traffic movements
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Existing trees, particularly those along the south eastern boundary, to be retained and reinforced
- Mitigation required to ensure no significant adverse effects on integrity of River Tweed Special Area of Conservation
- Development must not have a negative impact upon the setting of the historic battlefield (Battle of Philiphaugh)
- Potential contamination to be investigated and mitigated
- Some archaeological investigation may be necessary before or during development
- Linear development to face Ettrickhaugh Road
- Contact with Scottish Water in respect of water treatment works local network issue.

*\*SEPA's objection to this proposal on the grounds of flood risk has to be discussed further with the Council*

## Northern Housing Market Area

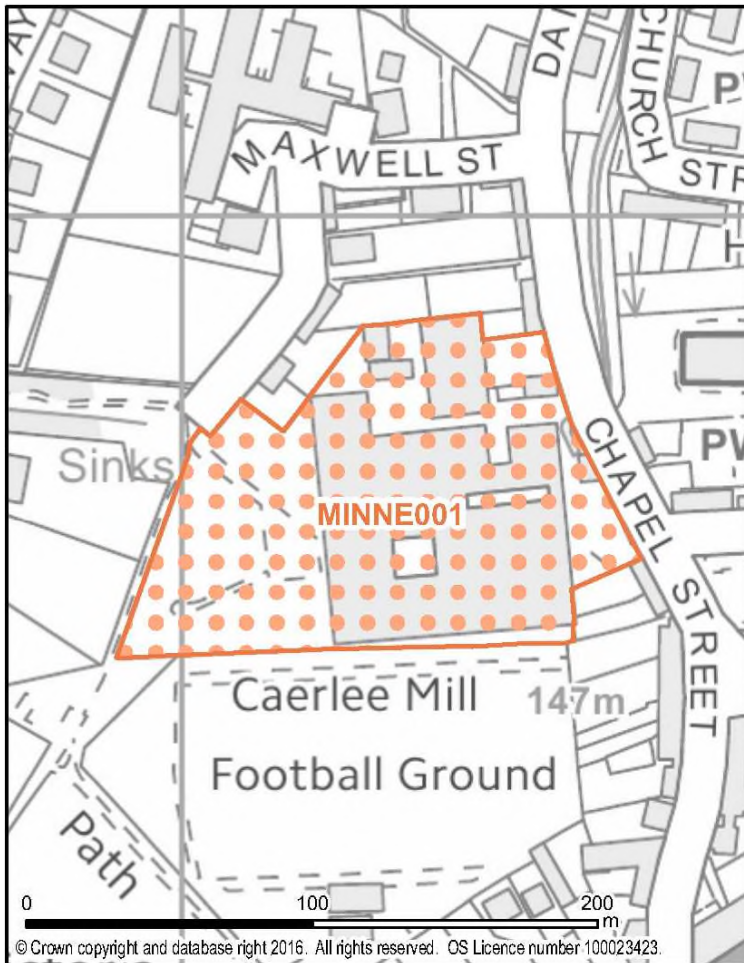
6.3 Table 11 outlines the preferred housing sites within the Northern HMA, totalling 135 units. There are no alternative options within the Northern HMA.

Table 11: Preferred Sites (Northern HMA)

<b>Preferred Northern Sites</b>			
<b>Site Code</b>	<b>Site Name</b>	<b>Settlement</b>	<b>Indicative Capacity</b>
MINNE001	Caerlee Mill	Innerleithen	35
MPEEB006	Rosetta Road Mixed Use	Peebles	30
MPEEB007	March Street Mills	Peebles	70
Total Northern Preferred (units)			<b>135</b>

6.4 It should be noted that there are a number of infrastructure constraints within the Northern HMA, including waste water, flooding and transportation, which limit the availability of effective land for housing. Therefore, there are no alternative options presented for the Northern HMA, for the purposes of the Housing SG. This is something which will require to be looked at and assessed as part of the next LDP.

## MINNE001: Innerleithen (Preferred)



## MINNE001: Innerleithen (Preferred)

- Site Name: Caerlee Mill
- Site Area: 1.5ha
- Proposed Use: Mixed Use (Preferred)
- Indicative Site Capacity: 35

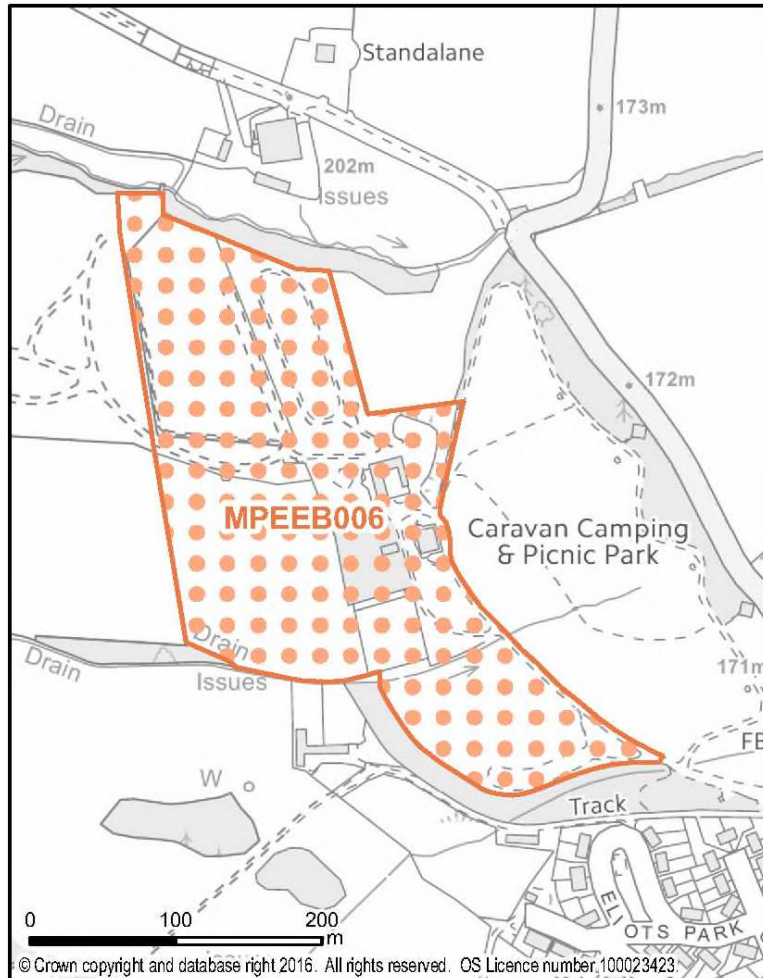
### Site Requirements

- A planning brief has been undertaken for the site
- The site must provide a mix of uses including housing, employment and/or commercial
- A Flood Risk Assessment may be required. No building should take place over any existing drain/lade that is to remain active. Where watercourses may be culverted through the site, opportunity should be taken to de-culvert
- A water impact assessment will be required
- The main vehicular access into the site will be via Chapel Street. Maxwell Street is currently not adopted and whilst a vehicular link with Maxwell Street is desirable it will require the entire length of Maxwell Street to be upgraded to an adoptable standard
- A Transport Statement will be required
- Provision of amenity access within the development for pedestrians and cyclists. Links to the footpath network to be created and amenity maintained and enhanced
- Further assessment of archaeological interest will be required and mitigation put in place
- Assessment of ecology impacts and provision of mitigation, as appropriate

**MINNE001 (continued):**

- The site is located within the Innerleithen Conservation Area, and the category 'B' listed Brodie's Mill is also located on the site. As a result any new development on the site must incorporate the conversion and retention of the listed building and enhance its setting. The development must also incorporate the retention of the stone boundary walls
- In advance of the development being occupied, connection of waste water (foul) drainage to the public sewer will be required
- Potential contamination on the site should be investigated and mitigated.

## MPEEB006: Peebles (Preferred)



### MPEEB006: Peebles (Preferred)

- Site Name: Rosetta Road Mixed Use
- Site Area: 6.4ha
- Proposed Use: Mixed Use (Preferred)
- Indicative Site Capacity: 30

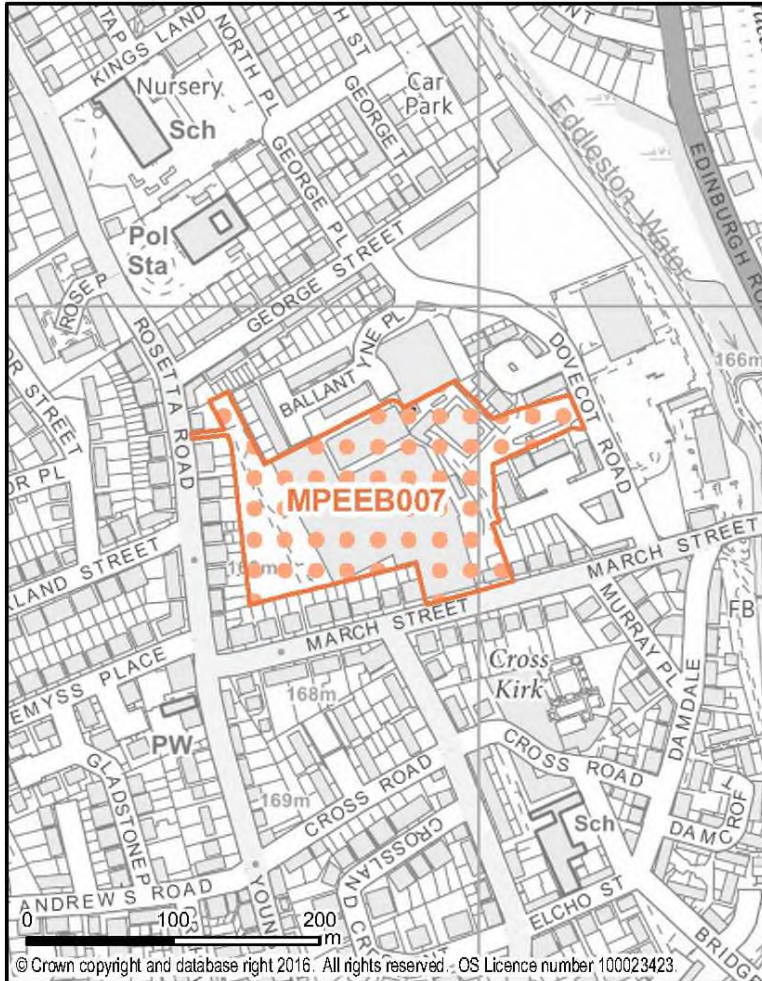
### Site Requirements

- A Flood Risk Assessment will be required to inform the design and layout of the proposed development. Consideration will need to be given to bridge and culvert structures within and adjacent to the site which may exacerbate flood risk. There should be no culverting for land gain
- A Water Impact Assessment may be required
- The site must provide a mix of uses including housing and an enhanced tourism offering
- The main vehicular access to the site will be at the existing lodge house, but the option of a second vehicular access to Rosetta Road needs to be investigated. The housing development is dependent on a vehicular bridge link over the Eddleston Water to connect Rosetta Road with Edinburgh Road via Kingsland Road/Kingsland Square and Dalatho Street
- A Transport Assessment will be required
- Provision of amenity access within the development for pedestrians and cyclists. A pedestrian/cycle link to be formed between the site and the minor public road on the southern boundary. Links to the footpath network to be created and amenity maintained and enhanced
- Further assessment of archaeology will be required and mitigation put in place
- Mitigation measures are required to prevent any impact on the River Tweed Special Areas of Conservation via the Eddleston Water

**MPEEB006 (continued):**

- Any new development must respect the setting of the Listed Buildings onsite and of the adjacent Special Landscape Area. Views from across the valley and from adjacent paths will require to be taken into account. Landscape enhancement will be required to protect the amenity of the area and link with existing landscaping within and outwith the site
- Investigation and mitigation of potential contamination on site
- In advance of the development being occupied, connection of waste water (foul) drainage to the public sewer will be required
- Assessment of ecology impacts and provision of mitigation, as appropriate.

## MPEEB007: Peebles (Preferred)



## MPEEB007: Peebles (Preferred)

- Site Name: March Street Mills
- Site Area: 2.3ha
- Proposed Use: Mixed Use (Preferred)
- Indicative Site Capacity: 70

### Site Requirements

- Consideration must be given to surface water flooding, any new development will require to include associated mitigation. No building should take place over any existing drain/lade that is to remain active
- A Water Impact Assessment may be required
- Vehicular access will be from March Street and from Dovecot Road with two further optional vehicular links to Ballantyne Place to be explored
- Provision of amenity access within the development for pedestrians and cyclists. Amenity access links will be required to Ballantyne Place and to Rosetta Road via the current allotment access route. Links to the footpath network to be created and amenity maintained and enhanced
- A Transport Statement will be required
- Landscape enhancement alongside associated buffers will be required. Open views towards the east of the site should also be retained
- Further assessment of archaeological interest will be required and mitigation put in place
- Assessment of ecology impacts and provision of mitigation, as appropriate
- Potential contamination on site to be investigated and mitigated
- In advance of the development being occupied, connection of waste water (foul) drainage to the public sewer will be required

**MPEEB007 (continued):**

- The site must provide a mix of uses including housing, employment, and potentially commercial and community use
- The allotments on the western side of the site, are identified within the LDP as Key Greenspace and require to be protected in line with Policy EP11 Protection of Greenspace
- The site is located within the Peebles Conservation Area, and as a result retention of some of the historic buildings will be required. Therefore any new development must seek to ensure the retention and reuse of at least the Engine House and the Lodge House. The overall scale and height of any new build will require to respect the Conservation Area. Where any buildings are to be removed, as far as possible their materials should be reused within the site.



## **7. Consideration for all sites**

- 7.1 The site requirements for all preferred and alternative sites have been compiled, taking on board consultation responses, from internal and external bodies.

### **Sustainability and Placemaking**

- 7.2 All sites should ensure that they promote sustainable and place making principles, in line with SPP, SDP and LDP. This will ensure that new development is of a high quality and respects the area in which it is contained. These themes are underpinned within the policies contained within the Local Development Plan.

### **Affordable Housing**

- 7.3 Policy HD1: Affordable and Special Needs Housing, as contained within the Local Development Plan, aims to ensure that new housing development provides an appropriate range and choice of 'affordable' units as well as mainstream market housing. The policy states that where the Local Housing Strategy or Local Housing Needs and Demand Assessment identifies a local affordable housing need, the Council will require the provision of a proportion of land for affordable or special needs housing, of 25%. This will ensure that a range of housing is provided for the area. Each application will be assessed on their own merits and depending on the overall scale of the development.

### **Developer Contributions**

- 7.4 All proposals will require to be assessed for any developer contribution requirements. Policy IS2: Developer Contributions, as contained within the Local Development Plan, outlines the criteria for assessment. Developer contributions may assist in overcoming obstacles to the granting of planning permission through the compensation for, reduction, or elimination of, negative impacts, for example the provision of open-space, education facilities, Borders Railway or other infrastructure. Each application will be assessed on their own merits in line with Policy IS2 and the Scottish Borders SPG on Developer Contributions. There may also be a requirement for applicants to enter into a legal agreement (Section 69 or 75) in respect of any required contributions.

### **Environmental Health**

- 7.5 All proposals which include the use of low carbon/carbon neutral technologies, must be discussed with Environmental Health at an early stage, to ensure that there are no adverse impacts in terms of noise or air quality impacts. Proposals must be assessed against policies PMD2, EP16, and HD3, as contained within the LDP, to ensure that development is in accordance with the sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings . Furthermore, appropriate steps must be taken to ensure that development does not adversely impact upon the amenity of the existing residential area.

### **Waste Water Disposal**

- 7.6 In respect of water provision and waste water disposal, proposals must be assessed against Policy IS9: Waste Water Treatment Standards and Sustainable Urban Drainage, as contained within the LDP. The policy aims to achieve a satisfactory disposal of sewage and to maintain and improve standards of public health. It outlines the Council's hierarchy of preference for dealing with waste water associated with new development. Any specific requirements for sites being put forward within this SG are outlined within the site requirements.

## 8. How to respond to the Housing SG consultation

The Housing Supplementary Guidance is available to view on the Council website and can also be viewed at all libraries and Council Contact Centres.

Responses to this Housing SG consultation may be sent to the Council by one of the following means:

- By email to [localplan@scotborders.gov.uk](mailto:localplan@scotborders.gov.uk)
- Write to;

**Planning Policy & Access Team  
Council Headquarters  
Newtown St Boswells  
Scottish Borders  
TD6 0SA**

### Contact Details

If you would like to contact the Planning Policy & Access team regarding the Housing SG, please use the contact details below.

**Telephone: 01835-826671**

**Email: [localplan@scotborders.gov.uk](mailto:localplan@scotborders.gov.uk)**

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**CONTACT:** Planning Policy & Access Team, Environment & Infrastructure, Scottish Borders Council, Council Headquarters, Newtown St Boswells, TD6 0SA.

**APPENDIX 1**

**SUPPLEMENTARY GUIDANCE: HOUSING**

PRO FORMA & GUIDANCE NOTE (USED FOR THE CALL FOR SITES PROCESS)

## APPENDIX A: SITE SUBMISSION PRO FORMA (HOUSING SG)

### PART A: CONTACT DETAILS

#### 1. Your contact details

Name	<input type="text"/>		
Company/organisation	<input type="text"/>		
Address	<input type="text"/>		
Town/City	<input type="text"/>	Postcode	<input type="text"/>
Telephone number	<input type="text"/>	Email	<input type="text"/>

#### 2. Landowner details (if different from above)

Name	<input type="text"/>		
Company/organisation	<input type="text"/>		
Address	<input type="text"/>		
Town/City	<input type="text"/>	Postcode	<input type="text"/>
Telephone number	<input type="text"/>	Email	<input type="text"/>

#### 3. Developer details

Name	<input type="text"/>		
Company/organisation	<input type="text"/>		
Address	<input type="text"/>		
Town/City	<input type="text"/>	Postcode	<input type="text"/>
Telephone number	<input type="text"/>	Email	<input type="text"/>

Please confirm, by ticking this box that the landowner(s) has been notified that a submission is being made to the 'Call for Sites' process, relating to land in their ownership

**PART B: SITE DETAILS**

**4. Location or postal address of proposed development site**

**Please provide an accompanying location plan (1:2500 or larger is preferred), which clearly identifies the site location and boundary**

**5. Site details**

Site area (in hectares)

Current land use

Proposed land use, including uses other than housing where appropriate)

*\*Please note only sites promoting 5 units or more should be submitted*

Number of proposed units

Proposed start date

Proposed phasing for the site (by units: 1st March - 31st April)

Year 1 (2016-17)

Year 2 (2017-18)

Year (2018-19)

Year 4 (2019-20)

Year 5 (2020-21)

Post Year 5

**PART C: POTENTIAL CONSTRAINTS**

**6. Physical**

Do you have supporting information that the site is free from constraints, or can be made free of such constraints within the LDP plan period? (For example site topography & stability, overhead pylons, ground conditions, health and safety exclusion zones). Please attach supporting information if necessary.

Is the site known to be at risk of flooding? Is so, what are the proposals for dealing with this?

Have any drainage or flooding studies been carried out in respect of the proposed development?

Is the site subject to any known contamination arising from past uses?

**7. Servicing (Drainage, Energy, Utilities, Access)**

Is the site serviced by any of the following utilities? (select all that apply)

Water  Sewerage  Electricity  Gas

If not, have you approached the relevant utility providers to discuss connections/capacity? (If so, please provide details of any constraints)

Water  Sewerage  Electricity  Gas



## APPENDIX A: SITE SUBMISSION PRO FORMA (HOUSING SG)

### 8. Road Access & Public Transport

Describe how the site will be accessed and confirm whether the land needed to provide any required access is within your control.

Is the site well served by existing road, rail, walking and cycling routes?

### 9. Education Provision

Do you know whether there is capacity at the local primary and secondary schools to accommodate the children generated by any development? If not, please provide details as to how you propose to address this issue?

## PART D: ENVIRONMENT

### 10. Environmental Constraints

Please indicate any known natural or built environment, or ecological constraints within or adjacent to the site proposed.

Please set out any details for the integration of renewable/low carbon proposals into the development.

**PART E: DELIVERABILITY**

**11. Economic Viability**

All sites must be capable of being delivered within the plan period, up to 2021. Please provide details which support and justify the economic viability of the proposed site and how it is capable of being delivered within the plan period, attaching supporting information if necessary.

Is there a ransom strip associated with the development site?

If there is a ransom strip within the site or required to deliver the site, please provide details below of any known owner.

**12. Planned work/mitigation for constraints identified**

Clearly set out any work which has been undertaken or is planned to mitigate the above physical, servicing, ownership, environmental or deliverability constraints.

**PART F: BENEFITS OF THE PROPOSED DEVELOPMENT**

**13. Benefits**

Please provide details on any economic, environmental and/or recreational benefits and any proposed community infrastructure.

**14. Any Other Information**

Set out any further information that will be helpful to the Council in the consideration of your proposal.

**15. Declaration**

Signature:

Date:

## Scottish Borders Council: Local Development Plan

### Supplementary Guidance on Housing: Call for Housing Sites

Scottish Borders Council is carrying out a 'Call for Sites' as part of the preparation of the Supplementary Guidance on Housing.

The Examination Report on the Scottish Borders Local Development Plan (LDP) proposed modifications that require the provision of further sites for 916 houses. The Reporter recommended that the Council should first consider the longer term and mixed use sites already identified within the LDP. However, does not preclude looking beyond those in the event that the shortfall cannot be met from those sites.

The Supplementary Guidance is expected to be submitted to Scottish Ministers within one year of the adoption of the Local Development Plan.

#### What is the 'Call for Sites'

The 'Call for Sites' will be part of the overall assessment to meet the additional requirement for house sites within the Scottish Borders identified by the Reporter. It allows any interested parties to promote sites of 5 units or more, with genuine potential for delivery during the LDP plan period, to up 2021.

#### Submission of Potential Sites

Land owners, developers, agents or any other interested party may submit proposals for consideration. All site proposals **must use a separate Pro Forma for each site** and be accompanied by a site map, clearly showing the site boundary (*See Appendix A for Pro Forma*).

Those making proposals should note that this is a public exercise and that submissions will be available for public inspection.

#### How to Submit any Proposals

All proposals should be submitted either by post or email at: [localplan@scotborders.gov.uk](mailto:localplan@scotborders.gov.uk)

Call for Sites  
Plans and Research  
Scottish Borders Council  
Newtown St Boswells  
Melrose  
TD6 0SA

#### Contact for Further Information

If you require any further information please contact the Plans & Research Team on 01835-826671 or [localplan@scotborders.gov.uk](mailto:localplan@scotborders.gov.uk)

**All proposals must be received by the Council at the address or email above by 31<sup>st</sup> March 2016.**

## **GUIDANCE NOTE:**

This guidance note should be read in conjunction with the Call for Sites Pro Forma. This note offers further guidance in completing the Pro Forma.

### **PART A: Contact Details**

- (Question 1-3): Contact details, landowner details and developer details are required.

### **PART B: Site Details**

This section is to identify the location, site size, proposal and proposed phasing, in order to demonstrate whether the proposed site would be effective and deliverable within the plan period. (Evidence is required in Part E to demonstrate the deliverability of the site, in terms of the phasing).

- (Question 4): Location or postal address of the proposed development. If there is no postal address, a precise description of the site or property is required. Where possible, a grid reference should be provided. A Location plan must be included, clearly identifying the site location and site boundary. A scale of 1:2500 or larger is preferred. Please outline all land you want to be considered.
- (Question 5): Indicate the site area (ha), existing and proposed land use, number of proposed housing units, proposed start date (year) and proposed phasing of the development.

### **PART C: Potential Constraints**

This section is to identify any potential constraints associated with the proposed development, in respect of physical, infrastructure, education and environment. Any existing or planned proposals which mitigate any constraints should be outlined and how these will be funded.

- (Question 6): Provide any supporting information to demonstrate that the site is free from, or can be made free from constraints within LDP plan period. If required, please attach any supporting information to the Pro Forma submission.
- Provide details of any known flooding within or adjacent to the site and any proposals for dealing with the flooding, including any drainage or flood studies which have been undertaken in respect of the proposed development.
- Provide details of any known contamination from past uses, for example, are there existing buildings, evidence of previous buildings on the site, known former use.
- (Question 7): Indicate whether the site is serviced and if not, whether you have discussed the proposal with the relevant providers. If so, provide details of any constraints with utility connection for the proposed development and what is required to overcome these constraints.
- (Question 8): Provide details of how the site will be accessed. It would be preferred if this could be shown on the Location Plan. Indicate whether the land needed to provide the required access is within your control or that of the developer. If not, how do you intend to overcome this?
- Is the site well served by existing road, rail, walking and cycling routes?

- (Question 9): Please indicate any known capacity constraints (primary or secondary) associated with this proposed development. If there are constraints, how do you propose to address them?

#### PART D: ENVIRONMENT

This section identifies any natural, built environment and ecological constraints, associated with the proposed development.

- (Question 11): Provide details of any known natural environment constraints within or adjacent to the proposed site (ie) SSSI, SAC's, SPA's, NSA's, SLA's, identified greenspace within the proposed LDP, green networks, TPO's and woodlands.
- Provide details of any known built environment constraints within or adjacent to the proposed site (ie) listed buildings, archaeology, conservation areas, gardens and designed landscapes.
- Provide details of any known ecological constraints within or adjacent to the proposed site.
- Set out any proposals related to the integration of renewables/low carbon into the development

#### PART E: DELIVERABILITY

This section requires supporting evidence and details to demonstrate the economic viability of the proposed site and that it is effective and deliverable within the plan period, up to 2021. This evidence should be used to back up the phasing programme. Any ransom strips should be identified and any mitigation proposals outlined.

- All sites must be capable of being delivered within the plan period up to 2021. Provide details which support and justify the economic viability of the proposed site, including development funding.
- Provide details of the ownership status of the site and whether there are any ransom strips within the site or which are required to provide the required access.
- Set out any work which has been undertaken or which is planned to mitigate any constraints, identified above.

#### PART F: BENEFITS

Further information should be provided which outlines the benefits of the proposed development.

- (Question 11): Set out details on any economic or environmental benefits, recreational benefit and any proposed community infrastructure, associated with the proposed development.
- (Question 12): Set out any further information that will be helpful to the Council in the consideration of your proposal.

**APPENDIX 2**

**SUPPLEMENTARY GUIDANCE: HOUSING**

ALL SITES SUBMITTED (CALL FOR SITES PROCESS)

## Berwickshire Housing Market Area

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity
1	Allanton	AALLA001	West of Blackadder Drive	Housing	40
2	Ayton	AAYTO004	Land North of High Street	Housing	6
3	Cockburnspath	MCOPA001	Kinegar Quarry	Mixed Use	224
4	Cockburnspath	MCOPA002	Land Opposite Dunglass Park	Mixed Use	40
5	Cockburnspath	ACOPA004	Hoprig Road	Housing	10
6	Cockburnspath	ACOPA005	Neuk Farm Steading	Housing	6
7	Coldingham	ACOLH004	Applin Cross	Housing	18
8	Coldstream	ACOLD008	Land at Ladies Field	Housing	60
9	Coldstream	<b>*NOTE: Insufficient information submitted in order to assess this site</b>		Housing	10
10	Duns	ADUNS024	Land North of Peelrig Farm	Housing	100
11	Duns	ADUNS025	Land West of Former Berwickshire High School	Housing	37
12	Duns	MDUNS003	Land South of Earlsmeadow	Mixed Use	180
13	Duns	ADUNS026	Land North of Preston Road	Housing	7
14	Edrom	AEDRO001	Edrom (Near Duns)	Housing	6
15	Eyemouth	AEYEM001	Land West of Eyemouth	Housing	120
16	Eyemouth	MEYEM002	Land North West of Eyemouth	Mixed Use	200
17	Eyemouth	AEYEM011	Land South of Acredale Road	Housing	18
18	Gordon	AGORD004	Land at Eden Road	Housing	25
19	Grantshouse	AGRAN003	Land at Harelawsie	Housing	40
20	Greenlaw	AGREE007	Greenlaw Poultry Farm	Housing	38
21	Greenlaw	AGREE008	Halliburton Road	Housing	65
22	Paxton	APAXT004	Chesterfield Farmhouse	Housing	5
23	Polwarth	APOLW001	Land Behind Old Village	Housing	8
24	Reston	AREST002	Land to East of West Reston	Housing	70
25	Whitsome	AWHIT004	Whitsomehill	Housing	5
26	Whitsome	AWHIT003	Herriot Bank Farm	Housing	8



## Central Housing Market Area

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity
27	Ancrum	AANCR002	Dick's Croft II	Housing	60
28	Bonchester Bridge	ABONC004	Land to North West of Bonchester Bridge	Housing	6
29	Bowden	ABOWD013	Land to West of Bowden	Housing	7
30	Bowden	ABOWD014	Land to West of Bowden (2)	Housing	8
31	Bowden	ABOWD011	Land South of Cross	Housing	5
32	Bowden	ABOWD012	Land North of Brunton Park	Housing	15
33	Clerklands	ACLER001	Clerklands	Housing	5
34	Clovenfords	ACLOV003	Meigle Farm	Housing	35
35	Crailing	ACRAI004	Crailing Toll (Larger site)	Housing	10
36	Darnick	ADARN003	Bankend	Housing	30
37	Darnick	ADARN004	Land East of Little Broadmeadows	Housing	5
38	Darnick	MDARN002	Darnick Vale 2	Mixed Use	15
39	Darnick	ADARN002	Darnick Vale	Housing	30
40	Earlston	MEARL001	Georgefield East - Phase 1	Mixed Use	255
41	Earlston	AEARL016	Southcroft	Housing	10
42	Earlston	AEARL015	Land West of Earlston High School	Housing	50
43	Earlston	MEARL003	Georgefield East - Phase 2	Mixed Use	540
44	Eckford	AECKF001	Land to South East of Eckford	Housing	5
45	Ednam	AEDNA010	Cliftonhill (IV)	Housing	20
46	Galashiels	AGALA033	Huddersfield Street	Housing	26
47	Galashiels	RGALA005	Winston Road	Redevelopment	114
48	Galashiels	AGALA034	Torwoodlee, Buckholm Corner	Housing	100
49	Galashiels	AGALA032	Lintburn Street	Housing	8
50	Galashiels	AGALA036	Rose Court	Housing	12
51	Galashiels	AGALA035	Land North of Easter Langlee	Housing	200
52	Galashiels	AGALA029	Netherbarns	Housing	45
53	Galashiels	RGALA006	Borders College Site	Redevelopment	50

54	Gattonside	AGATT015	Land South of B6360	Housing	30
55	Gattonside	AGATT013	Gateside Meadow/Castlefield	Housing	60
56	Hawick	AHAWI025	Leishman Place	Housing	5
57	Hawick	AHAWI026	Henderson Place	Housing	6
58	Jedburgh	AJEDB015	Hartrigge Crescent 1	Housing	4
59	Jedburgh	AJEDB016	Hartrigge Crescent 2	Housing	3
60	Kelso	AKELS025	Tweed Court	Housing	20
61	Kelso	AKELS026	Nethershot (Phase 2)	Housing	100
62	Kelso	AKELS024	Balgonie Estate	Housing	12
63	Melrose	AMELR011	Newlyn Road	Housing	25
64	Melrose	AMELR012	Bleachfield	Housing	40
65	Midlem	AMIDL004	West of Springfield	Housing	1
66	Midlem	AMIDL003	Townhead	Housing	5
67	Morebattle	AMORE002	Land West of Primary School	Housing	8
68	Mounthooly	AMOUN001	Mounthooly	Housing	15
69	Newstead	ANEWS007	Newstead East	Housing	18
70	Newstead	ANEWS006	Newstead North	Housing	23
71	Newstead	ANEWS005	The Orchard	Housing	6
72	Newtown St Boswells	ANEWT009	Land South of Whitehill	Housing	500
73	Roxburgh	AROXB003	Land to North East of Roxburgh	Housing	20
74	Selkirk	ASELK034	Murison Hill	Housing	50
75	Selkirk	ASELK032	Philiphaugh Nursery	Housing	10
76	Selkirk	ASELK030	Land to West of Calton Cottage	Housing	100
77	Selkirk	ASELK033	Angles Field	Housing	30
78	Selkirk	ASELK038	Heather Mill	Housing	75
79	Selkirk	MSELK002	Heather Mill	Mixed Use	75
80	Selkirk	ASELK036	Middlestead	Housing	5
81	Selkirk	ASELK037	Corner of BSELK001 (Site 1)	Housing	5
82	Selkirk	ASELK035	121-123 High Street	Housing	10
83	Selkirk	ASELK031	Land North of Bannerfield	Housing	10
84	Selkirk	ASELK039	Riverside Road	Housing	33
85	St Boswells	MCHAR002	Charlesfield	Mixed Use	750

86	Stichill	ASTIC001	Land to North West of Eildon View	Housing	16
87	Tweedbank	ATWEE002	Land South of A6091 and Tweedbank	Housing	45
88	Yarrowford	AYARR011	Land to West of Broadmeadows Road	Housing	6
89	Yarrowford	AYARR010	Land to East of Yarrowford Road	Housing	13
90	Yarrowford	AYARR012	Land to West of Broadmeadows Road (2)	Housing	6

### Northern Housing Market Area

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity
91	Broughton	ABROU002	South West of Dreva Road	Housing	25
91	Cardrona	ACARD001	South of B7062	Housing	25
93	Dolphinton	ADOLP004	Land to North of Dolphinton	Housing	10
94	Eddleston	AEDDL005	Darnhall Farm	Housing	40
95	Innerleithen	MINNE001	Caerlee Mill	Mixed Use	35
96	Innerleithen	AINNE008	Land West of Innerleithen	Housing	150
97	Lauder	ALAUD008	Maitland Park Phase 2	Housing	80
98	Lauder	ALAUD007	Land to South East of Lauder	Housing	40
99	Oxton	AOXTO008	Addinston Farm	Housing	15
100	Oxton	AOXTO007	Site to West of Oxton	Housing	5
101	Oxton	AOXTO006	Oxton Mains	Housing	10
102	Peebles	MPEEB004	Land to South East of Peebles (Part of SPEEB005)	Mixed Use	150
103	Peebles	APEEB045	Venlaw	Housing	45
104	Peebles	APEEB049	South West of Whitehaugh	Housing	100
105	Peebles	APEEB048	Land South of South Park Housing	Housing	200
106	Peebles	APEEB047	Land to South West of Edderston Road	Housing	200
107	Peebles	APEEB046	Glensax Road	Housing	6
108	Rommano Bridge	AROMA003	Halmyre Loan	Housing	25
109	Stow	ASTOW023	Land West of Earlston Road	Housing	15
110	Stow	ASTOW028	Muirhouse Farm	Housing	12
111	Stow	MSTOW004	Town Head	Mixed Use	200

112	Walkerburn	AWALK008	Land West of Walkerburn	Housing	8
113	West Linton	<b>*NOTE: The site was withdrawn by the applicant</b>		Mixed Use	
114	West Linton	AWEST018	Land North of West Linton	Housing	160
115	West Linton	AWEST017	South of Robinsland Farm	Housing	250
116	West Linton	AWEST016	Land to the East of the Loan	Housing	100

*NOTE: 116 sites were submitted as part of the Call for Sites process. 1 site was withdrawn (West Linton) and 1 site did not contain the required information (Coldstream). Therefore, 114 sites were assessed as part of the process.*

**APPENDIX 3**

**SUPPLEMENTARY GUIDANCE: HOUSING**

LIST OF ALL SITES WHERE A STAGE 1 ASSESSMENT WAS UNDERTAKEN

## Berwickshire Housing Market Area

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity	RAG Outcome
1	Allanton	AALLA001	West of Blackadder Drive	Housing	40	Red
2	Ayton	AAYTO004	Land North of High Street	Housing	6	Green
3	Cockburnspath	MCOPA001	Kinegar Quarry	Mixed Use	224	Red
4	Cockburnspath	MCOPA002	Land Opposite Dunglass Park	Mixed Use	40	Red
5	Cockburnspath	ACOPA004	Hoprig Road	Housing	10	Red
6	Cockburnspath	ACOPA005	Neuk Farm Steading	Housing	6	Red
7	Coldingham	ACOLH004	Applin Cross	Housing	18	Red
8	Coldstream	ACOLD008	Land at Ladies Field	Housing	60	Red
9	Coldstream	ACOLD009	Hillview North 1	Housing	200	Green
10	Coldstream	ACOLD010	Hillview North 2	Housing	95	Red
11	Coldstream	ACOLD011	Hillview North 1 (Phase 1)	Housing	100	Green
12	Duns	ADUNS024	Land North of Peelrig Farm	Housing	100	Red
13	Duns	ADUNS025	Land West of Former Berwickshire High School	Housing	37	Amber
14	Duns	MDUNS003	Land South of Earlsmeadow	Mixed Use	180	Green
15	Duns	ADUNS026	Land North of Preston Road	Housing	7	Red
16	Duns	MDUNS004	South of Earlsmeadow	Housing	200	Green
17	Duns	MDUNS005	South of Earlsmeadow (Phase 1)	Mixed Use	100	Green
18	Duns	RDUNS003	Disused Chicken Hatchery, Clockmill	Redevelopment	20	Green (Not required, already allocated for re-development in LDP)
19	Edrom	AEDRO001	Edrom (Near Duns)	Housing	6	Red
20	Eyemouth	AEYEM001	Land West of Eyemouth	Housing	120	Red
21	Eyemouth	MEYEM002	Land to North West of Eyemouth	Mixed Use	200	Red
22	Eyemouth	AEYEM011	Land South of Acredale Road	Housing	18	Red

23	Eyemouth	REYEM003	Gas Holder Station	Redevelopment	3	Red
24	Eyemouth	REYEM005	Whale Hotel	Redevelopment	3	Red
25	Gordon	AGORD004	Land at Eden Road	Housing	25	Red
26	Grantshouse	AGRAN003	Land at Harelawside	Housing	40	Red
27	Greenlaw	AGREE007	Greenlaw Poultry Farm	Housing	38	Red
28	Greenlaw	AGREE008	Halliburton Road	Housing	65	Green
29	Greenlaw	MGREE003	Former Extension to Duns Road Industrial Estate	Mixed Use	10	Red
30	Paxton	APAXT004	Chesterfield Farmhouse	Housing	5	Red
31	Polwarth	APOLW001	Land Behind Old Village	Housing	8	Red
32	Reston	AREST002	Land to East of West Reston	Housing	70	Red
33	Reston	AREST003	Reston Long Term 1	Housing	78	Green
34	Reston	AREST004	Reston Long Term 2	Housing	38	Amber
35	Whitsome	AWHIT004	Whitsomehill	Housing	5	Red
36	Whitsome	AWHIT003	Herriot Bank Farm	Housing	8	Red

### Central Housing Market Area

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity	RAG Outcome
37	Ancrum	AANCR002	Dicks' Croft II	Housing	60	Amber
38	Bonchester Bridge	ABONC004	Land to North West of Bonchester Bridge	Housing	6	Red
39	Bowden	ABOWD013	Land to West of Bowden	Housing	7	Red
40	Bowden	ABOWD014	Land to West of Bowden (2)	Housing	8	Red
44	Bowden	ABOWD011	Land South of Cross	Housing	5	Red
42	Bowden	ABOWD012	Land North of Brunton Park	Housing	15	Red
43	Clerklands	ACLER001	Clerklands	Housing	5	Red
44	Clovenfords	ACLOV003	Meigle Farm	Housing	35	Red
45	Crailing	ACRAI004	Crailing Toll (Larger Site)	Housing	10	Red
46	Darnick	ADARN003	Bankend	Housing	30	Red
47	Darnick	ADARN004	Land East of Little Broadmeadows	Housing	5	Red

48	Darnick	MDARN002	Darnick Vale 2	Mixed Use	15	Red
49	Darnick	ADARN002	Darnick Vale	Housing	30	Red
50	Earlston	MEARL001	Geogefield East - Phase 1	Mixed Use	255	Amber
51	Earlston	AEARL016	Southcroft	Housing	10	Red
52	Earlston	AEARL015	Land West of Earlston High School	Housing	50	Red
53	Earlston	MEARL003	Geogefield East – Phase 2	Mixed Use	540	Amber
54	Earlston	MEARL002	Geogefield East (Phases 1,2 & 3)	Mixed Use	700	Amber
55	Earlston	REARL001	Halcombe Fields	Redevelopment	8	Red
56	Eckford	AECKF001	Land to South East of Eckford	Housing	5	Red
57	Ednam	AEDNA010	Cliftonhill (IV)	Housing	20	Red
58	Galashiels	AGALA033	Huddersfield Street	Housing	26	Green
59	Galashiels	RGALA005	Winston Road	Redevelopment	114	Amber
60	Galashiels	AGALA034	Torwoodlee, Buckholm Corner	Housing	100	Red
61	Galashiels	AGALA032	Lintburn Street	Housing	8	Green
62	Galashiels	AGALA036	Rose Court	Housing	12	Green
63	Galashiels	AGALA035	Land North of Easter Langlee	Housing	200	Red
64	Galashiels	AGALA029	Netherbarns	Housing	45	Amber
65	Galashiels	RGALA006	Borders College Site	Redevelopment	50	Green
66	Galashiels	MGALA005	Hollybush Valley Longer Term 1	Mixed Use	500	Red
67	Galashiels	MGALA006	Hollybush Valley Longer Term 2	Mixed Use	900	Red
68	Galashiels	zRO24	Heriot Watt Halls of Residence	Redevelopment	25	Red
69	Galashiels	RGALA002	Vacant Building at Kirk Brae	Redevelopment	9	Red
70	Galashiels	RGALA003	Old Refuse Tip	Redevelopment	29	Red
71	Galashiels	RGALA004	Bylands	Redevelopment	4	Red
72	Galashiels	zCR2	Huddersfield St/Hill Street	Redevelopment	28	Red
73	Galashiels	zCR3	Stirling Street	Redevelopment	18	Red
74	Galashiels	AGALA037	Former Castle Warehouse Site	Housing	30	Green
75	Gattonside	AGATT015	Land South of B6360	Housing	30	Red
76	Gattonside	AGATT013	Gateside Meadow/Castlefield	Housing	60	Red
77	Hawick	AHAWI025	Leishman Place	Housing	5	Green
78	Hawick	AHAWI026	Henderson Place	Housing	6	Green
79	Hawick	AHAWI027	Burnfoot (Phase 1)	Housing	60	Green



80	Hawick	MHAWI001	Gala Law	Mixed Use	500	Red
81	Hawick	zRO8	Commercial Road	Redevelopment	50	Red
82	Hawick	RHAWI010	Cottage Hospital	Redevelopment	14	Red
83	Hawick	RHAWI011	Factory, Fairhurst Drive	Redevelopment	10	Amber
84	Hawick	RHAWI012	St Margaret's & Wilton South Church	Redevelopment	6	Red
85	Hawick	RHAWI013	Former Council Houses, Eastfield Road	Redevelopment	0	Red
86	Hawick	RHAWI014	Land on Mansfield Road	Redevelopment	8	Red
87	Hawick	RHAWI015	Land East of Community Hospital	Redevelopment	8	Red
88	Hawick	RHAWI016	Former N Peal Factory, Carnarvon Street	Redevelopment	10	Red
89	Jedburgh	AJEDB015	Hartrigge Crescent 1	Housing	4	Red
90	Jedburgh	AJEDB016	Hartrigge Crescent 2	Housing	3	Red
91	Jedburgh	RJEDB002	Riverside Mill	Redevelopment	5	Red
92	Kelso	AKELS025	Tweed Court	Housing	20	Green
93	Kelso	AKELS026	Nethershot (Phase 2)	Housing	100	Green
94	Kelso	AKELS024	Balgonie Estate	Housing	12	Red
95	Kelso	AKELS027	Nethershot (Phases 2 & 3)	Housing	260	Green
96	Kelso	AKELS028	Hendersyde (Phase 2)	Housing	190	Green
97	Kelso	RKELS002	Former Kelso High School	Redevelopment	50	Green
98	Melrose	AMELR011	Newlyn Road	Housing	25	Red
99	Melrose	AMELR012	Bleachfield	Housing	40	Red
100	Midlem	AMIDL004	West of Springfield	Housing	1	Red
101	Midlem	AMIDL003	Townhead	Housing	5	Red
102	Morebattle	AMORE002	Land West of Primary School	Housing	8	Red
103	Mounthooly	AMOUN001	Mounthooly	Housing	15	Red
104	Newstead	ANEWS007	Newstead East	Housing	18	Red
105	Newstead	ANEWS006	Newstead North	Housing	23	Amber
106	Newstead	ANEWS005	The Orchard	Housing	6	Green
107	Newtown St Boswells	ANEWT009	Land South of Whitehill	Housing	500	Red
108	Newtown St Boswells	zRO23	Mills	Redevelopment	15	Red
109	Newtown St Boswells	zRO21	Depot	Redevelopment	30	Red
110	Roxburgh	AROXB003	Land to North East of Roxburgh	Housing	20	Amber
111	Selkirk	ASELK034	Murison Hill	Housing	50	Red

112	Selkirk	ASELK032	Philiphaugh Nursery	Housing	10	Red
113	Selkirk	ASELK030	Land to West of Calton Cottage	Housing	100	Red
114	Selkirk	ASELK033	Angles Field	Housing	30	Green
115	Selkirk	ASELK038	Heather Mill	Housing	75	Amber
116	Selkirk	MSELK002	Heather Mill	Mixed Use	75	Amber
117	Selkirk	ASELK036	Middlestead	Housing	5	Red
118	Selkirk	ASELK037	Corner of (BSELK003 Site 1)	Housing	5	Red
119	Selkirk	ASELK035	121-123 High Street	Housing	10	Red
120	Selkirk	ASELK031	Land North of Bannerfield	Housing	10	Amber
121	Selkirk	ASELK039	Riverside Road	Housing	33	Red
122	Selkirk	ASELK040	Philiphaugh Mill	Housing	19	Amber
123	Selkirk	ASELK041	Philiphaugh 2	Housing	8	Amber
124	Selkirk	RSELK003	Land at Kilncroft/Mill Street	Redevelopment	5	Red
125	Selkirk	RSELK004	Souter Court	Redevelopment	9	Red
126	St Boswells	MCHAR002	Charlesfield	Mixed Use	750	Amber
127	Stichill	ASTIC001	Land to North West of Eildon View	Housing	16	Red
128	Tweedbank	MTWEE001	Site East of Railway Station	Mixed Use	0	Red
129	Tweedbank	ATWEE002	Land South of A6091 and Tweedbank	Housing	45	Red
130	Tweedbank	MTWEE002	Lowood	Mixed Use	300	Amber
131	Yarrowford	AYARR011	Land to West of Broadmeadows Road	Housing	6	Red
132	Yarrowford	AYARR010	Land to East of Yarrowford Road	Housing	13	Red
133	Yarrowford	AYARR012	Land to West of Broadmeadows Road (2)	Housing	6	Red

### Northern Housing Market Area

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity	RAG Outcome
134	Broughton	ABROU002	South West of Dreva Road	Housing	25	Green
135	Cardrona	ACARD001	South of B7062	Housing	25	Red
136	Cardrona	MCARD008	Nether Horsburgh	Mixed Use	140	Amber
137	Dolphinton	ADOLP004	Land to North of Dolphinton	Housing	10	Red

138	Eddleston	AEDDL005	Darnhall Farm	Housing	40	Red
139	Innerleithen	MINNE001	Caerlee Mill	Mixed Use	35	Green
140	Innerleithen	AINNE008	Land West of Innerleithen	Housing	150	Red
141	Innerleithen	AINNE009	Kirklands II	Housing	100	Red
142	Lauder	ALAUD008	Maitland Park Phase 2	Housing	80	Red
143	Lauder	ALAUD007	Land to South East of Lauder	Housing	40	Red
144	Oxton	AOXTO008	Addinston Farm	Housing	15	Red
145	Oxton	AOXTO007	Site to West of Oxton	Housing	5	Red
146	Oxton	AOXTO006	Oxton Mains	Housing	10	Red
147	Peebles	MPEEB004	Land to South East of Peebles (Part of SPEEB005)	Mixed Use	150	Amber
148	Peebles	APEEB045	Venlaw	Housing	45	Red
149	Peebles	APEEB049	South West of Whitehaugh	Housing	100	Amber
150	Peebles	APEEB048	Land South of South Park Housing	Housing	200	Red
151	Peebles	APEEB047	Land to South West of Edderston Road	Housing	200	Red
152	Peebles	APEEB046	Glensax Road	Housing	6	Green
153	Peebles	APEEB050	South West of Whitehaugh	Housing	100	Amber
154	Peebles	APEEB051	North West of Hogbridge	Housing	55	Amber
155	Peebles	MPEEB008	Peebles East (South of the River)	Mixed Use	150	Amber
156	Peebles	MPEEB006	Rosetta Road Mixed Use	Mixed Use	30	Green
157	Peebles	MPEEB007	March Street Mills	Mixed Use	70	Green
158	Rommano Bridge	AROMA003	Halmyre Loan	Housing	25	Amber
159	Stow	ASTOW023	Land West of Earlston Road	Housing	15	Red
160	Stow	ASTOW028	Muirhouse Farm	Housing	12	Red
161	Stow	MSTOW004	Town Head	Mixed Use	200	Red
162	Walkerburn	AWALK008	Land West of Walkerburn	Housing	8	Red
163	West Linton	AWEST018	Land North of West Linton	Housing	160	Red
164	West Linton	AWEST017	South of Robinsland Farm	Housing	250	Red
165	West Linton	AWEST016	Land to the East of the Loan	Housing	100	Red

165 Stage 1 Site Assessments undertaken

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**APPENDIX 4**

**SUPPLEMENTARY GUIDANCE: HOUSING**

TEMPLATE FOR THE STAGE 1 ASSESSMENT

## Stage 1 Site Assessment Template

Site Code	Site Name	Settlement

	Criteria	Comments	RAG
a	Compliance with SPP/Development Plan/LDP settlement strategy (including presence in settlement or housing market area of potential longer term/mixed use/redevelopment sites or current zoned sites)		
b	Relationship to settlement and local area (including relationship to Countryside Around Town)		
c	Capacity within the settlement to accommodate the proposal?		
d	Potential contribution to Council Economic Strategy (where applicable)		
e	Is there an existing planning permission on the site?		
f	Brownfield or regeneration site?		
g	Does the site have a potential to make a significant contribution to the shortfall?		
h	Are there any physical (infrastructure/contamination/hazards) or other limitations?		
i	Marketability of the site		
j	Presence of a house builder or developer?		
k	Flood Risk		
l	Potential impact upon the natural environment		
m	Potential impact upon the built environment		

n	Access to local services		
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Overall Conclusion and Comments			Overall RAG Assessment
<b>Stage 2 Assessment Required</b>	<b>Yes</b>	<b>No</b>	

*\*NOTE: The first stage of the site assessment will be a broad assessment of the suitability of the site to contribute to the identified requirement and ultimately whether a stage 2 assessment will be carried out. The criteria is in line with the policies set out in the LDP and SDP, including Policy 7: Maintaining a 5 year housing land supply.*

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**APPENDIX 5**

**SUPPLEMENTARY GUIDANCE: HOUSING**

LIST OF SITES ASSESSED (LONGER TERM, ALLOCATED OR OTHER SITES IDENTIFIED WITH POTENTIAL)

### Longer Term Housing Sites

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity	RAG Outcome
1	Coldstream	ACOLD009	Hillview North 1	Housing	200	Green
2	Coldstream	ACOLD010	Hillview North 2	Housing	95	Red
3	Coldstream	ACOLD011	Hillview North 1 (Phase 1)	Housing	100	Green
4	Hawick	AHAWI027	Burnfoot (Phase 1)	Housing	60	Green
5	Innerleithen	AINNE009	Kirklands II	Housing	100	Red
6	Kelso	AKELS027	Nethershot (Phases 2 & 3)	Housing	260	Green
7	Kelso	AKELS028	Hendersyde (Phase 2)	Housing	190	Green
8	Peebles	APEEB050	South West of Whitehaugh	Housing	100	Amber
9	Peebles	APEEB051	North West of Hogbridge	Housing	55	Amber
10	Reston	AREST003	Reston Long Term 1	Housing	78	Green
11	Reston	AREST004	Reston Long Term 2	Housing	38	Amber

### Longer Term Mixed Use Sites

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity	RAG Outcome
1	Duns	MDUNS004	South of Earlsmeadow	Mixed Use	200	Green
2	Duns	MDUNS005	South of Earlsmeadow (Phase 1)	Mixed Use	100	Green
3	Earlston	MEARL002	Georgefield East (Phases 1,2 & 3)	Mixed Use	700	Amber
4	Galashiels	MGALA005	Hollybush Valley Longer Term 1	Mixed Use	500	Red
5	Galashiels	MGALA006	Hollybush Valley Longer Term 2	Mixed Use	900	Red
6	Peebles	MPEEB008	Peebles East (South of the River)	Mixed Use	150	Amber

### Allocated Mixed Use Sites

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity	RAG Outcome
1	Greenlaw	MGREE003	Former Extension to Duns Road Industrial Estate	Mixed Use	10	Red
2	Hawick	MHAWI001	Gala Law	Mixed Use	500	Red
3	Peebles	MPPEB006	Rosetta Road Mixed Use	Mixed Use	30	Green
4	Tweedbank	MTWEE001	Site East of Railway Station	Mixed Use	0	Red

### Allocated Redevelopment Sites

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity	RAG Outcome
1	Duns	RDUNS003	Disused Chicken Hatchery, Clockmill	Redevelopment	20	The site is already allocated within the LDP for redevelopment
2	Earlston	REARL001	Halclombe Fields	Redevelopment	8	Red
3	Eyemouth	REYEM003	Gasholder Station	Redevelopment	3	Red
4	Eyemouth	REYEM005	Whale Hotel	Redevelopment	3	Red
5	Galashiels	zRO24	Heriot Watt Halls of Residence	Redevelopment	25	Red
6	Galashiels	RGALA002	Vacant Building at Kirk Brae	Redevelopment	9	Red
7	Galashiels	RGALA003	Old Refuse Tip	Redevelopment	29	Red
8	Galashiels	RGALA004	Bylands	Redevelopment	4	Red
9	Galashiels	zCR2	Huddersfield St/Hill Street	Redevelopment	28	Red
10	Galashiels	zCR3	Stirling Street	Redevelopment	18	Red
11	Selkirk	RSELK003	Land at Kilncroft/Mill Street	Redevelopment	5	Red
12	Selkirk	RSELK004	Souter Court	Redevelopment	9	Red
13	Hawick	zRO8	Commercial Road	Redevelopment	50	Red
14	Hawick	RHAWI010	Cottage Hospital	Redevelopment	14	Red
15	Hawick	RHAWI011	Factory, Fairhurst Drive	Redevelopment	10	Amber
16	Hawick	RHAWI012	St Margaret's & Wilton South	Redevelopment	6	Red

			Church			
17	Hawick	RHAWI013	Former Council Houses, Eastfield Road	Redevelopment	0	Red
18	Hawick	RHAWI014	Land at Mansfield Road	Redevelopment	8	Red
19	Hawick	RHAWI015	Land East of Community Hospital	Redevelopment	8	Red
20	Hawick	RHAWI016	Former N Peal Factory, Carnarvon Street	Redevelopment	10	Red
21	Jedburgh	RJEDB002	Riverside Mills	Redevelopment	5	Red
22	Kelso	RKELS002	Former High School Site	Redevelopment	50	Green
23	Newtown St Boswells	zRO23	Mills	Redevelopment	15	Red
24	Newtown St Boswells	zRO21	Depot	Redevelopment	30	Red

#### Other Sites with Potential

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity	RAG Outcome
1	Cardrona	MCARD008	Nether Horsburgh	Mixed Use	140	Amber
2	Galashiels	AGALA037	Former Castle Warehouse Site	Housing	30	Green
3	Peebles	MPEEB007	March Street Mills	Mixed Use	70	Green
4	Selkirk	ASELK040	Philiphaugh Mill	Housing	19	Amber
5	Selkirk	ASELK041	Philiphaugh 2	Housing	8	Amber
6	Tweedbank	MTWEE002	Lowood	Mixed Use	300	Amber

**APPENDIX 6**

**SUPPLEMENTARY GUIDANCE: HOUSING**

DATABASE REPORT FOR ALL STAGE 1 SITE ASSESSMENTS

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# Database Extract - Stage 1 Initial Assessments

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<b>Site Ref</b>	<b>AALLA001</b>							
<b>Site name</b>	West of Blackadder Drive	<b>Proposed usage</b>	<b>SDA</b>	<b>HMA</b>	<b>Settlement</b>	<b>Site area (ha)</b>	<b>Indicative capacity</b>	<b>Housing SG Status</b>
		Housing	Eastern	Berwickshire	Allanton	1.9	40	Excluded

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## Initial Assessment Summary

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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## Overall Assessment Conclusions

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

No information has been submitted in respect of an indicative site capacity, developer or phasing of the site. Given the size of the site, it is not considered that the proposal would make a significant contribution towards the housing shortfall.

It is not considered that the proposed allocation would be consistent with the existing linear development pattern evident within Allanton, nor would it respect the character of the existing village or Conservation Area.

There are a number of natural and built environmental constraints within the site, including the presence of an Ancient Woodland Inventory, Designed Landscape and Prime Quality Agricultural Land. Furthermore, the site is adjacent to the Allanton Conservation Area, which includes 17 listed buildings. It is considered that development on this site could have the potential to adversely impact upon the character and integrity of the listed buildings and the character and appearance of the adjacent Conservation Area.

Overall, taking the above constraints into consideration, it is not considered that the proposal would be in keeping with the existing settlement pattern of Allanton, has the potential to adversely impact upon the existing Ancient Woodland Inventory, Designed Landscape and Prime Quality Agricultural land within/adjacent to the site. Furthermore, there is the potential for adverse impacts upon the Allanton Conservation Area and adjacent listed buildings, as a result of developing this site.

Therefore, given the above constraints within and adjacent to the site, including the lack of evidence to demonstrate that the site would be effective within the plan period, the site will not be taken forward as part of the Housing SG and will not be subject to a stage 2 assessment. Furthermore, it should be noted that there are more suitable housing/mixed use opportunities within the wider Berwickshire Housing Market Area.

**Site Ref ACOPA004****Site name** Hoprig Road**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Cockburnspath

**Site area  
(ha)**

0.7

**Indicative  
capacity**

10

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The existing housing allocations within Cockburnspath have not been developed to date. Therefore, there is limited scope for a third allocation within the settlement to be taken forward as part of the Housing SG. Furthermore, the applicant has not indicated a developer within the Pro Forma.

The LDP outlines that the preferred area for any expansion within Cockburnspath is to the north and that development into open fields to the west of or over the road to the east should be avoided to maintain the settlement form.

Overall, taking the above into consideration, it is considered that there is sufficient housing land within Cockburnspath for the plan period. Furthermore, the LDP states that the preferred area for future development is to the north of the settlement and not into the open fields to the west. There are other allocated sites and longer term opportunities within the Berwickshire Housing Market Area, as contained within the LDP. Therefore, it is not considered that this site should be included within the Housing SG and will not be subject to a stage 2 assessment.

**Site Ref ACOPA005****Site name** Neuk Farm Steading**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Cockburnspath

**Site area (ha)**

0.2

**Indicative capacity**

6

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Overall, the site is located within a countryside location, outwith any defined settlement boundary, as identified within the Local Development Plan (LDP). It is considered that housing at this location would be better dealt with through the development management process and assessed against the relevant policies for such a proposal.

There are existing housing allocations within the nearby settlement of Cockburnspath which have not been developed to date. Furthermore, the proposal would not make a significant contribution towards the housing shortfall and there is no developer/builder indicated on the Pro Forma submission.

Overall, taking the above into consideration, it is not considered that the site should be included within the Housing SG and no further Stage 2 assessment or conclusion will be undertaken.



**Site Ref MCOPA001****Site name** Kinegar Quarry**Proposed usage**

Mixed Use

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Cockburnspath

**Site area  
(ha)**

20.9

**Indicative  
capacity**

224

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The existing housing allocations within Cockburnspath have not been developed to date. Therefore, there is limited scope for a third allocation within the settlement to be taken forward as part of the Housing SG. Furthermore, the applicant has not indicated a developer within the Pro Forma.

The site is detached from Cockburnspath and when the site was previously assessed at the Local Plan Inquiry, the Reporter recommended against the inclusion of the site. The site remains remote from the settlement and separated by a field. The proposed site does not relate well to the existing settlement. Furthermore, the LDP outlines that the preferred area for any expansion within Cockburnspath is to the north.

Overall, taking the above into consideration, it is considered that there is sufficient housing land within Cockburnspath for the plan period. Furthermore, it is considered that the site is detached from Cockburnspath and does not relate well to the settlement. There are other allocated sites and longer term opportunities within the Berwickshire Housing Market Area, as contained within the LDP. Therefore, it is not considered that this site should be included within the Housing SG and will not be subject to a stage 2 assessment.

**Site Ref MCOPA002****Site name** Land Opposite Dunglass Park**Proposed usage**

Mixed Use

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Cockburnspath

**Site area (ha)**

5.2

**Indicative capacity**

40

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The existing housing allocations within Cockburnspath have not been developed to date. Therefore, there is limited scope for a third allocation within the settlement to be taken forward as part of the Housing SG. Furthermore, the applicant has not indicated a developed within the Pro Forma.

The LDP states that development into open fields to the west or over the road to the east should be avoided to maintain the settlement form. It is considered that the proposed site is contrary to this and is detached and not well connected to the existing settlement boundary. The LDP outlines that the preferred area for any expansion within Cockburnspath is to the north.

Overall, taking the above into consideration, it is considered that there is sufficient housing land within Cockburnspath for the plan period. Furthermore, it is considered that the site is detached from Cockburnspath and does not relate well to the settlement. There are other allocated sites and longer term opportunities within the Berwickshire Housing Market Area, as contained within the LDP. Therefore, it is not considered that this site should be included within the Housing SG and will not be subject to a stage 2 consultation.

**Site Ref** **ACOLH004****Site name** Applin Cross**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Coldingham

**Site area  
(ha)**

3.0

**Indicative  
capacity**

18

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

There are 2 existing housing allocations within Coldingham, which have not been developed to date. Therefore, there is limited scope for a third allocation within the settlement to be taken forward as part of the Housing SG. Coldingham lies 3 miles from Eyemouth, where there are a number of existing housing allocations and a redevelopment opportunity. There are also longer term housing and mixed use opportunities within the wider Berwickshire Housing Market Area. The applicant has not indicated a developer within the Pro Forma submitted.

The site is located within the 'Berwickshire Coast' SLA and there is potential for the development to impact upon the wider SLA, given that the site is visible from the roadside and approach roads. The LDP states that the preferred area for expansion is to the West of Coldingham. Furthermore, the indicative site capacity would not make a significant contribution towards the housing shortfall.

Overall, taking the above into consideration, it is considered that there is sufficient housing land within Coldingham for the plan period. There are concerns that the development could impact upon the wider SLA. Therefore it is considered that the site should be included within the Housing SG and no stage 2 assessment will be undertaken.

## Site Ref **ACOLD008**

Site name Land at Ladies Field

### Proposed usage

Housing

### SDA

Rest of Borders

### HMA

Berwickshire

### Settlement

Coldstream

Site area  
(ha)

6.5

Indicative  
capacity

60

Housing  
SG Status

Excluded

### Initial Assessment Summary

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

### Overall Assessment Conclusions

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment as undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The woodland on the Eastern boundary of the site is a strong and natural boundary to Coldstream and development of this site has biodiversity considerations and the potential to adversely impact upon the setting of the wooded policies and pasture. The site is also constrained within the Landscape Capacity Study, as discussed above.

The site is located within the Prime Quality Agricultural Land and the River Tweed SSSI lies to the south of the site. There is also the potential for archaeological investigations, given the cropmark data within the adjacent field.

Although the 60 units proposed would make a significant contribution towards the housing shortfall, there are 3 existing housing allocations, 3 re-development allocations and 2 longer term housing opportunities within Coldstream. Therefore, it is not considered that there is capacity for a further housing allocation within the plan period, as well as those identified within the LDP. In addition, Duns is located 10 miles away, where there are further housing and redevelopment opportunities, as well as a longer term mixed use site with potential.

It should also be noted that a similar site boundary was considered for inclusion as part of the Local Plan Amendment and rejected. The Reporter stated that the site is fundamentally separated from Coldstream by means of very mature and substantial tree belt. The site was considered again for inclusion as part of the Local Development Plan and the site assessment concluded that the site was not appropriate for development as it extends beyond the mature woodland which finishes boundary of settlement and site has biodiversity issues, it affects woodland policy setting and is constrained within the LCS.

Overall, taking the above into consideration, it is not considered that the site should be included within the Housing SG and no further stage 2 assessment or consultation will be undertaken.

It should also be noted that, the Council is seeking land for new cemetery provision in the Coldstream area. The land owner is in discussions with the Council in regards to giving up part of the site for a cemetery, although this was not tabled as part of the Call for Sites process. The land owner has recently stated that the land will only be released for a cemetery if the overall site is allocated for housing land. For the purposes of this Supplementary Guidance on Housing, it is contended that the site remains unsuitable for housing and should not be allocated.

**Site Ref ACOLD010****Site name** Hillview North 2**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Coldstream

**Site area  
(ha)**

3.8

**Indicative  
capacity**

95

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage a RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is already identified within the LDP as a longer term housing site. Furthermore, the site is identified within the Landscape Capacity Study as a preferred longer term housing opportunity.

There are a number of existing housing and re-development allocations within Coldstream and Policy HD4 advises to look at the longer term sites in the first instance. The site is considered acceptable for housing and has the potential to make a significant contribution towards the housing shortfall. However, it is not considered that there is capacity for both the longer term housing sites to be brought forward as part of the Housing SG.

The access for this site, relies on the delivery of the adjacent longer term opportunity (SCOLD001) in the first instance. Therefore the release of this site would logically follow the development of (SCOLD001). It is therefore considered that it would be more appropriate to bring forward all or part of (SCOLD001), as part of the Housing SG, opposed to this site.

Overall, taking the above into consideration, it is not considered that a stage 2 assessment will be undertaken for this site.

**Site Ref ADUNS024****Site name** Land North of Peelrig Farm**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area (ha)**

4.1

**Indicative capacity**

100

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

There are a number of existing allocations within Duns, which do not have any planning consent and those which have not commenced to date. The Reporter also stated that the Council should look at the longer term identified sites in the first instance. Therefore, there is limited capacity within Duns, for any further housing allocations within the local plan period.

Although the site is preferred in respect of the Landscape Capacity Study, there are access constraints with the site. The site was previously assessed as part of the Local Plan Amendment and the Roads Planning Service raised concerns in respect of the proposed access to the site. They advised that the surrounding road network is not suitable for serving the site for residential development.

There are no flooding constraints on the site, however there are a number of constraints upon the built environment, including; Historic Record, Core Path and the Former Berwickshire Railway Line which runs along the south of the site.

Overall, taking the above into consideration, it is considered that there are sufficient allocations, along with the identified longer term mixed use site, for the plan period. Furthermore, there is an access constraint in respect of any development. Therefore, it is not considered that this site should be included within the Housing SG and no further stage 2 assessment or consultation will be undertaken.

**Site Ref ADUNS026****Site name** Land North of Preston Road**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area (ha)**

1.6

**Indicative capacity**

7

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

There are a number of existing allocations within Duns, which do not have any planning consent and those which have not commenced to date. The Reporter also stated that the Council should look at the longer term identified sites in the first instance. Therefore, there is limited capacity within Duns, for any further housing allocations within the local plan period. Furthermore, the proposal would make a limited contribution towards the housing shortfall, albeit there is a developer interested in taking this site forward.

The site is constrained within the Landscape Capacity Study and is sited within a prominent location, within the 'Duns Castle' Garden and Designed Landscape and SBC's Designed Landscape 'Duns'. There are a number of constraints upon the natural environment, which would require further consultation and mitigation where necessary.

The site was previously assessed as part of the Local Development Plan (ADUNS009) and was not taken forward as part of the LDP. It was considered that there was sufficient housing land supply for the plan period and that the site would be quite prominent in terms of landscaping and integration with the settlement.

Overall, it was considered that the site does not have the potential for future housing as part of the Housing SG and no stage 2 assessment or consultation will be undertaken.

**Site Ref RDUNS003****Site name** Disused Chicken Hatchery, Clockmill**Proposed usage**

Redevelopment

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area  
(ha)**

1.0

**Indicative  
capacity**

20

**Housing  
SG Status****Not Applicable**

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**Initial Assessment Summary**

The site is already allocated within the Local Development Plan for re-development, with an indicative site capacity for 20 units. The 20 units were not included within the contribution towards the land supply, as part of the LDP. However, the 20 units do provide additional capacity towards the housing shortfall and have been included within Section 4.2 of the Housing Supplementary Guidance.

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**Overall Assessment Conclusions**

The site is already allocated within the Local Development Plan for re-development, with an indicative site capacity for 20 units. The 20 units were not included within the contribution towards the land supply, as part of the LDP. However, the 20 units do provide additional capacity towards the housing shortfall and have been included within Section 4.2 of the Housing Supplementary Guidance.

Therefore, there is no need to progress to a stage 2 assessment/consultation process, given that the units can be taken into consideration, within Section 4.2 of the Housing SG.



**Site Ref AEDRO001****Site name** Edrom (Near Duns)**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Edrom

**Site area (ha)**

1.8

**Indicative capacity**

6

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Overall, the site is located within a countryside location, outwith any defined settlement boundaries, as identified within the LDP. It is considered that housing at this location would be better dealt with through the development management process and there are existing policies contained within the LDP for such proposals.

The proposal would not make a significant contribution towards the housing shortfall and there is no developer/builder associated with the proposal.

Overall, taking the above into consideration, it is not considered that the site should be included within the Housing SG and no further Stage 2 assessment or conclusion will be undertaken.

**Site Ref AEYEM001****Site name** Land West of Eyemouth**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Eyemouth

**Site area  
(ha)**

5.4

**Indicative  
capacity**

120

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was submitted through the Call for Site process as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

There are a number of existing allocations which remain undeveloped within Eyemouth. Given the number of units allocated on these sites and the lack of progress to date, it is considered that there is limited capacity for any additional sites within the plan period, within Eyemouth.

Furthermore, there is a physical constraint in respect of there being no suitable access.

Overall, given the physical constraint and limited capacity within Eyemouth, it is not considered that a stage 2 assessment or consultation will be undertaken.

**Site Ref AEYEM011****Site name** Land South of Acredale Road**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Eyemouth

**Site area (ha)**

0.1

**Indicative capacity**

18

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG.

**Overall Assessment Conclusions**

There are a number of existing allocations which remain undeveloped within Eyemouth. Given the number of units allocated on these sites and the lack of progress to date, it is considered that there is limited capacity for any additional sites within the plan period, within Eyemouth.

The Pro Forma indicates a site capacity for 18 units, however it is considered that this is somewhat too high, given the surrounding area, property types and densities. It is questionable whether the minimum housing land required could be achieved on the site, whilst still accommodating garden ground, access and parking to serve any development. The surrounding properties are predominantly detached and semi-detached properties and perhaps this would be a more suitable development for the corner site, in comparison to flats.

The site is already in use for employment and the redevelopment of this site to housing would result in the loss of potential future employment land. It would be regrettable to loose/encourage the loss of the current employment uses on the site.

This site is a brownfield site, located within the existing settlement boundary and could be assessed against the infill policy for housing, should an application be submitted to Development Management.

Given that any potential development may not exceed the minimum housing land requirement, it is considered that an application through the development management planning process, would be a better route for this type of proposal. It is not anticipated that housing development on this site would significantly contribute to meeting the housing shortfall.

Therefore, on balance, taking into consideration, the number of existing allocations within Eyemouth, existing use and likely lower density of development within the site, it is not considered that a stage 2 assessment/consultation should be undertaken on the site. It should be noted that any development could be tested through a planning application and assessed accordingly against the LDP.

**Site Ref MEYEM002****Site name** Land to North West of Eyemouth**Proposed usage**

Mixed Use

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Eyemouth

**Site area (ha)**

10.5

**Indicative capacity**

200

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was submitted through the Call for Site process as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

There are a number of existing allocations which remain undeveloped within Eyemouth. Given the number of units allocated on these sites and the lack of progress to date, it is considered that there is limited capacity for any additional sites within the plan period, within Eyemouth.

There are other longer term and mixed use opportunities within the Berwickshire Housing Market Area, which could be brought forward in the SG. Furthermore, the site is constrained in the Landscape Capacity Study, given the visually prominent location and exposed slopes, with a lack of containment.

Overall, taking the above into consideration, it is not considered that a stage 2 assessment or consultation will be undertaken.

**Site Ref REYEM003****Site name** Gas Holder Station**Proposed usage**

Redevelopment

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Eyemouth

**Site area  
(ha)**

0.1

**Indicative  
capacity**

3

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

This site is allocated for re-development within the LDP. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

It should be noted that the stage 1 assessment considered whether it would be appropriate to include the re-development site within the Housing SG, with an indicative housing site capacity.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

There are a number of existing allocations which remain undeveloped within Eyemouth. Given the number of units allocated within these sites and the lack of progress to date, it is considered that there is limited capacity for any additional sites within the plan period, within Eyemouth.

There are other longer term housing and mixed use opportunities within the Berwickshire HMA, which could be brought forward as part of the SG. Furthermore, this is a small site which would not make a significant contribution towards the housing shortfall. There is potential contamination within the site, which would require remediation. It is considered that it would be beneficial to retain this site as a re-development opportunity within Eyemouth, which could accommodate a variety of future uses.

Overall, taking the above into consideration, no stage 2 assessment/consultation will be undertaken.

**Site Ref REYEM005****Site name** Whale Hotel**Proposed usage**

Redevelopment

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Eyemouth

**Site area (ha)**

0.1

**Indicative capacity**

3

**Housing SG Status****Excluded****Initial Assessment Summary**

This site is allocated for re-development within the LDP. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

It should be noted that the stage 1 assessment considered whether it would be appropriate to include the re-development site within the Housing SG, with an indicative housing site capacity.

It should be noted that the site was subject to Examination as part of the LDP process and the Reporter made no modifications to the allocation as part of the process.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

There are a number of existing allocations which remain undeveloped within Eyemouth. Given the number of units allocated on these sites and the lack of progress to date, it is considered that there is limited capacity for any additional sites within the plan period, within Eyemouth. It should also be noted that this site has been recently subject to Examination, as part of the LDP process and the Reporter made no modifications to the allocation.

There are other longer term housing and mixed use opportunities within the Berwickshire HMA, which could be brought forward as part of the Housing SG. Furthermore, this is a small site which would not make a significant contribution towards the housing shortfall.

Furthermore, the building has the potential for other non-residential uses and is currently allocated for re-development within the LDP. It is considered that it would be more beneficial for the site to be retained as a re-development opportunity, which promotes other non-residential uses.

Taking the above into consideration, it is not considered that a stage 2 assessment/consultation will be required.

**Site Ref AGORD004****Site name** Land at Eden Road**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Gordon

**Site area  
(ha)**

1.5

**Indicative  
capacity**

25

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

There is an existing housing allocation within Gordon and the LDP indicates that the preferred area for expansion would be towards the east, north of Eden Road. However, given the size of Gordon and the existing undeveloped housing allocation, it is considered that there is sufficient housing within Gordon for the period of the LDP.

Furthermore, Gordon is located within close proximity to Earlston and Greenlaw, where there are longer term opportunities, which could be brought forward for housing in the first instance. The proposal is for 20-25 units and it is not considered that this would make a significant contribution towards the housing shortfall.

On balance, taking the above into consideration, the proposed site will not be taken forward for a stage 2 assessment/consultation.

**Site Ref AGRAN003****Site name** Land at Harelawside**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Grantshouse

**Site area (ha)**

2.5

**Indicative capacity**

40

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Overall, the site is located within a countryside location, outwith any defined settlement boundaries, as identified within the LDP. It is considered that housing at this location would be better dealt with through the development management process and there are existing policies contained within the LDP for such proposals. There are existing housing, redevelopment and longer term housing/mixed use opportunities within the wider Berwickshire Housing Market Area.

The proposal would not make a significant contribution towards the housing shortfall and there is no developer/builder associated with the proposal.

Overall, taking the above into consideration, it is not considered that the site should be included within the Housing SG and no further Stage 2 assessment or conclusion will be undertaken.



**Site Ref** **AGREE007****Site name** Greenlaw Poultry Farm**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Greenlaw

**Site area  
(ha)**

2.2

**Indicative  
capacity**

38

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Greenlaw is located outwith any Strategic Development Area and there are a number of existing allocations (housing and mixed use) within the settlement, with a total capacity in excess of 100 units. None of these units have commenced to date. Furthermore, there is a longer term housing site identified within Greenlaw. The LDP states that the preferred area for expansion is the longer term housing site identified within the LDP (SGREE003). Furthermore, this site was assessed as part of the recent LDP Examination and the Reporter did not include the site for housing.

The indicative site capacity of 38 units would not make a significant contribution towards the housing shortfall and there is no developer/house builder associated with the proposal.

Given the existing housing, mixed use and longer term housing site, it is not considered that there is capacity for a further housing allocation within the plan period within Greenlaw, as well as those identified within the LDP.

Overall, taking the above into consideration, it is not considered that the site should be included within the Housing SG and no further stage 2 assessment or consultation will be undertaken.

**Site Ref MGREE003****Site name** Former extension to Duns Road Industrial Estate**Proposed usage**

Mixed Use

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Greenlaw

**Site area (ha)**

0.3

**Indicative capacity**

10

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

This site is allocated for mixed use development, as part of the LDP. The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was assessed as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Greenlaw is located outwith any Strategic Development Area and there are a number of existing allocations (housing and mixed use) within the settlement, with a total capacity in excess of 100 units. None of these units have commenced to date. Furthermore, there is a longer term housing site identified within Greenlaw. The LDP states that the preferred area for expansion is the longer term housing site identified within the LDP (SGREE003).

The site area is 0.4ha, which could perhaps accommodate 10 units, however this would not make a significant contribution towards the housing shortfall and there is no developer/house builder known to be associated with the proposal.

Furthermore, it should be noted that this site was assessed as part of the LDP Examination, where the Reporter concluded to retain the site as mixed use and stated that the allocation of the site for mixed use development clearly does not preclude an element of residential development.

Overall, taking the above into consideration, including the recent Examination report, it is not considered that a stage 2 assessment should be undertaken.

**Site Ref APAXT004****Site name** Chesterfield Farmhouse**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Paxton

**Site area (ha)**

0.9

**Indicative capacity**

5

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Overall, the site is located within a countryside location, outwith any defined settlement boundaries, as identified within the LDP. It is considered that housing at this location would be better dealt with through the development management process and there are existing policies contained within the LDP for such proposals. There are existing housing, redevelopment and mixed use opportunities within the wider Berwickshire Housing Market Area.

The proposal would not make a significant contribution towards the housing shortfall and there is no developer/builder associated with the proposal.

Overall, taking the above into consideration, it is not considered that the site should be included within the Housing SG and no further Stage 2 assessment or conclusion will be undertaken.

**Site Ref APOLW001****Site name** Land Behind Old Village**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Polwarth

**Site area (ha)**

2.6

**Indicative capacity**

8

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Overall, the site is located within a countryside location, outwith any defined settlement boundaries, as identified within the LDP. It is considered that housing at this location would be better dealt with through the development management process and there are existing policies contained within the LDP for such proposals. There are existing housing, re-development and mixed use opportunities, within the wider Berwickshire Housing Market Area.

The proposal would not make a significant contribution towards the housing shortfall and there is no developer/builder associated with the proposal. Furthermore, the site was recently at Examination and the Reporter did not include the site as part of the LDP.

Overall, taking the above into consideration, including the Reporters recommendation, it is not considered that the site should be included within the Housing SG and no further Stage 2 assessment will be undertaken.

**Site Ref AREST002****Site name** Land to East of West Reston**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Reston

**Site area (ha)**

3.1

**Indicative capacity**

70

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The western part of the site is already identified within the LDP for housing (BR5), with an indicative site capacity of 20 units. The existing allocations within Reston, have a total capacity in excess of 100 units and there is a pending planning application under consideration. There are 2 longer term housing sites identified within Reston, as contained within the LDP.

Taking the above into consideration, it is considered that there are sufficient existing allocations and longer term housing sites, for the plan period. Policy HD4, states that the longer term sites will be looked at in the first instance.

Overall, it was not considered that the site should be subject to a stage 2 assessment or consultation.

**Site Ref AWHIT003****Site name** Herriot Bank Farm**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Whitsome

**Site area (ha)**

0.5

**Indicative capacity**

8

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Whitsome is a linear settlement which follows an east to west direction and commands significant views over the Merse and Cheviots to the South. Therefore, given the linear nature, there is limited scope for further capacity within the settlement. The northern section of the site lies within the settlement boundary and could come forward through the development management process and considered against the infill policy.

The proposal for 8 units would not make a significant contribution towards the housing shortfall and there is no builder/developer indicated on the Pro Forma. This site formed part of a larger site, which was assessed as part of the Local Development Plan (LDP) and it was concluded that there were other more suitable sites within the housing market area. There are limited services and amenities within Whitsome and there is a reliance on other nearby settlements to provide local services and amenities.

Therefore, taking the above into consideration, it is not considered that the site should be included within the Housing SG and no further Stage 2 assessment or consultation will be undertaken.

**Site Ref AWHIT004****Site name** Whitsomehill**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Whitsome

**Site area (ha)**

0.6

**Indicative capacity**

5

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Overall, the site is located within a countryside location, outwith any defined settlement boundaries, as identified within the LDP. It is considered that housing at this location would be better dealt with through the development management process and there are existing policies contained within the LDP for such proposals. There are existing longer term housing and mixed use opportunities within the wider housing market area.

The proposal would not make a significant contribution towards the housing shortfall and there is no developer/house builder associated with the proposal.

Overall, taking the above into consideration, it is not considered that the site should be included within the Housing SG and no further Stage 2 assessment or conclusion will be undertaken.

**Site Ref ABONC004****Site name** Land to North West of Bonchester Bridge**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Central

**Settlement**

Bonchester Bridge

**Site area (ha)**

1.5

**Indicative capacity**

6

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This site has been assessed twice before, during the Local Plan and Local Plan Amendment, although on both occasions the entire field was proposed. The site has a poor relationship to Bonchester Bridge, disrupting the linear development pattern in the part of the settlement in which it sits, and not following a natural or existing boundary on the western extent of the site. An adverse impact is anticipated on the setting of the village, and potentially on the SLA and the adjacent designed landscape. The appropriateness and viability of the proposed access arrangements would require further consideration, and it is noted that no developer has been identified. In summary, there are more appropriate sites available for consideration.



**Site Ref ABOWD011****Site name** Land South of Cross**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Bowden

**Site area (ha)**

0.6

**Indicative capacity**

5

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is located within the Bowden Conservation Area and to the south of existing residential properties. The field upon which the site is located provides an important setting to the village, particularly for those predominantly detached dwellings to the south of the Main Street. Development on the site would breach a well-established boundary into the countryside and would have an adverse impact upon the setting of the village. The site is located within a sensitive landscape, the Eildon and Leaderfoot NSA. Access to services are limited in Bowden and increased car journeys would be necessary to reach services/employment. This site was considered during the process of the Local Development Plan 2016 and was excluded by the Reporter (ABOWD010) for the following reason: "The site would extend the village in an unacceptable form, breaching the clear and established boundary at a prominent location and disturbing the linear grain of Bowden. Access would not be ideal along a single-track road".

**Site Ref ABOWD012****Site name** Land North of Brunton Park**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Bowden

**Site area (ha)**

1.3

**Indicative capacity**

15

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

It is considered that development of the open fields would have an adverse impact on the NSA and on the setting of the village. Access to services are limited in Bowden and increased car journeys would be necessary to reach services/employment. This site was considered during the process of the Local Development Plan 2016 and was excluded by the Reporter (ABOWD008) for the following reason: "The site is located in a sensitive position with an open aspect to the Eildon Hills. In extending the boundary northwards, development here would be at a higher elevation than the existing housing in this vicinity. An extension at this point would not reflect the linear form of the village".

**Site Ref ABOWD013****Site name** Land to West of Bowden**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Bowden

**Site area  
(ha)**

0.8

**Indicative  
capacity**

7

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Development of this site is considered to be unacceptable due to the potential adverse impact upon the NSA. Development would not integrate with the existing layout of the settlement at this prominent western approach. Access to services is limited in Bowden and increased car journeys would be necessary to reach services/employment.

**Site Ref ABOWD014****Site name** Land to West of Bowden 2**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Bowden

**Site area  
(ha)**

1.5

**Indicative  
capacity**

8

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Development of this site is considered to be unacceptable due to the potential adverse impact upon the NSA. Development would not integrate with the existing layout of the settlement at this prominent western approach. Access to services are limited in Bowden and increased car journeys would be necessary to reach services/employment. A smaller portion of this site was considered at Examination during the process of the Local Plan Amendment, the Reporter concluded: 'the site is within the Eildon and Leaderfoot National Scenic Area, and Scottish Natural Heritage has supported its exclusion on landscape grounds. The council makes a general statement about the availability of other more suitable sites, but this would be a matter for a future review of the local plan. In the meantime I find no justification for its inclusion in the finalised plan'.

**Site Ref ACLER001****Site name** Clerklands**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**Clerklands nr  
Lilliesleaf**Site area  
(ha)**

1.1

**Indicative  
capacity**

5

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is located within the countryside and is detached from any settlement. Due to the rural location of the site, it is not in close proximity to local services or transport links. The allocation of a housing site at such a location would not comply with the principles of the Local Development Plan. It is therefore not appropriate to allocate this site for housing. Should the applicant wish to pursue the matter, a planning application could be submitted for consideration against the Council's Housing in the Countryside Policy.

**Site Ref ACLOV003****Site name** Meigle Farm**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Clovenfords

**Site area (ha)**

2.2

**Indicative capacity**

35

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

A larger site which included the proposed site was submitted at the expressions of interest stage of the LDP, but rejected. There are currently allocations for 66 units within Clovenfords. A 70 unit development has also been built out in recent years. This is a substantial volume of development for a relatively small settlement. Clovenfords is currently considered to have limited capacity to accommodate further additional development of this scale over and above that currently allocated. This site is located in a highly prominent, elevated location within Tweed, Ettrick, Yarrow Confluences SLA. An adverse impact on the SLA would be expected from this proposal. The site is steeply sloping and no builder or developer has been identified.

In conclusion, it is considered that there are better sites to carry forward to stage 2 assessment.

**Site Ref ACRAI004****Site name** Crailing Toll (Larger Site)**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Crailling

**Site area  
(ha)**

0.7

**Indicative  
capacity**

10

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Although the site is free from constraints, Crailing is a small hamlet and there is already an existing undeveloped housing allocation which was allocated as part of the Local Plan Amendment. The site is outwith the settlement boundary and it is considered that this proposal is too large in relation to the settlement and it is not required given the existing undeveloped housing allocation. However it is considered that the site may be suitable for development in the future.

## Site Ref **ADARN002**

Site name Darnick Vale

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Darnick

Site area  
(ha)

3.5

Indicative  
capacity

30

Housing  
SG Status

Excluded

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### Initial Assessment Summary

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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### Overall Assessment Conclusions

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Two submissions were made through the Call For Sites for sites at Darnick Vale, this submission for 30 dwelling houses [ADARN002 – Darnick Vale], and another [MDARN002 – Darnick Vale 2] for mixed use development. The proposed site sits within one of the most sensitive areas of the CAT policy area, where coalescence between Melrose and Darnick is a key concern. Preventing coalescence between settlements is one of the main purposes of the CAT policy. The CAT policy does not preclude all development within the CAT area, but the policy does not allow for development of the scale proposed in this most sensitive location. There are two existing allocations within Darnick and the village is considered not to have capacity for additional large scale development at this time.

Flooding concerns and potential heritage and landscape impacts are also noted, but do not form part of the reasoning for excluding the site from further consideration.

In summary, housing development on this site would be unacceptable.



**Site Ref ADARN003**

Site name Bankend

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Darnick

**Site area  
(ha)**

2.5

**Indicative  
capacity**

30

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The proposed site sits within a sensitive area of the CAT policy area, where coalescence between Darnick and Tweedbank is a concern. Preventing coalescence between settlements is one of the main purposes of the CAT policy. The CAT policy does not preclude all development within the CAT area, but the development of this site would result in unacceptable coalescence between Darnick and Tweedbank. The site is also considered to relate too poorly to the settlement of Darnick to be considered further.

There are 2no current allocated sites in Darnick and it is not considered there is a need for further housing at present.

The development would be expected to result in potential adverse impacts on the Southern Upland Way, the setting of Darnick, its conservation area, and Listed Buildings in the vicinity of the site, and potentially on Eildon and Leaderfoot National Scenic Area, whilst potential impacts on River tweed SAC, and River Tweed SSSI would require assessment.

In conclusion, this site cannot be considered further.

**Site Ref ADARN004****Site name** Land East of Little Broadmeadows**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Darnick

**Site area  
(ha)**

0.3

**Indicative  
capacity**

5

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is located within one of the most sensitive parts of the CAT policy area, where coalescence between Darnick and Melrose is of key concern. Preventing coalescence between settlements is one of the main purposes of the CAT policy. The CAT policy does not preclude all development within the CAT area, but the policy does not allow for development of the scale proposed in this most sensitive location.

The site sits within Eildon and Leaderfoot National Scenic Area. The Council's Landscape Capacity Study (2007) found development in this location to be severely constrained by the encroachment upon the separation between Melrose and Darnick that maintains the sense of individual identity for both.

In summary, the site cannot be considered further.

## Site Ref MDARN002

Site name Darnick Vale 2

### Proposed usage

Mixed Use

### SDA

Central

### HMA

Central

### Settlement

Darnick

Site area  
(ha)

3.8

Indicative  
capacity

15

Housing  
SG Status

Excluded

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### Initial Assessment Summary

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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### Overall Assessment Conclusions

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Two submissions were made through the Call For Sites for sites at Darnick Vale, this submission for mixed use development [MDARN002 – Darnick Vale 2], and another [ADARN002 – Darnick Vale] for housing only. The proposed site sits within one of the most sensitive areas of the CAT policy area, where coalescence between Melrose and Darnick is a key concern. Preventing coalescence between settlements is one of the main purposes of the CAT policy. The CAT policy does not preclude all development within the CAT area, but the policy does not allow for development of the scale proposed in this most sensitive location. There are two existing allocations within Darnick and the village is considered not to have capacity for additional large scale development at this time. Housing development on this site would therefore be unacceptable. Flooding concerns and potential heritage and landscape impacts are also noted, but do not form part of the reasoning for excluding the site from further consideration.

**Site Ref AEARL015****Site name** Land west of Earlston High School**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Earlston

**Site area (ha)**

10.9

**Indicative capacity**

50

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is outwith the settlement boundary and is adjacent to the Tweed SAC. The northern part of the site is within the 1:200 year flood risk area and this area is currently used as agricultural land. The site was identified in the Landscape Capacity Study as constrained due to steep north facing slopes requiring earthworks and the field is on the flank of a hill the forms a focus for views from the settlement. It is also considered that development at this location would have an adverse impact on the landscape. Within Earlston there are a number of existing allocated housing sites and the area for preferred future settlement expansion has been identified to the east of Earlston at Georgefield.

**Site Ref AEARL016****Site name** Southcroft**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Earlston

**Site area (ha)**

1.4

**Indicative capacity**

10

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This site is within the Earlston settlement boundary and is part of an existing housing allocation (AEARL002) in the adopted Local Development Plan. Within the allocation this proposed site is specifically identified as open space due to the entire site being included within the 1:200 year flood risk area. There is also an approved Planning Brief for the site which states there is scope to utilise the flood plain for recreational uses and landscape planting. It is not therefore considered appropriate to allocate this site for housing.

## Site Ref REARL001

Site name Halcombe Fields

### Proposed usage

Redevelopment

### SDA

Central

### HMA

Central

### Settlement

Earlston

Site area  
(ha)

0.9

Indicative  
capacity

8

Housing  
SG Status

Excluded

### Initial Assessment Summary

The site is located within the Central Strategic Development Area. The majority of the site is in the flood risk area. The Turfford Burn (Tweed SAC) runs along the northern boundary of the site.

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

### Overall Assessment Conclusions

The site was re-considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is within the settlement boundary of Earlston and there are several small industrial buildings and lock-up garages on the site. SEPA state a Flood Risk Assessment would be required to inform the area of redevelopment, type of development, and finished floor levels. Development may be heavily constrained due to flood risk and redevelopment of the site should not increase flood risk elsewhere. Mitigation measures would also be required to be considered regarding the overhead power lines through part of the site. There have been prehistoric stone tools found in the vicinity and some mitigation may be necessary before or during regeneration of the site. Roads Engineers have raised concerns regarding access to the site and suitable access would be determined by the proposed use and would require discussion with the Council's Roads Planning Team. In summary, various uses would be suitable for development on this site but due to flooding, access and other constraints it is not therefore considered appropriate to allocate this site for housing.

**Site Ref AECKF001****Site name** Land to South East of Eckford**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Eckford

**Site area (ha)**

0.9

**Indicative capacity**

5

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The proposed site sits within the small village of Eckford, which has limited service accessibility. The proposed site was considered and rejected at the time of the Local Plan as it was considered to almost double the size of the village area.

Eckford is amongst the smallest settlements within the Borders and has a limited capacity to accommodate new development. Whilst the submission proposes a site capacity of 5 units, the site is almost 1 hectare in size. Eckford would not adequately accommodate development on this scale.

Overall, there are more sustainable and more appropriate sites available.

## Site Ref **AEDNA010**

Site name Cliftonhill (iv)

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Ednam

Site area  
(ha)

1.1

Indicative  
capacity

20

Housing  
SG Status

Excluded

### Initial Assessment Summary

Sites at this location has previously been dismissed at 2006 Local Plan Inquiry and the recent Local Development Plan Examination. The site was re-considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

### Overall Assessment Conclusions

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

As part of recent LDP Examination two sites at this location were considered - sites AEDNA008 and AEDNA009. In relation to these sites the Reporter made the following conclusions: "The land to the north east of the War Memorial would be a clear intrusion into the countryside, comprising established agricultural land. This land is at a slightly higher level than the existing village to the west and therefore would not be incorporated as naturally as the West Mill allocated site. I also recognise that the land to the north-east of the War Memorial was considered during the 2007 local plan review when the reporter supported the prospect of longer term development. Whilst additional housing might well provide support for local services and facilities, and taking into account the strategic context, I do not believe that allocation is justified within the current proposed plan. It may be that further consideration could be given to the development of the site in a future review".

As referred to above - as part of the Local Plan Inquiry for the adopted Local Plan 2008 the Reporter recommended to include the eastern area, including this site, as an area for longer term development. This is reflected in the longer term expansion statement in the Local Development Plan. However it is not considered appropriate to allocate this site within the Housing Supplementary Guidance to meet the shortfall.

It should also be noted that the land to the east of these sites has been subject to a planning application (11/00750/PPP). In reference to this the Reporter also stated "that further housing between the two plots and the village of Ednam would lead to an impression of ribbon development and any future review of housing land potential would no doubt take this into account. The Reporter then goes on to state 'construction of some 30 houses on the land to the north-east of the War Memorial would widen the range of choice of housing at Ednam, including affordable housing. However, this consideration does not lead me to conclude that the land should be allocated for development".

This position has not changed and it is not therefore considered appropriate to allocate this site for housing.



**Site Ref AGALA034****Site name** Torwoodlee Buckholm Corner**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

5.2

**Indicative capacity**

100

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Whilst development of an appropriate scale within this site may be feasible in the future, with appropriate screening, it is currently inaccessible due to the fact the adjoining housing allocations remain undeveloped and is therefore not effective.

## Site Ref **AGALA035**

**Site name** Land north of Easter Langlee

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area  
(ha)**

24.5

**Indicative  
capacity**

200

**Housing  
SG Status**

**Excluded**

### Initial Assessment Summary

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

### Overall Assessment Conclusions

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This site is located outwith the settlement boundary and is separated from nearby housing by a mature shelter belt. The site is constrained by the detachment from Galashiels, compounded by distance from the town centre and the barrier created by the 'lip' of land which separates the area from the Tweed Valley. The site has good access to services and facilities and is served by an acceptable level of public transport including the proposed Borders Railway. The potential impact on biodiversity is minor. The section of the Langshaw road adjacent to the site will require upgrading, in terms of carriageway widening and extending the footway and lighting infrastructure out from the town, and the northern part of the road may require realignment in order to facilitate safe access to it. A major hazard pipeline runs through the site and the Easter Langlee landfill site is located immediately to the east of the site. It is considered that other, more appropriate sites are available within the housing market area to meet the shortfall. This site would not represent a logical extension of the built up area as it would extend the settlement beyond an existing mature shelter belt to the north of Coopersknowe. This would prejudice the character and natural built up edge of the settlement to the detriment of the landscape setting. Furthermore, the proximity of the site to the existing landfill site would be contrary to prevailing national policy leading to unacceptable adverse impacts on the residential amenity of the proposed dwellings as result of noise and odour nuisance from the adjacent landfill site.

The south part of this site was considered for housing as part of the Local Development Plan Examination, the Reporter made the following comments in relation to housing site (AGALA030):

"Approaching the site from the north, the land to the west of the road has a pleasant countryside appearance and the crest of the hill provides a distinct entrance to Galashiels. The construction of the houses, as proposed, would have a marked visual impact and severely detract from the local importance of this land within the landscape setting of the town. Whilst the proposed community allotments would be unlikely to have a significant impact, the construction of even a small number of houses at this location would not be acceptable in either visual or landscape character terms. Irrespective of the location of the site within the landscape, the proximity of the Easter Langlee landfill operation is a practical concern. The distance between the proposed residential development and the landfill site would be less than 100 metres. Noting the guidance in Scottish Planning Policy I agree with the council that this would not be acceptable".

Due to the aforementioned reasons it is not therefore considered appropriate to allocate this site for housing.

**Site Ref MGALA005****Site name** Hollybush Valley Longer Term 1**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

25.3

**Indicative capacity**

500

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Due to the ongoing review of education provision in Galashiels and the issues relating to the capacity of the existing road network to accommodate development at this location, it is not considered appropriate to take these sites forward for consideration as they could not be considered effective.

**Site Ref MGALA006****Site name** Hollybush Valley Longer Term 2**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

48.0

**Indicative capacity**

900

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Due to the ongoing review of education provision in Galashiels and the issues relating to the capacity of the existing road network to accommodate development at this location, it is not considered appropriate to take these sites forward for consideration as they could not be considered effective.

**Site Ref RGALA002****Site name** Vacant Buildings at Kirk Brae**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

0.1

**Indicative capacity**

9

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is allocated within the LDP 2016 for redevelopment and given the former residential use of the site, it is considered that the allocation of this site for residential use would be acceptable in principle. However, derelict flats are located within the site, these are on the 'Buildings at Risk Register for Scotland' and are Category C Listed. Due to the condition of the buildings, the steeply sloping narrow nature of the site, and the fact that the site has lay redundant for a number of years, it is not anticipated that the site will be developed within the period of this Plan.

**Site Ref RGALA003****Site name** Old Refuse Tip**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

1.1

**Indicative capacity**

29

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site relates well to the built environment at this location, being adjacent to a well-established residential area. The site has previously operated as a refuse tip. Issues relating to school capacity, contamination, waste water/water supply capacity and the power lines/hazardous pipeline would require to be investigated further. The site is located adjacent to a former abattoir and whilst this is currently redundant, it could be brought back into use. This would raise a potential conflict were the site in question be taken forward for housing. This potential conflict of uses renders this site unacceptable for a housing allocation.

## Site Ref **RGALA004**

**Site name** Bylands

### **Proposed usage**

Housing

### **SDA**

Central

### **HMA**

Central

### **Settlement**

Galashiels

**Site area  
(ha)**

0.1

**Indicative  
capacity**

4

**Housing  
SG Status**

**Excluded**

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### **Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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### **Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is currently identified as a redevelopment site (RGALA004) within the Local Development Plan 2016 and full planning consent has recently been granted for the erection of four dwellinghouses on the site (15/00352/FUL). The site is not of a size capable of being developed for 5 units or over and is therefore considered to be unacceptable for a housing allocation.

**Site Ref zCR2****Site name** Huddersfield Street/Hill Street**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

1.1

**Indicative capacity**

28

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This site is the subject of a Planning Brief which indicates that a mixed used development would be preferable. Whilst the Brief also indicates that a single residential use may be appropriate it is considered inappropriate to allocate the site for housing development only, to the exclusion of other potential uses, given its central and prominent location within Galashiels.



**Site Ref zCR3****Site name** Stirling Street**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area  
(ha)**

0.7

**Indicative  
capacity**

18

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is identified as a redevelopment site within the Local Development Plan 2016 and is the subject of a Planning Brief. The Planning Brief states that the site in its current form is deemed appropriate for a number of uses including residential in parts. It would not be considered appropriate to allocate the site for residential purposes only to the exclusion of other potential uses, given the central and prominent location of the site within central Galashiels.

**Site Ref zRO24****Site name** Heriot Watt Halls of Residence**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

3.2

**Indicative capacity**

25

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site forms part of site zRO24 as allocated within the LDP 2016. Although the site would appear to be acceptable for residential development in principle, it would be preferred to retain it as a redevelopment site in order that can be safeguarded for any future expansion of the existing University facilities.

**Site Ref AGATT013****Site name** Gateside Meadow / Castlefield**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Gattonside

**Site area (ha)**

19.7

**Indicative capacity**

60

**Housing SG Status****Excluded****Initial Assessment Summary**

No issues at this initial stage. Not within 1 in 200 year flood envelope- Assessment of flooding from road runoff, blocked culverts or overland flow recommended.

This site has previously been dismissed at 2006 Local Plan Inquiry and the recent Local Development Plan Examination. The site was re-considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site was identified as constrained in the Development and Landscape Capacity Study for the following reasons: development across the undulating slopes is constrained by the more complex topography and often steep slopes which would require earthworks; the area is highly open and relatively exposed because of the broadly convex curvature of the hill flank; the slopes are very visible, particularly from the south and the Eildon Hills, from where they contribute to the scenic quality of the National Scenic Area; the fields are a valuable agricultural resource. There are also considerable access issues to be addressed and resolved.

It should also be noted that this site formed part of the 2006 Local Plan Inquiry and the recent Local Development Plan Examination for 150 units. The Reporter of the LDP Examination agreed with the findings of the previous Reporter who noted that, "in view of its elevated position and slope, development would be prominent when viewed from the immediate vicinity and in more distant views from the south, including the Eildon Hills. Development of this greenfield site would also have an adverse effect on the rural setting of this part of Gattonside. I am not satisfied that development at a low density would satisfactorily resolve those matters. That is a consideration to which I must attach great weight given the likely impact on the Eildon and Leaderfoot National Scenic Area". This position remains unchanged and therefore it is not considered appropriate to allocate this site for housing.

**Site Ref AGATT015****Site name** Land south of B6360**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Gattonside

**Site area (ha)**

0.1

**Indicative capacity**

30

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This site is not appropriate for allocation as a housing site due to various constraints including flood risk, the potential adverse impact on the settlement setting and the character of the conservation area and the listed building facing onto the site. The site is a flat field with fencing for boundaries. It is a very prominent site in terms of entrance into the settlement. The site would also have an impact on the landscape setting of the Eildon and Leaderfoot National Scenic Area. There are two existing housing allocation within Gattonside that are currently undeveloped and further development would be inappropriate and out of scale for the settlement. Therefore it is not considered appropriate to allocate this site for housing.

**Site Ref MHAWI001****Site name** Gala Law**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area  
(ha)**

29.2

**Indicative  
capacity**

500

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This site is allocated for mixed use within the Scottish Borders LDP. There are several allocated sites in the vicinity, including housing sites, and in particular, a longer term housing site [SHAWI003]. There is insufficient capacity for all of these sites to be allocated for housing at this time, and this site is considered less appropriate than the longer term housing site at Burnfoot. This site cannot be considered further at this time.

**Site Ref RHAWI010****Site name** Cottage Hospital**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area  
(ha)**

0.6

**Indicative  
capacity**

14

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site is allocated for re-development within the Local Development Plan.

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is allocated for redevelopment within the LDP, however was not included within the 2014 Housing Land Audit, therefore was not included within the land supply.

However, the site has been granted planning consent for 15 residential units since the 2014 HLA. The 15 units have been included as additional potential within the Housing SG, within section 4.4. Therefore, there is no requirement for a stage 2 assessment of this site to be undertaken.

**Site Ref RHAWI012****Site name** St Margaret's & Wilton South Church**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area (ha)**

0.1

**Indicative capacity**

6

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This is a very small site with a number of minor constraints which would require additional development costs to mitigate. The site is unlikely to be effective and cannot be considered further.

**Site Ref RHAWI013****Site name** Former Council Houses, Eastfield Road**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area  
(ha)**

0.2

**Indicative  
capacity**

0

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. No full stage 1 RAG assessment was undertaken, but the conclusion can be viewed as part of the stage 1 assessment. This notes that the site is allocated for redevelopment in the LDP but that the site has since been brought back into use following refurbishment and that the site should not be taken forward as part of the Housing SG.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. No full stage 1 RAG assessment was undertaken. The site is allocated for redevelopment in the LDP but has been brought back into use following refurbishment of the properties on the site. The site should not be taken forward as part of the Housing SG.



**Site Ref RHAWI014****Site name** Land on Mansfield Road**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area (ha)**

0.2

**Indicative capacity**

8

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The assessment concluded that the site could not be considered further for housing use due to the flood risk associated with the site.

**Site Ref RHAWI015****Site name** Land east of Community Hospital**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area (ha)**

0.1

**Indicative capacity**

8

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Hawick has relatively limited marketability and there are a number of issues on the site which would require remediation and would add to the cost of developing the site. These include flood risk. On account of these additional development costs, the site is not considered to be effective. The site cannot be considered further.

**Site Ref RHAWI016****Site name** Former N Peal Factory, Carnarvon St.**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area (ha)**

0.2

**Indicative capacity**

10

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site is currently allocated for redevelopment within the LDP 2016. The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Hawick has relatively limited marketability and there are a number of issues on the site which would require remediation and would add to the cost of developing the site including the cost of conversion/clearing the site, and expected contamination issues. On account of these additional development costs, the site is not considered to be effective. The site cannot be considered further.

**Site Ref zRO8****Site name** Commercial Road**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area (ha)**

3.9

**Indicative capacity**

50

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

A Planning Brief was produced for the site in 2009. The site has since been identified within SEPA's new 1 in 200 year flood risk areas maps. Until flood risk matters are addressed and agreed it would not be advisable to allocate this site for housing at this point in time. Any housing development on the site could be tested via formal planning application/s.

**Site Ref AJEDB015****Site name** Hartrigge Crescent 1**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Jedburgh

**Site area (ha)**

0.1

**Indicative capacity**

4

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is a small piece of amenity land within a residential area. The site is area is 0.08ha and the submission proposes an indicative capacity of seven units between AJEDB015 and AJEDB016. It is considered the limited size of the site would make development of the required five or more units unlikely. Should the applicant wish to pursue the matter, a planning application could be submitted for consideration against the Council's Infill Development Policy.

**Site Ref AJEDB016****Site name** Hartrigge Crescent 2**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Jedburgh

**Site area (ha)**

0.3

**Indicative capacity**

3

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is a small piece of amenity land within a residential area with a gentle gradient; the entire site is located within the Hartrigge Park Designed Landscape. The site is area is 0.3ha and the submission proposes an indicative capacity of seven units between AJEDB015 and AJEDB016. It is considered the limited size of the site would make development of the required five or more units unlikely. Should the applicant wish to pursue the matter, a planning application could be submitted for consideration against the Council's Infill Development Policy.

**Site Ref RJEDB002****Site name** Riverside Mill**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Jedburgh

**Site area  
(ha)**

0.1

**Indicative  
capacity**

5

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site is currently at significant flood risk, this would require further consideration during the process of any planning application. Although the site is within a 1:200 flood risk area, the site has previously been developed.

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Historically, this site operated as Bongate Woollen Mill following this the site operated as a skin works, more recently it is understood the site operated as a knitwear factory. An electrical substation is also recorded on site. The site is brownfield land and its historic uses may present development constraints. Road Engineers have no objections in principle to the site being regenerated for either housing or employment use, but the limitations of the road network and degree of control of land outwith site area will dictate the extent and type of acceptable development.

SEPA state that this site is at significant flood risk, it is essential that any new development will have a neutral impact on flood risk. SEPA would only support redevelopment of a similar use in line with our land use vulnerability guidance. A flood risk assessment is required to inform the area of redevelopment, type of development, finished floor levels and ensure that the development has a neutral impact on flood risk. Sensitivity of use should be considered and furthermore flood resilient and resistant materials should be used. There should be no residential development on the site - should this be proposed for housing SEPA would object in principle. Due to flooding constraints on the site and concerns raised by SEPA it is not considered appropriate to allocate this site for housing.

**Site Ref AKELS024****Site name** Balgonie Estate**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area (ha)**

0.6

**Indicative capacity**

12

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is a greenfield site and is currently used for agriculture. There is a row of farm cottages to the north of the site and the site is located outwith any recognised settlement within the adopted Local Development Plan. The site is not in close proximity to local services or transport links. The allocation of a housing site at such a location would not comply with the principles of the Local Development Plan. It is therefore not appropriate to allocate this site for housing. Should the applicant wish to pursue the matter, a planning application could be submitted for consideration against the Council's Housing in the Countryside Policy.



**Site Ref AMELR011****Site name** Newlyn Road**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Melrose

**Site area (ha)**

3.2

**Indicative capacity**

25

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site forms part of an area of South Melrose which was identified as severely constrained by the Landscape Capacity Study making reference to the high visibility and general prominence of the Quarry Hill, which contributes to the visual composition of views to the Eildon Hills and the site is a highly visible part of the NSA as it is on the northern flank of the prominent Quarry Hill that is very visible from the trunk road and the centre of Melrose.

In conclusion, this site is unacceptable due to the adverse impact development of the site would have on landscape within a prominent part of the National Scenic Area. There are other allocated sites within Melrose and it is considered that there are more preferable sites within the Central Housing Market Area.

## Site Ref **AMELR012**

Site name Bleachfield

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Melrose

Site area  
(ha)

3.2

Indicative  
capacity

40

Housing  
SG Status

Excluded

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### Initial Assessment Summary

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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### Overall Assessment Conclusions

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is located within one of the most sensitive parts of the CAT policy area, where coalescence between Darnick and Melrose is of key concern. The proposal cannot be considered further due to the unacceptable harm to the distinct identities of these settlements the proposed development would result in.

Other concerns include:

- the development's impact upon the setting and sense of arrival to Melrose; and
- the consequent impact on Eildon and Leaderfoot National Scenic Area.

In summary, the site cannot be considered further.

**Site Ref AMIDL003**

Site name Townhead

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Midlem

**Site area (ha)**

0.5

**Indicative capacity**

5

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Midlem has little in the way of service or employment provision and has limited public transport options. The site is located on the western edge of the village beyond recently built housing. Allocating this site would extend the settlement further west at an elevated location and result in the site being prominent within the landscape; in addition, it was judged that the site was not suitable for roads access and that a pedestrian route would not be able to be provided from the site to the rest of the village.

It should be noted that this site formed part of the recent Local Development Plan Examination. The Reporter stated "development at this location would not integrate well with the village in terms of appearance and character. Significantly, I believe it would not contribute to "place-making", a central guiding principle in Scottish Planning Policy". The Reporter goes on to state that "extending the development boundary at this location would provide the potential for additional development over currently vacant land with little relationship to the Conservation Area. Indeed, as the council argues, the land is elevated and would be prominent in the landscape. This could reduce the value of the setting of the Conservation Area within the wider landscape".

**Site Ref** AMIDL004

**Site name** West of Springfield

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Midlem

**Site area (ha)**

0.1

**Indicative capacity**

1

**Housing SG Status**

**Excluded**

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**Initial Assessment Summary**

The site was considered at the recent Local Development Examination under site code SBMID001. The Reporter stated that "development at this location would not integrate well with the village in terms of appearance and character. All-in-all, I find little merit in extending the settlement boundary as proposed".

This position has not changed however the site was re-considered as part of the Housing SG Call for Sites and an initial stage 1 RAG assessment was undertaken, the site assessment concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered at the recent Local Development Examination under site code SBMID001. The Reporter stated that "development at this location would not integrate well with the village in terms of appearance and character. All-in-all, I find little merit in extending the settlement boundary as proposed". This position has not changed however the site was re-considered as part of the Housing SG Call for Sites and an initial stage 1 RAG assessment was undertaken, the site assessment concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This site would potentially accommodate a single dwellinghouse, however, a dwellinghouse on the site would not relate well to the generally linear form of the village. Although the site adjoins the existing settlement boundary, the proposed boundary does not follow any distinct physical or natural features on the ground and is not therefore regarded as a logical extension of the settlement. It is also not the purpose of the Supplementary Guidance to identify single plots for development only sites with a capacity of five or more units will be allocated within the Supplementary Guidance.

**Site Ref AMORE002****Site name** Land west of Primary School**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Morebattle

**Site area (ha)**

1.0

**Indicative capacity**

8

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

A large proportion of this site is allocated as a district business and industrial site and remains undeveloped although the safeguarded site to the west is fully developed and is in use. This site allows for potential expansion of the business and industrial site in the future. Although the majority of the site is Prime Agricultural Land, the site is relatively free of constraints. There are also two undeveloped housing allocations within Morebattle, one of which was allocated as part of the Local Plan Amendment. It is not considered that there is a requirement for an additional housing site within the settlement at this point in time.

**Site Ref AMOUN001****Site name** Mounthooly**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**Mounthooly nr  
Jedburgh**Site area  
(ha)**

6.0

**Indicative  
capacity**

15

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is located within the countryside and is detached from any settlement. Due to the rural location of the site, it is not in close proximity to local services or transport links. The allocation of a housing site at such a location would not comply with the principles of the Local Development Plan. It is therefore not appropriate to allocate this site for housing. Should the applicant wish to pursue the matter, a planning application could be submitted for consideration against the Council's Housing in the Countryside Policy.

**Site Ref ANEWS007****Site name** Newstead East**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Newstead

**Site area  
(ha)**

0.9

**Indicative  
capacity**

18

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

An adverse impact on the setting of the Conservation Area and the setting of the village would result from the development of this site, which helps establish the sense of entry to the village and forms part its character. The site was previously rejected at the examination of the Local Development Plan, primarily on these grounds.

The site is also an area of high archaeological sensitivity, including the nearby Trimontium Scheduled Monument. The Council's archaeologist advises that there is a likelihood that further Roman period associated with Trimontium will exist in the field. This will be of regional to national significance and therefore potentially contrary to Policy EP8.

Overall, it is considered that there are better sites available within the Central Housing Market Area.

**Site Ref ANEWT009****Site name** Land south of Whitehill**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**Newtown St  
Boswells**Site area  
(ha)**

37.2

**Indicative  
capacity**

500

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The majority of this site was considered as part of the previous Local Plan and the more recent Local Development Plan Examination under site code ANEWT008. The LDP Reporter's conclusions raised the following concerns:

"As local considerations are concerned, the council has drawn attention to the findings of the report into the inquiry of the current local plan. That report emphasised the importance of the settlement identities of Newtown St Boswells and St Boswells to the south. Taking into account the proposed housing land allocation at site ANEWT005, the separation distance is some 600 metres. This is a narrow but sensitive strip which I agree is important in visually containing the two settlements. The contours of the land within the strip, particularly the low hillock, assist in providing visual separation.

The findings of the previous inquiry also attached importance to the need to retain the northern side of the A699 free from development. I agree that, despite the tree belt shown on the indicative plan, the degree of urban encroachment on the A699 would be unacceptable and result in an adverse landscape character impact on this area of essentially rural character.

Having regard to the local adverse impact that would result as a consequence of the proposed enlarged expansion area, despite the strategic housing land assessment; I conclude that the additional housing land allocation is not justified".

This remains the case and therefore the housing site will not be included as part of the Housing Supplementary Guidance. It is considered there are more appropriate sites for inclusion within the Supplementary Guidance.



**Site Ref zRO21****Site name** Depot**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**Newtown St  
Boswells**Site area  
(ha)**

1.2

**Indicative  
capacity**

30

**Housing  
SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is allocated within the Local Development Plan 2016 for redevelopment. It is, however, currently in use by a business and would not therefore be considered as effective as a housing site for the period of this Plan. Furthermore, there are currently existing significant housing allocations within Newtown St Boswells which remain undeveloped. It is not therefore considered appropriate to allocate this site for housing.

**Site Ref zRO23**

Site name Mills

<b>Proposed usage</b>	<b>SDA</b>	<b>HMA</b>	<b>Settlement</b>	<b>Site area (ha)</b>	<b>Indicative capacity</b>	<b>Housing SG Status</b>
Housing	Central	Central	Newtown St Boswells	0.6	15	Excluded

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however this concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is allocated within the Local Development Plan 2016 for redevelopment. It is, however, partly in use by existing businesses and in part by redundant buildings. It would not therefore be considered as effective as a housing site for the period of this Plan. Furthermore, there are currently existing significant housing allocations within Newtown St Boswells which remain undeveloped. It is not therefore considered appropriate to allocate this site for housing.

**Site Ref ASELK030****Site name** Land to West of Calton Cottage**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area  
(ha)**

6.1

**Indicative  
capacity**

100

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This site is located outwith Selkirk, but partially borders the settlement boundary.

Although partially adjacent to the settlement boundary, the site is notably detached from the built up parts of the town.

There are two existing housing allocations nearby, Philiphaugh North and Philiphaugh Steading. Another site has been proposed through the SG process at the Angle's Field. It would be preferable for some or all of these allocated sites to be developed before any land beyond the settlement boundary in this part of Selkirk was considered.

Overall, the site's poor relationship with Selkirk prevents the site from progressing to Stage 2 assessment.

**Site Ref ASELK032****Site name** Philiphaugh Nursery**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area  
(ha)**

0.6

**Indicative  
capacity**

10

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is safeguarded as a Key Greenspace within the Local Development Plan 2016 and is not therefore considered appropriate for a housing allocation. Issues relating to the registered battlefield (Philiphaugh) would require to be investigated further.

**Site Ref ASELK034****Site name** Murison Hill**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

2.6

**Indicative capacity**

50

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This site was rejected by the Reporter at the time of the Local Plan inquiry (2006), and again at the time of the Local Plan Amendment inquiry (2010).

The site was rejected at the time of the Local Plan inquiry, partly on account of unacceptable infrastructure issues, "based on deficiencies of junction of A707/ B7009". The reporter at the time of the Local Plan Amendment inquiry (2010) concluded similarly. Most traffic emerging from the site, given its proximity to Selkirk and local geography, would be expected to use the A707/ B7009 junction. The submission does not put forward adequate mitigation for these issues.

Unacceptable landscape impact was the second reason for the Reporter's rejection of the site. The reporter at the time of the Local Plan Amendment concluded similarly. It is concluded that an unacceptable detrimental impact on the SLA would result, as well as anticipated impact on the setting of the Haining Designed Landscape.

In conclusion, the site cannot be considered further due to the unacceptable infrastructure issues at the nearby A707/ B7009 junction, and due to unacceptable landscape impacts.

**Site Ref ASELK035****Site name** 121-123 High Street**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

0.1

**Indicative capacity**

10

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is located within the Selkirk Conservation Area. Conservation Area Consent would therefore be required to demolish the existing buildings on site. Such a proposal would require to be assessed against Policy EP9 of the Local Development Plan. It would be inappropriate to allocate the site for housing at this stage, pre-empting the outcome of such an application.

**Site Ref ASELK036****Site name** Middlestead**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area  
(ha)**

0.7

**Indicative  
capacity**

5

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is located within the countryside and is detached from any settlement. Due to the rural location of the site, there are no public services and poor links to public transport. These fundamental issues mean that this site is not considered appropriate for a housing allocation.

**Site Ref ASELK037****Site name** Corner of BSELK003 Site 1**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

0.2

**Indicative capacity**

5

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Although the site is currently allocated within the Local Development Plan 2016 as a business and industrial site, this is a local designation which gives a low level of protection for this particular use. It is accepted that this site may be acceptable for residential use in the future, there is currently however the potential for a conflict of uses due to the fact that the land to the immediate south can still be utilised for business/industrial purposes.



**Site Ref ASELK039****Site name** Riverside Road**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

1.3

**Indicative capacity**

33

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is designated as a district business and industrial site within the Local Development Plan 2016. Due to the existing character and nature of uses within the immediate vicinity of the site, it is not considered that residential development would be acceptable at this location. The development of the site for residential purposes would lead to the loss of business/industrial land and raise a potential conflict in uses at this location.

**Site Ref RSELK003****Site name** Land at Kilncroft/Mill Street**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

0.1

**Indicative capacity**

5

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site relates well to the built environment at this location. However, given the site appears to be in use it is considered unlikely that it would be effective within the period of this Plan. Furthermore, there are larger sites in Selkirk which would offer a more significant contribution to the shortfall.

**Site Ref RSELK004****Site name** Souter Court**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

0.1

**Indicative capacity**

9

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is located near the town centre of Selkirk and therefore has good access to local services. The principle of residential development on the site has been agreed through the process of a planning application, although the consent has not yet been issued. The conclusion of a legal agreement has been pending for a significant period and on this basis the effectiveness of this site within this Plan period is questionable. It is not subsequently considered that this site could be taken forward for a housing allocation.

**Site Ref ASTIC001****Site name** Land to the north west of Eildon View**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Central

**Settlement**

Stichill

**Site area (ha)**

1.2

**Indicative capacity**

16

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site was previous considered in the preparation of the Local Plan. The site was rejected on roads access grounds.

The site sits within Central HMA but is outwith the SDAs. There are no current allocations within the settlement, but there has been recent development within Stichill following the erection of 8 dwelling houses at land south of the B6364. The proposed 16 units at this site would represent further relatively large scale development for a small settlement such as Stichill.

The site is situated within the SBC designated Stichill Designed Landscape, which relates to the now-demolished Stichill House. The site is located within close proximity to two C Listed Buildings, including the gates to Stichill House.

There are no known key services provided in Stichill. The nearest primary school is located in nearby Ednam. Stichill is considered to have poor local service accessibility.

The site submission does not confirm ownership of the road and consequently the Council is not able to confirm that the access road can be formed to the required adoptable standard. Consequently it is considered at this point in time that the proposal is premature and cannot be confirmed as being effective within this SG process. If the access issue can be addressed and resolved at a later point in time it consequently may be considered for allocation within a future LDP taking cognisance of any other relevant matters.

Overall, it is considered that there are better sites available in the Central Housing Market Area and the site should not be considered further.

**Site Ref ATWEE002****Site name** Land South of A6091 and Tweedbank**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Tweedbank

**Site area (ha)**

6.2

**Indicative capacity**

45

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is physically detached from its nearest settlement, Tweedbank, and is within open countryside. Development at this location would represent inappropriate piecemeal development which would detract from the area's environment, contrary to Policy EP6 – Countryside Around Towns of the LDP 2016.

The development of the site would have a detrimental impact on Tweed, Etrick and Yarrow Confluences SLA as a result of the prominent, elevated position of the site within the SLA. An adverse impact on the setting of the nationally important designed gardens of Abbotsford would also be expected. The 2007 Alison Grant landscape capacity study identified the site as being constrained.

In summary, the site is unacceptable and cannot be considered further.

**Site Ref MTWEE001****Site name** Site east of railway terminal**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Tweedbank

**Site area (ha)**

0.9

**Indicative capacity**

0

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

There are no major issues at this initial assessment stage.

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This site is allocated for mixed use within the Scottish Borders LDP. The LDP site requirements state that housing would not be appropriate on this site. A housing allocation would fail to comply with the plan and cannot be considered further.

**Site Ref AYARR010****Site name** Land to East of Yarrowford road**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Yarrowford

**Site area (ha)**

0.8

**Indicative capacity**

13

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

SEPA flood maps show a southern portion of the site to be at risk of 1 in 200 year flood events. SEPA would need to be consulted along with the Council's flood team. The relationship to the settlement and the impact on the setting of Yarrowford have both been considered in respect of developing either the full site, or only part of it. None of these options are considered to be natural extensions to the settlement, and all lack natural or existing boundaries to the south and east. Yarrowford has poor access to services. There is no evidence a developer is ready to develop the site. Other potential constraints include the ancient woodland bordering the site to the north, the location of the site within Tweed Yarrow and Ettrick confluences SLA, the bordering Hangingshaw Wood ancient woodland and the River Tweed SAC and SSSI nearby. These would require careful consideration and further assessment.

In summary, the possibility of developing either the overall site, or only part of it, have both been carefully considered but there are considered to be more appropriate sites available.

**Site Ref AYARR011****Site name** Land to West of Broadmeadows road**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Yarrowford

**Site area (ha)**

0.6

**Indicative capacity**

6

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

There is significant flood risk associated with this site. Almost the entire site is within SEPA's 1 in 200 year river flood event extent. The majority of the site is also within SEPA's 1 in 200 year surface water flood event extent.

Flood risk associated with the site prevents the site from progressing to stage 2. As the site sits within the settlement boundary, it is considered more more appropriate for the site to be tested through the planning application process, as opposed to allocating a site which has a likelihood of proving to be constrained.



**Site Ref AYARR012****Site name** Land to West of Broadmeadows road (2)**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Yarrowford

**Site area (ha)**

0.2

**Indicative capacity**

6

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The entire site is located within a 1 in 200 river flood event area, and within a 1 in 200 surface water flood event area. Flood risk associated with the site prevents the site from progressing to stage 2. An unacceptable adverse impact on the character and setting of this part of Yarrowford, and on the Tweed Yarrow and Ettrick confluences SLA, is also anticipated. In summary, the site is unsuitable and cannot proceed to stage 2 assessment.

**Site Ref ABROU002****Site name** South West of Dreva Road**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

Broughton

**Site area (ha)**

3.2

**Indicative capacity**

25

**Housing SG Status****Not Applicable**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

It should be noted that the purpose of the SG on Housing is to take forward additional sites to meet the Housing Land Requirement as recommended by the LDP Examination Reporter. However, it should also be noted that the site has recently received planning consent, in addition the site is already included in the Housing Land Audit and has been for many years. Therefore the site already contributes to the Housing Land Supply. Identifying the site within the SG will not assist in contributing to the additional requirement which is required to be met by the SG.

The site is already included within the Housing Land Audit (HLA) and has a recent consent for 25 units. However, it should be noted that with the recent approval, there has been an increase of 6 units which will require to be included in the next HLA.

Full assessment not required, whilst the site is considered acceptable it will not be taken forward.

**Site Ref ACARD001****Site name** South Of B7062**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Cardrona

**Site area (ha)**

3.5

**Indicative capacity**

25

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is separated from the rest of the settlement of Cardrona by the B7062. A site at this location (albeit a larger site) was previously considered by the LP Reporter who stated that development should not extend south of the B road. The Reporter also commented that "The new building frontage would be obvious to those passing through on this road, as it would form what would be essentially ribbon development ... far from improving the character of the road, I consider that this would be very unwelcome and out of character on what is essentially a very scenic rural road, not a housing access." The development of the site is likely to result in a negative impact on the built environment. In addition, the site is submitted within the Safety Exec Exclusion Zones.

**Site Ref ADOLP004****Site name** Land to North of Dolphinton**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

Dolphinton

**Site area (ha)**

1.3

**Indicative capacity**

10

**Housing SG Status****Excluded****Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

A Development Boundary was placed around the settlement in the Consolidated Local Plan 2011 as the former building group had seen some development pressure. A new small site of 5 units has been allocated in the recently adopted LDP. It is considered that at present sufficient land for development has been identified within the Plan. The settlement is located outwith the SDA's and is reliant on nearby settlements for most services and facilities.

**Site Ref AEDDL005****Site name** Darnhall Farm**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

Eddleston

**Site area (ha)**

3.4

**Indicative capacity**

40

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

It is considered that the site forms part of the setting of Eddleston and its conservation area, should development occur at this location it would result in a dominant element on the northern approach into the settlement. The settlement currently has two allocated housing sites with the potential for in the region of 60+ units to come forward. It is also considered that at present sufficient land for development has been identified within the Plan. The SEPA maps identify the site to be significantly at flood risk.

**Site Ref AINNE008****Site name** Land West of Innerleithen**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Innerleithen

**Site area (ha)**

6.8

**Indicative capacity**

150

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

It is considered that the site forms part of the setting of Innerleithen, should development occur at this location it is considered that it would result in a dominant element on the western approach into the settlement and have a negative impact on the Tweed Valley SLA. There is also the potential for the site to impact on archaeology, in addition there is already substantial allocated land within the settlement.

**Site Ref AINNE009****Site name** Kirklands II**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Innerleithen

**Site area (ha)**

7.6

**Indicative capacity**

100

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is a greenfield site on the edge of the settlement and is connected to the adjacent allocated housing sites TI200 and AINNE004. It is also dependent on connection through those allocated housing sites. Neither site has had development commenced. In addition, allocating a further site of this size could have a negative impact on the settlement in the short term.

**Site Ref ALAUD007****Site name** Land to South East of Lauder**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

Lauder

**Site area (ha)**

5.9

**Indicative capacity**

40

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site contributes to the immediate setting of the settlement. Development at this location would also result in elongating the settlement.

Lauder has already two allocated housing sites with an indicative capacity of 130 units. Development has not commenced on either site. It is therefore considered that Lauder does not require additional housing land at this time.

The Development and Landscape Capacity Study states that the area is severely constrained.



**Site Ref ALAUD008****Site name** Maitland Park Phase 2**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

Lauder

**Site area (ha)**

4.4

**Indicative capacity**

80

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site contributes to the immediate setting of the settlement. Development at this location would result in elongating the settlement.

Lauder has already two allocated housing sites with an indicative capacity of 130 units. Development has not commenced on either site. It is therefore considered that Lauder does not require additional housing land at this time.

The Development and Landscape Capacity Study states that the area is severely constrained.

**Site Ref AOXTO006****Site name** Oxton Mains**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

Oxton

**Site area (ha)**

4.3

**Indicative capacity**

10

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Due to the restrictions of the gas pipeline, the site if developed would in part be separate from the rest of the settlement. In addition, the site would result in extending the settlement in the extreme north. The site is also considered to be significantly large and would result in increasing the size of the settlement by approximately another 50%.

A modest housing site already exists within the settlement.

**Site Ref AOXT0007****Site name** Site to West of Oxton**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

Oxton

**Site area (ha)**

1.9

**Indicative capacity**

5

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:  
Due to the restrictions of the gas pipeline, the site if developed would appear separate from the settlement. In addition it is also considered that the site would also elongate the settlement in a westerly direction.  
A modest housing site already exists within the settlement.

**Site Ref AOXT0008****Site name** Addiston Farm**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

Oxton

**Site area (ha)**

1.4

**Indicative capacity**

15

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is separate from the settlement, located within the countryside. It is considered that the proposal would be better considered through the planning application process.

**Site Ref APEEB045****Site name** Venlaw**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

7.1

**Indicative capacity**

45

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

It should be noted that this site has also been considered by the LDP reporter who recommended that the site not be included within the Plan.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

It is considered that the site contributes greatly to the setting of the settlement. Development at this location would result in a negative impact on the wider settlement and not just to the immediate area. Category B listed Castle Venlaw located to the south east of the site, and the category C listed North Lodge to the north. The site is wholly included within the SBC Venlaw Designed Landscape. The Cultivation Terraces are sited within the site boundary. There is potential for archaeology on the site. The site is also within the SLA and would negatively impact on it. Site is constrained by access into the site.

The site has also been considered previously through the LPA and LDP process which found that the site is not suitable for development.

**Site Ref APEEB047****Site name** Land to South West of Edderston Road**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

10.9

**Indicative capacity**

200

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

It is considered that this area and its lower slopes, contributes to the setting of Peebles.

The site has been considered previously on a number of occasions and roads access is a significant constraint.

**Site Ref APEEB048****Site name** Land South of South Park Housing**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

11.2

**Indicative capacity**

200

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:  
The site has been considered previously on a number of occasions and roads access has continued to be a significant constraint. In addition, a reduced site (south eastern part) was included within the Draft Local Plan Amendment and SEPA objected to its inclusion within the Plan and sought its removal.

**Site Ref ASTOW023****Site name** Land West of Earlston Road**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

Stow

**Site area (ha)**

2.4

**Indicative capacity**

15

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is constrained within the Development and Landscape Capacity Study and Roads Planning have stated previously that they are unable to support the development of this site.



**Site Ref ASTOW028****Site name** Muirhouse Farm**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

Stow

**Site area  
(ha)**

1.8

**Indicative  
capacity**

12

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Disjointed site, and separate from the settlement, located within the countryside. It is considered that the proposal would be better considered through the planning application process.

**Site Ref MSTOW004****Site name** Town Head**Proposed usage**

Mixed Use

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

Stow

**Site area (ha)**

25.5

**Indicative capacity**

200

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

Major roads issues even on a reduced site, many sites having been previously assessed and roads access continually is an issue.

Landscape and built environment issues also a significant.

**Site Ref AWALK008****Site name** Land West of Walkerburn**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Walkerburn

**Site area  
(ha)**

1.0

**Indicative  
capacity**

8

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

This site is unacceptable as it is severely constrained in terms of roads, landscape, nature conservation (River Tweed) and flooding. Development at this location would result in a negative impact on the character and setting of Walkerburn. The site is identified as constrained within the Development and Landscape Capacity study.

**Site Ref AWEST016****Site name** Land to East of The Loan**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

West Linton

**Site area (ha)**

8.6

**Indicative capacity**

100

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site submitted is in the region of 8.5 ha, and seems to require access through the neighbouring land also submitted AWEST018 (13ha) which collectively could potentially increase the settlement by at least one third.

The site has been submitted with the potential for 100 units. However, it is known that there are issues in relation to the Private Road – The Loan. In addition, the majority of site is constrained within the D&LC Study. West Linton currently has a number of allocated housing sites within the Plan and at this time it is not considered appropriate to bring forward additional land.

**Site Ref** **AWEST017****Site name** South of Robinsland Farm**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

West Linton

**Site area  
(ha)**

23.0

**Indicative  
capacity**

250

**Housing  
SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site submitted is considerably constrained particularly in relation to Roads Access as well as Landscape. Numerous sites at this location submitted and considered previously through the Local Plan process.

Roads Access through to Station Road would be required even for a much reduced site however; the applicant has stated that the land required is outwith their control.

West Linton currently has a number of allocated housing sites within the Plan and at this time it is not considered appropriate to bring forward additional land.

**Site Ref AWEST018****Site name** Land North of West Linton**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Northern

**Settlement**

West Linton

**Site area (ha)**

13.2

**Indicative capacity**

160

**Housing SG Status****Excluded**

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**Initial Assessment Summary**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion can be viewed as part of the stage 1 assessment.

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**Overall Assessment Conclusions**

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken, however concluded that the site should not be taken forward as part of the Housing SG. The conclusion of the assessment is as follows:

The site is located to the north of the settlement and outwith the Development Boundary. In terms of the Development and Landscape Capacity Study undertaken for the settlement the site sits within an area considered to be constrained from development. In addition the development of the site would lead to extending well outwith the natural confines of the settlement along the A702.

The site is submitted with the potential of 160 units. However, it is known that there are issues in relation to the road network within the settlement. In addition the majority of site is constrained within the D&LC Study. Also, West Linton currently has a number of allocated housing sites within the Plan and at this time it is not considered appropriate to bring forward additional land.

**APPENDIX 7**

**SUPPLEMENTARY GUIDANCE: HOUSING**

LIST OF CONSULTEES, AS PART OF THE STAGE 2 SITE ASSESSMENT

### Internal Consultees

- Outdoor Access Officer
- Archaeology Officer
- Development Management
- Ecology Officer
- Economic Development
- Education Officer
- Environmental Health Officer
- Environmental Health Officer (Contaminated Land)
- Flood Prevention Officer
- Heritage and Design Officer
- Housing Officer
- Landscape Officer
- Capital Projects
- Neighbourhood Services
- Network Manager (Commercial Services)
- Passenger Transport
- Roads Planning Service
- Waste Manager

### External Consultees

- Historic Environment Scotland
- National Health Service
- Scottish Natural Heritage
- Scottish Power
- Scottish Water
- SEPA (Scottish Environment Protection Agency)
- Transport Scotland



**APPENDIX 8**

**SUPPLEMENTARY GUIDANCE: HOUSING**

ALL SITES SUBJECT TO CONSULTATION AS PART OF THE STAGE 2 SITE ASSESSMENT

	Settlement	Site Code	Site Name	Proposal	Indicative Site Capacity
1	Ancrum	AANCR002	Dick's Croft II	Housing	60
2	Ayton	AAYTO004	Land North of High Street	Housing	6
3	Broughton	ABROU002	South West of Dreva Road	Housing	25
4	Cardrona	MCARD008	Nether Horsburgh	Mixed Use	140
5	Coldstream	ACOLD009	Hillview North 1	Housing	200
6	Coldstream	ACOLD011	Hillview North 1 (Phase 1)	Housing	100
<b>*NOTE: ACOLD011 was part of the consultation on ACOLD009</b>					
7	Duns	ADUNS025	Land West of Former Berwickshire High School	Housing	37
8	Duns	MDUNS003	Land South of Earlsmeadow	Mixed Use	180
9	Duns	MDUNS004	South of Earlsmeadow	Mixed Use	200
10	Duns	MDUNS005	South of Earlsmeadow (Phase 1)	Mixed Use	100
<b>*NOTE: MDUNS005 was part of the consultation on MDUNS004</b>					
11	Earlston	MEARL001	Georgefield East (Phase 1)	Mixed Use	255
12	Earlston	MEARL003	Georgefield East (Phase 2)	Mixed Use	540
13	Earlston	MEARL002	Georgefield East (Phases 1,2 & 3)	Mixed Use	700
14	Galashiels	AGALA033	Huddersfield Street	Housing	26
15	Galashiels	RGALA005	Winston Road	Redevelopment	114
16	Galashiels	AGALA036	Rose Court	Housing	12
17	Galashiels	AGALA037	Former Castle Warehouse Site	Housing	30
18	Galashiels	AGALA029	Netherbarns	Housing	45
19	Galashiels	RGALA006	Borders College Site	Redevelopment	50
20	Greenlaw	AGREE008	Halliburton Road	Housing	65
21	Hawick	AHAWI025	Leishman Place	Housing	5
22	Hawick	AHAWI026	Henderson Place	Housing	6
23	Hawick	AHAWI027	Burnfoot (Phase 1)	Housing	60
24	Hawick	RHAWI011	Factory, Fairhurst Drive	Redevelopment	10
25	Innerleithen	MINNE001	Caerlee Mill	Mixed Use	35
26	Kelso	AKELS025	Tweed Court	Housing	20
27	Kelso	AKELS026	Nethershot (Phase 2)	Housing	100
28	Kelso	AKELS027	Nethershot (Phase 2 & 3)	Housing	260

29	Kelso	AKELS028	Hendersyde (Phase 2)	Housing	190
30	Kelso	RKELS002	Former Kelso High School	Redevelopment	50
31	Newstead	ANEWS005	The Orchard	Housing	6
32	Newstead	ANEWS006	Newstead North	Housing	23
33	Peebles	APEEB046	Glensax Road	Housing	6
34	Peebles	MPEEB006	Rosetta Road Mixed Use	Mixed Use	30
35	Peebles	MPEEB007	March Street Mills	Mixed Use	70
36	Peebles	MPEEB004	Land to South East of Peebles (SPEEB005)	Mixed Use	150
37	Peebles	MPEEB008	Peebles East (South of the River)	Mixed Use	150
<b>*NOTE: MPEEB008 was part of the consultation on MPEEB004</b>					
38	Peebles	APEEB050	South West of Whitehaugh	Housing	100
39	Peebles	APEEB049	South West of Whitehaugh	Housing	100
<b>*NOTE: APEEB049 was part of the consultation on APEEB050</b>					
40	Peebles	APEEB051	North West of Hogbridge	Housing	55
41	Reston	AREST003	Reston Long Term 1	Housing	78
42	Reston	AREST004	Reston Long Term 2	Housing	38
43	Roxburgh	AROXB003	Land to North East of Roxburgh	Housing	20
44	Romanno Bridge	AROMA003	Halmyre Road	Housing	25
45	Selkirk	ASELK033	Angles Field	Housing	30
46	Selkirk	ASELK038	Heather Mill	Housing	75
47	Selkirk	MSELK002	Heather Mill	Mixed Use	75
<b>*NOTE: MSELK002 was part of the consultation on ASELK038</b>					
48	Selkirk	ASELK031	Land North of Bannerfield	Housing	10
49	Selkirk	ASELK040	Philippaugh Mill	Housing	19
50	Selkirk	ASELK041	Philippaugh 2	Housing	8
51	St Boswells	MCHAR002	Charlesfield	Mixed Use	750
52	Tweedbank	MTWEE002	Lowood	Mixed Use	300

No consultation was undertaken on the green or amber sites below, for the following reasons.

<b>Settlement</b>	<b>Site Code</b>	<b>Site Name</b>	<b>Proposal</b>	<b>Indicative Site Capacity</b>	<b>Reason</b>
Galashiels	AGALA032	Lintburn Street	Housing	8	Already has planning consent
Duns	RDUNS003	Disused Chicken Hatchery, Clockmill	Redevelopment	20	Already allocated with an indicative capacity within the LDP

**APPENDIX 9**

**SUPPLEMENTARY GUIDANCE: HOUSING**

**METHODOLOGY USED FOR THE STAGE 2 SITE ASSESSMENT**

## **Housing Supplementary Guidance Stage 2 Site Assessment Methodology**

The stage 2 assessment methodology for assessing proposed sites for inclusion within the Housing SG was undertaken for those sites identified as green and amber, as a result of the stage 1 assessment. The methodology for the stage 2 assessment, used the same approach as the Local Development Plan. This ensured that a consistent approach was undertaken for all sites subject to a full site assessment and consultation process. The methodology involved;

- Establishing site assessment criteria with input from the whole team
- Building an Access database to store site assessment findings
- Creating a GIS project to screen environmental constraints
- Establishing a procedure for consulting internal experts regarding roads, biodiversity, archaeology, footpaths, landscape and development management
- Producing detailed site requirements for each allocation to mitigate any environmental impacts and ensure good design principles were established.

As part of the stage 1 process, all the sites were plotted using GIS to assist the desk top analysis of constraints. A GIS project was set up to correlate with the site assessment criteria as described so that Officers could analyse any constraints and opportunities on the site. This information was then input into the site assessment database.

The site assessment was broken down into five main sections: Initial Assessment (including site details, background information and other spatial constraints checklist), Accessibility and Sustainability, Local Impact and Integration, Landscape Capacity, Planning and Infrastructure Issues and Overall Assessment. Sites were assessed as Commended, Acceptable, Doubtful or Unacceptable in the database.

- The 'Initial Assessment' identified constraints that prevented any development from taking place, including flooding and international/national conservation designations. It also took account of whether the site was consistent in terms of location with the Strategic Development Plan (SESplan). Background details included whether there was a developer interested in the site and whether it could be demonstrated that the site would be effective within the LDP period.
- The 'Accessibility and Sustainability Assessment' analysed issues regarding access to services, public transport and employment, as well as site orientation and impact on biodiversity. If a site was deemed poor in terms of access to services or potentially having a major impact on biodiversity, it was likely to be assessed as unacceptable in terms of accessibility and sustainability.
- The 'Local Impact and Integration Assessment' analysed issues such as conservation area, historical context, archaeology, recreational facilities, natural and historic heritage and connectivity of the site to the actual settlement. If a site had a Scheduled Ancient Monument, listed building or poor connectivity to the settlement, then the site would probably be assessed as unacceptable or doubtful in terms of local impact and integration.

- The 'Landscape Capacity Assessment' analysed issues concerning landscape designations both national and local, height and slope as well as features within the actual site. If a site was in the NSA, or was over 200m or had more than a 12 degree slope, then the site would probably be assessed as unacceptable or doubtful in terms of landscape capacity.
- The 'Planning and Infrastructure Issues Assessment' analysed issues regarding planning requirements. For example, constraints regarding road access, education, water supply, sewerage contaminated land, tree preservation orders, right of way, marketability and land use allocations. If a site was deemed to have poor infrastructure, then the site would probably be assessed as unacceptable or doubtful in terms of planning and infrastructure.
- The 'Overall Assessment' drew all this information together and made a final assessment based on the identified constraints. The consultation responses were inputted within the relevant sections in the database and were used to inform the overall assessment, taking into consideration potential mitigation for constraints. If a site was assessed overall as unacceptable or doubtful, the site was not taken forward within the Housing SG.

As part of the overall site assessment, sites considered acceptable for development, were identified as either preferred or alternative. This was done at the Housing Market Area level, taking into consideration the broad split referred to within Section 3.5 of the Housing SG, with alternative options, which will form the basis for public consultation.

Subsequent to the public consultation, these will then be refined to preferred options, to be taken forward in the finalised Housing SG.

All sites have been given an indicative capacity for the potential inclusion in the Housing SG.

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**APPENDIX 10**

**SUPPLEMENTARY GUIDANCE: HOUSING**

DATABASE REPORT FOR ALL STAGE 2 SITE ASSESSMENTS

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# Database Extract - Stage 2 Site Assessments

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<b>Site Ref</b> <b>AAYTO004</b>								
<b>Site name</b> Land North of High Street	<b>Proposed usage</b> Housing	<b>SDA</b> Eastern	<b>HMA</b> Berwickshire	<b>Settlement</b> Ayton	<b>Site area (ha)</b> 0.7	<b>Indicative capacity</b> 6	<b>Housing SG Status</b> Preferred	

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## Initial assessment

<b>Floodrisk</b> Not applicable	<b>SAC</b> Not applicable	<b>SPA</b> Not applicable	<b>SSSI</b> Not applicable	<b>Ramsar</b> Not applicable	<b>Adjacent to River Tweed?</b> <input type="checkbox"/>
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**International/national designation constraints** Minor

**Structure Plan policy** The site lies within the Eastern Strategic Development Area (SDA)

### Initial assessment summary

This site was submitted as part of the 'Call for Sites' process, as part of the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

FLOOD OFFICER: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk.

SEPA: There is a watercourse adjacent to the site. The risk from this watercourse should be considered during the detailed site design and flow paths should be considered. (No FRA required and no surface water hazard identified).

The site therefore appears to be generally satisfactory but has some surface water constraints, but a solution is possible.

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## Information relating to planning applications

<b>Minerals and coal</b> Not applicable	<b>NNR</b> Not applicable	<b>Prime Quality Agricultural Land</b> On site	<b>Current use/s</b> Combination
<b>Common Good Land</b> Not applicable	<b>MOD safeguarded area</b> Not applicable	<b>Aerodrome/Technical Site Safeguarding</b> Not applicable	

---

## Site Ref **AAYTO004**

**Site name** Land North of High Street

**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Ayton

**Site area (ha)**

0.7

**Indicative capacity**

6

**Housing SG Status**  
**Preferred**

**Planning history reference** 05/00816/OUT: Demolition of garage premises and erection of 5 dwellinghouses (RH & DH Allan applicants); 08/01283/REM: Road and layout for 5 plots in 1st phase of development including drainage (RH & DH Allan applicants).

## Accessibility and sustainability assessment

**Access to public transport**

Limited

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

Not applicable

**Waverley line contribution required?**

### Accessibility and sustainability summary

There are limited services available within Ayton, however Eyemouth is within close proximity (2.5 miles) to the village and can be accessed by bus. The bus service also runs to Chirside and Duns. The settlement is within driving distance of Berwick - upon - Tweed train station (8 miles), however there is limited scope to get a bus to Berwick. The site is located to the west of Ayton and access to the centre would be on foot, along the roadside, therefore there is limited access to public services. Accessing the local services in a sustainable manner would involve walking along a minor road, which may present safety issues. There are minor biodiversity issues, as highlighted in the consultation response below.

ECOLOGY OFFICER: Minor biodiversity risk. Arable field, part hardstanding, brownfield site. Protect boundary features (hedgerows and trees), mitigation for breeding birds.

SCOTTISH NATURAL HERITAGE: No comment

## Local impact and integration assessment

**Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

Adjacent to site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

The site lies to the north west of Ayton and part of the site was previously used as a garage showroom. The site has since been cleared and sits vacant. Part of the site is brownfield. The immediate surrounding uses to the east and west are residential. Single storey bungalows are the predominant feature along the High Street, immediately adjacent to this site. It is considered that development on this site, subject to a satisfactory design and layout, would not adversely impact upon the visual relationship or integration with the existing settlement of Ayton and could be suitably accommodated within the site. Although the site is outwith any Garden and Designed Landscape, the northern part of the site lies within SBC's

**Impact on open space**

Low

**Impact on archaeology**

Low

**Impact on listed buildings**

Low

## Site Ref **AAYTO004**

**Site name** Land North of High Street

**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Ayton

**Site area  
(ha)**

0.7

**Indicative  
capacity**

6

**Housing  
SG Status**

**Preferred**

Designed Landscape 'Ayton Castle'.

### Local impact and integration summary

ARCHAEOLOGY OFFICER: There is nothing recorded in the site, but in the same field cropmarks of unenclosed settlement and extensive cropmarks with limited archaeological work in the area.

HERITAGE AND DESIGN OFFICER: Outside the Conservation Area, no adjacent listed buildings. Former filling station and ground to the rear - infill.

NEIGHBOURHOOD SERVICES: No comments

HISTORIC ENVIRONMENT SCOTLAND: No comments

## Landscape assessment

**NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Poor

**Altitude  
>200m?**

**Height  
constraint**

Minor

**Slope >12  
degrees?**

**Slope  
constraint**

Minor

**Constrained in Landscape Capacity Study**

### Landscape features

There is an existing post and wire fence along the northern boundary; NW and NE boundaries are further arable land but there is a single detached property with garden on the NW boundary and appears to have access via this site. SE boundary is adjoining residential land. SW boundary is roadside with open agricultural land beyond. Mature hedges associated with the adjoining residential properties are evident, however no significant vegetation on the site itself, nor any other landscape features. There are no natural boundaries along the northern edge of the proposed site.

### Landscape summary

LANDSCAPE OFFICER: This site appears to be a fairly straightforward development opportunity without major constraints. Potential site contamination associated with former filling station may be a factor. (There is a manhole on site indicating UG services.) There could be issues relating to loss of privacy to adjoining houses that would need to be addressed in the detailed design. A new hedgerow is recommended to the future NW and NE boundaries facing the trunk road.

## Planning and infrastructure assessment

**Physical access/road capacity**

**Near a trunk road?**

NETWORK MANAGER: Would need to extend the 30mph limit and a new access would be required from the Main Street.

STRATEGIC TRANSPORT: No comments

TRANSPORT SCOTLAND: No comments

**Site Ref AAYTO004****Site name** Land North of High Street**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Ayton

**Site area (ha)**

0.7

**Indicative capacity**

6

**Housing SG Status**

Preferred

ROADS PLANNING OFFICER: No objections in principle to residential development on the site. 30mph limit and street lighting may have to be extended. Allowance should be made for future development of the surrounding land.

PASSENGER TRANSPORT: No response received

**Contaminated land**

On site

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Adjacent to site

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

Not applicable

**If yes, what?****Planning and Infrastructure summary**

OUTDOOR ACCESS: No comments

DEVELOPMENT MANAGEMENT OFFICER: The site appears within the LDP 2016 as being white land within the development boundary of the village. The GIS layer indicates that the north section forms part of the designed landscape. This section is prime agricultural land. The south section appears to be former garage site with potential contamination issues. Consent for housing (5No units) was previously granted 08/01283/REM thus principle of housing has been accepted on part of the site. The site would form new extension to village and being visible from public view from northern approach road would benefit from a soft landscape treatment to boundary edge. Taking into account the adjacent layout, with detached house plot sizes, and the need for access and parking provision, the overall site may support approximately 12 No units of similar size.

ECONOMIC DEVELOPMENT: No comment

EDUCATION OFFICER: No objections

CONTAMINATED LAND OFFICER: The site appears to have been developed with a garage (vehicle repair). The site is brownfield land and its use may present development constraints.

ENVIRONMENTAL HEALTH OFFICER: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. Cognisance needs to be taken of nearby noise sources as well.

HOUSING STRATEGY: No comments

SCOTTISH POWER: No comments

SCOTTISH WATER: No objections

## Site Ref **AAYTO004**

**Site name** Land North of High Street

### **Proposed usage**

Housing

### **SDA**

Eastern

### **HMA**

Berwickshire

### **Settlement**

Ayton

**Site area  
(ha)**

0.7

**Indicative  
capacity**

6

**Housing  
SG Status**

**Preferred**

CAPITAL PROJECTS: No comments

WASTE TEAM: No comments

NHS: No comments

## Overall assessment

### **Overall assessment**

**Acceptable**

### **Summarised conclusion**

The site is a suitable infill development opportunity, subject to mitigation for any constraints; watercourse, biodiversity, contamination, archaeology, amenity and landscaping proposals.

### **Conclusions**

The site has been considered as part of the Housing SG. An initial stage 1 assessment was undertaken, followed by a full site assessment and consultation process. The site lies within the settlement boundary of Ayton, located within the Berwickshire Housing Market Area and Eastern Strategic Development Area. Part of the site is brownfield land.

The site is close to services and has good access to employment, however sustainable access does involve walking into Ayton along the roadside. The adjacent watercourse should be taken into consideration in the detailed design of the site.

Protection should be given to boundary features and mitigation for breeding birds.

There is archaeological evidence in the adjacent field, therefore appropriate mitigation would be required. The site is also located within SBC's Designed Landscape 'Ayton Castle', however this is limited to the northern part of the site. It is considered that the proposal would integrate satisfactorily within the settlement.

In respect of landscape capacity, the site has potential for residential use, subject to the inclusion of satisfactory landscaping proposals, to mitigate any visual impacts from the approach roads and to provide an edge to the settlement.

There is potential contamination within the site, due to the former use and appropriate mitigation would be required.

Cognisance should be given to the amenity of the adjacent neighbouring residential properties.

Overall, it is considered that this site is suitable for residential development, subject to mitigation for the above constraints. It is considered that housing could satisfactorily be accommodated within the site, respecting the adjacent land uses and built form. It should be noted that the call for site submission indicated a site capacity of 12 units, however the surrounding residential area is characteristically lower density, with bungalows evident, therefore it is considered that 6 units is a more realistic site capacity for this area.

Site Ref **ACOLD009**

Site name Hillview North 1

**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Coldstream

**Site area (ha)**

12.6

**Indicative capacity**

200

**Housing SG Status**

Excluded

## Initial assessment

**Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy** The site lies outwith any Strategic Development Area (SDA)

### Initial assessment summary

The site was assessed as part of the Housing SG process and is currently identified within the LDP as a potential longer term housing site. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

SEPA: Review of historic maps does not find any evidence of a small watercourse. Review of the surface water 1 in 200 year flood map shows that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. This information is not requested in the 2013 Proposed Plan (adopted May 2016).

FLOOD OFFICER: Within the SEPA 1 in 200 Year Indicative Flood Mapping, this site is not anticipated to be at risk. Therefore, I would have no objection on the grounds of flood risk. Due to the capacity, surface water issues would have to be thought about as small areas are shown to be affected.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On site

**Current use/s**

Greenfield

**Common Good Land** **MOD safeguarded area**

Not applicable

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** No history

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

Not applicable

**Waverley line contribution required?**

## Site Ref **ACOLD009**

Site name Hillview North 1

### Proposed usage

Housing

### SDA

Rest of Borders

### HMA

Berwickshire

### Settlement

Coldstream

### Site area (ha)

12.6

### Indicative capacity

200

### Housing SG Status

Excluded

### Accessibility and sustainability summary

There are adequate services present in Coldstream and some employment opportunities available. The settlement is also relatively close to Berwick upon Tweed that can provide further opportunities. There is public transport that links Coldstream with Berwick.

The woodland adjacent to the site and the hedgerows could provide habitats for biodiversity. These will need to be buffered with trees.

ECOLOGY OFFICER: Arable field, protect boundary features (hedgerows and trees, coniferous plantation on southern boundary) mitigation for breeding birds.

SCOTTISH NATURAL HERITAGE: This site lies outwith the current settlement boundary as shown in the LDP but is included as a longer term safeguard (SCOLD001). This would form a significant addition to the existing settlement and would therefore need to ensure measures to deliver of natural heritage mitigation and enhancement as part of any future site development.

NEIGHBOURHOOD SERVICES: Responsibility for maintenance of adjacent woodland strip has always been a contentious issue. Its presence should be considered when any proposals are being developed. Potential for on-site play provision.

HISTORIC ENVIRONMENT SCOTLAND: No comments.

## Local impact and integration assessment

### Conservation area

Not applicable

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

Not applicable

### Ancient woodland inventory

Not applicable

### Open space

Not applicable

### Archaeology

On site

### Listed buildings

Not applicable

### Visual relationship/integration with existing settlement

This site has a generous buffer between it and the industrial estate. It would have quite good access to the centre of the settlement. There is evidence of archaeology within this site. There is some evidence of a field boundary and therefore the site might need to have trial trenches. The site is located within the 'Lennel' Designed Landscape.

### Impact on open space

Low

### Impact on archaeology

High

### Impact on listed buildings

Low

### Local impact and integration summary

ARCHAEOLOGY OFFICER: Undated field boundary crosses the site (cropmark), as well as OS1 field boundaries and modern drainage; generally located ROC post in area (not otherwise known).

HERITAGE AND DESIGN OFFICER: Well outwith Conservation Area and no adjacent Listed Buildings. A significant size with little natural boundaries. The potential addition of the land to the SE should be considered in developing proposals. Viable phases need to be identified as part of a Master Plan.

HISTORIC ENVIRONMENT SCOTLAND: No objections



Site Ref **ACOLD009**

Site name Hillview North 1

**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Coldstream

**Site area (ha)**

12.6

**Indicative capacity**

200

**Housing SG Status**

Excluded

## Landscape assessment

**NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Good

**Altitude >200m?**

**Height constraint**

Minor

**Slope >12 degrees?**

**Slope constraint**

Minor

**Constrained in Landscape Capacity Study**

**Landscape features** Hedgerow on the SE boundary, woodland on SW boundary leading on to track running up W side. Rural lane with hedge and hedgerow trees on E side. The site is identified as part of the Lennel Designed Landscape (SBC). The site rises up on the north western edge.

**Landscape summary** This site would be acceptable as it is quite well contained within the landscape. It would benefit from having a substantial woodland buffer to contain the site.

LANDSCAPE OFFICER: There is a landscape argument to avoid extending development into this rural area which lies outwith existing Coldstream perimeter woodland, particularly given the anticipated access issues. Also the site is prime agricultural land. However the precedent for development has already been created at the adjoining industrial estate. Strengthening of perimeter woodland structure is recommended along the NW, N and NE sides together with a buffer zone to protect existing woodland on the SW side. This will help contain the visual impacts of new development. Further planting is required to separate housing from the adjoining business and industrial site to the SE, perhaps provided on the business site.

## Planning and infrastructure assessment

**Physical access/road capacity**

**Near a trunk road?**

NETWORK MANAGER: Appears somewhat dis-connected from town. Additional pressure on sub-standard A6112/ A698 junction. Would need to extend 30 mph limit.

TRANSPORT SCOTLAND: No objections

STRATEGIC TRANSPORT: Improved path/cycle links into town are recommended.

ROADS PLANNING OFFICER: Excellent opportunity for vehicular access and pedestrian/cycle linkage exists. I am therefore able to offer my support for housing on this site. Two main vehicular links are available via the existing industrial site off the A6112 and via Hill View. A further more minor link is possible via the westerly end of Priory Bank. Allowance would have to be made for future street connectivity and a Transport Assessment will be required as a prerequisite for the development of this site.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Site Ref ACOLD009**

**Site name** Hillview North 1

**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Coldstream

**Site area (ha)**

12.6

**Indicative capacity**

200

**Housing SG Status**

Excluded

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Yes

**Right of way**

Adjacent to site

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

On site

**If yes, what?**

BE12 - Further Housing Land Safeguarding

**Planning and Infrastructure summary**

OUTDOOR OFFICER: Connecting footways to be incorporated into the southern section to link pedestrian use to the Core Path which joins Duns Road to the west and A6112 to the east.

ENVIRONMENTAL HEALTH OFFICER: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. Cognisance needs to be taken of nearby noise sources as well.

SCOTTISH POWER: No objections

SCOTTISH WATER: No objections

HOUSING STRATEGY: No objections

ECONOMIC DEVELOPMENT: No objections

ENVIRONMENTAL HEALTH (CONTAMINATED LAND): The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

EDUCATION OFFICER: If all the units are built, then an extension comprising class and dining facilities may be required.

DEVELOPMENT MANAGEMENT OFFICER: This site has been assessed and considered acceptable as a longer term housing allocation. I have no objections to this allocation (or part of the allocation) coming forward as a preferred site. The site is outside the development boundary of the town but is located in an area of preferred direction of development. This is a logical place to identify land for housing despite the mature landscaping along the southern boundary. Access may be an issue as the junction of the Lennel Road with the A698 High Street is not ideal. Access may need to be taken via Hillview and/or Duns Road. The site requirements contained within the LDP cover the primary constraints for the site and should be incorporated into a wider Masterplan for the site to include the adjoining business and industrial allocation (BCOLD001). It is imperative that strong landscape/structure planting forms part of any development to help define the northern edge of the settlement. Connectivity to Hillview will be critical.

PASSENGER TRANSPORT: No response received to date

CAPITAL PROJECTS: No objections

WASTE TEAM: No objections

NHS: No objections

**Site Ref ACOLD009**

Site name Hillview North 1

**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Coldstream

**Site area  
(ha)**

12.6

**Indicative  
capacity**

200

**Housing  
SG Status****Excluded**

## Overall assessment

### Overall assessment

**Acceptable**

### Summarised conclusion

In conclusion, the site is identified for longer term housing within the LDP and would be suitable for housing subject to mitigation. However, it is considered that Phase 1 (ACOLD011) would be sufficient for release as part of the Housing SG, with the remainder of this site retained for future housing land within Coldstream.

### Conclusions

The site is identified for longer term housing within the LDP (SCOLD001). Although there are a number of housing opportunities within Coldstream, the Reporter advised to look at the identified longer term sites in the first instance. The site would be acceptable for housing and has the potential to make a significant contribution towards the housing shortfall, subject to addressing and mitigating the constraints below, where necessary.

Investigations of any potential flood risk within the site would be required and mitigation where necessary. Furthermore, surface water drainage must be addressed.

The site would integrate well into the settlement with appropriate landscaping and protection should be given to existing boundary features, where possible. There are good infrastructure and connectivity opportunities, including road access from the adjacent employment allocation and Hill View, with a potential minor link from Priory Bank. A Transport Assessment would be required for the development of this site.

The following must be taken into consideration when developing this site; mitigation for breeding birds, archaeology, buffer protection zones along the southern boundary, landscaping along the western/northern boundary, open space provision, buffer zone between the site and allocated employment site, and the future integration with the potential longer term housing site to the west.

Consideration must be given to incorporating a pedestrian link to the Core Path which joins Duns Road to the west and A6112 to the east.

A phase 1 release of this site is also under consideration (ACOLD011) for 100 units. Overall, it is considered that Phase 1 (ACOLD011) would be a sufficient contribution towards the housing shortfall as part of the Housing SG, which would retain the northern part of this site for future potential housing. Therefore, site ACOLD009 will not be taken forward as a preferred or alternative option within the SG.

**Site Ref ACOLD011****Site name** Hillview North 1 (Phase 1)**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Coldstream

**Site area (ha)**

6.1

**Indicative capacity**

100

**Housing SG Status****Preferred****Initial assessment****Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy** The site lies outwith any Strategic Development Areas.**Initial assessment summary**

The site was considered as part of the Housing SG process. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation. (ACOLD011) forms part of the larger site, already identified for longer term housing within the LDP (SCOLD001). The consultation responses from SEPA and the Council's Flood Officer are for the larger housing site also under consideration (ACOLD009), which includes this Phase 1.

SEPA: Review of historic maps does not find any evidence of a small watercourse. Review of the surface water 1 in 200 year flood map shows that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. This information is not requested in the 2013 Proposed Plan (adopted May 2016).

FLOOD OFFICER: Within the SEPA 1 in 200 Year Indicative Flood Mapping, this site is not anticipated to be at risk. Therefore, I would have no objection on the grounds of flood risk. Due to the capacity, surface water issues would have to be thought about as small areas are shown to be affected.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On site

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area**

Not applicable

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** No history

## Site Ref ACOLD011

Site name Hillview North 1 (Phase 1)

Proposed usage

Housing

SDA

Rest of Borders

HMA

Berwickshire

Settlement

Coldstream

Site area  
(ha)

6.1

Indicative  
capacity

100

Housing  
SG Status

Preferred

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Good

Access to services

Good

Wider biodiversity impacts

Minor

Site aspect

South-west

Waverley line  
contribution  
required?

### Accessibility and sustainability summary

There are adequate services and employment opportunities within Coldstream. The settlement is relatively close to Berwick-Upon-Tweed, which provides further opportunities. There is public transport which links Coldstream to Berwick.

The woodland adjacent to this site and the existing hedgerows could provide habitats for biodiversity. There will be a requirements for a buffer area along the southern boundary of the site with these trees,

The following consultations were undertaken for the larger site (ACOLD011), which includes this site;

ECOLOGY OFFICER: Arable field, protect boundary fences (hedgerows and trees, coniferous plantation on southern boundary) mitigation for breeding birds.

SCOTTISH NATURAL HERITAGE: This site lies outwith the current settlement boundary as shown in the LDP but is included as a longer term safeguard (SCOLD001). This would form a significant addition to the existing settlement and would therefore need to ensure measures to deliver of natural heritage mitigation and enhancements as part of any future site development.

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Not applicable

Archaeology

On site

Listed buildings

Not applicable

Visual relationship/integration with existing settlement

The site has a generous buffer between it and the industrial estate, this is contained within the employment allocation. The site would allow good access to the centre of Coldstream. There is some evidence of archaeology within the site, which would require to be investigated. Furthermore, the site is located within the 'Lennel' Designed Landscape. Structure planting would be required along the western boundary of the site and a buffer would be required along the southern boundary with the existing trees. A second buffer area should be provided between the site and the existing allocated employment site to the east.

Impact on open space

Low

Impact on archaeology

Medium

Impact on listed buildings

Low

## Site Ref **ACOLD011**

**Site name** Hillview North 1 (Phase 1)

**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Coldstream

**Site area  
(ha)**

6.1

**Indicative  
capacity**

100

**Housing  
SG Status**

**Preferred**

### Local impact and integration summary

The following consultations were undertaken as part of the larger long term housing site (ACOLD009).

ARCHAEOLOGY OFFICER: Undated field boundary crosses the site (cropmark), as well as OS1 field boundaries and modern drainage; generally located ROC post in area (not otherwise known).

HERITAGE AND DESIGN OFFICER: Well outwith Conservation Area and no adjacent Listed Building's. A significant size with little natural boundaries. The potential addition of the land to the SE should be considered in developing proposals. Viable phases need to be identified as part of a Masterplan.

HISTORIC ENVIRONMENT SCOTLAND: No objections.

## Landscape assessment

**NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Good

**Altitude  
>200m?**

**Height  
constraint**

Minor

**Slope >12  
degrees?**

**Slope  
constraint**

Minor

**Constrained in Landscape Capacity Study**

### Landscape features

There is a hedgerow along the SE boundary, woodland along the SW boundary, leading onto a track running up the west of the site. The area to the north of the site is arable fields, which forms the larger part of the identified longer term housing site. The site is identified as the 'Lennel' designed landscape. The site rises up on the north western edge.

### Landscape summary

The following consultations were undertaken, as part of the larger longer term site (ACOLD009). The site would be acceptable for housing as it is quite well contained within the landscape. This site would form phase 1 of the larger site and together would benefit from having a woodland buffer to contain the site.

LANDSCAPE OFFICER: There is a landscape argument to avoid extending development into this rural area which is outwith existing Coldstream perimeter woodland, particularly given the anticipated access issues. Also the site is prime agricultural land. However, the precedent for development has already been created at the adjoining industrial estate. Strengthening of perimeter woodland structure is recommended along the NW, N and NE sides together with a buffer zone to protect existing woodland on the SW side. This will help contain the visual impacts of new development. Further planting is required to separate housing from the adjoining business and industrial site to the SE, perhaps provided on the business site? Further to this consultation response, it should be noted that this site will be able to deliver enhanced structure planting along the western boundary. However the comments above in relation to woodland to the north, north east and remainder of the western boundary, would require to be delivered through the release of the larger site which forms part of (ACOLD009) in the future'.

## Planning and infrastructure assessment

**Physical access/road capacity**

**Near a trunk road?**

The following consultations were undertaken as part of the larger site (ACOLD009);

## Site Ref **ACOLD011**

**Site name** Hillview North 1 (Phase 1)

### **Proposed usage**

Housing

### **SDA**

Rest of Borders

### **HMA**

Berwickshire

### **Settlement**

Coldstream

**Site area  
(ha)**

6.1

**Indicative  
capacity**

100

**Housing  
SG Status**

**Preferred**

NETWORK MANAGER: Appears somewhat dis-connected from the town. Additional pressure on sub-standard A6112/A698 junction. Would need to extend the 30mph limit.

TRANSPORT SCOTLAND: No objections

STRATEGIC TRANSPORT: Improved path/cycle links to the town are recommended.

ROADS PLANNING SERVICE: Excellent opportunity for vehicular access and pedestrian/cycle linkage exists. I am therefore able to offer my support for housing on this site. Two main vehicular links are available via the existing industrial site off the A6112 and via Hill View. A further more minor link is possible via the westerly end of Priory Bank. Allowance would have to be made for future street connectivity and a Transport Assessment will be required as a prerequisite for the development of this site.

### **Contaminated land**

Not applicable

### **HSE consultation**

Not applicable

### **Water supply**

Yes

### **Sewerage**

Yes

### **Education provision**

Good

### **Primary school capacity**

Yes

### **Secondary school capacity**

Yes

### **Right of way**

Adjacent to site

### **TPOs**

Not applicable

### **Marketability**

Average

### **Land use allocations**

On site

### **If yes, what?**

BE12 - Further Housing Land Safeguarding

### **Planning and Infrastructure summary**

ENVIRONMENTAL HEALTH (CONTAMINATED LAND): The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

EDUCATION OFFICER: If all units are built, then an extension comprising class and dining facilities may be required. Further to the consultation response, the Education Officer confirmed that this was based on all the sites being taken forward within the Housing SG. If this Phase 1 alone for 100 units was taken forward, there would be sufficient capacity.

SCOTTISH POWER: No objections

SCOTTISH WATER: No objections

HOUSING STRATEGY: No objections

DEVELOPMENT MANAGEMENT OFFICER: This site has been assessed and considered acceptable as a longer term housing allocation. I have no objections to this allocation (or part of the allocation) coming forward as a preferred site. The site is outside the development boundary of the town but is located in an area of preferred direction of development. This is logical place to identify land for housing despite the mature landscaping along the southern boundary. Access may be an issue as the junction of the Lennel Road with the A698 High Street is not ideal. Access may need to be taken via Hillview and/or Duns Road. The site requirements contained within the LDP cover the primary constraints for the site and should be incorporated into a wider Masterplan for the site to include the adjoining business and industrial allocation BCOLD001. It is imperative that strong landscape/structure planting forms part of any development to help define the northern edge of the settlement. Connectivity to Hillview will be critical.

## Site Ref **ACOLD011**

Site name Hillview North 1 (Phase 1)

### Proposed usage

Housing

### SDA

Rest of Borders

### HMA

Berwickshire

### Settlement

Coldstream

Site area  
(ha)

6.1

Indicative  
capacity

100

Housing  
SG Status  
Preferred

ECONOMIC DEVELOPMENT: No objections

PASSENGER TRANSPORT: No response to date

CAPITAL PROJECTS: No objections

WASTE: No objections

NHS: No objections

NEIGHBOURHOOD SERVICES: Responsibility for maintenance of adjacent woodland strip has always been a contentious issue. Its presence should be considered when any proposals are being developed. Potential for on-site play provision.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. Cognisance needs to be taken of nearby noise sources as well.

OUTDOOR ACCESS: Connecting footways to be incorporated into the southern section to link pedestrian use to the Core Path which joins Duns Road to the west and A6112 to the west. These consultation responses were made to the larger site (ACOLD009) which this forms part of.

## Overall assessment

### Overall assessment

**Acceptable**

### Summarised conclusion

The site is acceptable for housing, subject to mitigation regarding the constraints on the site. The site is identified within the LDP as part of a larger longer term housing site.

### Conclusions

This site forms part of the larger longer term housing site within the LDP (SCOLD001). Although there are a number of housing opportunities within Coldstream, the Reporter advised to look at the identified longer term sites in the first instance. The site would be acceptable for housing and has the potential to make a significant contribution towards the housing shortfall, subject to addressing and mitigating the constraints below, where necessary.

Investigations of any potential flood risk within the site would be required and mitigation where necessary. Furthermore, surface water drainage must be addressed.

The site would integrate well into the settlement with appropriate landscaping and protection should be given to existing boundary features, where possible. There are good infrastructure and connectivity opportunities, including road access from the adjacent employment allocation and Hill View, with a potential minor link from Priory Bank. A Transport Assessment would be required for the development of this site.

The following must be taken into consideration when developing this site; mitigation for breeding birds, archaeology, buffer protection zones along the southern boundary, landscaping along the western boundary, open space provision, buffer zone between the site and allocated employment site, and the future integration with the potential longer term housing site to the west.



**Site Ref ACOLD011****Site name** Hillview North 1 (Phase 1)**Proposed usage**

Housing

**SDA**

Rest of Borders

**HMA**

Berwickshire

**Settlement**

Coldstream

**Site area (ha)**

6.1

**Indicative capacity**

100

**Housing SG Status****Preferred**

Consideration must be given to incorporating a pedestrian link to the Core Path which joins Duns Road to the west and A6112 to the east.

The entire longer term site is also under consideration (ACOLD009). Overall, it is considered that this phase 1 development would be a sufficient contribution towards the housing shortfall as part of the Housing SG, which would retain the northern part of the site for future potential housing. Therefore, site ACOLD011 will be taken forward as a preferred option within the Housing SG.

## Site Ref **ADUNS025**

**Site name** Land West of Former Berwickshire High School

**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area (ha)**

1.5

**Indicative capacity**

37

**Housing SG Status**

Excluded

### Initial assessment

**Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy** The site is located within the Eastern Strategic Development Area (SDA).

#### Initial assessment summary

The site was submitted as a Call for Site, as part of the Housing SG process. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

SEPA: We require a FRA which assesses the risk from the small watercourse which flows through the site. Consideration will need to be given to bridge and culvert structures within and adjacent to the site which may exacerbate flood risk.

FLOOD OFFICER: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. As a few drains / springs running through the site, I would expect the applicant to show this risk from surface water would be mitigated. Consideration should be given to surface water runoff.

### Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On site

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area**

Not applicable

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** N/A

### Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line contribution required?**

## Site Ref ADUNS025

Site name Land West of Former Berwickshire High School

### Proposed usage

Housing

### SDA

Eastern

### HMA

Berwickshire

### Settlement

Duns

Site area  
(ha)

1.5

Indicative  
capacity

37

Housing  
SG Status  
Excluded

### Accessibility and sustainability summary

The site is located less than 1km from the centre of Duns, therefore has walkable access to local amenities and services within the town. There are minor biodiversity issues within the site.

ECOLOGY OFFICER: Improved pasture. Garden grounds with mature trees on boundary. No significant biodiversity issues.

SCOTTISH NATURAL HERITAGE: This site lies outwith the current settlement boundary as shown in the LDP.

## Local impact and integration assessment

### Conservation area

Not applicable

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

Adjacent to site

### Ancient woodland inventory

Not applicable

### Open space

Not applicable

### Archaeology

Adjacent to site

### Listed buildings

Adjacent to site

### Visual relationship/integration with existing settlement

This site forms a field, immediately to the west of the Former Berwickshire High School. The 'Duns Castle' Garden and Designed Landscape is adjacent to the site and the site is within the 'Duns' SBC's Designed Landscape.

### Impact on open space

Low

### Impact on archaeology

Low

### Impact on listed buildings

High

There are archaeological records adjacent to the site and the listed building 'The Geans' lies adjacent to the site, which wraps around the dwellinghouse.

### Local impact and integration summary

There is a Category C listed building adjacent to the site 'The Gean's dwellinghouse, which originally formed part of the Duns Castle Estate. The house was clearly designed to be seen from the main road and development of the land in front of this, has the potential to impact upon the setting of the listed building. The consultation responses are outlined below;

HERITAGE AND DESIGN OFFICER: The Geans is a listed building and the adjacent former Berwickshire High School is also a listed building. Whilst there is some potential for this site; the overall scale may need to be reduced to ensure that the open setting of the Geans is maintained to the south.

ARCHAEOLOGY OFFICER: Nothing within area itself from HER, but OS1 recorded sawmill within and Listed Building house and prehistoric enclosure cropmarks in immediate surroundings.

HISTORIC ENVIRONMENT SCOTLAND: No comments.

Site Ref **ADUNS025**

Site name Land West of Former Berwickshire High School

Proposed usage  
Housing

SDA  
Eastern

HMA  
Berwickshire

Settlement  
Duns

Site area  
(ha)  
1.5

Indicative  
capacity  
37

Housing  
SG Status  
Excluded

## Landscape assessment

NSA

Not applicable

SLA

Not applicable

Landscape designation

Moderate

General amenity

Average

Altitude  
>200m?

Height  
constraint

Minor

Slope >12  
degrees?

Slope  
constraint

Minor

Constrained in Landscape Capacity Study

### Landscape features

A field immediately to the west of the Old High School. There is a stone wall with ornamental railings along the South (A6105) road boundary. A rural lane forms the long Eastern boundary with screen hedge and school grounds to the East. A straight line water course runs along the Western boundary connecting a former mill pond to the North with the Clockmill Farm. Mature woodland screening and providing a setting for the listed building. There is further mature woodland along the South West boundary which screens the Clockmill Farm from the road and a line of semi mature trees line the South of the rural lane. Buffer zones for adjoining trees limit the developable area. The site forms an attractive open space at the entrance to Duns and there are views over it to the hills to the North.

**Landscape summary** The landscape is constrained within the Landscape Capacity Study as it was previously associated with Duns Castle.

LANDSCAPE OFFICER: Buffer zones required for protection of adjoining woodland around the listed building and to screen Clockmill Farm reduce the developable area. This long narrow site does not look suitable for a conventional housing site as the developable area is unlikely to justify the amount of new road construction required and housing development would look intrusive at this 'gateway' location. At the North end, some individual house plots accessed off the existing rural lane should not pose any problem. The South end of the site would be better retained as open space to retain existing views and protect the setting of the listed building although, again, a few individual houses would relate better to other ribbon development in the area than a 'housing' site.

## Planning and infrastructure assessment

Physical access/road capacity

NETWORK MANAGER: No comments

STRATEGIC TRANSPORT: No comments

TRANSPORT SCOTLAND: No objections

ROADS PLANNING OFFICER: A new access can be created from the A6105 to serve the proposed site with minor alterations to the boundary wall, thus allowing adequate visibility in either direction. The existing footway and street lighting should be extended into the site if developed. Alternatively, if the landowner is also in control of the minor private access along the eastern boundary of the site, then this could possibly be upgraded over its initial length to accommodate the proposed site and the existing properties to the north.

Contaminated land

Not applicable

HSE consultation

Not applicable

Water supply

Yes

Sewerage

Yes

**Site Ref ADUNS025**

Site name	Proposed usage	SDA	HMA	Settlement	Site area (ha)	Indicative capacity	Housing SG Status
Land West of Former Berwickshire High School	Housing	Eastern	Berwickshire	Duns	1.5	37	Excluded

Education provision	Primary school capacity	Secondary school capacity	Right of way	TPOs
Good	Yes	Yes	Adjacent to site	Not applicable

Marketability	Land use allocations	If yes, what?
Average	Not applicable	

**Planning and Infrastructure summary**

OUTDOOR ACCESS OFFICER: MM – Core Path 50 (RoW BB91) utilises the farm road to the east of the site.

ENVIRONMENTAL HEALTH (CONTAMINATED LAND OFFICER): The site appears to have been developed as a Saw Mill. The site is brownfield land and its use may present development constraints

DEVELOPMENT MANAGEMENT OFFICER: At the western side of Duns there is already a sporadic form of pockets of development so this site would not necessarily be out of keeping with the character of the side of the settlement. The site appears to benefit from being contained by undulating land and planting. Site benefits from good infrastructure being next to the schools, close to the town centre and main road through Duns. Development of the southern portion of the site in front of 'The Geans' seems logical but the narrow strip around the western boundary of 'The Geans' is awkward and may not be developable. Retaining wall along the front of the site is a feature on entry in to Duns but taking access through a section of the wall would not be visually detrimental. Maintaining the setting of the Cat C listed 'The Geans' will be important. The access road along the eastern boundary of the site is narrow and its tree lined front portion is pleasant on approach from the west where the loss of this planting would be unfortunate. This may prohibit the ability to widen the narrow access road which runs along the east of the site. Development to the south would have to guard against affecting the amenity of 'The Geans'. Site does not intrude into the Duns Castle Designed Landscape but would have to be designed in a manner to respect its setting. The site is within the Duns Designed Landscape but it is noted that other small scale residential development has taken place around its edges with the settlement .Mature planting around the site may mean RPA's need to be accounted for. If feasible for development, the sites constraint's and its edge of settlement location suggest that indicative capacity for 37 units could be too many.

ECONOMIC DEVELOPMENT: No comments

EDUCATION OFFICER: No issues

HOUSING STRATEGY: No comments

SCOTTISH POWER: No comments

SCOTTISH WATER: No issues

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in resept of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. Cognisance needs to be taken of nearby noise sources as well.

NEIGHBOURHOOD SERVICES: Potential off-site contribution for play.

CAPITAL PROJECTS: No comments

**Site Ref ADUNS025****Site name** Land West of Former Berwickshire High School**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area (ha)**

1.5

**Indicative capacity**

37

**Housing SG Status****Excluded**

WASTE TEAM: No comments

NHS: No comments

## Overall assessment

**Overall assessment****Doubtful****Summarised conclusion**

There are a number of constraints which would require mitigation. This site was recently assessed as part of the LDP process and was not included. It is considered that there is another more suitable site within Duns which could be released through the Housing SG, to fulfil the housing requirement.

**Conclusions**

This site lies outwith the settlement boundary of Duns. There are a number of constraints within the site, as outlined below;

- SEPA have requested the submission of a Flood Risk Assessment (FRA) and consideration given to surface water runoff from the site
- Potential to adversely impact upon the setting of the Category C listed building 'The Geans'
- Archaeology records on the adjacent site, therefore investigation would be required and appropriate mitigation
- The site is constrained within the Landscape Capacity Study
- The 'Duns Castle' Garden and Designed Landscape lies adjacent to the site and the site lies within the SBC's Designed Landscape 'Duns'
- There is a Core Path which runs along the eastern boundary of the site, which would need to be taken into consideration in any development
- Potential contamination of the site
- Buffer zone would be required for protection of the adjacent woodland around the listed building
- New access would be required from the A6105 to serve the site or alternative access from the existing track to the east.

The site was submitted as 2 separate sites as part of the LDP process and it was ultimately concluded that the site(s) should not be included within the LDP, given that there was already adequate housing land supply within Duns and better sites were identified to fulfil any further housing needs within the wider Eastern SDA.

Therefore, given the recent consideration of the site(s) as part of the LDP process and the constraints outlined above, it is not considered that this site should be taken forward as part of the Housing SG. Furthermore, there are more suitable housing/mixed use sites within the Berwickshire Housing Market Area, which are more suitable.

**Site Ref** MDUNS003

**Site name** Land South of Earlsmeadow

**Proposed usage**

Mixed Use

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area (ha)**

11.2

**Indicative capacity**

180

**Housing SG Status**

Excluded

## Initial assessment

**Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy** The site is located within the Eastern Strategic Development Area.

### Initial assessment summary

FLOOD OFFICER: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Small areas of the site are anticipated to be affected by surface water runoff so I would expect the applicant to consider this and show how this risk would be mitigated.

SEPA: 2013 Proposed Plan (adopted May 2016) states that "Investigation of the flood risk on the site". We support this. We require an FRA which assesses the risk from a small watercourse identified as flowing along the northwest corner of the site. Consideration will need to be given to bridge and culvert structures within and adjacent to the site which may exacerbate flood risk. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Majority of site will likely be developable.

The site was submitted as a Call for Site, as part of the Housing SG process. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation. It should be noted that this site forms part of the longer term mixed use site (SDUNS001), contained within the LDP.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On/Adjacent to site

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area**

Not applicable

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** N/A

## Site Ref MDUNS003

Site name Land South of Earlsmeadow

Proposed usage

Mixed Use

SDA

Eastern

HMA

Berwickshire

Settlement

Duns

Site area  
(ha)

11.2

Indicative  
capacity

180

Housing  
SG Status

Excluded

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Good

Access to services

Good

Wider biodiversity impacts

Minor

Site aspect

Not applicable

Waverley line  
contribution  
required?

### Accessibility and sustainability summary

The site is good in terms of access to public services and public transport. It is relatively close to the centre of Duns and is good in terms of employment potential. There are regular buses to Berwick upon Tweed where there is a main train line to Edinburgh and Newcastle upon Tyne. There are employment opportunities within Duns and nearby settlements.

There is a lack of connectivity opportunities to the north and east of the site, with the existing housing allocations, given that the proposed site excludes a parcel of land to the east, which is identified within the longer term mixed use site (SDUNS001). The result is that there is a gap between the proposed site and the existing housing allocations to the east. Therefore, this will prove difficult to make linkages to the north and east from the site.

boundary tree. No significant biodiversity issues.

ECOLOGY OFFICER: Arable field hedgerow and occasional

current settlement boundary, we note that it is included in the LDP as a longer-term safeguarded site (SDUNS001). If you are minded to support development of this site during the current plan period, further detailed assessment and a site brief would be required. However, we highlight the potential to ensure retention of existing paths in the northern section of the site and the potential to deliver an important green network connection between the Public Park and Duns High School.

SCOTTISH NATURAL HERITAGE: While this site lies outwith the

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Adjacent to site

Archaeology

On/adjacent to site

Listed buildings

Not applicable

Visual relationship/integration with existing settlement

Minimal visual impact from the entrances to Duns. This proposed site is smaller than the area identified for longer term mixed use development within the LDP. There is a gap between the proposed site and the existing housing allocations (ADUNS010 and BD4B) to the east, therefore there would be a lack of integration with the existing housing allocations to the east, redevelopment site to the north and existing residential properties to the north east of the site.

Impact on open space

Medium

Impact on archaeology

Medium

Impact on listed buildings

Low

### Local impact and integration summary

ARCHAEOLOGY OFFICER: Site includes settlement cropmarks, but no other HER recorded sites. A number of finds and sites are located in the general area.

HERITAGE AND DESIGN OFFICER: Significant new development at edge of settlement. Boundary treatment and integration into a long term vision for the potential



## Site Ref MDUNS003

Site name Land South of Earlsmeadow

Proposed usage

Mixed Use

SDA

Eastern

HMA

Berwickshire

Settlement

Duns

Site area  
(ha)

11.2

Indicative  
capacity

180

Housing  
SG Status

Excluded

expansion of SW Duns as a Master Plan exercise.

This site does not include all of the identified longer term mixed use allocation site, which is identified within the LDP. Therefore, if this site was developed, there would be a lack of connection to the existing settlement boundary to the west of the existing housing allocations (ADUNS010 and BD4B) and redevelopment allocation (RDUNS002) to the north of the proposed site. Therefore, it is not considered that this site adequately integrates and connects with the existing settlement boundary, allocations and built form.

HISTORIC ENVIRONMENT SCOTLAND: No objections

## Landscape assessment

NSA

Not applicable

SLA

Not applicable

Landscape designation

Minor

General amenity

Average

Altitude  
>200m?

Height  
constraint

Minor

Slope >12  
degrees?

Slope  
constraint

Minor

Constrained in Landscape Capacity Study

### Landscape features

Large field dropping to shallow basin at north side rising to a gentle crown which falls again towards the south boundary. The north boundary adjoins an area of wetland/basin mire. To the west and south there are other arable fields and to the east, a small paddock and some open land no longer cultivated. There is marsh which lies to the north. There are some large hedgerow bushes/small trees along the north east boundary and a few sporadic hedgerow trees along the west hedgerow. There is an attractive area of open space between Duns Park and the High School linked by the promoted path/boardwalk. This open space to the north of the site should be retained and protected from development.

### Landscape summary

LANDSCAPE OFFICER: This site has potential for development. However, it lacks adequate road connection and bears no particular relation to the settlement pattern of Duns. It could therefore look visually intrusive in the wider rural setting. (Structure planting could help mitigate this but would also create local shading issues for adjoining houses as the planting would need to be on the S and W sides thus tending to block light.) There may be other locations around Duns that are more suitable for development.

## Planning and infrastructure assessment

Physical access/road capacity

Near a trunk road?

STRATEGIC TRANSPORT: Vehicular access to the site needs further consideration with potential upgrading of the road network at Clockmill or potentially through the industrial estate required. The existing access path to the school and public park has recently been upgraded and therefore would provide good non-vehicular access to the site. The area is prone to flooding.

TRANSPORT SCOTLAND: No objections

ROADS PLANNING OFFICER: I am not opposed to these sites being developed, but only on the basis of main vehicular access being from the A6015 via the existing allocated site to the north west

## Site Ref MDUNS003

Site name Land South of Earlsmeadow

### Proposed usage

Mixed Use

### SDA

Eastern

### HMA

Berwickshire

### Settlement

Duns

### Site area (ha)

11.2

### Indicative capacity

180

### Housing SG Status

Excluded

(ADUNS023). A minor access link is possible via the A6112 and Station Avenue. Good pedestrian and cycle linkage is critical in terms of sustainable transport. Allowance must be made for future street connectivity beyond these developments and the possibility of a distributor/relief road linking the A6105 and the A6112 south of Cheeklaw needs to be considered for the longer term expansion of the town. A Transport Assessment will be required as a prerequisite for the development of these sites.

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Yes

### Sewerage

Yes

### Education provision

Average

### Primary school capacity

Limited

### Secondary school capacity

Yes

### Right of way

On/adjacent to site

### TPOs

Not applicable

### Marketability

Average

### Land use allocations

On site

### If yes, what?

PMD3: Land Use Allocations

### Planning and Infrastructure summary

DEVELOPMENT MANAGEMENT OFFICER: Site is already identified in the LDP as possibility for future development. Developing the site before completing development at neighbouring allocated sites BD4B, ADUNS10 and ADUNS023 would be premature and present an irregular pattern of development. Once aforementioned sites are developed / under-development this site appears suitable for future expansion of the settlement.

ECONOMIC DEVELOPMENT: Already allocated, so just pulling implementation forward. Appears a large allocation to bring forward all at once and unclear why this is a separate allocation from MDUNS004. It is not clear from the Local Development Plan what is proposed as mixed use, we would therefore welcome some feedback on what is being suggested. We would comment further once this is available. We consider the Station road employment site to be off sufficient size to allow for future general business use.

EDUCATION OFFICER: A new school or large extension would have to be considered.

CONTAMINATED LAND OFFICER: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

ENVIRONMENTAL HEALTH OFFICER: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. Cognisance needs to be taken of nearby noise sources as well.

SCOTTISH WATER: No objections

HOUSING: No objections

PASSENGER TRANSPORT: No response

MAJOR PROJECTS: No comments

WASTE: No objections

## Site Ref MDUNS003

Site name Land South of Earlsmeadow

### Proposed usage

Mixed Use

### SDA

Eastern

### HMA

Berwickshire

### Settlement

Duns

Site area  
(ha)

11.2

Indicative  
capacity

180

Housing  
SG Status

Excluded

NHS: Advised Duns is the next priority area and a tender will be going out soon.

NEIGHBOURHOOD SERVICES: Consideration for off-site contribution to improvements to public park (i.e) access and play.

OUTDOOR OFFICER: Connecting paths to be incorporated into this area to link pedestrian use from this area to the school, existing town paths and public park.

ARCHAEOLOGY OFFICER: Site includes settlement cropmarks, but no other HER recorded sites. A number of finds and sites are located in the general area.

## Overall assessment

### Overall assessment

**Doubtful**

### Summarised conclusion

The site is constrained due to the omission of the north east and eastern corner of the site and lacks connectivity and integration within the wider settlement. It is considered that a phase option for the release of this site would be the more suitable proposal for taking forward within the Housing SG.

### Conclusions

The site forms part of the longer term mixed use site (SDUNS001) which is identified within the LDP. The site was submitted as part of the Call for Sites process and omits the north east and eastern section, which forms part of the site (SDUNS001). The following constraints are identified within the site and appropriate mitigation would be required;

- A Flood Risk Assessment (FRA) would be required to assess any potential flood risk and mitigation as required
- There is a lack of opportunities for connectivity and integration to the north east and east of the site, given the omission of the corner of the longer term mixed use site within the LDP
- The site leaves a gap between the potential developable site and the existing housing allocations (ADUNS010 and BD4B) to the east, therefore there is a lack of integration and connectivity
- Potential for archaeology within the site
- Structure planting would be required along the southern and western boundary to mitigate any adverse visual impacts within the wider area
- There would be capacity constraints at the primary school, as a result of the entire site being taken forward
- The opportunity to connect into the existing path network is restricted due to omitting the north east part of the larger site

Therefore, it is considered that there are constraints with the site boundary proposed, with the omission of the north east/east part of the site, which results in a lack of integration and connectivity. This also presents issues in terms of connecting in with the existing path networks.

It should be noted that the entire long term mixed use site (MDUNS004) and a phase 1 release of the site (MDUNS005) are also being assessed. It is considered that a phased release of the larger longer term mixed use site would be the best option to take forward within the Housing SG, in terms of integration, connectivity and housing units, which retains the area to the south for future growth. Therefore, the site (MDUNS003) is not being taken forward as a preferred or alternative option within the Housing SG.

**Site Ref** MDUNS004

**Site name** South of Earlsmeadow

**Proposed usage**

Mixed Use

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area (ha)**

11.2

**Indicative capacity**

200

**Housing SG Status**

Excluded

## Initial assessment

**Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy** The site is located within the Eastern Strategic Development Area (SDA).

### Initial assessment summary

FLOOD OFFICER: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Small areas of the site are anticipated to be affected by surface water runoff so I would expect the applicant to consider this and show how this risk would be mitigated.

SEPA: 2013 Proposed Plan (adopted May 2016) states that "Investigation of the flood risk on the site". We support this. We require an FRA which assesses the risk from a small watercourse identified as flowing along the northwest corner of the site. Consideration will need to be given to bridge and culvert structures within and adjacent to the site which may exacerbate flood risk. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Majority of site will likely be developable.

This site is currently identified as a longer term mixed use opportunity within the LDP (SDUNS001) and was assessed as part of the housing SG process. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On/Adjacent to site

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area**

Not applicable

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** N/A

**Site Ref MDUNS004**

Site name South of Earlsmeadow

**Proposed usage**

Mixed Use

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area (ha)**

11.2

**Indicative capacity**

200

**Housing SG Status**

Excluded

**Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Moderate

**Site aspect**

Not applicable

**Waverley line contribution required?****Accessibility and sustainability summary**

The site is acceptable in terms of access to services and public transport. It is relatively close to the centre of Duns and has good employment potential. There are regular buses to Berwick Upon Tweed where there is a main train line to Edinburgh and Newcastle upon Tyne. There are employment opportunities within Duns and within nearby settlements. The site might provide habitats for biodiversity. There is an area of marshy grassland/wet meadow which runs from the park across towards the new high school.

ECOLOGY OFFICER: Arable field and Improved pastures. Hedgerow and occasional boundary tree. Wetland area at N of site- need to safeguard as identified in LDP (real extent of wetland varies from LDP policy map).

SCOTTISH NATURAL HERITAGE: While this site lies outwith the current settlement boundary, we note that it is included in the LDP as a longer-term safeguarded site (SDUNS001). If you are minded to support development of this site during the current plan period, further detailed assessment and a site brief will be required. However, we highlight the potential to ensure retention of existing paths in the northern section of the site and the potential to deliver an important green network connection between the Public Park and Duns High School.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Adjacent to site

**Archaeology**

On/adjacent to site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

Minimal visual impact from entrances to Duns. This site is allocated within the LDP as a potential longer term mixed use site. There is open space adjacent to the site and evidence of archaeology on/adjacent to the site.

**Impact on open space**

Medium

**Impact on archaeology**

Medium

**Impact on listed buildings**

Low

**Local impact and integration summary**

ARCHAEOLOGY OFFICER: Site includes settlement cropmarks, but no other HER recorded sites. A number of finds and sites are located in the general area.

HERITAGE AND DESIGN OFFICER: Significant new development at edge of settlement. Boundary treatment and integration into a long term vision for the potential expansion of SW Duns as a Master Plan exercise.

The site relates quite well to the settlement and with the existing residential properties. There is good pedestrian access to the centre. It is also within close proximity to the new High School and could provide a good walking to school route.

Site Ref **MDUNS004**

Site name South of Earlsmeadow

Proposed usage

Mixed Use

SDA

Eastern

HMA

Berwickshire

Settlement

Duns

Site area  
(ha)

11.2

Indicative  
capacity

200

Housing  
SG Status

Excluded

HISTORIC ENVIRONMENT SCOTLAND: No objections

## Landscape assessment

NSA

Not applicable

SLA

Not applicable

Landscape designation

Minor

General amenity

Average

Altitude  
>200m?

Height  
constraint

Minor

Slope >12  
degrees?

Slope  
constraint

Minor

Constrained in Landscape Capacity Study

### Landscape features

The site consists of 2 fields and adjoining marshland, including part of the shallow basin at the north side rising gently to a crown which falls again towards the south boundary. The north east corner adjoins housing and the park. The remaining north boundary adjoins various open grounds and small paddocks. The principal landscape feature is the marsh which occupies the north part of the site and extends beyond. There are also mature trees along the park boundary and some large hedgerow bushes/small trees along the north east boundary of the larger field. There is currently an attractive area of open space between Duns Park and the High School linked by the promoted path/boardwalk mentioned above. This open space should be retained and protected from development.

### Landscape summary

LANDSCAPE OFFICER: This is a composite site and the N marshland area should be removed from the development allocation and protected as public open space (see attached plan). (There are also limitations in this area through expected peaty soils and drainage issues, if developed.) The remaining areas on higher drained land do have potential for development, firstly on the E side where access is better. The larger W field lacks adequate road connection and bears no particular relation to the settlement pattern of Duns. It could therefore look visually intrusive in the wider rural setting. (Structure planting could mitigate this but would also create local shading issues for adjoining houses.)

## Planning and infrastructure assessment

Physical access/road capacity

Near a trunk road?

STRATEGIC TRANSPORT: Vehicular access to the site needs further consideration with potential upgrading of the road network at Clockmill or potentially through the industrial estate required. The existing access path to the school and public park has recently been upgraded and therefore would provide good non-vehicular access to the site. The area is prone to flooding.

TRANSPORT SCOTLAND: No objections

NETWORK MANAGER: How would access onto main road be gained.

ROADS PLANNING OFFICER: I will deal with sites MDUNS003 and MDUNS004 collectively: I am not opposed to these sites being developed, but only on the basis of main vehicular access being from the A6015 via the existing allocated site to the north west (ADUNS023). A minor access link is possible via the A6112 and Station Avenue. Good pedestrian and cycle linkage is critical in terms of sustainable transport. Allowance must be made for future street connectivity beyond these developments and the possibility of a distributor/relief road linking the A6105 and the A6112 south of Cheeklaw needs to be considered for the longer term expansion of the town. A Transport Assessment will be required as a prerequisite for the development of these sites.

**Site Ref MDUNS004**

**Site name** South of Earlsmeadow

**Proposed usage**

Mixed Use

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area (ha)**

11.2

**Indicative capacity**

200

**Housing SG Status**

Excluded

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Yes

**Right of way**

On/adjacent to site

**TPOs**

Not applicable

**Marketability**

**Land use allocations**

On site

**If yes, what?**

BE12 - Further Housing Land Safeguarding

**Planning and Infrastructure summary**

EDUCATION OFFICER: A new school or large extension would have to be considered.

SCOTTISH WATER: No objections

DEVELOPMENT MANAGEMENT OFFICER: As per MDUNS003. If ground which is not included within this proposed site falling under MDUNS003 can be developed then this grounds should be included, especially to the east to link to site ADUNS010 otherwise a large gap site will be left.

ECONOMIC DEVELOPMENT: Already allocated, so this just proposes pulling implementation forward. Appears a large allocation to bring forward all at once and should replace allocation from MDUNS003. It is not clear from the Local Development Plan what is proposed as mixed use, we would therefore welcome some feedback on what is being suggested. We would comment further once this is available. We consider the Station road employment site to be of sufficient size to allow for future general business use.

ENVIRONMENTAL HEALTH (CONTAMINATED LAND): The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. Cognisance needs to be taken of nearby sources as well.

HOUSING OFFICER: No objections

SCOTTISH POWER: No objections

OUTDOOR OFFICER: Connecting paths to be incorporated into this area to link pedestrian use from this area to the school, existing town paths and public park.

NEIGHBOURHOOD SERVICES: Note – boardwalk footpath passes through site. Consideration for off-site contribution to improvements to public park, i.e. access and play

SCOTTISH POWER: No comments

PASSENGER TRANSPORT: No response received to date

**Site Ref MDUNS004****Site name** South of Earlsmeadow**Proposed usage**

Mixed Use

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area (ha)**

11.2

**Indicative capacity**

200

**Housing SG Status****Excluded**

CAPITAL PROJECTS: No objections

WASTE TEAM: No objections

NHS: No objections

## Overall assessment

### Overall assessment

**Acceptable**

### Summarised conclusion

Although the site would be suitable for housing and is identified within the LDP as a potential area for mixed use development, it is considered that a phased release of the site would be more appropriate for the purposes of the Housing SG. This is taking into consideration the volume of existing units available within Duns within the plan period.

### Conclusions

The site is identified within the LDP for longer term mixed use development potential (SCOLD001). A phase of this site is also being assessed as part of this process (MDUNS005) for 100 units. The site has good access to public services and employment opportunities. The following constraints and mitigation would need to be addressed as part of any development;

- Flood Risk Assessment (FRA) would be required in order to ascertain any flood risk within the site and mitigation requirements
- Requirement to safeguard the existing wetland feature in the north east corner of the site
- Potential archaeology within the site, therefore appropriate investigation and mitigation would be required
- Structure planting and landscaping will be required along the southern and western boundary of the site
- Should this site be delivered, there would be a capacity constraint with the primary school, which would required investigation
- There must be provision for a tourism events area to facilitate tourism events.

Taking into consideration the number of units already allocated within Duns, it is considered that the release of Phase 1, site (MDUNS005), would be sufficient for the purposes of the Housing SG. This would allow the southern part of this site, to be retained for potential future mixed use development. Therefore, this site will not be taken forward as a preferred or alternative site within the Housing SG.



**Site Ref MDUNS005****Site name** South of Earlsmeadow (Phase 1)**Proposed usage**

Mixed Use

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area (ha)**

9.4

**Indicative capacity**

100

**Housing SG Status****Alternative****Initial assessment****Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy** The site is located within the Eastern Strategic Development Area (SDA).**Initial assessment summary**

The site was assessed as part of the Housing SG process and forms part of an identified longer term mixed use site within the LDP. An initial stage 1 RAG assessment was undertaken and subsequently a full assessment was undertaken. The following consultation responses were received in respect of the larger site (MDUNS004).

FLOOD OFFICER: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Small areas of the site are anticipated to be affected by surface water runoff so I would expect the applicant to consider this and show how this risk would be mitigated. However, subject to further discussions, the Officer has stated that a FRA would be required.

SEPA: 2013 Proposed Plan (adopted May 2016) states that "Investigation of the flood risk on the site". We support this. We require a FRA which assesses the risk from a small watercourse identified as flowing along the northwest corner of the site. Consideration will need to be given to bridge and culvert structures within and adjacent to the site which may exacerbate flood risk. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Majority of site will likely be developable.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On/Adjacent to site

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** N/A

Site Ref **MDUNS005**

Site name South of Earlsmeadow (Phase 1)

Proposed usage

Mixed Use

SDA

Eastern

HMA

Berwickshire

Settlement

Duns

Site area  
(ha)

9.4

Indicative  
capacity

100

Housing  
SG Status

Alternative

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Good

Access to services

Good

Wider biodiversity impacts

Moderate

Site aspect

Not applicable

Waverley line  
contribution  
required?

### Accessibility and sustainability summary

The site is acceptable in terms of access to services and public transport. It is relatively close to the centre of Duns and also is good in terms of employment potential. There are regular buses to Berwick Upon Tweed where there is a main train line to Edinburgh and Newcastle Upon Tyne. There are employment opportunities within Duns and surrounding settlements. The site might provide habitats for biodiversity. There is an area of marshy grassland/wet meadow that runs from park across towards the new high school. A consultation was undertaken as part of the larger longer term housing site (MDUNS004) and the following responses were received.

ECOLOGY OFFICER: Arable field and improved pastures. Hedgerow and occasional boundary tree. Wetland area at north of the site, need to safeguard as identified in the LDP (real extent of wetland varies from LDP policy map).

SCOTTISH NATURAL HERITAGE: While this site lies outwith the current settlement boundary, we note that it is included in the LDP as longer term safeguarded site (SDUNS001). If you are minded to support development of this site during the current plan period, further detailed assessment and a site brief will be required. However, we highlight the potential to ensure retention of existing paths in the northern section of the site and the potential to deliver an important green network connection between the Public Park and Duns High School.

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Adjacent to site

Archaeology

On/adjacent to site

Listed buildings

Not applicable

Visual relationship/integration with existing settlement

Minimal visual impact from entrance to Duns. This site is allocated within the LDP as a potential longer term mixed use site. There is open space adjacent to the site and evidence of archaeology on/adjacent to the site.

Impact on open space

Medium

Impact on archaeology

Medium

Impact on listed buildings

Low

### Local impact and integration summary

A consultation was undertaken as part of the larger longer term housing site (MDUNS004) and the following responses were received.

ARCHAEOLOGY OFFICER: Site includes settlement cropmarks, but not other HER recorded sites. A number of finds and sites are located in the general area.

HERITAGE AND DESIGN OFFICER: Significant new development at edge of settlement. Boundary treatment and integration into a long term vision for the potential expansion of south west Duns as a Master Plan exercise. The site relates quite well to the settlement and with the existing residential properties. There is good

**Site Ref MDUNS005****Site name** South of Earlsmeadow (Phase 1)**Proposed usage**

Mixed Use

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Duns

**Site area (ha)**

9.4

**Indicative capacity**

100

**Housing SG Status**

Alternative

pedestrian access to the centre. It is also within close proximity to the new High School and could provide a good walking to school route.

HISTORIC ENVIRONMENT SCOTLAND: No objections.

**Landscape assessment****NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Average

**Altitude >200m?****Height constraint**

Minor

**Slope >12 degrees?****Slope constraint**

Minor

**Constrained in Landscape Capacity Study** **Landscape features**

The site consists of part of 2 fields and adjoining marshland including part of the shallow basin at the north side rising gently to a crown which falls again towards the south. The north east corner adjoins housing and parkland. The remaining north boundary adjoins various open grounds and small paddocks. The principal landscape feature is the marsh which occupies the north part of the site and extends beyond. There are also mature trees along the park boundary and some large hedgerows and bushes/small trees along the north east boundary of the larger field. There is currently an attractive area of open space between Duns Park and the High School linked by the promoted path/boardwalk mentioned above. The open space should be retained and protected from development.

**Landscape summary**

The following consultation was undertaken as part of the larger longer term mixed use site (MDUNS004) and the following response was received.

LANDSCAPE OFFICER: This is a composite site and the north marshland area should be removed from the development allocation and protected as public open space (see attached plan). (There are also limitations in this area through expected peaty soils and drainage issues, if developed). The remaining areas on higher drained land to have potential for development, firstly on the east side where access is better. The larger west field lacks adequate road connection and bears no particular relation to the settlement pattern of Duns. It could therefore look visually intrusive in the wider rural setting. (Structure planting could mitigate this but would also create local shading issues for adjoining houses).

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

A consultation was undertaken as part of the larger longer term housing site (MDUNS004) and the following consultation responses were received.

STRATEGIC TRANSPORT: Vehicular access to the site needs further consideration with potential upgrading of the road network at Clockmill or potentially through the industrial estate required. The existing access path to the school and public park has recently been upgraded and therefore would provide good non-vehicular access to the site. The area is prone to flooding.

TRANSPORT SCOTLAND: No objections

## Site Ref MDUNS005

Site name South of Earlsmeadow (Phase 1)

Proposed usage

Mixed Use

SDA

Eastern

HMA

Berwickshire

Settlement

Duns

Site area  
(ha)

9.4

Indicative  
capacity

100

Housing  
SG Status

Alternative

NETWORK MANAGER: How would access onto the main road be gained?

ROADS PLANNING OFFICER: I will deal with sites (MDUNS003 and MDUNS004 collectively). I am not opposed to these sites being developed, but only on the basis of main vehicular access being from the A6015 via the existing allocated site to the north west (ADUNS023). A minor access link is possible via the A6112 and Station Avenue. Good pedestrian and cycle linkage is critical in terms of sustainable transport. Allowance must be made for future street connectivity beyond these developments and the possibility of a distributor/relief road linking the A6105 and the A6112 south of Cheeklaw needs to be considered for the longer term expansion of the town. A Transport Assessment will be required as a prerequisite for the development of these sites.

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Yes

### Sewerage

Yes

### Education provision

Average

### Primary school capacity

Limited

### Secondary school capacity

Yes

### Right of way

On/adjacent to site

### TPOs

Not applicable

### Marketability

### Land use allocations

On site

### If yes, what?

BE12 - Further Housing Land Safeguarding

### Planning and Infrastructure summary

A consultation was undertaken as part of the larger longer term site (MDUNS004) and the following consultation responses were received.

EDUCATION OFFICER: A new school or large extension would have to be considered (Primary school).

SCOTTISH WATER: No objections

DEVELOPMENT MANAGEMENT OFFICER: As per MDUNS003 and MDUNS004. If ground which is not included within this proposal site falling under MDUNS003 can be developed then this grounds should being included, especially to the east to link the site to ADUNS010 otherwise a large gap site will be left.

ECONOMIC DEVELOPMENT: Already allocated, so this just proposes pulling implementation forward. Appears a large allocation to bring forward all at once and should replace allocation from MDUNS003. It is not clear from the Local Development Plan what is proposed as mixed use, we would therefore welcome some feedback on what is being suggested. We would comment further once this is available. We consider the Station Road employment site to be off sufficient size to allow for future general business use.

ENVIRONMENTAL HEALTH (CONTAMINATED LAND): The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. Cognisance needs to be taken of nearby sources as well.

HOUSING STRATEGY: No objections

SCOTTISH POWER: No objections

## Site Ref MDUNS005

Site name South of Earlsmeadow (Phase 1)

Proposed usage

Mixed Use

SDA

Eastern

HMA

Berwickshire

Settlement

Duns

Site area  
(ha)

9.4

Indicative  
capacity

100

Housing  
SG Status

Alternative

OUTDOOR ACCESS: Connecting paths to be incorporated into this area to link pedestrian use from this area to the school, existing town paths and public park.

SCOTTISH POWER: No comments

PASSENGER TRANSPORT: No response received to date.

MAJOR PROJECTS: No objections

WASTE TEAM: No objections

NHS: No objections

## Overall assessment

### Overall assessment

Acceptable

### Summarised conclusion

The site is identified for longer term mixed use development and is acceptable for development which includes housing, subject to mitigation regarding the constraints on the site.

### Conclusions

The site is part of the identified longer term mixed use site (SDUNS001), which is identified within the LDP. The larger site is also subject to assessment (MDUNS004). There is a good access to services and public transport. The site is located close to the centre of Duns and is good in terms of services, employment opportunities and public transport. The following constraints and mitigation would require to be addressed as part of any development.

- Flood Risk Assessment (FRA), in respect of the potential small watercourse identified as flowing along the northwest corner of the site
- Potential archaeology within the site and appropriate mitigation
- The site consists in part of 2 fields and adjoining marshland including part of the shallow basin at the north side
- There is a wetland in the north east corner of the site, which requires investigation and protection
- Structure planting would be required in order to mitigate any visual impacts as a result of the development
- There is adequate access via the A6112 and Station Avenue, with good pedestrian and cycle linkages in terms of sustainable transport
- A new school or extension would require to be considered
- There is a requirement for an events area to facilitate tourism events within this site and the larger mixed use longer term site
- The adjacent open space should be retained and enhanced
- Assessment of ecology impacts and appropriate mitigation

Given the existing allocations within Duns, it is considered that this site should be included within the Housing SG as an alternative option, which could come forward if required. Should the site come forward, the southern part of the longer term site would be retained for future mixed use development.

**Site Ref** AGREE008**Site name** Halliburton Road**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Greenlaw

**Site area (ha)**

3.4

**Indicative capacity**

65

**Housing SG Status**

Alternative

**Initial assessment****Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy** The site is not located within a Strategic Development Area.**Initial assessment summary**

The site was submitted as a Call for Site, as part of the Housing SG process and it is also identified as a longer term housing site within the LDP. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

FLOOD OFFICER: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk.

SEPA: Surface water runoff from the nearby hills may be an issue. May require mitigation measures during design stage. No mention of this in the 2013 Proposed Plan (adopted May 2016). No flood risk assessment required and there is a surface water hazard identified.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On/Adjacent to site

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area**

Not applicable

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** None**Accessibility and sustainability assessment****Access to public transport**

Limited

**Access to employment**

Limited

**Access to services**

Limited

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line contribution required?**

## Site Ref **AGREE008**

Site name Halliburton Road

### Proposed usage

Housing

### SDA

Eastern

### HMA

Berwickshire

### Settlement

Greenlaw

Site area  
(ha)

3.4

Indicative  
capacity

65

Housing  
SG Status  
Alternative

### Accessibility and sustainability summary

ECOLOGY OFFICER: Arable field. Hedgerow on part of boundary, hedgerow trees, young plantation and garden ground. No significant biodiversity issues.

SCOTTISH NATURAL HERITAGE: While the site is outwith the current settlement boundary as shown in the LDP, we note that it is included as a longer term safeguarded (SGREE003) site. If you are minded to support development of this site during the current plan period, further detailed assessment, particularly for the open space along the ridgeline, will be required.

The site is within walking distance of the centre of Greenlaw and is located off a quiet road leading out of the settlement. Greenlaw has a regular bus service to Duns and Earlston and is on an A road which links Edinburgh and Newcastle Upon Tyne. There are limited services located within Greenlaw and it would be necessary to drive or take the bus to access a wider choice and range of these services. There is some employment land in Greenlaw but this would be limited for providing local employment. Duns, Eyemouth and Coldstream would provide greater opportunities.

## Local impact and integration assessment

### Conservation area

Not applicable

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

Not applicable

### Ancient woodland inventory

Not applicable

### Open space

Not applicable

### Archaeology

Adjacent to site

### Listed buildings

Not applicable

### Visual relationship/integration with existing settlement

This is a large site on the western edge of Greenlaw. Larger single properties back their gardens onto this field. There are no listed buildings adjacent or within the site. There is some evidence of archaeology in the field adjacent to the site.

### Impact on open space

Low

### Impact on archaeology

Medium

### Impact on listed buildings

Low

### Local impact and integration summary

ARCHAEOLOGY OFFICER: No archaeological comments for the area.

HERITAGE AND DESIGN OFFICER: Outwith CA and no adjacent LB's. Edge of settlement, care will be needed in terms of boundary treatment and potential opportunities for further expansion.

HISTORIC ENVIRONMENT SCOTLAND: No objections.

The site would be a large extension on the western side of Greenlaw and careful design would be needed to ensure that it was integrated into the rest of the settlement. The site would need to be acknowledged in any development proposals.

Site Ref **AGREE008**

Site name Halliburton Road

Proposed usage

Housing

SDA

Eastern

HMA

Berwickshire

Settlement

Greenlaw

Site area  
(ha)

3.4

Indicative  
capacity

65

Housing  
SG Status  
Alternative

## Landscape assessment

NSA

Not applicable

SLA

Not applicable

Landscape designation

Minor

General amenity

Good

Altitude  
>200m?

Height  
constraint

Minor

Slope >12  
degrees?

Slope  
constraint

Minor

Constrained in Landscape Capacity Study

### Landscape features

There is an area of young woodland to the west with further arable land to the north, with a narrow strip of trees between including one large mature beech tree. East boundary is rural land with hedgerows, south boundary backs on the A697 Edinburgh Road. Main constraint likely to be the slope which will require various slope retention measures to enable development. The site would be quite prominent from certain angles of the settlement but the treebel provides shelter from the western approach and the existing housing and planting screens part of the site from the south.

### Landscape summary

LANDSCAPE OFFICER: Due to the lack of fit with the existing settlement pattern of Greenlaw and the high visibility of this site in the view from several roads on approach, coupled with potential privacy issues to adjoining properties, it is recommended that this site is not taken forward.

## Planning and infrastructure assessment

### Physical access/road capacity

Near a trunk road?

NETWORK MANAGER: Would need to extend existing 30mph limit

STRATEGIC TRANSPORT: Potential opportunity to improve pedestrian/cycle access into the village. Enhancement to existing path network would also be recommended.

TRANSPORT SCOTLAND: No objections.

ROADS PLANNING OFFICER: Direct vehicular access from the A697 (Edinburgh Road) is possible via the allocated housing site AGREE004. This will entail extending the footway out from the town on the north side of the A697 along with a slight extension of the 30 mph speed limit. This environmental change may have a positive influence on driver speeds on the main road. A right turn lane type junction may be required and visibility splays of 4.5m by 90m should be achievable.

The use of Halliburton Road as an additional means of vehicular access to the site, to help achieve good connectivity, should be explored. The junction of Halliburton Road with the A697 would ideally have to shift slightly to the west so that stacking right turn traffic for Halliburton Road and Wester Row (A6105) does not clash. The southerly boundary of the property known as 2 Edinburgh Road would be directly affected by this, and by junction visibility requirements (4.5m by 90m). The carriageway of Halliburton Road would have to be widened and a footway provided as well as the extension of the 30 mph speed limit. Irrespective of vehicular connectivity with Halliburton Road, pedestrian/cycle linkage is essential.

A Transport Assessment will be required.

PASSENGER TRANSPORT: No response to date



**Site Ref AGREE008**

**Site name** Halliburton Road

**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Greenlaw

**Site area (ha)**

3.4

**Indicative capacity**

65

**Housing SG Status**

Alternative

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Adjacent to site

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

On site

**If yes, what?**

BE12 - Further Housing Land Safeguarding

**Planning and Infrastructure summary**

OUTDOOR ACCESS: No comments.

DEVELOPMENT MANAGEMENT: As noted this site has been proposed before and is well-related to Greenlaw. There would be requirements to consider the landscaping treatment, including amenity of properties to the south, the Halliburton Road and the higher land to the north but it appears readily capable of accommodation within the village's setting.

ECONOMIC DEVELOPMENT: No comments

EDUCATION OFFICER: No issues

ENVIRONMENTAL HEALTH (CONTAMINATED LAND): The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

ENVIRONMENTAL HEALTH OFFICER: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. Cognisance needs to be taken of nearby noise sources as well.

HOUSING STRATEGY: No comments

SCOTTISH WATER: No objections

SCOTTISH POWER: No comments

CAPITAL PROJECTS: No comments

Waste TEAM: No comments

NHS: No objections

NEIGHBOURHOOD SERVICES: Potential for on-site play provision.

**Site Ref** AGREE008**Site name** Halliburton Road**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Greenlaw

**Site area  
(ha)**

3.4

**Indicative  
capacity**

65

**Housing  
SG Status**

Alternative

## Overall assessment

**Overall assessment****Acceptable****Summarised conclusion**

The site is identified as a longer term housing site within the LDP. It is acknowledged that the site is quite prominent however it is considered that the existing tree belt to the west screens the site on the approach road and additional landscaping would further mitigate visual impacts. Mitigation would be required to address other constraints.

**Conclusions**

The site is acceptable for housing and is currently identified as a longer term housing site within the LDP. The site is close to the centre of Greenlaw and if sensitively designed would integrate well into the settlement. The site has limited access to public services and employment within Greenlaw, however there are employment and services available in nearby settlements, which can be accessed by car or bus. The following constraints and mitigation would be required for any development on the site;

- Surface water runoff from the nearby hills may be an issue and require mitigation
- Potential for archaeology within the site, which would require appropriate mitigation
- Careful design to ensure that the site is integrated into the rest of the settlement
- In respect of landscape capacity, there is an area of young woodland to the west of the site, with further arable land to the north
- The site has potential to be prominent from certain angles, however the tree belt provides shelter from the western approach and the existing housing and planting screens part of the site from the south
- The site provides opportunities for improved pedestrian/cycle access into the village and enhancement to the path network
- Transport Assessment would be required

Overall, it is considered that the site would be acceptable for housing development, subject to mitigation in respect of the above constraints. It is considered that the site should be taken forward as an alternative proposal within the Housing SG for 65 units.

**Site Ref** AREST003

**Site name** Reston Long Term 1

**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Reston

**Site area (ha)**

3.9

**Indicative capacity**

78

**Housing SG Status**

Alternative

## Initial assessment

**Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy** The site is located within the Eastern Strategic Development Area (SDA).

### Initial assessment summary

The site was considered as part of the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently a full site assessment and consultation was undertaken. It should be noted that the site is identified within the LDP as a longer term housing opportunity.

FLOOD OFFICER: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. As a few drains / springs running through the site, I would expect the applicant to show this risk from surface water would be mitigated.

SEPA: We require an FRA which assesses the risk from the small watercourses which flow through the site. Consideration should be given to whether there are any culvert/bridges near the site as well as any historic flood records. As a previous FRA for a neighbouring site indicates that this site will be heavily constrained with limited area for development, the council may wish to consider removal from the plan.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On/Adjacent to site

**Current use/s**

Greenfield

**Common Good Land** **MOD safeguarded area**

Not applicable

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** No housing application history within this site.

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Limited

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line contribution required?**

**Site Ref AREST003**

Site name Reston Long Term 1

**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Reston

**Site area (ha)**

3.9

**Indicative capacity**

78

**Housing SG Status****Alternative****Accessibility and sustainability summary**

The site has good access to the few local services in the settlement and the services in Eyemouth. It has good access to public transport network and limited access to employment in Eyemouth and Berwick Upon Tweed. The site is south facing which is energy efficient.

SCOTTISH NATURAL HERITAGE: While the site is outwith the current settlement boundary as shown in the LDP, it is identified as a longer term safeguard (SREST001).

ECOLOGY OFFICER: Improved pasture with some mature tree and scrub cover on boundary of site-Railway embankment. Protected species may include e.g. badger and breeding birds. Safeguard trees on boundary. No significant biodiversity issues.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

Adjacent to site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

The site is a natural extension of the settlement, extending it southwards from the Main Street and the mixed use opportunity at the Auction Mart towards the boundary of the railway embankment. It is also bounded to the east by a road.

**Impact on open space**

Low

**Impact on archaeology**

High

**Impact on listed buildings**

Low

**Local impact and integration summary**

The site is a natural extension to the settlement, extending it southwards from the Main Street and the mixed use opportunity at the Auction Mart towards the boundary of the railway embankment. It is also bounded to the east by a road. It would also take advantage of/facilitate access to new potential passenger rail halt adjacent.

ARCHAEOLOGY OFFICER: Nothing recorded in the area, but between area of many cropmarks and Medieval village.

HERITAGE AND DESIGN OFFICER: Auction ring listed category B but seriously at risk but not included in this site. Care will be needed to consider the design approach especially if phased development necessary. Noise protection needed from ECML.

HISTORIC ENVIRONMENT SCOTLAND: No objections

## Site Ref **AREST003**

Site name Reston Long Term 1

### Proposed usage

Housing

### SDA

Eastern

### HMA

Berwickshire

### Settlement

Reston

Site area  
(ha)

3.9

Indicative  
capacity

78

Housing  
SG Status  
Alternative

## Landscape assessment

### NSA

Not applicable

### SLA

Not applicable

### Landscape designation

Minor

### General amenity

Average

### Altitude >200m?

### Height constraint

Minor

### Slope >12 degrees?

### Slope constraint

Minor

### Constrained in Landscape Capacity Study

### Landscape features

Virtually flat land between Reston Village and the East Coast main rail line which is located on an embankment on the south boundary. No built form but configuration of fences and ditches and some redundant holding pens indicate the site was a holding paddock for the former livestock mart. No significant vegetation on site but some mature hedges on boundaries.

### Landscape summary

LANDSCAPE OFFICER: Site appears to be 'uncomplicated' in landscape terms with limited visual assets. It is a large area and would be a significant addition to the settlement pattern of Reston and therefore urban form and relationship to the existing village would require careful consideration. There are also some proximity issues associated with the rail line that would need to be addressed. However, the site appears to have potential for medium to high density development probably in conjunction with MREST001 to the north.

## Planning and infrastructure assessment

### Physical access/road capacity

### Near a trunk road?

NETWORK MANAGER: Impact on potential Reston Rail Station? Would need to extend existing 30 mph.

STRATEGIC TRANSPORT: Site needs to provide good access to proposed new rail station and also offer good links to the village. There is an opportunity to enhance the local path network. There is potential for future parking associated with any railway station.

ROADS PLANNING SERVICE: The development brief for Reston Auction Mart covers this area of land in general terms and the site layout associated with the current detailed planning application for the mart site makes allowance for expansion into this area. I have been involved in both processes and am satisfied that this area of land can be satisfactorily served from a transport viewpoint. A comprehensive Transport Assessment will be required for this site and Site AREST004.

TRANSPORT SCOTLAND: No objections

PASSENGER TRANSPORT: No response to date

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Yes

### Sewerage

Limited

**Site Ref AREST003**

**Site name** Reston Long Term 1

**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Reston

**Site area (ha)**

3.9

**Indicative capacity**

78

**Housing SG Status**  
Alternative

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Yes

**Right of way**

Adjacent to site

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

On site

**If yes, what?**

BE12 - Further Housing Land Safeguarding

**Planning and Infrastructure summary**

OUTDOOR ACCESS: Consider incorporating a path from the west linking to Orchard Road and path down to the riverside.

DEVELOPMENT MANAGEMENT: SDA area. The site, immediately south of mixed use site MREST001, lies outwith the development boundary of the village, and is identified for long term housing needs within the LDP 2016. Prime agricultural land. This site is logical extension to the settlement/ suitable for housing. There is a requirement for village green/open/play space and landscaping as set out in Reston Auction Mart brief. Consideration should be given to land requirements for access/parking in conjunction with the awaited railway station as site zRs3 lies adjacent to west. Consideration should be given to land requirements within the site for new Primary School. Waste water treatment works required given limited capacity  
Depending on mix and type of housing a high density may be supported adjacent to rail route. There may be developer contributions in respect of railway provision.

ECONOMIC DEVELOPMENT: No comments

EDUCATION OFFICER: A new school or extension would have to be considered. Further to the consultation response, the Education Officer has confirmed that there is capacity in Reston for the smaller longer term site (AREST004), however there would not be capacity for this site alone or together with (AREST004), it would trigger a requirement for a new school or extension.

CONTAMINATED LAND OFFICER: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. Cognisance needs to be taken of nearby noise sources as well.

HOUSING STRATEGY: No comments.

SCOTTISH POWER: No comments

SCOTTISH WATER: Will need upgrade to works, developer will need to meet 5 growth criteria, upgade would be 4 years following application, in respect of the WWTW. No issues in respect of the water supply. Further to the consultation response, Scottish Water confirmed that there is approximately capacity for 40 units within Reston, which would accommodate the smaller site (AREST003) alone. Therefore, this site alone or together with (AREST003) would trigger the requirement to meet the 5 growth criteria in respect of WWTW.

CAPITAL PROJECTS:No comments

WASTE: No comments

**Site Ref AREST003****Site name** Reston Long Term 1**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Reston

**Site area (ha)**

3.9

**Indicative capacity**

78

**Housing SG Status****Alternative**

NHS: No comments

NEIGHBOURHOOD SERVICES: Consideration for functional open space, i.e. sport &amp; recreation as well as play

## Overall assessment

**Overall assessment****Summarised conclusion****Acceptable****Conclusions**

This site is identified within the LDP for potential longer term housing. The site is acceptable for development and Policy IS4: Transport Development and Infrastructure, as contained within the LDP, supports the Reston Station on the East Coast Main Line railway. The site is a natural extension of the settlement, extending southwards from the Main Street and the mixed use opportunity at the Auction Mart towards the boundary of the Railway embankment. The site is bound to the east by a road. The site is virtually flat between Reston Village and the East Coast Main Line which is located on an embankment to the south boundary.

The following constraints/mitigation and considerations must be taken into account when developing this site;

- Flood Risk Assessment (FRA) is required to assess the risk from the small watercourse which flows through the site
- Mitigation would be required, in respect of any potential archaeology within the site
- Landscaping would provide screening to the south of the site between the Railway Embankment
- There is an opportunity to provide good access to the proposed Rail Station and good links to the village, along with an enhanced local path network
- The site can be suitably accessed, however a Transport Assessment would be required
- Scottish Water advise that development of this site would require an upgrade to the WWTW and the developer will need to meet 5 growth criteria
- There would only be sufficient capacity for the delivery of (AREST004) within Reston through the plan period
- The development of this site would trigger a requirement for a new school or extension within Reston, the school could only support the delivery of (AREST004) at the moment.

It should be noted that as part of the Examination, a site requirement was added to the longer term housing allocation (SREST002), in respect of a flood risk assessment requirement, and the Reporter supported the inclusion of the site in the LDP.

Overall, it is considered that the above site is suitable for development and the above constraints could be addressed. However, the constraints in respect of WWTW and education may take longer to overcome than the LDP period, therefore this site is being recommended as an alternative proposal.

**Site Ref AREST004****Site name** Reston Long Term 2**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Reston

**Site area (ha)**

2.1

**Indicative capacity**

38

**Housing SG Status**

Preferred

**Initial assessment****Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy** The site is located within the Eastern Strategic Development Area (SDA).**Initial assessment summary**

The site was considered as part of the Housing SG and is identified within the LDP as a potential longer term housing site. An initial stage 1 RAG assessment was undertaken and subsequently a full site assessment and consultation was undertaken. It should be noted that this site is already identified within the LDP as a longer term housing site.

FLOOD OFFICER: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. As a few drains / springs running through the site, I would expect the applicant to show this risk from surface water would be mitigated.

SEPA: We require a FRA which assesses the risk from the small watercourse which potentially flows through the site. Consideration should be given to whether there are any culvert/bridges within or nearby which may exacerbate flood risk.

Although the site is not within the 1 in 200 Year Indicative Flood Mapping, a small portion of the site to the west, is within the 1 in 200 Year Indicative Surface Water Flood Mapping.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On/Adjacent to site

**Current use/s**

Combination

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** No housing application history within this site.



## Site Ref **AREST004**

Site name Reston Long Term 2

Proposed usage

Housing

SDA

Eastern

HMA

Berwickshire

Settlement

Reston

Site area  
(ha)

2.1

Indicative  
capacity

38

Housing  
SG Status  
Preferred

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Limited

Access to services

Good

Wider biodiversity impacts

Minor

Site aspect

South

Waverley line  
contribution  
required?

### Accessibility and sustainability summary

The site has a few local services in the settlement and other services and employment a 10 minute drive away in Eyemouth and 15 minute drive away in Berwick Upon Tweed. It is on the public transport network. It is south facing which is energy efficient.

ECOLOGY OFFICER: Improved pasture with some mature tree and scrub cover and garden ground on boundary of site-Railway embankment. Protected species may include e.g. badger and breeding birds. Safeguard trees on boundary. No significant biodiversity issues.

SCOTTISH NATURAL HERITAGE: While this site is outwith the current settlement boundary as shown in the LDP, it is identified as a longer-term safeguard (SREST002).

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Not applicable

Archaeology

On/adjacent to site

Listed buildings

Adjacent to site

Visual relationship/integration with existing settlement

The site is natural infill opportunity bounded to the north, east and west by residential areas and to the south by the railway embankment. The site is identified within the LDP as potential for longer term housing and would integrate well within Reston, given that the site is bounded by residential properties and by the railway to the south.

Impact on open space

Low

Impact on archaeology

Low

Impact on listed buildings

Low

### Local impact and integration summary

The site is a natural infill opportunity bounded to the north, east and west by residential areas and to the south by the railway embankment. Site is to the rear of category C listed building - Reston Parish Church and will not have an adverse impact upon its setting.

ARCHAEOLOGY OFFICER: Backlands of medieval village; some potential.

HERITAGE AND DESIGN OFFICER: No CA and no adjacent LB's. Limited access and need for noise protection from ECM.

HISTORIC ENVIRONMENT SCOTLAND: No objections.

Site Ref **AREST004**

Site name Reston Long Term 2

**Proposed usage**  
Housing

**SDA**  
Eastern

**HMA**  
Berwickshire

**Settlement**  
Reston

**Site area (ha)**  
2.1

**Indicative capacity**  
38

**Housing SG Status**  
Preferred

## Landscape assessment

**NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Average

**Altitude >200m?**

**Height constraint**

Minor

**Slope >12 degrees?**

**Slope constraint**

Minor

**Constrained in Landscape Capacity Study**

**Landscape features** Virtually flat land between Reston village and the East Coast main rail line. No built form but configuration of fences and ditches suggests the site was a holding paddock for the former livestock mart. No significant vegetation on site, but some mature hedges and vegetation on railway boundary. Some limited habitat value associated with railway embankment and adjoining hedgerows.

**Landscape summary** LANDSCAPE OFFICER: The site has limited visual assets and is potentially developable. However, proximity of existing houses on 3 sides and lack of open access are likely to create problems for neighbours. The urban form and relationship to the existing village would require careful consideration. There are also proximity issues associated with the rail line that would need to be addressed. The site may have potential for medium density development but is considered less suitable than REST003 to the east.

It should be noted that the longer term identified site contained within the LDP, suggests a landscaped/planted area along the southern boundary of the site.

## Planning and infrastructure assessment

**Physical access/road capacity**

NETWORK MANAGER: No objection.

**Near a trunk road?**

STRATEGIC TRANSPORT: Site needs to provide good access to proposed new rail station and also offer good links to the village. There is an opportunity to enhance the local path network.

ROADS PLANNING OFFICER: I am in support of the principle of this site being developed for housing. Main access to this site will be from the south east corner via the site earmarked for a railway station and/or The Orchard in an upgraded form. Direct access to the Main Street is also available adjacent to the church, however this is more likely to take the form of a pedestrian/cycle link. A comprehensive Transport Assessment will be required for this site and Site AREST003.

PASSENGER TRANSPORT: No response received to date

**Contaminated land**

On site

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Site Ref AREST004**

**Site name** Reston Long Term 2

**Proposed usage**

Housing

**SDA**

Eastern

**HMA**

Berwickshire

**Settlement**

Reston

**Site area (ha)**

2.1

**Indicative capacity**

38

**Housing SG Status**

Preferred

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Adjacent to site

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

On site

**If yes, what?**

BE12 - Further Housing Land Safeguarding

**Planning and Infrastructure summary**

EDUCATION OFFICER: A New school or extension would have to be considered. Further to this consultation response, the Education Officer confirmed that this was based on all the consultation units being brought forward in Reston. The school would have capacity for this site to be taken forward within the Housing SG, however no additional sites without the need for an extension provision.

OUTDOOR OFFICER: No objections

DEVELOPMENT MANAGEMENT OFFICER: SDA area. The site, immediately south/rear of residential housing on main street, lies out with the development boundary of the village, is identified for long term housing needs within the LDP 2016. Prime agricultural land. This site is logical extension to the settlement/ suitable for housing. There is a requirement for village green/open/play space and landscaping as set out in Reston Auction Mart brief. Consideration should be given to land requirements for access/parking in conjunction with the awaited railway station as site zRs3 lies adjacent to east. Consideration should be given to land requirements within the site for new Primary School. Waste water treatment works required given limited capacity. Depending on type and mix of housing a high density may be supported adjacent to rail route. There may be developer contributions in respect of railway provision.

ECONOMIC DEVELOPMENT: No objections

CONTAMINATED LAND: The site appears to have remained largely undeveloped with the exception of an un-labelled circular structure. Due to the proximity to the railway siding there is a possibility this could be a gasometer. The site is brownfield land and its use may present development constraints.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. Cognisance needs to be taken of nearby noise sources as well.

HOUSING STRATEGY: No comments

SCOTTISH POWER: No comments

SCOTTISH WATER: Will need upgrade to works, developer will need to meet 5 growth criteria, upgrade would be 4 years following application (waste water). However, following a further meeting after the consultation responses, Scottish Water confirmed that there is limited capacity (up to 40 units) for a sewer connection.

NEIGHBOURHOOD SERVICES: Consideration for functional open space, i.e. sport & recreation as well as play.

WASTE TEAM: No objections

NHS: No objections

## Site Ref **AREST004**

Site name Reston Long Term 2

### Proposed usage

Housing

### SDA

Eastern

### HMA

Berwickshire

### Settlement

Reston

Site area  
(ha)

2.1

Indicative  
capacity

38

Housing  
SG Status

Preferred

## Overall assessment

### Overall assessment

#### Acceptable

### Summarised conclusion

The site is acceptable for development. The site is a natural extension of settlement, contained by the railway line, can be accessed via transport safeguarding area and sites to the east. Potential archaeology and flood risk should be evaluated and mitigated where required.

### Conclusions

The site is currently identified within the LDP as a potential longer term housing site. The site is acceptable for development and Policy IS4: Transport Development and Infrastructure, as contained within the LDP, supports the Reston Station on the East Coast Main Line railway. The site can be accessed via the transport safeguarded area and areas for longer term housing development to the east and mixed use opportunities to the north east. There are limited services within Reston. The site is a natural infill opportunity bounded on 3 sides by residential areas and to the south by the Railway Embankment. The following constraints/mitigations and considerations must be taken into consideration in any development of this site;

- A Flood Risk Assessment (FRA) is required, to assess the potential risk from the small watercourse which potentially flows through the site
- Potential archaeology would require appropriate mitigation
- The site has limited visual assets
- Consideration must be given to the amenity of neighbouring residential properties
- Landscaping would provide screening to the south of the site between the Railway Embankment
- Opportunity to create good access to the proposed Rail Station and good links to the village, along with an enhanced local path network
- The site can be suitably accessed, however a Transport Assessment would be required
- Potential contamination within the site would need to be addressed and mitigated
- Scottish Water initially indicated limited capacity in the sewer, however further discussions indicate that there is capacity for up to 40 units, enough to accommodate this site.

It should be noted that as part of the LDP Examination, a site requirement was added to the longer term housing allocation (SREST002), in respect of a flood risk assessment requirement and the Reporter supported the inclusion of the site.

Overall, it is considered that the site is suitable for development and the above constraints can be addressed/mitigated. Therefore, the site is recommended as a preferred site within the Housing SG for 38 units.

**Site Ref AANCR002****Site name** Dick's Croft II**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Ancrum

**Site area (ha)**

3.0

**Indicative capacity**

60

**Housing SG Status**

Alternative

**Initial assessment****Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy**

The site is located within the Central Strategic Development Area and within the Central HMA.

**Initial assessment summary**

There are no initial constraints on the site which would preclude it from being developed.

SEPA: Mitigation measures are required in relation to the impact of surface water runoff from nearby hills and this should be considered during the design stage. SEPA also request that foul water must connect to the existing Scottish Water foul network.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Due to the capacity of houses, I would encourage the applicant to consider surface water mitigation.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On site

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference**

There is no planning history on this site.

## Site Ref AANCR002

Site name Dick's Croft II

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Ancrum

Site area  
(ha)

3.0

Indicative  
capacity

60

Housing  
SG Status  
Alternative

## Accessibility and sustainability assessment

### Access to public transport

Limited

### Access to employment

Limited

### Access to services

Limited

### Wider biodiversity impacts

Minor

### Site aspect

Not applicable

Waverley line  
contribution  
required?

### Accessibility and sustainability summary

BIODIVERSITY: Minor risk - Improved pasture adjacent to garden ground. Small plantation (mixed) at north of site. Line of trees on NE boundary. Hedgerow on boundary. No significant biodiversity issues

GENERAL COMMENTS: There are some services in Ancrum and limited opportunities for employment. There is a frequent bus service from the A68 to Jedburgh and Edinburgh.

## Local impact and integration assessment

### Conservation area

Adjacent to site

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

Not applicable

### Ancient woodland inventory

Not applicable

### Open space

Not applicable

### Archaeology

Adjacent to site

### Listed buildings

Not applicable

### Visual relationship/integration with existing settlement

The site sits to the south of the settlement of Ancrum adjacent to the settlement boundary. There has been a recently developed housing allocation to the east of this site. There are no other existing allocations to be developed within Ancrum.

### Impact on open space

Low

### Impact on archaeology

Low

### Impact on listed buildings

Low

### Local impact and integration summary

HERITAGE & DESIGN: The site is outside the Conservation Area with no adjacent listed buildings. The site is located on the edge of the settlement and care will be needed on boundary treatment and distant views from the south.

ARCHAEOLOGY: There is nothing recorded within the site (designated or not); outside historic core of village; area to immediate north-east evaluated.

GENERAL COMMENTS: The site is within walking distance to the primary school and services in Ancrum. The site to the north east of Dick's Croft has recently been completed - allocation of this site would mean considerable growth in the village in a short period of time.

## Site Ref **AANCR002**

Site name Dick's Croft II

Proposed usage  
Housing

SDA  
Central

HMA  
Central

Settlement  
Ancrum

Site area  
(ha)  
3.0

Indicative  
capacity  
60

Housing  
SG Status  
Alternative

### Landscape assessment

NSA

Not applicable

SLA

On site

Landscape designation

Moderate

General amenity

Average

Altitude  
>200m?

Height  
constraint

Minor

Slope >12  
degrees?

Slope  
constraint

Minor

Constrained in Landscape Capacity Study

#### Landscape features

LANDSCAPE COMMENTS: The site is currently used for improved pasture/silage. There is no built form apart from electricity sub-station in northern corner nearest village. The site is bounded on all sides by hedgerows with narrow roads on the NW, NE and SE boundaries. There are detached houses adjoining to the NW and a denser more modern housing estate adjoining to the NE. Areas to SE and SW are open farmland.

#### Landscape summary

LANDSCAPE COMMENTS: Gently sloping SE facing field, steeper at the top (NW) side and flattening out toward the SE side adjoining the C class Ancrum to Denholm road. The existing hedgerows and country lanes help define the character of the site. The site has attractive views out over the Teviot Valley to S and SW and these views are currently enjoyed by adjoining properties to the north. Development could intrude or obstruct some of these views. The character of existing detached houses at Dick's Croft might be best served by continuing this style of development along the northern end of the site accessed separately from the lane at the Loaning with denser housing on the flatter lower ground on the main part of the site. Retention of existing hedgerows on boundaries supplemented by some new planting is desirable to relate development to its rural setting.

SNH: This site lies outwith the current settlement boundary as shown in the LDP and is within a Special Landscape Area. The settlement profile for Ancrum in the LDP notes that this area is preferred for future expansion beyond the period of the LDP. If you are minded to support development of this site during the current plan period, further detailed assessment will be required. Given the site's location within a Special Landscape Area we recommend that this assessment includes landscape capacity for development and careful consideration of the site boundary, the landscape and visual impact mitigation and the site design.

### Planning and infrastructure assessment

Physical access/road capacity

Near a trunk road?

ROADS PLANNING TEAM: Part of this site was looked at in 2008 and due to the pinch-point in the road network towards the village centre it was not deemed favourable from a roads perspective. Since then 'Designing Streets' has become a policy document and this encourages informal road layouts and natural traffic calming. The majority of traffic accessing the site will utilise South Myrescroft thus avoiding the pinch-point referred to. There will no doubt be an increase in pedestrian movements through the pinch-point for those wishing to access the local amenities; therefore some alterations to the road network, such as a localised widening at the corner next to the school, will be required. This can be investigated through a Transport Assessment for the site.

The existing roads bounding the site will need to be widened to cater for two way flows along with footways as appropriate and street lighting and speed limits will have to extend accordingly. Pedestrian linkage to the footpath along the north western edge of the new Myrescroft development should also be incorporated into any proposal.

Vehicular access is acceptable from all existing roads adjacent to the site and a strong street frontage onto these roads is recommended.

Contaminated land

HSE consultation

Water supply

Sewerage

## Site Ref **AANCR002**

**Site name** Dick's Croft II

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Ancrum

**Site area (ha)**

3.0

**Indicative capacity**

60

**Housing SG Status**

Alternative

Not applicable

Not applicable

Yes

No

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Yes

**Right of way**

Adjacent to site

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

Not applicable

**If yes, what?**

**Planning and Infrastructure summary**

**DEVELOPMENT MANAGEMENT:** It is considered this site is a logical expansion of Ancrum of this scale. However there are potential issues with the scale of additional housing which can be accommodated within the settlement. There is an opportunity for an amenity/play space to be formed at the northern corner of the site which could create a second village green with housing fronting on to the open space in this top corner, and continuing with frontages on to the existing lane. The site edges would require extensive structural landscape planting to create a suitable definition to the edge of the village.

**EDUCATION:** If the site was allocated for housing an extension to the Primary School may be required.

**NETWORK MANAGER:** The allocation of this site will impact on the existing 30 mph speed limit.

**SCOTTISH WATER - WWTW:** Will need upgrade to works, developer will need to meet 5 growth criteria, upgrade would be 4 years following application.

**SCOTTISH WATER - WTW:** No significant issues identified. However there may be local network issues which would need to be addressed and funded by the developer to enable a connection.

**STRATEGIC TRANSPORT:** Connectivity from the site to the village centre is important for both pedestrians and cyclists.

**OUTDOOR ACCESS TEAM:** Connecting footways to be incorporated into this area to link pedestrian use from this area to the school and existing village paths and village green – (central village area ) and path to Ale water to the South of the site If separate from road pavement then these paths should be made up within the site to be brought up to adoptable standard, links made to the development and entered in to the list of public roads per section 1 of the Roads (Scotland) Act 1984.

**CONTAMINATED LAND:** The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

**NEIGHBOURHOOD SERVICES:** Potential for on-site play provision.

**ENVIRONMENTAL HEALTH:** Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment



## Site Ref **AANCR002**

Site name Dick's Croft II

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Ancrum

Site area  
(ha)

3.0

Indicative  
capacity

60

Housing  
SG Status

Alternative

### Overall assessment

#### Acceptable

### Summarised conclusion

The site is within a SLA however overall the site is considered acceptable. Consideration to be given to scale, site design & wastewater infrastructure. Site to be included within the Housing Supplementary Guidance as an alternative site.

### Conclusions

Overall the site is assessed as acceptable however it should be noted the site is within a Special Landscape Area and careful consideration must be given to boundary treatments, the landscape and visual impact mitigation as well as the site design. Due to recent development within Ancrum consideration should be given to the scale of the proposal and its effect on the size of the settlement and the character of the village and its Conservation Area. Allocation of this site would increase pressure on services since the previous housing allocation has only recently been completed and further discussions would need to be held with Scottish Water in relation to wastewater treatment as the development is required to connect to the existing Scottish Water foul network.

Structure planting to the south and west would be required to reduce visual impact from the countryside and create an edge to the settlement. Existing hedgerows would need to be retained or improved where possible. Mitigation measures are required to prevent any impact on the River Tweed SAC. Mitigation measures are also required in relation to the impact of surface water runoff from nearby hills and this should be considered during the design stage.

Vehicular access is acceptable from all existing roads adjacent to the site and a strong street frontage onto these roads is recommended. A pedestrian linkage to the footpath along the north western edge of the new Myrescroft development should also be incorporated into any proposal. It is also important that there is connectivity from the site to the village centre for both pedestrians and cyclists.

The development at Myrescroft to the north east of this site confirmed that there was a healthy market for house purchasers within Ancrum. Consequently this proposal could be considered to be effective and there is an interested developer associated with the site. Therefore care must be taken to ensure any new development does not saturate the village within a relatively short period of time. However this proposal is an alternative option and seeks to gain public opinion on the site.

**Site Ref MEARL001****Site name** Georgefield East - Phase 1**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Earlston

**Site area (ha)**

36.9

**Indicative capacity**

255

**Housing SG Status**

Excluded

**Initial assessment****Floodrisk**

1:200

**SAC**

On site

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Moderate**Structure Plan policy** The site is in the Central Strategic Development Area and the Central Housing Market Area.**Initial assessment summary**

SEPA: The site requires an FRA which assesses the risk from the Turfford Burn and small watercourses which flow through or adjacent to the site. Review of the surface water 1 in 200 year flood map shows that there may be flooding issues on the site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Consideration should be given to whether there are any culverted watercourses within/ near the site which can exacerbate flood risk. The site will likely be constrained due to flood risk. The Turfford burn and a tributary run through/adjacent to the site so would need to be protected and enhanced as part of any development. There should be no culverting for land gain. The Turfford Burn is a HMWB. With regard to foul drainage this must be connected to the SW foul network which would likely necessitate an upgrade of the STW. Earlston STW is currently a failing site due to storm sewage infrastructure at the site.

SBC FLOOD TEAM: Some parts of this site lie within the SEPA 1 in 200 Year Indicative Flood Mapping. This would potentially require a Flood Risk Assessment dependant on what type of building is to take place, on which parts of the land as the Turfford Burn runs directly through the site.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** There is no planning history on the site.

**Site Ref MEARL001**

Site name Georgefield East - Phase 1

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Earlston

**Site area (ha)**

36.9

**Indicative capacity**

255

**Housing SG Status**

Excluded

**Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Moderate

**Site aspect**

Not applicable

**Waverley line contribution required?****Accessibility and sustainability summary**

BIODIVERSITY: Moderate risk – small part of site in flood plain of Turfford burn (River Tweed SAC), (SEPA 1 in 200 year fluvial flood risk) . Potential connectivity with River Tweed SAC through drainage–Mitigation required to ensure no significant adverse effects on integrity of River Tweed SAC. Arable fields with broad-leaved woodland (including wet woodland) and coniferous woodland on boundary. Mitigation to avoid impacts on protected species such as otter, badger, water vole and breeding birds.

GENERAL COMMENTS: The site has good access to local services and facilities within Earlston. It has good access to employment in the settlement and limited access to employment in Galashiels, 10 miles or 20 minutes drive away. Earlston is on the A68(T) which is also part of the strategic public transport network.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

On site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

The site is partly within the Earlston development boundary. The site includes the majority of the housing allocations AEARL010 and AEARL011 and part of the longer term mixed use site SEARL006. The proposal suggests the mixed use allocated is relocated across the Turfford Burn to the area allocated under site code AEARL010.

**Impact on open space**

Low

**Impact on archaeology**

Medium

**Impact on listed buildings**

Low

**Local impact and integration summary**

ARCHAEOLOGY: Area includes findspot location of Early Bronze Age piece and findspots in the general area.

HERITAGE & DESIGN: Substantial potential allocation which would significantly increase the overall population of Earlston and lead to demands on the infrastructure (road network / schools etc) that would also have to be addressed. An overall Master Plan is needed here to look at the long term vision and how individual phases could be considered including the need for advance infrastructure / structure planting etc at each stage.

GENERAL COMMENTS: The Development and Landscape Capacity Study considered this area to be appropriate for development. It also suggested areas for landscape enhancement within the site. These include structural tree planting and provision for SUDS areas within the site. The hedges and hedgerow trees on the site should be conserved and enhanced where possible.

**Site Ref MEARL001**

Site name Georgefield East - Phase 1

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Earlston

**Site area (ha)**

36.9

**Indicative capacity**

255

**Housing SG Status**

Excluded

**Landscape assessment****NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Average

**Altitude >200m?****Height constraint**

Minor

**Slope >12 degrees?****Slope constraint**

Minor

**Constrained in Landscape Capacity Study** **Landscape features**

LANDSCAPE COMMENTS: General slope down to north west to Turfford Burn. Lowland type Landscape - Lowland margin with Hills. No built form - currently agricultural land use. Site slightly removed from the eastern extent of Earlston with Earlston High School located across fields to west and the Georgefield Farm Steading and associated properties separated from the site by robust and established shelterbelt plantings along its north and eastern boundary. There is also an overhead powerline running across the field in an east west direction to the south of the Turfford Burn and woodlands.

**Landscape summary**

LANDSCAPE COMMENTS: Attractive views across to the agricultural land on the north side of the valley. The existing shelterbelt woodlands have value as habitats for birds and invertebrates and with appropriate design SUDS ponds could be created as wetland habitats. The capacity of the site is limited by extent of shelterbelt woodland around and penetrating into the site. It would be desirable to retain the majority of these shelterbelt woodlands, especially along the tributary burn that runs into the Turfford Burn as this will help provide a landscape structure to any development. It will require adequate buffer zones to be established in order to identify the developable land. Access constraints may, to some extent, further limit capacity.

SNH: While this site lies outwith the current settlement boundary, we note that it is included in the LDP as a longer-term safeguarded site (SEARL006). If you are minded to support development of this site during the current plan period, further detailed assessment will be required.

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

ROADS PLANNING TEAM: Part of this site is already allocated within the current LDP as site AEARL010 and AEARL011. This site is expansive and somewhat remote from the rest of the village. Should it be zoned for development I shall require a new access onto the A6105 just east of Tower Farm. Improvements will be required to urbanise the entrance to the village on the main road from the east in order to reduce vehicle speeds. A link to the Georgefield Road will also be required in order to provide for appropriate street connectivity. The Georgefield road will require significant upgrading, in terms of horizontal and vertical geometry, width, construction make-up, pedestrian provision and street lighting.

As well as internal street connectivity the development will have to connect externally and allow for future connectivity. A coherent masterplan will be required for the whole area of Georgefield. As well as sustainable transport affairs, a Transport Assessment will have to comprehensively assess the full extent of upgrading work required for the Georgefield road and will have to assess the capacity of the main street through the village which has pinch-points for both vehicular and pedestrian traffic.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

No

**Sewerage**

No

## Site Ref **MEARL001**

**Site name** Georgefield East - Phase 1

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Earlston

**Site area  
(ha)**

36.9

**Indicative  
capacity**

255

**Housing  
SG Status**

**Excluded**

### Education provision

Average

### Primary school capacity

Limited

### Secondary school capacity

Limited

### Right of way

On site

### TPOs

Not applicable

### Marketability

Average

### Land use allocations

On site

### If yes, what?

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

### Planning and Infrastructure summary

**DEVELOPMENT MANAGEMENT:** Excepting the area highlighted in green which appears capable of accommodation within Earlston's established setting, the site – certainly those areas denoted in red – are not adjacent to the existing settlement, while mature stands of trees intervene between much of this land and Earlston. To the west, any new housing would be liable to appear divorced from Earlston, cut off by the school and Burn. The eastern edge of the sites is arbitrary in its position, with no existing strong landscaped boundaries to help absorb and structure development. There is an appreciable amount of constraint within the Earlston area because of flood risk concerns at lower level and then more steeply sloping land above the valleys (which I am sure has led to the identification of these areas to the east). However, I would still be concerned about the promotion of an increasingly ribbon-like character of development eastwards and away from the historic centres at Ercildoune (to west of A68) and Earlston (to east of A68). A ribbon running eastwards in the opposite direction would not be in character with the settlement's history, particularly where this might promote the development of further land beyond the arbitrary eastern boundary shown. To avoid an overly-contrived appearance, and any keen sense of Earlston as a tripartite settlement divided by the A68 to the west and High School to the east, consideration would need to be given to how this and any future proposals to the east might be accommodated within a landscaping treatment that is capable of drawing it into a shared setting and sense of place with Earlston, avoiding the impression of a distinct 'Georgefield' satellite community.

**ECONOMIC DEVELOPMENT:** It is noted that part of this site is already allocated, so this appears to be a proposal to pull forward implementation of future allocations. This appears a large allocation to bring forward all at once and we suggest should only be a single allocation and replace MEARL002 and MEARL003. We do not object to changing the AEARL010 allocation in the Local Development Plan, from Housing only, to mixed use as well. It is suggested however, that the mixed use should be progressed in tandem with any housing development and not left until all housing is constructed. Progress with the Development Brief, as identified in the Local Development Plan, is needed to resolve this issue.

**STRATEGIC TRANSPORT:** The proposed mixed use areas are well placed to serve the new high school, but are divorced from the centre of the town and therefore it will be difficult to encourage more sustainable travel movements without significant improvements to the local walking and cycling network in the immediate area. It is recommended that a master-planning exercise is carried out to develop suitable ideas in terms of vehicular access to the site, sustainable transport options and public transport provision. There is a long term ambition to develop the former railway line that lies to the north of the site as a shared access route.

**TRANSPORT SCOTLAND:** Should this site come forward for inclusion then a proportionate Transport Appraisal will be required. This appraisal, proportionate to the nature and scale of the allocations, and the trunk road network in the area, would be required to determine any potential cumulative impact of the sites, and identify appropriate and deliverable mitigation measures on the network including on the A6091, A68 and potentially the A7.

**OUTDOOR ACCESS TEAM:** Connecting footways to be incorporated into the southern section to link pedestrian use to the Core Path which allows access to the Black Hills.

**SCOTTISH WATER - WWTW:** Current growth project being designed and built with completion 2018 to meet a design PE of 2400, no further capacity will be available until post 2025.

**SCOTTISH WATER - WTW:** Large scale development in Earlston would require same major upgrades on the network, Service Reservoirs and Trunk Mains. This would need to be funded by the developer(s).

**Site Ref MEARL001****Site name** Georgefield East - Phase 1**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Earlston

**Site area (ha)**

36.9

**Indicative capacity**

255

**Housing SG Status****Excluded**

NETWORK MANAGER: Georgefield Road is not ideal for this scale of development.

EDUCATION: A New Primary School and an extension to the High School would have to be considered.

CONTAMINATED LAND OFFICER: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

NEIGHBOURHOOD SERVICES: Requires a strategic approach to the creation of functional open space due to the scale of development, proximity to village.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

**Overall assessment****Unacceptable****Summarised conclusion**

The site is not considered appropriate to bring forward within the Housing SG. There are significant infrastructure constraints with the settlement.

**Conclusions**

Part of this site is allocated for housing within the adopted Local Development Plan 2016 with the majority of the remainder of the site being identified as a potential longer term mixed use site. Following this site assessment process it is not considered appropriate to bring forward this site as part of the Housing Supplementary Guidance. There are significant infrastructure constraints within Earlston in relation to wastewater treatment capacity within the settlement. Scottish Water have a growth project being designed and built with completion in 2018 this will be enough to accommodate the current population with some extra capacity for limited growth, no further capacity will be available until post 2025. It should also be noted that part of the site is included within the 1:200 year flood risk area along the Turrford Burn which runs directly through the site. In addition to this there are also a number of existing housing allocations within Earlston which remain undeveloped including both East Turrford (AEARL010) and Georgefield Site (AEARL011) which are partially included within this proposal.

## Site Ref **MEARL002**

**Site name** Georgefield East - Phases 1, 2 & 3

### **Proposed usage**

Mixed Use

### **SDA**

Central

### **HMA**

Central

### **Settlement**

Earlston

**Site area (ha)**

59.9

**Indicative capacity**

700

**Housing SG Status**

**Excluded**

## Initial assessment

### **Floodrisk**

1:200

### **SAC**

Not applicable

### **SPA**

Not applicable

### **SSSI**

Not applicable

### **Ramsar**

Not applicable

### **Adjacent to River Tweed?**

### **International/national designation constraints** Minor

**Structure Plan policy** The site is in the Central Strategic Development Area and the Central Housing Market Area.

### **Initial assessment summary**

SEPA: The Proposed Plan (adopted May 2016) states "Flood risk assessment will be required for the areas at flood risk along the Turfford Burn". We would recommend this statement is altered as we require an FRA which assesses the risk from the Turfford Burn and small tributaries which flows through the site. Surface water runoff from the nearby hills may be an issue. May require mitigation measures during design stage. Consideration should be given to whether there are any culvert/bridges near the site. Review of the surface water 1 in 200 year flood map shows that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. The Turfford burn and a tributary run through/adjacent to the site so would need to be protected and enhanced as part of any development. There should be no culverting for land gain. The Turfford burn is a HMWB. With regard to foul drainage this must be connected to the SW foul network which would likely necessitate an upgrade of the STW. Earlston STW is currently a failing site due to storm sewage infrastructure at the site.

SBC FLOOD TEAM: Some parts of this site lie within the SEPA 1 in 200 Year Indicative Flood Mapping. This would likely have no objection but consideration would have to be taken of the Turfford Burn running next to the site and the small drains/watercourses running throughout the site.

The site is included within the Local Development Plan as a longer term housing site. As part of the Housing SG process the site has been reassessed to establish its short-term housing potential. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

### **Minerals and coal**

Not applicable

### **NNR**

Not applicable

### **Prime Quality Agricultural Land**

Not applicable

### **Current use/s**

Greenfield

### **Common Good Land** **MOD safeguarded area**

Not applicable

On site

### **Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** There is no planning history on the site.

## Site Ref **MEARL002**

Site name Georgefield East - Phases 1, 2 & 3

Proposed usage

Mixed Use

SDA

Central

HMA

Central

Settlement

Earlston

Site area  
(ha)

59.9

Indicative  
capacity

700

Housing  
SG Status

Excluded

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Good

Access to services

Good

Wider biodiversity impacts

Moderate

Site aspect

Not applicable

Waverley line  
contribution  
required?



### Accessibility and sustainability summary

BIODIVERSITY: Moderate risk – small part of site in flood plain of Turfford burn (River Tweed SAC), (SEPA 1 in 200 year fluvial flood risk) . Potential connectivity with River Tweed SAC through drainage–Mitigation required to ensure no significant adverse effects on integrity of River Tweed SAC. Arable fields with broad-leaved woodland (including wet woodland) and coniferous woodland on boundary. Mitigation to avoid impacts on protected species such as otter, badger, water vole and breeding birds.

GENERAL COMMENTS: The site has good access to local services and facilities within Earlston. It has good access to employment in the settlement and limited access to employment in Galashiels, 10 miles or 20 minutes drive away. Earlston is on the A68(T) which is also part of the strategic public transport network.

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Not applicable

Archaeology

On site

Listed buildings

Not applicable

Visual relationship/integration with existing settlement

The site is too expansive and remote from the rest of the village to be considered for short term development due to the undeveloped housing allocations at East Turfford (AEARL010) and Georgefield site (AEARL011).

Impact on open space

Low

Impact on archaeology

Medium

Impact on listed buildings

Low

### Local impact and integration summary

ARCHAEOLOGY: Area includes unclassified linear features, as well as sites alongside. Some general findspot locations in the area, including the findspot location of Early Bronze Age piece.

HERITAGE & DESIGN: Substantial potential allocation which would significantly increase the overall population of Earlston and lead to demands on the infrastructure (road network / schools etc) that would also have to be addressed. An overall Master Plan is needed here to look at the long term vision and how individual phases could be considered including the need for advance infrastructure / structure planting etc at each stage.

GENERAL COMMENTS: The Development and Landscape Capacity Study considered this area to be appropriate for development. It also suggested areas for landscape enhancement within the site. These include structural tree planting and provision for SUDS areas within the site. The hedges and hedgerow trees on the site should be conserved and enhanced where possible.



## Site Ref MEARL002

Site name Georgefield East - Phases 1, 2 & 3

Proposed usage

Mixed Use

SDA

Central

HMA

Central

Settlement

Earlston

Site area (ha)

59.9

Indicative capacity

700

Housing SG Status

Excluded

## Landscape assessment

NSA

Not applicable

SLA

Not applicable

Landscape designation

Minor

General amenity

Average

Altitude >200m?

Height constraint

Minor

Slope >12 degrees?

Slope constraint

Minor

Constrained in Landscape Capacity Study

### Landscape features

LANDSCAPE COMMENTS: Generally site gently sloping down to north and north west but with gently undulating landform with east west ridges. The site is currently in use as arable farm land and to south west of the site Georgefield Farm steading buildings are located. The site is several large fields, fringed by woodland to the north and east (partial) boundaries and much of the west boundary. The boundary to the south is adjacent to the minor road/track that serves Whitefield Farm and there is a mixed native hedge along the greater part of this boundary. A small burn runs from the southern boundary northwards located for the latter part of its length in a relatively deeply incised and wooded valley before entering the Turfford Burn. A further mixed broadleaf shelterbelt strip further dissects the most northerly field. There is a single H/V overhead power line that runs in an east/west direction across the northern part of the site before turning southwards to Georgefield Farm steading along the existing track.

### Landscape summary

LANDSCAPE COMMENTS: The site is gently north facing sloping sides of the Turfford Burn valley and as such much of the site has commanding views to the north side of the valley and to the farmland and scattered farmhouses and other residential properties that feature in the views. It is considered that phase 2 would be the only logical extension to AEARL011. Phase 2 suggests an indicative capacity of no more than 120 units, allowing for a robust structure planting belt along the eastern boundary to contain the development. The pattern of shelterbelt woodlands largely reflects the historic pattern of shelterbelt woodlands with some minor losses and gains. The woodland offers valuable habitats for birds, bats and invertebrates on what is a managed agricultural landscape.

SNH: While this site lies outwith the current settlement boundary, we note that it is included in the LDP as a longer-term safeguarded site (SEARL006). If you are minded to support development of this site during the current plan period, further detailed assessment will be required.

## Planning and infrastructure assessment

### Physical access/road capacity

Near a trunk road?

ROADS PLANNING TEAM: This site is expansive and somewhat remote from the rest of the village, especially the eastern part of it. Should it be zoned for development I shall require a new access onto the A6105 just east of Tower Farm. Improvements will be required to urbanise the entrance to the village on the main road from the east in order to reduce vehicle speeds. A link to the Georgefield Road will also be required in order to provide for appropriate street connectivity. The Georgefield road will require significant upgrading, in terms of horizontal and vertical geometry, width, construction make-up, pedestrian provision and street lighting.

As well as internal street connectivity the development will have to connect externally and allow for future connectivity. A coherent masterplan will be required for the whole area of Georgefield. As well as sustainable transport affairs, a Transport Assessment will have to comprehensively assess the full extent of upgrading work required for the Georgefield road and will have to assess the capacity of the main street through the village which has pinch-points for both vehicular and pedestrian traffic.

Contaminated land

HSE consultation

Water supply

Sewerage

**Site Ref MEARL002**

**Site name** Georgefield East - Phases 1, 2 & 3

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Earlston

**Site area (ha)**

59.9

**Indicative capacity**

700

**Housing SG Status**

Excluded

Not applicable

Not applicable

No

No

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Limited

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

On site

**If yes, what?**

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

**Planning and Infrastructure summary**

DEVELOPMENT MANAGEMENT: Excepting the area highlighted in green which appears capable of accommodation within Earlston's established setting, the site – certainly those areas denoted in red – are not adjacent to the existing settlement, while mature stands of trees intervene between much of this land and Earlston. To the west, any new housing would be liable to appear divorced from Earlston, cut off by the school and Burn. The eastern edge of the sites is arbitrary in its position, with no existing strong landscaped boundaries to help absorb and structure development. There is an appreciable amount of constraint within the Earlston area because of flood risk concerns at lower level and then more steeply sloping land above the valleys (which I am sure has led to the identification of these areas to the east). However, I would still be concerned about the promotion of an increasingly ribbon-like character of development eastwards and away from the historic centres at Ercildoune (to west of A68) and Earlston (to east of A68). A ribbon running eastwards in the opposite direction would not be in character with the settlement's history, particularly where this might promote the development of further land beyond the arbitrary eastern boundary shown. To avoid an overly-contrived appearance, and any keen sense of Earlston as a tripartite settlement divided by the A68 to the west and High School to the east, consideration would need to be given to how this and any future proposals to the east might be accommodated within a landscaping treatment that is capable of drawing it into a shared setting and sense of place with Earlston, avoiding the impression of a distinct 'Georgefield' satellite community.

SCOTTISH WATER - WWTW: Current growth project being designed and built with completion 2018 to meet a design PE of 2400, no further capacity will be available until post 2025.

SCOTTISH WATER - WTW: Large scale development in Earlston would require same major upgrades on the network, Service Reservoirs and Trunk Mains. This would need to be funded by the developer(s).

ECONOMIC DEVELOPMENT: Already allocated, so pulling implementation forward. Appears a large allocation to bring forward all at once and should only be a single allocation, which is suggested to be part of MEARL001 and replace MEARL003 also.

STRATEGIC TRANSPORT: The proposed mixed use areas are well placed to serve the new high school, but are divorced from the centre of the town and therefore it will be difficult to encourage more sustainable travel movements without significant improvements to the local walking and cycling network in the immediate area. It is recommended that a master-planning exercise is carried out to develop suitable ideas in terms of vehicular access to the site, sustainable transport options and public transport provision. There is a long term ambition to develop the former railway line that lies to the north of the site as a shared access route.

TRANSPORT SCOTLAND: Should this site come forward for inclusion then a proportionate Transport Appraisal will be required. This appraisal, proportionate to the nature and scale of the allocations, and the trunk road network in the area, would be required to determine any potential cumulative impact of the sites, and identify appropriate and deliverable mitigation measures on the network including on the A6091, A68 and potentially the A7.

OUTDOOR ACCESS TEAM: Connecting footways to be incorporated into the southern section to link pedestrian use to the Core Path which allows access to the Black Hills

## Site Ref **MEARL002**

**Site name** Georgefield East - Phases 1, 2 & 3

### **Proposed usage**

Mixed Use

### **SDA**

Central

### **HMA**

Central

### **Settlement**

Earlston

**Site area  
(ha)**

59.9

**Indicative  
capacity**

700

**Housing  
SG Status**

**Excluded**

**CONTAMINATED LAND OFFICER:** The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

**EDUCATION:** A New Primary School and an extension to the High School would have to be considered.

**NETWORK MANAGER:** Georgefield Road is not ideal for this scale of development.

**NEIGHBOURHOOD SERVICES:** Requires a strategic approach to the creation of functional open space due to the scale of development, proximity to village.

**ENVIRONMENTAL HEALTH:** Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### **Overall assessment**

**Unacceptable**

### **Summarised conclusion**

The site is not considered appropriate to bring forward within the Housing SG. There are significant infrastructure constraints with the settlement.

### **Conclusions**

This site is identified as a potential longer term mixed use site within the adopted Local Development Plan. Following this site assessment process it is not considered appropriate to bring forward this site as part of the Housing Supplementary Guidance. There are significant infrastructure constraints within Earlston in relation to wastewater treatment capacity within the settlement. Scottish Water have a growth project being designed and built with completion in 2018 this will be enough to accommodate the current population with some extra capacity for limited growth, no further capacity will be available until post 2025. In addition to this there are also a number of existing housing allocations within Earlston which remain undeveloped including both East Turrford (AEARL010) and Georgefield Site (AEARL011) which are located to the north west of this site.

## Site Ref **MEARL003**

**Site name** Georgefield East - Phase 2

### **Proposed usage**

Mixed Use

### **SDA**

Central

### **HMA**

Central

### **Settlement**

Earlston

**Site area  
(ha)**

30.0

**Indicative  
capacity**

540

**Housing  
SG Status**

**Excluded**

## Initial assessment

### **Floodrisk**

1:200

### **SAC**

Not applicable

### **SPA**

Not applicable

### **SSSI**

Not applicable

### **Ramsar**

Not applicable

### **Adjacent to River Tweed?**

### **International/national designation constraints** Minor

**Structure Plan policy** The site is in the Central Strategic Development Area and the Central Housing Market Area.

### **Initial assessment summary**

SEPA: We require an FRA which assesses the risk from the small watercourses which flow through and adjacent to the site. Consideration will need to be given to bridge and culvert structures within and adjacent to the site. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Majority of site will likely be developable. The Turfford burn and a tributary run through/adjacent to the site so would need to be protected and enhanced as part of any development. There should be no culverting for land gain. The Turfford burn is a highly modified waterbody (HMWB). With regard to foul drainage this must be connected to the SW foul network which would likely necessitate an upgrade of the STW. Earlston STW is currently a failing site due to storm sewage infrastructure at the site.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. I would have no objections on the grounds of flood risk.

The site is included within the Local Development Plan as a longer term housing site. As part of the Housing SG process the site has been reassessed to establish its short-term housing potential. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

### **Minerals and coal**

Not applicable

### **NNR**

Not applicable

### **Prime Quality Agricultural Land**

Not applicable

### **Current use/s**

Greenfield

### **Common Good Land** **MOD safeguarded area**

Not applicable

On site

### **Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** There is no planning history on the site.

## Site Ref **MEARL003**

Site name Georgefield East - Phase 2

Proposed usage

Mixed Use

SDA

Central

HMA

Central

Settlement

Earlston

Site area  
(ha)

30.0

Indicative  
capacity

540

Housing  
SG Status

Excluded

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Good

Access to services

Good

Wider biodiversity impacts

Moderate

Site aspect

Not applicable

Waverley line  
contribution  
required?



### Accessibility and sustainability summary

BIODIVERSITY: Moderate risk – small part of site in flood plain of Turfford burn (River Tweed SAC), (SEPA 1 in 200 year fluvial flood risk) . Potential connectivity with River Tweed SAC through drainage–Mitigation required to ensure no significant adverse effects on integrity of River Tweed SAC. Arable fields with broad-leaved woodland (including wet woodland) and coniferous woodland on boundary. Mitigation to avoid impacts on protected species such as otter, badger, water vole and breeding birds.

GENERAL COMMENTS: The site has good access to local services and facilities within Earlston. It has good access to employment in the settlement and limited access to employment in Galashiels, 10 miles or 20 minutes drive away. Earlston is on the A68(T) which is also part of the strategic public transport network.

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Not applicable

Archaeology

On site

Listed buildings

Not applicable

Visual relationship/integration with  
existing settlement

The site is too expansive and remote from the rest of the village to be considered for short term development due to the undeveloped housing allocations at East Turfford (AEARL010) and Georgefield site (AEARL011).

Impact on open space

Low

Impact on archaeology

Medium

Impact on listed buildings

Low

### Local impact and integration summary

ARCHAEOLOGY: Area includes unclassified linear features, as well as sites alongside. Some general findspot locations in the area, including the findspot location of Early Bronze Age piece.

HERITAGE & DESIGN: Substantial potential allocation which would significantly increase the overall population of Earlston and lead to demands on the infrastructure (road network / schools etc) that would also have to be addressed. An overall Master Plan is needed here to look at the long term vision and how individual phases could be considered including the need for advance infrastructure / structure planting etc at each stage.

GENERAL COMMENTS: The Development and Landscape Capacity Study considered this area to be appropriate for development. It also suggested areas for landscape enhancement within the site. These include structural tree planting and provision for SUDS areas within the site. The hedges and hedgerow trees on the site should be conserved and enhanced where possible.

**Site Ref MEARL003**

Site name Georgefield East - Phase 2

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Earlston

**Site area (ha)**

30.0

**Indicative capacity**

540

**Housing SG Status**

Excluded

**Landscape assessment****NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Average

**Altitude >200m?****Height constraint**

Minor

**Slope >12 degrees?****Slope constraint**

Minor

**Constrained in Landscape Capacity Study** **Landscape features**

LANDSCAPE COMMENTS: The topography of the site is gently undulating, sloping very slightly down to the west boundary. The site is currently in use as arable farm land with shelterbelt woodland strips to north and part of east boundary. Track with mixed native hedge to majority of southern boundary.

**Landscape summary**

LANDSCAPE COMMENTS: The shelterbelt woodlands are important habitat corridors. There is scope to improve habitat along the minor burn along the western boundary and to further improve connectivity from south to north by supplementary planting in association with existing hedgeline. I would only see MEARL003 being developed in the future as an extension to completed development to the NW and not in isolation. Any development of this site will require it to acknowledge buffer zones to existing plantations/ shelterbelts and some additional structure planting belts to subdivide the site to improve local amenity.

SNH: While this site lies outwith the current settlement boundary, we note that it is included in the LDP as a longer-term safeguarded site (SEARL006). If you are minded to support development of this site during the current plan period, further detailed assessment will be required.

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

ROADS PLANNING TEAM: This site is expansive and is remote from the rest of the village. It should not be zoned for development in isolation of the intervening land to the west and north west. Should it be zoned for development I shall require a new access onto the A6105 just east of Tower Farm. Improvements will be required to urbanise the entrance to the village on the main road from the east in order to reduce vehicle speeds. A link to the Georgefield Road will also be required in order to provide for appropriate street connectivity. The Georgefield road will require significant upgrading, in terms of horizontal and vertical geometry, width, construction make-up, pedestrian provision and street lighting.

As well as internal street connectivity the development will have to connect externally and allow for future connectivity. A coherent masterplan will be required for the whole area of Georgefield. As well as sustainable transport affairs, a Transport Assessment will have to comprehensively assess the full extent of upgrading work required for the Georgefield road and will have to assess the capacity of the main street through the village which has pinch-points for both vehicular and pedestrian traffic.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

No

**Sewerage**

No

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Limited

**Right of way**

Not applicable

**TPOs**

Not applicable

**Site Ref MEARL003**

**Site name** Georgefield East - Phase 2

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Earlston

**Site area (ha)**

30.0

**Indicative capacity**

540

**Housing SG Status**

Excluded

**Marketability**

Average

**Land use allocations**

On site

**If yes, what?**

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

**Planning and Infrastructure summary**

**DEVELOPMENT MANAGEMENT:** Excepting the area highlighted in green which appears capable of accommodation within Earlston's established setting, the site – certainly those areas denoted in red – are not adjacent to the existing settlement, while mature stands of trees intervene between much of this land and Earlston. To the west, any new housing would be liable to appear divorced from Earlston, cut off by the school and Burn. The eastern edge of the sites is arbitrary in its position, with no existing strong landscaped boundaries to help absorb and structure development. There is an appreciable amount of constraint within the Earlston area because of flood risk concerns at lower level and then more steeply sloping land above the valleys (which I am sure has led to the identification of these areas to the east). However, I would still be concerned about the promotion of an increasingly ribbon-like character of development eastwards and away from the historic centres at Ercildoune (to west of A68) and Earlston (to east of A68). A ribbon running eastwards in the opposite direction would not be in character with the settlement's history, particularly where this might promote the development of further land beyond the arbitrary eastern boundary shown. To avoid an overly-contrived appearance, and any keen sense of Earlston as a tripartite settlement divided by the A68 to the west and High School to the east, consideration would need to be given to how this and any future proposals to the east might be accommodated within a landscaping treatment that is capable of drawing it into a shared setting and sense of place with Earlston, avoiding the impression of a distinct 'Georgefield' satellite community.

**SCOTTISH WATER - WWTW:** Current growth project being designed and built with completion 2018 to meet a design PE of 2400, no further capacity will be available until post 2025.

**SCOTTISH WATER - WTW:** Large scale development in Earlston would require same major upgrades on the network, Service Reservoirs and Trunk Mains. This would need to be funded by the developer(s).

**ECONOMIC DEVELOPMENT:** Already allocated, so pulling implementation forward. Appears a large allocation to bring forward all at once and should only be a single allocation, which is suggested to be part of MEARL001 and replace MEARL002 also.

**EDUCATION:** A New Primary School and an extension to the High School would have to be considered.

**NETWORK MANAGER:** Georgefield Road is not ideal for this scale of development.

**STRATEGIC TRANSPORT:** The proposed mixed use areas are well placed to serve the new high school, but are divorced from the centre of the town and therefore it will be difficult to encourage more sustainable travel movements without significant improvements to the local walking and cycling network in the immediate area. It is recommended that a master-planning exercise is carried out to develop suitable ideas in terms of vehicular access to the site, sustainable transport options and public transport provision. There is a long term ambition to develop the former railway line that lies to the north of the site as a shared access route.

**TRANSPORT SCOTLAND:** Should this site come forward for inclusion then a proportionate Transport Appraisal will be required. This appraisal, proportionate to the nature and scale of the allocations, and the trunk road network in the area, would be required to determine any potential cumulative impact of the sites, and identify appropriate and deliverable mitigation measures on the network including on the A6091, A68 and potentially the A7.

**OUTDOOR ACCESS TEAM:** Connecting footways to be incorporated into the southern section to link pedestrian use to the Core Path which allows access to the Black Hills.

**CONTAMINATED LAND OFFICER:** The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

**Site Ref MEARL003****Site name** Georgefield East - Phase 2**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Earlston

**Site area  
(ha)**

30.0

**Indicative  
capacity**

540

**Housing  
SG Status****Excluded**

NEIGHBOURHOOD SERVICES: Requires a strategic approach to the creation of functional open space due to the scale of development, proximity to village.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

**Overall assessment****Unacceptable****Summarised conclusion**

The site is not considered appropriate to bring forward within the Housing SG. There are significant infrastructure constraints with the settlement.

**Conclusions**

This site is identified as a potential longer term mixed use site within the adopted Local Development Plan. Following this site assessment process it is not considered appropriate to bring forward this site as part of the Housing Supplementary Guidance. There are significant infrastructure constraints within Earlston in relation to wastewater treatment capacity within the settlement. Scottish Water have a growth project being designed and built with completion in 2018 this will be enough to accommodate the current population with some extra capacity for limited growth, no further capacity will be available until post 2025. In addition to this there are also a number of existing housing allocations within Earlston which remain undeveloped including both East Turrford (AEARL010) and Georgefield Site (AEARL011).



**Site Ref AGALA029**

Site name Netherbarns

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

7.4

**Indicative capacity**

45

**Housing SG Status**

Excluded

**Initial assessment****Floodrisk**

Not applicable

**SAC**

Adjacent to site

**SPA**

Not applicable

**SSSI**

Adjacent to site

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Moderate**Structure Plan policy** The site is located within the Central Strategic Development Area.**Initial assessment summary**

This site was considered in the Local Plan Inquiry and at the recent Local Development Plan Examination. The Reporter's recommendation at both the Inquiry and the Examination was for the site to be removed from the Local Plan/LDP.

SEPA: Require a FRA which assesses the risk from the River Tweed. We previously requested an FRA for this site to assess the risk to the areas closest to the River Tweed. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. In addition, surface water runoff from the nearby hills may be an issue and may require mitigation measures during design stage. Foul water must be connected to the SW network.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Small areas of the site are anticipated to be affected by surface water runoff and this site is relatively steep so I would expect the applicant to consider this and show how this risk would be mitigated.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area**

Not applicable

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** 04/00706/FUL - Erection of seventy nine dwellinghouse (refused by the Scottish Ministers after they had called it in).

## Site Ref AGALA029

Site name Netherbarns

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Galashiels

Site area  
(ha)

7.4

Indicative  
capacity

45

Housing  
SG Status

Excluded

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Good

Access to services

Good

Wider biodiversity impacts

Moderate

Site aspect

South-west

Waverley line  
contribution  
required?



### Accessibility and sustainability summary

BIODIVERSITY: Moderate risk – Potential connectivity with River Tweed SAC/SSSI through drainage. Site separated from River Tweed by minor road and disused railway/broad-leaved woodland strip. Mitigation required to ensure no significant adverse effects on integrity of River Tweed SAC. Within site- improved filed boundary features of tree line and within site old hedgerow. Protect boundary features, mitigation required e.g. badger and breeding birds.

GENERAL COMMENTS: The site has good access to local services and facilities and employment in the settlement. The settlement is on the A7(T) and A6091(T) and the strategic public transport network.

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Adjacent to site

Ancient woodland inventory

Not applicable

Open space

Not applicable

Archaeology

Not applicable

Listed buildings

Adjacent to site

Visual relationship/integration with existing settlement

This site was considered in the Local Plan Inquiry and at the recent Local Development Plan Examination. The Garden and Designed Landscape lies to the south east of the site. The Reporters' assessment was that the site should not be developed because of the adverse impact on the setting of the A Listed Abbotsford House and its Garden and Designed Landscape. However, Historic Scotland have now removed their objection to some form of development on the site. The setting of the listed footbridge to the NE of the site and Netherbarns farmhouse, steading and stables to the west of the site should also be taken into consideration.

Impact on open space

Low

Impact on archaeology

Low

Impact on listed buildings

High

### Local impact and integration summary

ARCHAEOLOGY: Area includes part of disused railway line (OS1) which remains as an earthwork in part.

HERITAGE & DESIGN: Sensitive site opposite Abbotsford House. Some potential however especially by A7 which already has street lighting and Netherbank development. Structural screen planting is needed to reinforce and protect the visual separation from Abbotsford and there is potential to break up the overall site into a series of "rooms" along the line of the indicative sketch provided. Following a review of the Heritage Statement submitted by the contributor I am content with the general conclusion reached that there is scope for some residential development within the M & J Ballantyne site and that subject to reinforcement of the existing planting adjacent to the old railway line to ensure both summer and winter foliage screening that the impact to Abbotsford House and its setting by housing on the site

## Site Ref **AGALA029**

Site name Netherbarns

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Galashiels

### Site area (ha)

7.4

### Indicative capacity

45

### Housing SG Status

Excluded

could be reduced to an acceptable minimal level. The detailed design approach is also important, both in terms of identifying and agreeing the “developable” parts of the site; which are likely to be nearer the A7, the landscaping within the site and crucially looking at the colour and hue of the external finishes of any new buildings.

HISTORIC ENVIRONMENT SCOTLAND: We are content with the principle of development for 45 units here, on the basis that site development will be forward via a masterplan which will ensure that the detail of scale and detailed views analysis, amongst other things, can be considered. We would wish to be consulted on these details and others as the masterplanning process develops. The Abbotsford Trust have recently commissioned a landscape management plan for the Abbotsford estate. The plan’s proposals may involve reopening of historic views from house and estate, which may take in this site. This will also need to be taken into account in the development of the masterplan.

GENERAL COMMENTS: This site was considered in the Local Plan Inquiry and at the recent Local Development Plan Examination. The Garden and Designed Landscape lies to the south east of the site. The Reporters’ assessment was that the site should not be developed because of the adverse impact on the setting of the A Listed Abbotsford House and its Garden and Designed Landscape. However, Historic Scotland have now removed their objection to some form of development on the site. The setting of the listed footbridge to the NE of the site and Netherbarns farmhouse, steading and stables to the west of the site should also be taken into consideration.

## Landscape assessment

### NSA

Not applicable

### SLA

Adjacent to site

### Landscape designation

Moderate

### General amenity

Good

### Altitude >200m?

### Height constraint

Minor

### Slope >12 degrees?

### Slope constraint

Minor

### Constrained in Landscape Capacity Study

### Landscape features

The site is also visible from the stretches of the A7(T) and the Southern Upland Way immediately adjacent to the site. There is a semi mature/ mature tree belt south of the site and young tree belts in the middle of the site and along the A7 (T). There are also mature trees along the fringe of the site. There is a small hillock in the north west of the site. There are small areas of steep slopes in the SW of the site and along its SE fringe. The impact on the Garden and Designed Landscape is also a constraint on landscape capacity.

### Landscape summary

SNH: This site lies outwith the current settlement boundary as shown in the LDP. We understand that the site was included as an allocation in the Proposed Plan but, in their report of examination, the Reporter recommended its deletion. This recommendation was based partly on landscape impacts. We are not aware of a potential solution that should change that decision.

GENERAL COMMENTS: The site is also visible from the stretches of the A7(T) and the Southern Upland Way immediately adjacent to the site. There is a semi mature/ mature tree belt south of the site and young tree belts in the middle of the site and along the A7 (T). There are also mature trees along the fringe of the site. There is a small hillock in the north west of the site. There are small areas of steep slopes in the SW of the site and along its SE fringe. The impact on the Garden and Designed Landscape is also a constraint on landscape capacity.

## Planning and infrastructure assessment

**Site Ref AGALA029**

Site name Netherbarns

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

7.4

**Indicative capacity**

45

**Housing SG Status**

Excluded

**Physical access/road capacity****Near a trunk road?** 

ROADS PLANNING TEAM: The A7 immediately adjacent to the site has the benefit of: street lighting and a 40mph speed limit; a footway for pedestrians, including a crossing island in the main road; and public transport provision by way of bus lay-bys and shelters. The existing road junction serving Kingsknowe Drive, which would also serve this site, has the benefit of a right turn lane on the A7 to assist with traffic flow on the main road. As such, much of the transport infrastructure required to serve this site is already in place. A Transport Assessment would be required to address any adjustments/upgrades required to accommodate the increase in traffic associated with the site.

With the A7 being a Trunk Road, Transport Scotland would observe on the impact on the A7, adjacent to and in the proximity of the site, including any speed reducing measures to be addressed. While there is often queuing traffic at Kingsknowe Roundabout at peak times, this tends to be short lived.

All matters considered I am supportive of the principle of development on this site from a transport perspective, but you may wish to consult Transport Scotland as the trunk road authority. The internal road layout will have to comply with 'Designing Street's requirements, particularly with respect to connectivity and speed. The design will also have to take significant cognisance of pedestrians and cyclists including external links with the surrounding infrastructure.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Limited

**Right of way**

Adjacent to site

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

Not applicable

**If yes, what?****Planning and Infrastructure summary**

DEVELOPMENT MANAGEMENT: The site is supported through a previous planning approval on the site.

CONTAMINATED LAND OFFICER: A portion of the site appears to have been developed with a railway cutting that has subsequently been infilled. The site is brownfield land and its use may present development constraints and this should be taken into consideration.

STRATEGIC TRANSPORT: There is also access to the new railway station on the proposed Waverley Line. A pedestrian/cycling link onto Boleside Road is recommended.

NETWORK MANAGER: The site has trunk road access.

OUTDOOR ACCESS TEAM: No comments.

EDUCATION: No issues.

SCOTTISH WATER - WWTW: OK

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the

## Site Ref **AGALA029**

Site name Netherbarns

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Galashiels

Site area  
(ha)

7.4

Indicative  
capacity

45

Housing  
SG Status

Excluded

developer to enable a connection.

NEIGHBOURHOOD SERVICES: Currently maintain a grass strip to right hand side of entrance to Kingsknowe Drive off A7 which appears to be included in site. Would be no issues if that was lost. Potential for on-site play provision.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### Overall assessment

**Doubtful**

### Summarised conclusion

This site has been to the Local Plan Inquiry and the recent LDP Examination and was dismissed. It is clear the concerns the Reporters have with regards to the allocation of this site and therefore it is not considered there are any further grounds nor information provided which will alter that stance. Therefore the site is not being take forward into the Housing Supplementary Guidance.

### Conclusions

This site was considered in the Local Plan Inquiry and at the recent Local Development Plan Examination. The Reporter's recommendation at both the Inquiry and the Examination was for the site to be removed from the Local Plan/LDP.

As part of the recent LDP Examination the Reporter concurred with the conclusions reached at the previous Local Plan Inquiry. The Reporter noted the lack of formal objection by Historic Scotland and stated that cultural and landscape considerations combine to provide an asset which should remain free of the impact of the suggested allocation and any subsequent development of Netherbarns. The Reporter did not accept that the woodland screening would adequately mitigate the adverse impacts of the allocation on the setting of the house or the designed landscape. Additionally, the re-opening of the railway link to Galashiels is likely to increase the volume of visitors to Abbotsford, therefore further strengthening the need to protect the heritage of the vicinity.

It is acknowledged that this recent submission has re-emphasised why the applicants consider that the proposal will have a minimal detrimental impact on the setting of Abbotsford House. However given that this case has twice been dismissed by Reporters, most recently with regards to the adopted 2016 Local Development Plan, it is clear the concerns the Reporters have with regards to the allocation of this site and therefore it is not considered there are any further grounds nor information provided which will alter that stance. Therefore the site is not being taken forward into the Housing Supplementary Guidance.

**Site Ref AGALA032**

Site name Lintburn Street

**Proposed usage**  
Housing**SDA**  
Central**HMA**  
Central**Settlement**  
Galashiels**Site area (ha)**  
0.1**Indicative capacity**  
8**Housing SG Status**  
Preferred**Initial assessment****Floodrisk**  
1:200**SAC**  
Not applicable**SPA**  
Not applicable**SSSI**  
Not applicable**Ramsar**  
Not applicable**Adjacent to River Tweed?**  
**International/national designation constraints** Moderate**Structure Plan policy** The site is located within Central Strategic Development Area and the Central Housing Market Area.**Initial assessment summary** This site has a recent planning approval for eight flats (15/01518/FUL) and has been through the planning application process therefore a full site assessment is not required. The site contributes eight additional units towards the housing land supply.**Information relating to planning applications****Minerals and coal****NNR****Prime Quality Agricultural Land****Current use/s**  
Buildings**Common Good Land** **MOD safeguarded area** **Aerodrome/Technical Site Safeguarding****Planning history reference** 15/01518/FUL - Erection of eight dwelling flats and associated works (Approved)**Accessibility and sustainability assessment****Access to public transport****Access to employment****Access to services****Wider biodiversity impacts****Site aspect****Waverley line contribution required?****Accessibility and sustainability summary**

**Site Ref AGALA032**

Site name Lintburn Street

Proposed usage  
Housing

SDA  
Central

HMA  
Central

Settlement  
Galashiels

Site area (ha)  
0.1

Indicative capacity  
8

Housing SG Status  
Preferred

**Local impact and integration assessment**

Conservation area	Scheduled Ancient Monument	Garden and designed landscape	Ancient woodland inventory
Open space	Archaeology	Listed buildings	Visual relationship/integration with existing settlement
Impact on open space	Impact on archaeology	Impact on listed buildings	

Local impact and integration summary

**Landscape assessment**

NSA	SLA	Landscape designation	General amenity	Altitude >200m?	Height constraint	Slope >12 degrees?	Slope constraint
				<input type="checkbox"/>		<input type="checkbox"/>	

Constrained in Landscape Capacity Study

Landscape features

Landscape summary

**Planning and infrastructure assessment**

Physical access/road capacity      Near a trunk road?

Contaminated land      HSE consultation      Water supply      Sewerage

**Site Ref AGALA032****Site name** Lintburn Street**Proposed usage**  
Housing**SDA**  
Central**HMA**  
Central**Settlement**  
Galashiels**Site area (ha)**  
0.1**Indicative capacity**  
8**Housing SG Status**  
Preferred**Education provision****Primary school capacity****Secondary school capacity****Right of way****TPOs****Marketability****Land use allocations****If yes, what?****Planning and Infrastructure summary****Overall assessment****Overall assessment****Acceptable****Summarised conclusion**

The site has planning consent for eight flats and is therefore considered to be an appropriate site for a housing allocation through the Housing SG.

**Conclusions**

This site has a recent planning approval for eight flats (15/01518/FUL) the site has been through the planning application process therefore a full site assessment is not required. The site contributes eight additional units towards the housing land supply.



**Site Ref AGALA033**

Site name Huddersfield Street

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

0.2

**Indicative capacity**

26

**Housing SG Status**

Alternative

**Initial assessment****Floodrisk**

1:200

**SAC**

Adjacent to site

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy**

The site is located within the Central Strategic Development Area and within the Central HMA.

**Initial assessment summary**

The site is at risk from a 1:200 year flood event from surface water and the Gala Water which runs along the north east boundary of the site.

SEPA: The Proposed Plan (adopted May 2016) has this larger site allocated as business and industrial, not housing. SEPA have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the first instance. Therefore, we require that this site is removed from the SG. The waterbody is Highly Modified Waterbody (HMWB) so moderate classification relates to Moderate Environmental Potential (MEP). The Gala water has extensive grey banking in this location which is unlikely to be able to be changed as a result of this development, however the mill lade also appears to be culverted under the site. The development therefore presents an opportunity to de-culvert the mill lade in this location. Foul water must be connected to the SW network.

SBC FLOOD TEAM: Even with the Gala Flood Protection Scheme, this site is still shown to be at risk of flooding within the SEPA mapping and I would most likely require a Flood Risk Assessment (FRA). Our previous response in 2014 stated: "This site is at risk of flooding during a fluvial and pluvial 1 in 200 year flood event. Dependant on the proposals it would be most likely a flood risk assessment would be required at this site."

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Brownfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference**

06/02158/FUL - Erection of 46 category II sheltered apartments for the elderly, ancillary accommodation, parking and landscaped gardens (REFUSED). This application was refused on the grounds that "it had not been sufficiently demonstrated that the proposed development will not be at risk of flooding and that the development of the site would not materially increase the risk of flooding to other properties". A later appeal was withdrawn.

**Site Ref AGALA033**

Site name Huddersfield Street

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

0.2

**Indicative capacity**

26

**Housing SG Status**

Alternative

09/00172/FUL - Erection of 46 category II sheltered apartments for the elderly, ancillary accommodation, parking and landscaped gardens (WITHDRAWN). The application was approved in principle but was not concluded due to issues relating to developer contributions. A Flood Risk Assessment was submitted during the process of the application and layout/design was amended. SEPA subsequently removed their objection.

**Accessibility and sustainability assessment****Waverley line contribution required?****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Moderate

**Site aspect**

Not applicable

**Accessibility and sustainability summary**

BIODIVERSITY: Moderate to Major risk - site lies within the flood plain of the Gala water (River Tweed SAC), (SEPA 1 in 200 year fluvial flood risk). Mitigation required to ensure no significant adverse effect on River Tweed SAC.

SNH: Site is immediately adjacent to River Tweed SAC. If allocated it should be clear that Habitats Regulations Appraisal (HRA) will be required.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

On/adjacent to site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

The site is within the Galashiels settlement boundary and is currently allocated for the business and industrial safeguarding. The site was previously part of the mills associated with Gala water. Surrounding land uses include industrial and residential on the other side of Huddersfield Street. Residential properties to south on sloping ground are elevated above and have views over the site. The site has good permeability to rest of Galashiels including across the river by adjacent pedestrian bridge.

**Impact on open space**

Low

**Impact on archaeology**

Low

**Impact on listed buildings**

Low

**Local impact and integration summary**

ARCHAEOLOGY: Nothing recorded by the HER, but adjacent woollen mill shown by OS1 fed by leats crossing area; OS3 notes tanks for different mill; OS5 shows mill buildings extending into area; potential previously landscaped. Mill lead and flood works likely present as below ground features

HERITAGE & DESIGN: The site is outwith the Conservation Area. Gala Mill which is listed B is nearby but not adjacent. Development of this site would provide an opportunity to exploit the riverside setting.

**Site Ref AGALA033**

Site name Huddersfield Street

**Proposed usage**  
Housing**SDA**  
Central**HMA**  
Central**Settlement**  
Galashiels**Site area (ha)**  
0.2**Indicative capacity**  
26**Housing SG Status**  
Alternative**Landscape assessment****NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Average

**Altitude >200m?****Height constraint**

Minor

**Slope >12 degrees?****Slope constraint**

Minor

**Constrained in Landscape Capacity Study** **Landscape features**

The site is currently derelict land covered in natural regeneration woodland consisting of self-seeded tree cover including birch, willow and buddleia. It is a level site on the bank of the Gala Water. Footpath access to bridge over Gala Water along north west of site. Wall separating site from garage business along South east boundary of site. Recent access to river bank to repair gabion next to bridge.

**Landscape summary**

LANDSCAPE COMMENTS: Existing derelict site currently offers valuable cover to birds, invertebrates etc. Given the relatively small size of site any development on the site will potentially wipe this habitat out. A semi native landscape scheme in association with any development would mitigate to a small degree this loss but may be contrary to the residential potential of the site. To achieve a capacity in the region of 26 units will require high density flatted accommodation. Keeping the building close to the river will allow the views onto the river to be exploited and could allow the southern side of the site to be developed as communal garden ground. The site location, next to the river, should make this location an attractive place to live.

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

ROADS PLANNING TEAM: No objections to residential development at this site. Vehicular access will be a single junction directly onto Huddersfield Street. Internally, I envisage the road and parking layout to be a courtyard type design.

A strong street frontage onto Huddersfield Street is recommended and a direct pedestrian/cycle link to the footpath leading to the footbridge may be required. This can be explored further through a Transport Statement.

**Contaminated land**

On site

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability****Land use allocations****If yes, what?**

## Site Ref AGALA033

Site name Huddersfield Street

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Galashiels

Site area  
(ha)

0.2

Indicative  
capacity

26

Housing  
SG Status  
Alternative

Average

On site

ED1: Protection of Business and Industrial Land

### Planning and Infrastructure summary

DEVELOPMENT MANAGEMENT: Central and highly accessible. Potentially suitable for multi-storey residential development. Some account needs to be had in a design for adjacent industrial uses (noise etc). However, main issue is flooding. A previous scheme for the site resolved the issue, but requirements are even stricter now, so this could be a very serious difficulty still. Parking requirements will also be an issue given the limitation on site size, though the central location will have a bearing on requirements

SCOTTISH WATER - WWTW: OK

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the developer to enable a connection.

CONTAMINATED LAND OFFICER: The site appears to have been developed with a Woollen Mill. The site is brownfield land and its use may present development constraints.

ECONOMIC DEVELOPMENT: There are issues with this site in terms of SEPA requirements and flood protection from the Gala Water. Mitigation measures for a business use may make the site unviable, unless it is a class 4 office development with parking at ground level. Therefore, housing on this site may be acceptable, but would have to be tested against planning policy.

HOUSING STRATEGY: Supportive of the allocation of the site at Huddersfield Street as a proposed RSL led development for affordable housing.

STRATEGIC TRANSPORT: Connectivity to the new riverside path should be maintained and enhanced where possible.

OUTDOOR ACCESS TEAM: Urban connectivity already exists for pedestrian movement into the town and direct connectivity to the new Black Path

EDUCATION: No issues.

NEIGHBOURHOOD SERVICES: Potential off-site contribution for play.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### Overall assessment

Acceptable

### Summarised conclusion

Whilst the site appears acceptable for residential development in principle, the site is at risk from a 1:200 year flood event. FRA required. Issues such as contamination and habitats would require to be investigated and mitigated.

### Conclusions

**Site Ref AGALA033**

**Site name** Huddersfield Street

**Proposed usage**  
Housing

**SDA**  
Central

**HMA**  
Central

**Settlement**  
Galashiels

**Site area (ha)**  
0.2

**Indicative capacity**  
26

**Housing SG Status**  
Alternative

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The site is at risk from a 1:200 year flood event from surface water and the Gala Water which runs along the north east boundary of the site. Issues relating to contamination and habitats would require to be investigated and mitigated.

**Site Ref** AGALA036

**Site name** Rose Court

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

0.3

**Indicative capacity**

12

**Housing SG Status**

Preferred

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## Initial assessment

**Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy**

The site is located within Central Strategic Development Area and the Central Housing Market Area.

**Initial assessment summary**

There are no initial constraints on the site that would preclude development.

SEPA: Surface water runoff from the nearby hills may be an issue. May require mitigation measures during design stage. Foul water must be connected to the SW network.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

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## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Brownfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** 15/00516/HON - Demolition of 24 No dwelling flats (Approved)

## Site Ref AGALA036

Site name Rose Court

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Galashiels

Site area (ha)

0.3

Indicative capacity

12

Housing SG Status

Preferred

## Accessibility and sustainability assessment

### Access to public transport

Good

### Access to employment

Good

### Access to services

Good

### Wider biodiversity impacts

Moderate

### Site aspect

South

Waverley line contribution required?



### Accessibility and sustainability summary

BIODIVERSITY: Moderate risk - existing structures have low-moderate potential to support protected species such as bats (EPS) and breeding birds. Some tree cover on boundary (landscape planting).

GENERAL COMMENTS: The site is on an existing public road with good vehicular access. The site is in close proximity to the new railway station at Galashiels. There is also a bus stop near to the site with a regular bus service.

## Local impact and integration assessment

### Conservation area

Not applicable

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

Not applicable

### Ancient woodland inventory

Not applicable

### Open space

Not applicable

### Archaeology

Not applicable

### Listed buildings

Not applicable

### Visual relationship/integration with existing settlement

The site is a brownfield site within the settlement boundary of Galashiels, the site was previously occupied by a flatted development. The surrounding land uses are predominantly residential and the site integrates well within the existing settlement.

### Impact on open space

Low

### Impact on archaeology

Low

### Impact on listed buildings

Low

### Local impact and integration summary

ARCHAEOLOGY: No comments.

HERITAGE & DESIGN: No comments.

## Landscape assessment

### NSA

Not applicable

### SLA

Not applicable

### Landscape designation

Minor

### General amenity

Good

### Altitude >200m?



### Height constraint

Minor

### Slope >12 degrees?



### Slope constraint

Minor

Constrained in Landscape Capacity Study

## Site Ref **AGALA036**

Site name Rose Court

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Galashiels

Site area  
(ha)

0.3

Indicative  
capacity

12

Housing  
SG Status

Preferred

### Landscape features

This site is a sloping site with central level area where blocks of flatted accommodation were formerly located - the site clearance is now complete. There is a line of mature trees just outwith the northern boundary. Three mature trees on grassy slope at elevated east end of site. Mature tree on grassy slope at southern apex of site.

### Landscape summary

LANDSCAPE COMMENTS: Twelve units of low level terraced or semi-detached housing does not seem unreasonable and would allow private or community garden space to be included in layout. The site is in an elevated position overlooking the part of the town immediately to the south and the hills on the far side of the valley, including the Eildons. Housing layout and design should therefore fully exploit the southern aspect and expansive views to the south. The existing trees which should be incorporated in to housing layout to maintain amenity. A suitable buffer zone is required to define root protection areas for retained trees.

SNH: No comment.

## Planning and infrastructure assessment

### Physical access/road capacity

Near a trunk road?

ROADS PLANNING TEAM: No objections to residential development on this site. The site benefits from easy access to local services, including public transport, and there is a well-connected system of footpaths in place.

Development can occur generally taking advantage of the existing street infrastructure in place, with parking provided as appropriate. Alternatively the site can be redeveloped with a stronger street presence onto Primrose Bank. It should be noted that any adjustment to the existing road layout is likely to require a stopping-up order as well as Road Construction Consent.

A Transport Statement will be required to address street connectivity and sustainable transport objectives.

### Contaminated land

On/adjacent to site

### HSE consultation

Not applicable

### Water supply

### Sewerage

Yes

### Education provision

Good

### Primary school capacity

Yes

### Secondary school capacity

Yes

### Right of way

Not applicable

### TPOs

Not applicable

### Marketability

Average

### Land use allocations

Not applicable

### If yes, what?

### Planning and Infrastructure summary

DEVELOPMENT MANAGEMENT: This formerly contained multi-storey flats. It is ideal for a replacement, high density residential development. Protection of good trees on/adjacent the site would be a particular issue.

CONTAMINATED LAND OFFICER: A portion of the site appears to have been developed with agricultural buildings before being redeveloped with residential properties. The site is brownfield land and its use may present development constraints.

HOUSING STRATEGY TEAM: The team are supportive of proposed RSL led development of the following sites.



## Site Ref **AGALA036**

Site name Rose Court

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Galashiels

Site area  
(ha)

0.3

Indicative  
capacity

12

Housing  
SG Status

Preferred

STRATEGIC TRANSPORT: No comments.

NETWORK MANAGER: No comments.

OUTDOOR ACCESS TEAM: Connectivity already exists towards the town centre and up to Langlee Woodlands, this should be maintained.

EDUCATION: No issues.

SCOTTISH WATER - WWTW: OK

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the developer to enable a connection.

NEIGHBOURHOOD SERVICES: No comments.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### Overall assessment

**Acceptable**

### Summarised conclusion

An acceptable brownfield site located within development boundary of Galashiels. Contamination and water treatment works issues to be investigated.

### Conclusions

This is an acceptable brownfield site located within the settlement boundary of Galashiels. It is located on an existing public road with good vehicular access. The site is in an elevated position overlooking the part of the town to the south and the hills on the far side of the valley, including the Eildons. Issues relating to contamination and the water treatment works would require to be explored.

**Site Ref AGALA037****Site name** Former Castle Warehouse site**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

0.3

**Indicative capacity**

30

**Housing SG Status**

Preferred

**Initial assessment****Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy**

The site is located within Central Strategic Development Area AND THE Central Housing Market Area.

**Initial assessment summary**

A very small part of the site along the south western boundary is included within the 1:200 year surface water flood risk area.

SEPA: Although no evidence of a culverted watercourse can be found on historic maps we would highlight the potential risk during site investigations. We would stress that no buildings should be constructed over an existing drain/ lade that is to remain active. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. The nearby steep hillslope should also be considered during site design. Foul water must connect to the existing SW foul network.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk. This site may want to consider surface water runoff.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Buildings

**Common Good Land**

Not applicable

**MOD safeguarded area**

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** No relevant planning history.

**Site Ref AGALA037**

**Site name** Former Castle Warehouse site

**Proposed usage**  
Housing

**SDA**  
Central

**HMA**  
Central

**Settlement**  
Galashiels

**Site area (ha)**  
0.3

**Indicative capacity**  
30

**Housing SG Status**  
Preferred

**Accessibility and sustainability assessment**

**Access to public transport**  
Good

**Access to employment**  
Good

**Access to services**  
Good

**Wider biodiversity impacts**  
Moderate

**Site aspect**  
Not applicable

**Waverley line contribution required?**



**Accessibility and sustainability summary**

**BIODIVERSITY:** Moderate risk - existing built structures may have potential to support protected species such as bats (EPS) and breeding birds. Mature trees within the site boundary would need assessment for protected species if to felled or managed.

**GENERAL COMMENTS:** The site is on an existing public road with good vehicular access. The site is in close proximity to the new railway station at Galashiels. The site has good pedestrian access to Langhaugh Lane to the west of site, across Gala Water by footbridge and along relocated Black path on north side of Gala Water. There is also a bus stop relatively near to the site with a regular bus service.

**Local impact and integration assessment**

**Conservation area**  
Not applicable

**Scheduled Ancient Monument**  
Not applicable

**Garden and designed landscape**  
Not applicable

**Ancient woodland inventory**  
Not applicable

**Open space**  
Not applicable

**Archaeology**  
On site

**Listed buildings**  
Not applicable

**Visual relationship/integration with existing settlement**

**Impact on open space**  
Low

**Impact on archaeology**  
Medium

**Impact on listed buildings**  
Low

The site is located within the Galashiels settlement boundary. The site is part of land affected by and left largely redundant after rebuilding of railway embankment through this part of the town. The site is allocated as a business and industrial safeguarded site. Immediately to the south east is sheltered housing apartments set in landscaped gardens and accessed from Glenfield Road West.

**Local impact and integration summary**

**ARCHAEOLOGY:** Previous woollen mill site OS2 area; but first building on site OS5 mill (doesn't look like existing); Steading building in western end of LDP on OS1; Langhaugh Mill complex recorded.

**HERITAGE & DESIGN:** No comments.

Site Ref **AGALA037**

Site name Former Castle Warehouse site

Proposed usage  
Housing

SDA  
Central

HMA  
Central

Settlement  
Galashiels

Site area  
(ha)  
0.3

Indicative  
capacity  
30

Housing  
SG Status  
Preferred

## Landscape assessment

NSA

Not applicable

SLA

Not applicable

Landscape designation

Minor

General amenity

Average

Altitude  
>200m?

Height  
constraint

Minor

Slope >12  
degrees?

Slope  
constraint

Minor

Constrained in Landscape Capacity Study

### Landscape features

LANDSCAPE COMMENTS: The site is flat and located immediately to the north of new Borders Railway embankment. There is prominent and important mature woodland along north boundary and on eastern part of site which is a valuable habitat for birds and invertebrates. The area to the west of site has been engineered as a SUDS scheme as a by-product of railway.

### Landscape summary

LANDSCAPE COMMENTS: The largely cleared nature of the wider site to the north of the railway and its visually detached location means that there is a largely empty palette on which to create a layout. The trees on the sloping bank on the north side and adjoining Glenfield Court need to be retained with suitable root protection buffers. Therefore, a survey of trees on and adjacent to the site will be necessary to establish the developable area of the site and thus, site capacity. It would be advisable for a masterplan brief for the whole site to be developed to establish how this 'severed' site might best work. Some reference to adjacent housing would be beneficial. The site boundary does not fully capture the area now available as defined by the new railway to the south. Allocating this site provides the opportunity to re-define the now redundant industrial land for residential use.

SNH: No comment.

## Planning and infrastructure assessment

### Physical access/road capacity

Near a trunk road?

ROADS PLANNING TEAM: I have no objections to this land being zoned for residential development. A suitable vehicular access exists from Glenfield Road West, and a pedestrian route to the north, via steps, takes you on to Langhaugh Lane and Melrose Road. The existing road into the site will have to be extended and appropriate provision made for parking and vehicle turning. I will also require a new adoptable 'ramped' footpath/cycleway to the north onto Langhaugh Lane to meet (as near as possible) DDA standards.

I would question the size of the area shaded red on the proposed plan and consider it should be made larger to accommodate the adjoining developable land.

A Transport Statement will be required to address sustainable transport issues.

### Contaminated land

On/adjacent to site

### HSE consultation

Not applicable

### Water supply

Limited

### Sewerage

Yes

## Site Ref AGALA037

Site name Former Castle Warehouse site

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Galashiels

Site area  
(ha)

0.3

Indicative  
capacity

30

Housing  
SG Status  
Preferred

### Education provision

Good

### Primary school capacity

Yes

### Secondary school capacity

Yes

### Right of way

Not applicable

### TPOs

Not applicable

### Marketability

Average

### Land use allocations

Not applicable

### If yes, what?

### Planning and Infrastructure summary

DEVELOPMENT MANAGEMENT: The principle of residential development would be acceptable, as it is fairly self-contained, accessible and alongside existing residential properties. Issues would include contamination from past uses, bat/bird survey for demolition of existing buildings, noise and vibration from railway, account for noise/disturbance from adjacent industrial uses (though railway might be enough of a buffer) and trees to east and north. I would also query if the entire wedge between the railway and woodland embankment etc would be better allocated, rather than just the building and pocket of trees alongside it as shown. This would give more flexibility for a better scheme.

CONTAMINATED LAND OFFICER: The site appears to have been developed with a Woollen Mill and an 'Mill' of unspecified use. The site is brownfield land and its use may present development constraints.

HOUSING STRATEGY: I am supportive of proposed RSL led development of the this site. This site is emerging as a front runner for a potential new build extra care housing development for Galashiels.

STRATEGIC TRANSPORT: No comments.

NETWORK MANAGER: No comments.

OUTDOOR ACCESS TEAM: Connectivity to the new Black path and the town exists, check for any enhancement required.

EDUCATION: No issues.

SCOTTISH WATER - WWTW: OK.

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the developer to enable a connection.

NEIGHBOURHOOD SERVICES: Potential off-site contribution for play.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

**Site Ref AGALA037****Site name** Former Castle Warehouse site**Proposed usage**  
Housing**SDA**  
Central**HMA**  
Central**Settlement**  
Galashiels**Site area (ha)**  
0.3**Indicative capacity**  
30**Housing SG Status**  
**Preferred****Overall assessment****Acceptable****Summarised conclusion**

Site relates well to existing settlement and is on an existing public road with good vehicular access. Tree survey required to inform development.

**Conclusions**

The site relates well to the existing settlement, with existing residential properties immediately to the south east and is on an existing public road with good vehicular access. A tree survey would be required to inform the developable area and the consideration of habitats. Issues relating to archaeology, contamination and the local water treatment works would require to be investigated.

## Site Ref **RGALA005**

Site name Winston Road

### Proposed usage

Redevelopment

### SDA

Central

### HMA

Central

### Settlement

Galashiels

Site area  
(ha)

2.5

Indicative  
capacity

114

Housing  
SG Status

Excluded

## Initial assessment

### Floodrisk

1:200

### SAC

Not applicable

### SPA

Not applicable

### SSSI

Not applicable

### Ramsar

Not applicable

### Adjacent to River Tweed?

### International/national designation constraints

Minor

### Structure Plan policy

The site is located within the Central Strategic Development Area and the Central Housing Market Area.

### Initial assessment summary

SEPA: Require an FRA which assesses the risk from the River Tweed. Consideration will need to be given to bridge and culvert structures within and adjacent to the site. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Foul water must be connected to the SW network. The site is immediately adjacent to the Gala STW which incorporates a WML for the sludge dryer. Likely to be odour issues due to proximity of houses. Buffer should be provided in line with SPP guidance, however would be best not to develop for housing given sensitivities.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Small areas of the site are anticipated to be affected by surface water runoff so I would expect the applicant to consider this and show how this risk would be mitigated.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

### Minerals and coal

Not applicable

### NNR

Not applicable

### Prime Quality Agricultural Land

Not applicable

### Current use/s

Combination

### Common Good Land

Not applicable

### MOD safeguarded area

On site

### Aerodrome/Technical Site Safeguarding

Not applicable

### Planning history reference

08/01484/FUL - Erection of 22 metre mono pole supporting 3 no 3G antennas and 2 no transmission dishes, erection of 2 no equipment cabinets and 1 no meter cabinet (APPROVED)

97/05306/FUL - Erection of roof (APPROVED)

## Site Ref RGALA005

Site name Winston Road

Proposed usage

Redevelopment

SDA

Central

HMA

Central

Settlement

Galashiels

Site area  
(ha)

2.5

Indicative  
capacity

114

Housing  
SG Status

Excluded

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Good

Access to services

Good

Wider biodiversity impacts

Moderate

Site aspect

Not applicable

Waverley line  
contribution  
required?



### Accessibility and sustainability summary

BIODIVERSITY: Moderate risk - existing built structures (textile mill) have potential to support protected species such as bats (EPS) and breeding birds. Open ground and area of trees and scrub may support protected species e.g. badger and breeding birds. Small part of site within flood plain of River Tweed SAC/SSSI (SEPA 1 in 200year fluvial flood risk).

SNH: This site is for re-development of an abattoir and a former refuse tip. The proximity of the former refuse tip site (RGALA003) to the River Tweed SAC means that assessment and mitigation of impacts on the SAC will be required. It is not clear what the site requirement "there is moderate biodiversity risk associated with the site which must be given due consideration" refers to. As related site requirements refer to potential for protected species to be present, the supplementary guidance should make clear the need for survey. Further advice on survey is available on the SNH website.

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Not applicable

Archaeology

On/adjacent to site

Listed buildings

Not applicable

Visual relationship/integration with existing settlement

The site relates well with the existing built up area, with existing residential properties to the west and the eastern boundary being contained by the River Tweed. There are, however, adjoining uses, such as the railway line, substation (with overhead lines extending over the site) and sewage works which make this a challenging site. Whilst the principle of residential development would appear to be acceptable, the adjoining uses present constraints which may be difficult to overcome, resulting in potential conflicts of uses.

Impact on open space

Low

Impact on archaeology

Low

Impact on listed buildings

Low

### Local impact and integration summary

HERITAGE & DESIGN: A challenging site for residential use adjacent to the railway line, substation and close to the sewage works. Potentially some housing might be possible overlooking the river.

ARCHAEOLOGY: No comments.



## Site Ref RGALA005

Site name Winston Road

### Proposed usage

Redevelopment

### SDA

Central

### HMA

Central

### Settlement

Galashiels

Site area  
(ha)

2.5

Indicative  
capacity

114

Housing  
SG Status

Excluded

## Landscape assessment

### NSA

Not applicable

### SLA

Not applicable

### Landscape designation

Minor

### General amenity

Average

### Altitude >200m?

### Height constraint

Minor

### Slope >12 degrees?

### Slope constraint

Minor

### Constrained in Landscape Capacity Study

### Landscape features

LANDSCAPE COMMENTS: Fairly level site in elevated location above River Tweed with gently rising ground to N and steep bank down to river on SE side. Site elevation is around 105-110m AOD. Following the closure of the abattoir the site has lain empty and become overgrown. It is 'brownfield' land. To the north of site is Scottish Power Substation and storage yard, with field extending from site boundary up the side of Winston Road and along Melrose Road as far as garage. Line of conifers separating ex-abattoir site from field and storage yard to north. Railway running along base of bank at southern side. Steep partially tree clad bank along east side. Site separated from Winston Rd by line of conifers. 2 attractive deciduous trees in verge to outside of western site boundary. 3/4 mature oak near top of slope down to railway track near SW corner of site and a mature sycamore further to east on same banking. 2 mature sycamores on or just outside SE corner at top of Steeply sloping bank down to Tweed. Trees outside and inside northern boundary adjacent to substation. Overhead HV powerlines on various sizes of pylons overrunning site in SE and SW directions. Attractive views out over Tweed with Eildon Hills beyond. Existing trees have value for birds and invertebrates. Potential for woodland restoration on steep slopes to River Tweed and on slope overlooking railway.

### Landscape summary

LANDSCAPE COMMENTS: Capacity depends upon the wayleaves required for OH powerlines and this may take out parts of the site. Environmentally there are few limits although existing trees within site on S and near E side should be retained to provide setting and minimise impacts on River Tweed adjoining. Development should be concentrated in NW and central southern part of site not overrun by powerlines. Opportunities to strengthen tree planting in NE corner and establish a green heart to the development along line of Powerline running SW from substation. Development should be pulled back from eastern boundary to avoid imposing on River Tweed.

## Planning and infrastructure assessment

### Physical access/road capacity

### Near a trunk road?

ROADS PLANNING TEAM: I have no objections in principle to the regeneration of this site. There needs to be two public road access points from Winston Road into the site, and internally a connected street layout is required. A strong street frontage onto Winston Road is recommended. A footway on the east side of Winston Road from Melrose Road to the road bridge over the railway line will be required and pedestrian crossing points will be needed in Winston Road, the locations of which can be determined through A Transport Assessment for the site.

### Contaminated land

On site

### HSE consultation

On site

### Water supply

Yes

### Sewerage

Yes

### Education provision

Good

### Primary school capacity

Yes

### Secondary school capacity

Yes

### Right of way

Not applicable

### TPOs

Not applicable

**Site Ref RGALA005**

Site name Winston Road

**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

2.5

**Indicative capacity**

114

**Housing SG Status**

Excluded

**Marketability**

Average

**Land use allocations**

On site

**If yes, what?****Planning and Infrastructure summary**

DEVELOPMENT MANAGEMENT: Provisional enquiry on the site (16/00330/PREAPP) for residential development on the site. The following comments were made in relation to the provisional enquiry: Removing the abattoir and redeveloping the entire site will remove the problem of conflict of uses within the site itself so, on the basis the entire site is redeveloped for housing, then the broad principle is worth exploring. However, a key issue is potential conflict with adjacent uses. These include the substation site (noise, vibration, overhead lines), sewage works (odours) and railway line (noise/vibration). Any development proposal will firmly need to demonstrate that account has been had for these uses and potential constraints in the development layout. The LDP cautions against residential development because of the nature of adjoining uses. It is up to a developer to demonstrate that the site will be capable of development that does not conflict with adjoining uses, and that the development will deliver benefits that outweigh its LDP allocation. It should be noted that a play area would be required on site, and that a flood risk assessment would not be required. In terms of other uses, the site has the potential for uses in Classes 4-6 or similar given its history and proximity to substation and sewerage works, albeit care would be needed over amenity impacts on residential properties to the west.

STRATEGIC TRANSPORT: A proposal for a roundabout at the junction of Winston Road and Melrose Road should be considered. The proposal provides an opportunity to upgrade the existing pedestrian/cycling network in the area and provide good links to the existing black path and the two local rail stations.

NETWORK MANAGER: No comments.

OUTDOOR ACCESS TEAM: No comments.

CONTAMINATED LAND OFFICER: The site appears to have been used as a 'refuse tip'. The site is brownfield land and its use may present development constraints.

ECONOMIC DEVELOPMENT: We advocate support for retention of employment uses on this site, as there is currently little available business land in the town. As the site is adjacent to and part of allocated site RGALA003, we would suggest this is developed as a single site and RGALA003 Site Requirements should apply to this overall site.

HOUSING STRATEGY: No comments.

SCOTTISH WATER - WWTW: No issues.

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the developer to enable a connection.

EDUCATION: No issues.

NEIGHBOURHOOD SERVICES: Possibly a currently maintained roadside grass verge included in within the site.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

**Site Ref** RGALA005**Site name** Winston Road**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

2.5

**Indicative capacity**

114

**Housing SG Status****Excluded**

GENERAL COMMENTS: There are existing overhead pylons within the site. The site is also within an exclusion zone with gas pipeline running on eastern boundary of the site. The site has also been used as a old refuse tip and abattoir and therefore an assessment would be required to check for contamination fo the site and any remediation works which may be needed.

## Overall assessment

**Overall assessment****Doubtful****Summarised conclusion**

Principle of residential development acceptable however adjoining uses would potentially raise conflicts of uses.

**Conclusions**

The location of the site is acceptable in principle for residential development. However, a key issue is potential conflict with adjacent uses. These include the substation site (noise, vibration, overhead lines), sewage works (odours), railway line (noise/vibration) and an exclusion zone with gas pipeline running on eastern boundary of the site. These are all issues which would require to be explored in great detail by the developer. A Flood Risk Assessment would be required. There is moderate biodiversity risk. Assessment and mitigation of impact on SAC required. Capacity of the site would depend upon the wayleaves required for OH powerlines and this may take out parts of the site. Environmentally there are few limits although existing trees within the site on the south and and near eastern side should be retained to provide setting and minimise impacts on River Tweed adjoining. A Transport Assessment would be required. Contamination would require to be investigated and mitigated.

**Site Ref** RGALA006

**Site name** Borders College Site

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

1.2

**Indicative capacity**

50

**Housing SG Status**

Not Applicable

## Initial assessment

**Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy**

The site is located within the Central Strategic Development Area and the Central Housing Market Area.

**Initial assessment summary**

SEPA: Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Foul water must be connected to the SW network.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. There are small signs of surface water build up in the current car park, so this should be considered.

This site was submitted as part of the Call for Sites process, the site is already included within the Local Development Plan as a redevelopment opportunity. As part of the Housing SG process the site has been reassessed to establish its housing potential. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Buildings

**Common Good Land**

Not applicable

**MOD safeguarded area**

On/Adjacent to site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference**

99/01308/FUL - Erection of lift shaft and link corridor(approved)

99/01462/FUL - Demolition of temporary classrooms and erection of special needs unit (approved)

## Site Ref RGALA006

Site name Borders College Site

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Galashiels

### Site area (ha)

1.2

### Indicative capacity

50

### Housing SG Status

Not Applicable

## Accessibility and sustainability assessment

### Access to public transport

Good

### Access to employment

Good

### Access to services

Good

### Wider biodiversity impacts

Moderate

### Site aspect

Not applicable

### Waverley line contribution required?



### Accessibility and sustainability summary

BIODIVERSITY: Moderate risk - existing built structures (college buildings) have potential to support protected species such as bats (EPS) and breeding birds. The site is adjacent to mature broad-leaved trees on boundary. Safeguard boundary features.

GENERAL COMMENTS: The site is located within Galashiels with a range of shops and services nearby. The site also has good access to bus and rail links within the town.

## Local impact and integration assessment

### Conservation area

Not applicable

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

Not applicable

### Ancient woodland inventory

Not applicable

### Open space

Not applicable

### Archaeology

On/adjacent to site

### Listed buildings

On site

### Visual relationship/integration with existing settlement

The site is within the development boundary of Galashiels and is allocated within the Local Development Plan as a redevelopment opportunity. The site is located in the centre of the settlement with surrounding land uses being predominantly residential.

### Impact on open space

Low

### Impact on archaeology

Medium

### Impact on listed buildings

Medium

### Local impact and integration summary

ARCHAEOLOGY: There are two primary archaeology elements to the site, and one secondary. First, the former Gala Academy incorporates an early 19th century mansion house formerly known as Oaklee. This was likely a mansion built by one of the early mill owners. Similarly, the area incorporates the later 19th century and C Listed Thorniedean House. Finally the old Gala Academy is of local historic interest. None of this precludes development, but there may be some requirements for historic building recording if these are ultimately altered/demolished.

HERITAGE AND DESIGN: The part to the NW of Langhaugh Lane was of course the Old Gala Academy building which incorporated parts of an earlier Victorian villa, Oaklea. Potentially this part of the site could be redeveloped for residential use possibly up to 3 stories reflecting the current scale of the building as a flatted development rather than individual plots. The part to the SE is more tricky as Thornfield House is listed category C and whilst it has been empty and unused for a number of years, the presumption is that the listed building would be retained. Any residential scheme should aim to retain and reuse the building and take account both of its setting and also effectively that residential new build could be considered as enabling development to cross fund the listed building. Phasing, staged completion would need to be considered to ensure that the listed building was addressed at an early stage of the scheme. It should be noted that ultimately not every listed building can be saved and it would be open to any potential developer to seek to make a case for demolition based on the "SHEP" tests.

**Site Ref RGALA006**

Site name Borders College Site

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area (ha)**

1.2

**Indicative capacity**

50

**Housing SG Status**

Not Applicable

**Landscape assessment****NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Average

**Altitude >200m?****Height constraint**

Minor

**Slope >12 degrees?****Slope constraint**

Minor

**Constrained in Landscape Capacity Study** **Landscape features**

LANDSCAPE COMMENTS: Site gently sloping to south but no major changes in level across site. Redundant college buildings, (previous Galashiels Academy to west side of Langhaugh Lane and a detached villa which was incorporated into the college at an earlier date). The buildings fronting onto Melrose Road are the long since adapted residential villas that first occupied the site and slowly extended eastwards along this part of Melrose Road. Various extensions and additions have engulfed the original detached buildings although the villa to the east of Langhaugh Lane still retains much of its stature.

**Landscape summary**

LANDSCAPE COMMENTS: There is a belt of woodland along the majority of the southern boundary that provides screening and separation from the industrial units below. The woodland belt along the southern boundary offers good habitat for birds, bats and invertebrates as well as valuable screening and separation from industrial units to the south. There is potential for this site to be developed for apartment style living, with either parts of one or two of the older building adapted for this purpose, with complementary new build apartments to the south side of the site.

SNH: While the site may be visible from the NSA, due to its location and as it is redevelopment of an existing site, we do not consider it likely that it would affect either designated site.

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

ROADS PLANNING TEAM: This site is part of a larger site zoned for redevelopment in the LDP (Site zRO202) and there is a planning brief referring to how the site can be developed. With the principle of development already established I am happy to offer my support for a housing allocation on the site in question here.

Development of the site will have to offer integration and connectivity with the residual part of site zRO202 in terms of access, parking and pedestrian/cycle connectivity. Similarly, the adoptable street network will have to extend sufficiently to allow adoptable pedestrian/cycle connectivity with the development site to the south east (Site AGALA037 – former Castle Warehouse site). A Transport Assessment will be required.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Not applicable

**TPOs**

Not applicable

## Site Ref **RGALA006**

Site name Borders College Site

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Galashiels

### Site area (ha)

1.2

### Indicative capacity

50

### Housing SG Status

Not Applicable

### Marketability

Average

### Land use allocations

On site

### If yes, what?

ED5: Regeneration

### Planning and Infrastructure summary

DEVELOPMENT MANAGEMENT: Applying a capacity to the site will be very helpful. It has quite a suburban surrounding context though, so a modest density would ordinarily have been sought. There is also the setting of the Listed Building on site to consider too. But then it also has the large college buildings already on it, and is fairly accessible from the town centre, so suggesting higher density will work on at least the site of the main buildings. It may be that a mix of modest and higher density will work best. I cannot, though, say if '50' is the right number as it depends on the type of development (i.e. whether flats/houses/or a mix and also the extent of conversion and new-build involved). The level of car parking will have to be high to serve that number and that will have visual implications and there may be some negotiation needed anyway in terms of parking numbers given the accessibility of the site from the town centre. Therefore, if a number is being put on it, I would qualify that this depends on whether an appropriate site layout and scale of built development can be achieved in a manner which respects the neighbouring context, the setting of the Listed Building on site, protects adjacent woodland and achieves the necessary level of parking in a visually sympathetic manner.

SCOTTISH WATER - WWTW: No issues.

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the developer to enable a connection.

CONTAMINATED LAND OFFICER: The site appears to have been developed with a school (Galashiels Academy). The site is brownfield land and its use may present development constraints.

ECONOMIC DEVELOPMENT: Development proposals have already been set through the Planning Brief for the site, which recommends 68 units. However, this includes sites E & F which are owned and now occupied by Live Borders so it is unlikely they will be developed in the short to medium term. Therefore by excluding this part of the site, as shown on plan RGALA006, then a capacity of 50 units would seem a fair assessment.

HOUSING STRATEGY: It would be great to see the site redeveloped, as it really detracts from what is an otherwise attractive and sought after part of town.

STRATEGIC TRANSPORT: No comments.

EDUCATION: No issues.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### Overall assessment

Acceptable

### Summarised conclusion

There are no major constraints which preclude development, however there are a range of minor issues which would need to be addressed. As the site is already allocated in the LDP and included in the Housing Land Audit it is not being taken forward into the Housing SG as the site would not add any additional units to the housing land supply.

**Site Ref RGALA006****Site name** Borders College Site**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Galashiels

**Site area  
(ha)**

1.2

**Indicative  
capacity**

50

**Housing  
SG Status****Not Applicable****Conclusions**

This site is allocated within the Local Development Plan as a redevelopment opportunity (zRO202) - although the allocation covers a larger area taking in land to the north west. No indicative capacity is stated within the Local Development Plan and this process has allowed the site to be assessed to establish its housing potential. The site is considered appropriate for residential development as the surrounding land uses are predominantly residential. There is an approved planning brief for the site which includes various considerations and requirements for development of the site. It should also be noted that due to the identified surface water hazard on the site SEPA request this should be investigated further and recommend contact is made with Flood Prevention Officer. Although this site has been assessed as acceptable the site has not been taken forward into the Housing Supplementary Guidance as the site is already included within the Housing Land Audit. Therefore including the site would not add any additional units to the housing land supply.



**Site Ref** AHAWI025

**Site name** Leishman Place

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area (ha)**

0.2

**Indicative capacity**

5

**Housing SG Status**

Preferred

## Initial assessment

**Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy** The site is located within the Central Strategic Development Area.

**Initial assessment summary** There are no initial assessment constraints which preclude development.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Brownfield

**Common Good Land MOD safeguarded area**

Not applicable

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** 08/02116/HON - Demolition of block of flats; 06/01482/HON - Demolition of three blocks of flats.

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line contribution required?**

**Accessibility and sustainability summary**

ACCESSIBILITY: The site is located within Hawick's settlement boundary, at Burnfoot. The site is within 2 km of Hawick High Street. A wide range of facilities and services are available within Hawick, including a number of key services within Burnfoot. Hawick has regular bus services to several towns in the Borders, and to Edinburgh and Carlisle.

The site consists primarily of amenity grassland. There are no significant biodiversity issues.

Site Ref **AHAWI025**

Site name Leishman Place

Proposed usage  
Housing

SDA  
Central

HMA  
Central

Settlement  
Hawick

Site area (ha)  
0.2

Indicative capacity  
5

Housing SG Status  
Preferred

## Local impact and integration assessment

**Conservation area**  
Not applicable

**Scheduled Ancient Monument**  
Not applicable

**Garden and designed landscape**  
Not applicable

**Ancient woodland inventory**  
Not applicable

**Open space**  
On site

**Archaeology**  
Not applicable

**Listed buildings**  
Not applicable

**Visual relationship/integration with existing settlement**

The site sits within the settlement boundary of Hawick, in an area within the Burnfoot estate which is primarily in residential use. An appropriately designed residential development in this location would relate well with the surrounding area.

**Impact on open space**  
Medium

**Impact on archaeology**  
Low

**Impact on listed buildings**  
Low

### Local impact and integration summary

DEVELOPMENT MANAGEMENT: The site was previously occupied by flats but these have been demolished. Residential would therefore be an appropriate use, though any development should respect the scale of surrounding properties and be designed and sited so as to ensure that no overlooking or loss of light occurs to neighbouring properties.

## Landscape assessment

**NSA**  
Not applicable

**SLA**  
Not applicable

**Landscape designation**  
Minor

**General amenity**  
Poor

**Altitude >200m?**

**Height constraint**  
Minor

**Slope >12 degrees?**

**Slope constraint**  
Moderate

**Constrained in Landscape Capacity Study**

**Landscape features** There are boundary trees to the south and east of the southern-most of the two portions of the site. The site is also sloping. The site consists mainly of amenity grassland.

**Landscape summary** LANDSCAPE OFFICER: The northern portion (area A) is suitable for residential development that would tie in with adjoining houses. The portion to the south (area B) the road is very small and has various boundary trees which further reduce developable area. Area B is considered unsuitable for development.

## Planning and infrastructure assessment

**Physical access/road capacity**

**Near a trunk road?**

## Site Ref AHAWI025

Site name Leishman Place

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Hawick

Site area  
(ha)

0.2

Indicative  
capacity

5

Housing  
SG Status  
Preferred

ROADS DM: No objections to housing on either of these sites. The site to the south of Leishman Place previously had dwellings on it. Strong street frontages should be encouraged. Appropriate off-street parking would be preferred as there is none in the immediate vicinity and depending on the level of development, the existing road layout may not cater for on-street parking only.

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Yes

### Sewerage

Yes

### Education provision

Good

### Primary school capacity

Yes

### Secondary school capacity

Yes

### Right of way

Not applicable

### TPOs

Not applicable

### Marketability

Poor

### Land use allocations

Not applicable

### If yes, what?

### Planning and Infrastructure summary

ENVIRONMENTAL HEALTH (CONTAMINATION): The site appears to have remained undeveloped until recent residential use. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

SEPA COMMENTS: Foul drainage must connect to SW foul sewer network for Hawick STW.

Marketability has been classed as poor, but the applicant is an RSL and private sector demand is therefore not a requirement to the site being brought forward.

## Overall assessment

### Overall assessment

Acceptable

### Summarised conclusion

The site is located within Hawick settlement boundary and scores well in the assessments.

### Conclusions

The site has been considered as part of the Housing SG. An initial stage 1 assessment was undertaken, followed by a full site assessment and consultation process.

The site consists of two portions of land, one to the north-west of Leishman Place, Hawick and another to the south-east. The site relates well to neighbouring uses and its built and natural environment and benefits from good access to services.

There are no roads access issues. There is a preference for appropriate off-street parking as there is none in the immediate vicinity and depending on the level of development, the existing road layout may not cater for on-street parking only.

Overall, the site is considered appropriate for housing development subject to a number of points which can be covered through by any accompanying site requirements.

**Site Ref** AHAWI026

**Site name** Henderson Road

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area (ha)**

0.2

**Indicative capacity**

6

**Housing SG Status**

Preferred

## Initial assessment

**Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy** The site is located within the Central Strategic Development Area.

**Initial assessment summary** There are no initial assessment constraints which preclude development.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area**

Not applicable

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** None

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

Not applicable

**Waverley line contribution required?**

**Accessibility and sustainability summary**

ACCESSIBILITY: The site is located within Hawick's settlement boundary, at Burnfoot. The site is less than 2 km from Hawick High Street. A wide range of facilities and services are available within Hawick, including a number of key services within Burnfoot. Hawick has regular bus services to several towns in the Borders, as well as Edinburgh and Carlisle.

ECOLOGY OFFICER: Biodiversity Risk: Minor. Amenity grassland adjacent to garden ground. Hedgerow on NE boundary. No significant biodiversity issues.

Site Ref **AHAWI026**

Site name Henderson Road

Proposed usage  
Housing

SDA  
Central

HMA  
Central

Settlement  
Hawick

Site area  
(ha)  
0.2

Indicative  
capacity  
6

Housing  
SG Status  
Preferred

## Local impact and integration assessment

### Conservation area

Not applicable

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

Not applicable

### Ancient woodland inventory

Not applicable

### Open space

On site

### Archaeology

Not applicable

### Listed buildings

Not applicable

### Visual relationship/integration with existing settlement

The site sits on the edge of Hawick, within the Burnfoot estate. The wider area to the south is broadly in residential use but the site borders open fields to the north east and north west.

### Impact on open space

Medium

### Impact on archaeology

Low

### Impact on listed buildings

Low

### Local impact and integration summary

DM: This site is on the edge of Hawick within a residential area. Residential use would therefore be appropriate. As this site is prominent from the B6359 a high quality of design and materials would be required and any development should be designed and sited so as to ensure that no overlooking or loss of light occurs to neighbouring properties.

HOUSING OFFICER: Site better left as amenity space than development site.

## Landscape assessment

### NSA

Not applicable

### SLA

Adjacent to site

### Landscape designation

Minor

### General amenity

Good

### Altitude >200m?

### Height constraint

Minor

### Slope >12 degrees?

### Slope constraint

Minor

Constrained in Landscape Capacity Study

### Landscape features

The site consists mainly of amenity grassland. There are 2 semi mature trees at the northern corner of the site. The site forms part of the edge of settlement for Hawick.

### Landscape summary

LANDSCAPE OFFICER: Suitable for residential development that is in keeping with adjoining housing. Edge of settlement location and views on approach from B6359 indicate need for strengthening of planting structure on NE boundary. Site is also visible, at a distance from the A7 as it enters Hawick at Galalaw.

## Planning and infrastructure assessment

Physical access/road capacity

Near a trunk road?

## Site Ref AHAWI026

Site name Henderson Road

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Hawick

Site area  
(ha)

0.2

Indicative  
capacity

6

Housing  
SG Status  
Preferred

ROADS DM: No objections to housing on this site provided pedestrian linkage with Boonraw Road is retained and appropriate parking levels are included. An alternative location for the local recycling facility is likely to be required.

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Yes

### Sewerage

Yes

### Education provision

Good

### Primary school capacity

Yes

### Secondary school capacity

Yes

### Right of way

Not applicable

### TPOs

Not applicable

### Marketability

Poor

### Land use allocations

Adjacent to site

### If yes, what?

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

### Planning and Infrastructure summary

ENVIRONMENTAL HEALTH (CONTAMINATION): The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

SEPA COMMENTS: Foul drainage must connect to SW foul sewer network for Hawick STW.

Marketability has been classed as poor, but the applicant is an RSL and private sector demand is therefore not a requirement to the site being brought forward.

## Overall assessment

### Overall assessment

Acceptable

### Summarised conclusion

The site is located within Hawick settlement boundary and scores well in the assessments.

### Conclusions

The site has been considered as part of the Housing SG. An initial stage 1 assessment was undertaken, followed by a full site assessment and consultation process.

The site sits on the edge of Hawick and benefits from good access to services and employment. There are no significant biodiversity, sustainability, heritage or visual impact issues anticipated. Development of the site would result in a loss of green space. Structure planting on the NE boundary will be required, including the retention of existing trees.

There are no infrastructure constraints provided pedestrian linkage to Boonraw Road is retained, appropriate parking is included, and SEPA require foul drainage to be connected to SW foul sewer network for Hawick STW.

A recycling point currently located at the site may need to be removed or relocated.

Overall, the site is considered appropriate for housing development subject to a number of points which can be covered through by any accompanying site requirements.

**Site Ref** AHAWI027

**Site name** Burnfoot (Phase 1)

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area (ha)**

4.9

**Indicative capacity**

60

**Housing SG Status**  
Alternative

## Initial assessment

**Floodrisk**

1:100

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy**

The site is located within the Central Strategic Development Area.

**Initial assessment summary**

SEPA COMMENTS: Historic maps show a watercourse flowing through the middle of the site which may now be culverted. We require an FRA which assesses the risk from this culverted watercourse. Buildings must not be constructed over an existing drain (including a field drain) that is to remain active. Review of the surface water 1 in 200 year flood map shows that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. This information is not requested in the 2013 Proposed Plan (adopted May 2016).

SBC FLOOD PROTECTION OFFICER: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk. This site will want to consider surface water runoff as the South of the site is shown to be affected by pluvial flooding at a 1 in 200 year flood event.

FLOODING SUMMARY: A Flood Risk Assessment is required to assess the risk from a watercourse which may run through the site (possibly culverted). Buildings must not be constructed over any existing drain (e.g. field drain). Consideration should be given to the potential for surface water runoff in the south of the site, as per SEPA's 1 in 200 year surface water flood risk mapping.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** None

**Site Ref AHAWI027**

Site name Burnfoot (Phase 1)

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area (ha)**

4.9

**Indicative capacity**

60

**Housing SG Status**

Alternative

**Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South-west

**Waverley line contribution required?****Accessibility and sustainability summary**

ECOLOGY OFFICER: Biodiversity Risk: Minor. Predominantly arable field. Trees and scrub on boundary. Area of rank semi-natural neutral grassland in SW corner. Mitigation for breeding birds and other protected species. No significant biodiversity issues.

ACCESSIBILITY: The site is located adjacent to Hawick's settlement boundary, at Burnfoot. The site is less than 2 km from Hawick High Street. A wide range of facilities and services are available within Hawick, including a number of key services within Burnfoot. Hawick has regular bus service to several places in the Borders, as well as Edinburgh and Carlisle.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Adjacent to site

**Archaeology**

Not applicable

**Listed buildings**

Adjacent to site

**Visual relationship/integration with existing settlement**

The site is located on the edge of Hawick, outwith the settlement boundary. The site is visible from the B6359 and the A7. There is no natural boundary to the north-east of the site. The Local Development Plan allocates land to the north-east for Business and Industrial use. The relationship between the site and the settlement and local area is satisfactory, but the site boundary to the north-east requires careful consideration.

**Impact on open space**

Low

**Impact on archaeology**

Low

**Impact on listed buildings**

Low

**Local impact and integration summary**

PARKS OFFICER: Possibly currently maintained roadside grass verges included within site. Would be no issues if lost. Potential for on-site play provision.

BUILT HERITAGE OFFICER: Significant site on edge of town at "arrival" point. Site set down below A7 so roofscape will be important. Careful consideration needed as to the extent of the site both initially and potentially in the future as the proposed NE boundary is not a landscape feature.

The proposed development should not impact on the setting of the B listed building at Burnhead Tower.



Site Ref **AHAWI027**

Site name Burnfoot (Phase 1)

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Hawick

Site area  
(ha)

4.9

Indicative  
capacity

60

Housing  
SG Status  
Alternative

## Landscape assessment

NSA

Not applicable

SLA

Adjacent to site

Landscape designation

Moderate

General amenity

Average

Altitude  
>200m?

Height  
constraint

Minor

Slope >12  
degrees?

Slope  
constraint

Moderate

Constrained in Landscape Capacity Study

### Landscape features

Steep to moderately sloping to flat, mostly SE facing land between the A7 and the B6359 on the NE outskirts of Hawick. Mostly arable land but including an area of unfarmed wetland on the W side plus steeply sloping, partly wooded banks below the adjoining roads.

### Landscape summary

LANDSCAPE OFFICER: The site indicated is not all developable. Protection of views to and from surrounding roads, avoidance of steeper ground along NW side and avoidance of wetland area to W of site all limit developable area.

SNH: This prominent site lies outwith the current settlement boundary as shown in the LDP but is included as a longer-term safeguard (SHAWI003). Justification for the eastern boundary of the site is unclear – there are no obvious physical features and it appears likely that the site would extend to the field boundary opposite Burnhead. When considered alongside adjacent allocations in the LDP it appears that a design framework for the north of Hawick is required to co-ordinate issues between sites in this area of significant change. If taken forward individually, we would strongly advocate a site brief for this site.

## Planning and infrastructure assessment

Physical access/road capacity

Near a trunk road?

ROADS DM: Access is achievable off the B6359, with pedestrian linkage required to the bus laybys on A7 by the roundabout. A footway will also be required on the north west side of the B6359 to tie-in with A7 footways. Any layout will have to facilitate projections into the adjoining land to the north east (BHAWI001). Whilst there may be some benefits in direct vehicular access to the roundabout on the A7 this is unlikely to be supported by Transport Scotland as trunk road authority and it is not an absolute requirement for the development of this site.

Any development will have to incorporate the principles of 'Designing Streets' in terms of layout and design and there is an opportunity to create a street-feel onto the B6359.

A Transport Assessment will be required for this level of development.

Contaminated land

On site

HSE consultation

Not applicable

Water supply

Yes

Sewerage

Yes

Education provision

Good

Primary school capacity

Yes

Secondary school capacity

Yes

Right of way

Not applicable

TPOs

Not applicable

## Site Ref AHAWI027

Site name Burnfoot (Phase 1)

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Hawick

Site area  
(ha)

4.9

Indicative  
capacity

60

Housing  
SG Status  
Alternative

### Marketability

Poor

### Land use allocations

On site

### If yes, what?

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

### Planning and Infrastructure summary

ENVIRONMENTAL HEALTH (CONTAMINATION): The site appears to have remained undeveloped throughout the map extracts reviewed with the exception of a water course intersecting the site. This appears to have subsequently been infilled. The site is brownfield land and its use may present development constraints

SEPA COMMENTS: Foul drainage must connect to SW foul sewer network for Hawick STW.

ACCESS OFFICER: Connecting footways to be incorporated into this area to link pedestrian use from Henderson Road B6359 Gala Law road and A7 to paths to Gala Law Industrial area and Gala law footpaths.

TRANSPORT SCOTLAND: We would like to discuss the access strategy for this site as it appears to be located adjacent to the A7 trunk road.

STRATEGIC TRANSPORT OFFICER: Opportunity to create better pedestrian/cycling access along the B6359 and also to provide connectivity to the A7 and the rest of Burnfoot.

## Overall assessment

### Overall assessment

Acceptable

### Summarised conclusion

The site is located within Hawick settlement boundary and scores well in the assessments.

### Conclusions

The site has been considered as part of the Housing SG. An initial stage 1 assessment was undertaken, followed by a full site assessment and consultation process.

This site is currently identified as having longer term housing potential in the LDP. The site sits outwith Hawick but is effectively encircled the town's development boundary on all sides, including to the north-east of the site, which is allocated for employment use.

The site's relationship with Hawick is acceptable, but careful consideration of that NE boundary and connectivity and boundary treatment between the sites is required. Accessibility within the town, and to neighbouring towns is good.

In landscape terms, the site is acceptable but not all will be developable. Protection of views and attention to the site's boundary to the NE will be required. Up to half the site could need to be given over to landscaping or SUDS, or lost due to being steeply sloping ground on the periphery of the site. Although the LDP longer term site has a capacity of 100 units this does not account for these constraints. In practice the site capacity is around 60 units.

A Flood Risk Assessment is required in order to assess the risk from a watercourse which is understood to run through the site and may be culverted. Consideration should be given to the potential for surface water runoff in the south of the site, as per SEPA's 1 in 200 year surface water flood risk mapping.

There are no significant biodiversity issues, but mitigation for protected species would be required and may be necessary. There is potential for on-site play provision.

**Site Ref** AHAWI027

**Site name** Burnfoot (Phase 1)

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area  
(ha)**

4.9

**Indicative  
capacity**

60

**Housing  
SG Status**

Alternative

---

In summary, with the possible exception of market demand/ marketability, there are no constraints to development.

**Site Ref** RHAWI011

**Site name** Factory, Fairhurst Drive

**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area  
(ha)**

0.5

**Indicative  
capacity**

10

**Housing  
SG Status**  
Preferred

## Initial assessment

**Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy**

The site is located within the Central Strategic Development Area and the Central Housing Market Area.

**Initial assessment  
summary**

SEPA COMMENTS (FLOODING): Surface water runoff from the nearby hills may be an issue. May require mitigation measures during design stage.

SBC FLOODING TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk.

SUMMARY: The initial assessment criteria do not raise any issues that would preclude development. SEPA have suggested that there may be potential for surface water runoff issues from nearby hills, which would require mitigation measures during the planning application and design stage.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Combination

**Common Good Land**

Not applicable

**MOD safeguarded area**

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference**

11/01603/FUL - Change of use of land to incorporate siting of 15 storage containers for leasing [temporary]  
08/00693/OUT - Residential development  
08/00970/OUT - Erection of dwellinghouse [adjacent garage site]

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Moderate

**Site aspect**

Not applicable

**Waverley line  
contribution  
required?**

## Site Ref RHAWI011

Site name Factory, Fairhurst Drive

### Proposed usage

Redevelopment

### SDA

Central

### HMA

Central

### Settlement

Hawick

Site area  
(ha)

0.5

Indicative  
capacity

10

Housing  
SG Status  
Preferred

### Accessibility and sustainability summary

ACCESSIBILITY: The site is located within Hawick's settlement boundary, at Burnfoot. The northern portion of the site drops slightly to the south. The site is less than 2 km from Hawick High Street. A wide range of facilities and services are available within Hawick, including a number of key services within Burnfoot. Hawick has regular bus services to several towns in the Borders, and Edinburgh and Carlisle.

ECOLOGY: Biodiversity Risk: Moderate. Existing built structures have potential to support protected species such as bats (EPS) and breeding birds. Area of rank grassland/ tall ruderals. Landscape planting on boundary.

## Local impact and integration assessment

### Conservation area

Not applicable

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

Not applicable

### Ancient woodland inventory

Not applicable

### Open space

Not applicable

### Archaeology

Not applicable

### Listed buildings

Not applicable

### Visual relationship/integration with existing settlement

There are no visual impact issues. The development of the site for housing would be expected to improve visual amenity.

### Impact on open space

Low

### Impact on archaeology

Low

### Impact on listed buildings

Low

### Local impact and integration summary

PARKS SERVICE: Potential off-site contribution for play.

There are no visual impact issues. The neighbouring land uses are varied, with residential properties to the north, storage and manufacturing to the east, and sui generis motor garage use to the west. A tree buffer to the west of the site would help separate the site from the neighbouring garage use.

The local impact and integration criteria raise no issues that would preclude development at the site.

## Landscape assessment

### NSA

Not applicable

### SLA

Not applicable

### Landscape designation

Minor

### General amenity

Poor

Altitude  
>200m?

Height  
constraint

Moderate

Slope >12  
degrees?

Slope  
constraint

Minor

### Constrained in Landscape Capacity Study

### Landscape features

The main feature is a strip of structure planting woodland on the southern boundary of an estimated age of 20-25 years. If left undeveloped, most of site will gradually convert to woodland. The current vegetation cover provides wildlife habitat value which would be lost if site developed.

**Site Ref RHAWI011**

Site name Factory, Fairhurst Drive

**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area (ha)**

0.5

**Indicative capacity**

10

**Housing SG Status**

Preferred

**Landscape summary** LANDSCAPE OFFICER: The Site is suitable for residential development similar to that adjoining the site, but a 15m buffer zone is recommended along the S boundary to reduce conflict / shading issues associated with adjoining woodland. Given its existing wildlife value and likely use for informal recreation by children coupled with the expected conflicts with a developing woodland on the S boundary, this site may be better held in reserve.

## Planning and infrastructure assessment

**Physical access/road capacity****Near a trunk road?** 

ROADS DM: This site had outline permission for residential development (08/00693/OUT and 08/00928/OUT). I am in support of the redevelopment of the site subject to my usual requirements for parking and a 'Designing Streets type' layout. A connected street layout would be preferred over a cul-de-sac arrangement and a 'street-feel' on to Fairhurst Drive is recommended. The existing footway on the south side of Fairhurst Drive will have to extend to tie in with the footway in Wilson Drive and a direct pedestrian link onto Wilson Drive is desirable.

**Contaminated land**

On site

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Poor

**Land use allocations**

On/Adjacent to site

**If yes, what?**

PMD3: Land Use Allocations

**Planning and Infrastructure summary**

ENVIRONMENTAL HEALTH (CONTAMINATION): The site appears to have been developed as an unspecified 'factory'. The site is brownfield land and its use may present development constraints.

ECONOMIC DEVELOPMENT: We would suggest that this site is retained for continued employment uses, rather than lose it to housing redevelopment. We are aware that the extension of the Borders railway to Hawick, and beyond, is under consideration and feel this needs to be considered in association with this site, as it is possible the route could impact on its southern edge, especially if the alignment changes.

SEPA COMMENTS (WATER ENVIRONMENT): Foul drainage must connect to SW foul sewer network for Hawick STW

Comments from Economic Development are noted. There has been discussion with the Strategic Transport Officer on the potential impact on any extension of the Borders Railway to Hawick. The requirement of a buffer strip along the Southern boundary would be considered to reasonably address the potential for the railway route and its associated embanking to cross this part of the site. Regarding the preference for retaining the site for employment use, it is considered that there is an ample supply of available employment land in the Hawick area, including sites within Burnfoot and nearby Galalaw industrial estate.

There are overhead lines running through the site.

**Site Ref RHAWI011****Site name** Factory, Fairhurst Drive**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Hawick

**Site area (ha)**

0.5

**Indicative capacity**

10

**Housing SG Status****Preferred**

## Overall assessment

**Overall assessment****Summarised conclusion****Acceptable**

### Conclusions

The site is an existing LDP redevelopment site. The site has been considered for redevelopment with housing potential, as part of the Housing SG. An initial stage 1 assessment was undertaken, followed by a full site assessment and consultation process. The site sits within the settlement boundary of Hawick, within the largely residential area of Burnfoot. Fairhurst Drive is characterised by a mix of uses, including housing to the north of the road, and employment uses and derelict land to the south. There is some conflict in these uses, and there would be benefit to residential amenity in achieving the redevelopment of the derelict land. The site benefits from good access to services and employment. It is noted that the Economic Development service would have a preference for retaining the site for employment use. The principle of housing development at this location is already established given the previous allocation of the site for redevelopment use, and is considered acceptable. There is also an ample supply of available employment land in the Hawick area, including sites within Burnfoot and nearby Galalaw industrial estate.

The site sits in close proximity to the former Waverley rail line through Hawick. Following discussions with the Strategic Transport Officer, it has been agreed that a buffer on the southern boundary of the site will address any potential for the allocation to prejudice the use of this route in the future. The Landscape officer has also recommended a buffer on this boundary to reduce conflict/ shading issues associated with the adjoining woodland. A buffer will be required, the exact size can be determined at the time of the planning application process.

No sustainability issues have been raised which would preclude development, but moderate biodiversity risk has been noted, and potential impact on protected species would need to be mitigated. SEPA have suggested that there may be potential for surface water runoff issues from nearby hills, which would require mitigation measures during the design stage. The Council's roads planning service have sought a 'designing streets' layout with a connected layout and frontage onto Fairhurst Drive, and application of the usual parking standards. The existing footway on the south side of Fairhurst Drive will have to extend along the northern boundary of the site, potentially to tie in with the footway in Wilson Drive. A direct pedestrian link onto Wilson Drive is also desirable. A tree buffer to the west of the site would help separate the site from the neighbouring garage use. There may be a contamination legacy from previous uses of the site which will need to be investigated, and if confirmed, mitigated. An off-site contribution for play may be required. These points can all be addressed through site requirements and the planning application process.

**Site Ref** AKELS025

**Site name** Tweed Court

**Proposed usage**

Affordable Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area (ha)**

0.4

**Indicative capacity**

20

**Housing SG Status**

Preferred

## Initial assessment

**Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy**

The site is located within the Central Strategic Development Area and the Central Housing Market Area.

**Initial assessment summary**

No initial constraints on site that would preclude development.

SEPA: Foul water must connect to the existing SW foul network.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Adjacent to site

**Current use/s**

Other

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference**

08/00983/FUL - Change of use from care home and alterations to form three dwellinghouses (approved) – consent not implemented

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Moderate

**Site aspect**

Not applicable

**Waverley line contribution required?**



## Site Ref AKELS025

Site name Tweed Court

### Proposed usage

Affordable Housing

### SDA

Central

### HMA

Central

### Settlement

Kelso

Site area  
(ha)

0.4

Indicative  
capacity

20

Housing  
SG Status  
Preferred

### Accessibility and sustainability summary

BIODIVERSITY: Moderate risk - Existing built structures have moderate potential to support protected species such as bats (EPS) and breeding birds. Some mature tree cover within site boundary

GENERAL COMMENTS: The site is within walking distance from the town centre with access to local services and schools. Kelso is also included in the Strategic Public Transport network.

## Local impact and integration assessment

### Conservation area

Not applicable

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

Not applicable

### Ancient woodland inventory

Not applicable

### Open space

Not applicable

### Archaeology

Not applicable

### Listed buildings

Not applicable

### Visual relationship/integration with existing settlement

The site is within the Kelso settlement boundary and is currently used for low-amenity residential accommodation. The surrounding land uses are predominantly residential and the site is considered a suitable redevelopment opportunity.

### Impact on open space

Low

### Impact on archaeology

Low

### Impact on listed buildings

Low

### Local impact and integration summary

ARCHAEOLOGY: Final remains of planned fieldscape; some previous archaeological work, no HER recorded sites.

HERITAGE & DESIGN: No comments.

## Landscape assessment

### NSA

Not applicable

### SLA

Not applicable

### Landscape designation

Minor

### General amenity

Average

### Altitude >200m?

### Height constraint

Minor

### Slope >12 degrees?

### Slope constraint

Minor

### Constrained in Landscape Capacity Study

### Landscape features

Nearly all the external ground is communally maintained open space. There are a number of mature trees, potentially of TPO quality, within the grounds making a significant contribution to the amenity of the site and surroundings. Views into the site from adjoining housing areas need to be considered.

### Landscape summary

LANDSCAPE COMMENTS: Residential area consisting of an older stone built house and 3 blocks of more modern apartments dating from around 1960s. There is potential for redevelopment of the site. However, there are trees of TPO quality that should be retained, subject to survey to confirm condition. The existing stone built house also looks worthy of retention and the modern blocks may have potential for conversion. Existing site roads may provide cost effective access or may need to be

**Site Ref AKELS025****Site name** Tweed Court**Proposed usage**

Affordable Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area (ha)**

0.4

**Indicative capacity**

20

**Housing SG Status**

Preferred

replaced. A feasibility study is required to establish the above parameters and suggest appropriate forms of development and it is suggested that site capacity should only be established following such a study.

SNH: No comment.

## Planning and infrastructure assessment

### Physical access/road capacity

Near a trunk road?

ROADS PLANNING TEAM: I am happy to support the redevelopment of this site. A stopping up order for the public roads within the site may be required should an alteration to the current layout be proposed. Strong street frontages should be sought in respect of the existing streets.

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Limited

### Sewerage

Yes

### Education provision

Good

### Primary school capacity

Yes

### Secondary school capacity

Yes

### Right of way

Not applicable

### TPOs

Not applicable

### Marketability

Good

### Land use allocations

Not applicable

### If yes, what?

### Planning and Infrastructure summary

DEVELOPMENT MANAGEMENT: This site is currently residential in nature and is located within a predominantly residential part of the town. It is accessed off Spylaw Park and is currently owned by SBHA. Development Management would have no objections in principle to the redevelopment of this site for residential development. A pre-app was lodged in June 2015 (15/00639/PREAPP) although no formal response was given. The draft proposals included the refurbishment of Abbey House (stone built) and the refurbishment of the existing buildings v's new build. Concern was expressed by the architect regarding the level of parking required but no formal response from RPS was sought. I would have no objections to the redevelopment of this for residential development. This corner plot could accommodate a slightly higher density than the nearby Spylaw Park.

SCOTTISH WATER - WWTW: OK.

SCOTTISH WATER - WTW: Large scale development in Kelso may require some significant upgrades on the Network (and possibly Service Reservoirs & Trunk Mains). This would need an assessment undertaken by the Developer(s) who would need to fund any upgrades.

HOUSING STRATEGY: Supportive of the allocation of Tweed Court as a proposed RSL led development for affordable housing.

CONTAMINATED LAND OFFICER: The site appears to have remained undeveloped until recent residential use. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

## Site Ref **AKELS025**

Site name Tweed Court

**Proposed usage**  
Affordable Housing

**SDA**  
Central

**HMA**  
Central

**Settlement**  
Kelso

**Site area (ha)**  
0.4

**Indicative capacity**  
20

**Housing SG Status**  
Preferred

STRATEGIC TRANSPORT: No comments.

NETWORK MANAGER: No comments.

OUTDOOR ACCESS TEAM: No comments.

EDUCATION: No comments.

NEIGHBOURHOOD SERVICES: Potential off-site contribution for play.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### Overall assessment

**Acceptable**

### Summarised conclusion

The redevelopment of the site for housing is supported by the Roads Planning Team and Development Management. As the site is currently used for residential purposes the impact of redeveloping the site is minimal. There are no significant constraints and the site is easily accessible and fully serviced.

### Conclusions

This site is located within the Kelso settlement boundary and is currently used for low-demand amenity housing. The site is owned by Scottish Borders Housing Association who intend to replace the existing accommodation with affordable housing. As the site is currently used for residential purposes the impact of redeveloping the site is minimal. There are no significant constraints and the site is easily accessible and fully serviced. The site is also relatively close to the town centre which has a range of services and shops and is serviced by the local bus service. Consideration must be given to site design, existing trees within the site and the residential amenity of neighbouring properties. The redevelopment of the site for housing is supported by the Roads Planning Team and Development Management. The site is considered as acceptable as part of the site assessment process and therefore the site has been taken forward into the Housing Supplementary Guidance as a preferred site with an indicative capacity of 20 units.

**Site Ref** AKELS026

**Site name** Nethershot (Phase 2)

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area (ha)**

6.2

**Indicative capacity**

100

**Housing SG Status**

Preferred

## Initial assessment

**Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy**

The site is located within the Central Strategic Development Area and within the Central Housing Market Area.

**Initial assessment summary**

SEPA: The 2013 Proposed Plan (adopted May 2016) states "Water Impact Assessment would be required". We support this. Foul water must connect to the existing SW foul network.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk. This site should consider surface water runoff mitigation.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On site

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference**

13/00427/PPP - Mixed use development including housing, site for school, community facilities and associated landscaping, roads and footpaths – the application is currently pending decision due to an outstanding legal agreement.

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line contribution required?**

**Site Ref AKELS026**

**Site name** Nethershot (Phase 2)

**Proposed usage**  
Housing

**SDA**  
Central

**HMA**  
Central

**Settlement**  
Kelso

**Site area (ha)**  
6.2

**Indicative capacity**  
100

**Housing SG Status**  
Preferred

**Accessibility and sustainability summary**

BIODIVERSITY: Minor risk - Arable fields. Trees and hedgerows on boundary. Mitigation for breeding birds and other protected species e.g. badger. No significant biodiversity issues.

GENERAL COMMENTS: The site is within walking distance from the town centre with access to local services and schools. Kelso is also included in the Strategic Public Transport network.

**Local impact and integration assessment**

**Conservation area**  
Not applicable

**Scheduled Ancient Monument**  
Not applicable

**Garden and designed landscape**  
Not applicable

**Ancient woodland inventory**  
Not applicable

**Open space**  
Not applicable

**Archaeology**  
Not applicable

**Listed buildings**  
Not applicable

**Visual relationship/integration with existing settlement**

**Impact on open space**  
Low

**Impact on archaeology**  
Low

**Impact on listed buildings**  
Low

The site forms part of a potential longer term housing site identified within the Local Development Plan and is located adjacent to the Kelso settlement boundary. There is existing residential development across Angraflat Road to the southeast and also at Queen's House to the south. Further agricultural land to the east and north. The site is gently sloping towards the southeast and the existing settlement. Limit residential development to two stories to limit visual impact of development on the site. The site is made up by fields adjacent to Queen's House and further east, that are gently sloping towards the town.

**Local impact and integration summary**

ARCHAEOLOGY: Final remains of planned fieldscape; some previous archaeological work; medieval archaeology in the wider area.

HERITAGE & DESIGN: Significant edge of settlement site. The site design will be critical including edge of site treatment. A master plan is needed.

**Landscape assessment**

**NSA**  
Not applicable

**SLA**  
Not applicable

**Landscape designation**  
Minor

**General amenity**  
Good

**Altitude >200m?**

**Height constraint**  
Minor

**Slope >12 degrees?**

**Slope constraint**  
Minor

**Constrained in Landscape Capacity Study**

**Site Ref AKELS026**

Site name Nethershot (Phase 2)

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area (ha)**

6.2

**Indicative capacity**

100

**Housing SG Status**

Preferred

**Landscape features**

LANDSCAPE COMMENTS: Gently sloping SE facing land currently used as arable farmland. NW boundary is country lane to Kelso Racecourse. NE boundary is field hedge abutting new High School. SE boundary – is arbitrary line across existing fields. SW boundary is field hedge. The area is enclosed on 3 sides by existing hedges associated with the field boundaries. The NW boundary coincides with the ‘viewshed’ skyline for northern Kelso i.e. it is a ridge top that contains views of the town from the NW. This is an important landscape feature that needs to be retained and strengthened in any future development scenarios.

**Landscape summary**

LANDSCAPE COMMENTS: The site has low habitat values within site itself but moderate values in perimeter hedgerows. The area can only be developed via access improvements off site – most likely via the adjoining field on the SE side AKELS021. The NW boundary needs to be strengthened by new planting (20m wide) to protect and strengthen the woodland structure that defines the site boundaries and, in particular, the skyline when viewed from Kelso. This will also contribute to the setting of Kelso. Boundary hedgerows should also be retained. Within these planting structures, the site has capacity for medium density development.

SNH: This site represents a northward continuation of allocations AKELS021 and RKE17B. Co-ordination between sites and the principles as set out in our comments on AKELS027 below would also apply to this site.

**Planning and infrastructure assessment****Physical access/road capacity**Near a trunk road? 

ROADS PLANNING TEAM: I am not opposed to these sites being developed for residential development, but not in isolation of the allocated housing sites to the south directly adjacent to Angraflat Road (A6089). The sites benefit from good access options, these being from Angraflat Road via the existing allocated sites as well as from the minor public road (D79/4) serving the racecourse. The minor public road would require to be upgraded and the junction of the minor road with the A6098 is poor and not suited to serving increased traffic without significant upgrading work affecting land on the north side of the junction. A Transport Assessment will help inform any other requirements.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Limited

**Sewerage**

Yes

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Limited

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Good

**Land use allocations**

On site

**If yes, what?**

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

**Planning and Infrastructure summary**

DEVELOPMENT MANAGEMENT: Have no objections to this site being considered for housing as part of the call for sites. This site has previously been assessed and considered to be acceptable. It is located outwith the settlement boundary but is allocated for longer term housing within the LDP 2016. This site forms part of application 13/00427/PPP which was approved on 6 May 2014 subject to conditions and legal agreement. The legal agreement remains outstanding and consent has yet to be issued. The PPP application site also includes AKELS021 and DKELS001 as contained within the LDP.

SCOTTISH WATER - WWTW: OK.

## Site Ref **AKELS026**

Site name Nethershot (Phase 2)

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Kelso

### Site area (ha)

6.2

### Indicative capacity

100

### Housing SG Status

Preferred

SCOTTISH WATER - WTW: Large scale development in Kelso may require some significant upgrades on the Network (and possibly Service Reservoirs & Trunk Mains). This would need an assessment undertaken by the Developer(s) who would need to fund any upgrades.

STRATEGIC TRANSPORT: The National Cycling Network runs past the northern boundary of this site. Access to the site would need to be carefully planned. There are opportunities to provide good ped/cycling linkages to the new high school.

NETWORK MANAGER: Need to resolve access issues but could lead to removal/improvement of existing junction with A6089. Would need to extend 30 mph limit

OUTDOOR ACCESS TEAM: No comments.

CONTAMINATED LAND OFFICER: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

EDUCATION: If this site is completed, an extension may be required.

NEIGHBOURHOOD SERVICES: Potential for on-site play provision.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### Overall assessment

Acceptable

### Summarised conclusion

The site is identified within the Local Development Plan as part of a large potential longer term housing site. It is considered that this site is a logical expansion to the settlement.

### Conclusions

The site has been assessed as acceptable as part of the site assessment process. The site is identified within the adopted Local Development Plan as part of a larger potential longer term housing site. It is considered that this site is a logical expansion to the settlement. There is a planning application on phase 1 of the development at the allocated site at Nethershot (AKELS021 & DKELS001) which is pending decision due to an outstanding legal agreement (13/00427/PPP). The roads planning team state this proposed site must not be developed in insolation of the housing allocation to the south (AKELS021). This site creates opportunities to provide good pedestrian and cycling linkages to the new high school. The site was received as part of the call for sites process and the landowner is in discussions with a developer. The site has therefore been included in the Housing Supplementary Guidance as a preferred site with an indicative capacity of 100 units.

**Site Ref AKELS027****Site name** Nethershot (Phase 2 & 3)**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area (ha)**

12.7

**Indicative capacity**

260

**Housing SG Status**

Excluded

**Initial assessment****Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy**

The site is located within the Central Strategic Development Area and within the Central Housing Market Area.

**Initial assessment summary**

SEPA: Review of the surface water 1 in 200 year flood map shows that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. 2013 Proposed Plan (adopted May 2016) states "Water Impact Assessment would be required". Foul water must connect to the existing SW foul network.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk. This site should consider surface water runoff mitigation.

The site is included within the Local Development Plan as a longer term housing site. As part of the Housing SG process the site has been reassessed to establish its short-term housing potential. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On site

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference**

13/00427/PPP - Mixed use development including housing, site for school, community facilities and associated landscaping, roads and footpaths – the application is currently pending decision due to an outstanding legal agreement.



**Site Ref AKELS027**

Site name Nethershot (Phase 2 &amp; 3)

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area (ha)**

12.7

**Indicative capacity**

260

**Housing SG Status**

Excluded

**Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line contribution required?****Accessibility and sustainability summary**

BIODIVERSITY: Minor risk - Arable fields. Trees and hedgerows on boundary. Mitigation for breeding birds and other protected species e.g. badger. No significant biodiversity issues.

GENERAL COMMENTS: The site is within walking distance from the town centre with access to local services and schools. Kelso is also included in the Strategic Public Transport network.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Adjacent to site

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

On site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

The site is identified within the Local Development Plan as a potential longer term housing site and the site is located adjacent to the Kelso settlement boundary. There is existing residential development across Angraflat Road to the southeast and also at Queen's House to the south. Further agricultural land to the east and north. The site is gently sloping towards the southeast and the existing settlement. Limit residential development to two stories to limit visual impact of development on the site. The site is made up by fields adjacent to Queen's House and further east, that are gently sloping towards the town.

**Impact on open space**

Low

**Impact on archaeology**

Medium

**Impact on listed buildings**

Low

**Local impact and integration summary**

ARCHAEOLOGY: Final remains of planned fieldscape; some previous archaeological work, no HER recorded sites within, but immediately alongside cultivation terraces recorded in woodland to south.

HERITAGE & DESIGN: Significant edge of settlement site. The site design will be critical including edge of site treatment. Site isolated by land to SW – future intention of this site to be investigated. A master plan is needed.

GENERAL COMMENTS: Consideration must be given to the Angraflat Plantation adjacent to Queen's House and southwest of the site. The adjacent 'garden and designed landscape' at Floors Castle should also be considered at design and layout stage. The woodland is required to reduce any impact on Floors Castle Designed

## Site Ref AKELS027

Site name Nethershot (Phase 2 & 3)

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Kelso

Site area  
(ha)

12.7

Indicative  
capacity

260

Housing  
SG Status

Excluded

Landscape and to reduce visual impact from the countryside. Existing woodland needs to be retained and improved. An archaeological valuation is needed for south western part of site, near Angraflat Plantation, to examine if there are remains of cultivation terraces. Associated mitigation should be implemented. A buffer area is required for additional woodland on southern and western boundary after archaeological valuation is carried out.

## Landscape assessment

### NSA

Not applicable

### SLA

Adjacent to site

### Landscape designation

Minor

### General amenity

Good

### Altitude >200m?

### Height constraint

Minor

### Slope >12 degrees?

### Slope constraint

Minor

### Constrained in Landscape Capacity Study

### Landscape features

LANDSCAPE COMMENTS: Gently sloping SE facing land currently used as arable farmland. SW boundary abuts A6089 Edinburgh Road. NW boundary is country lane to Kelso Racecourse. NE boundary is field hedge abutting new High School. SE boundary – E section is arbitrary line across existing fields. SE boundary – W section abuts Queens House grounds and Angryflat plantation. The area is partially enclosed by trees at Queens House, woodland at Angryflat and by mature hedgerows on SW, NW and NE boundaries but is open along the E section of the SE boundary. The SW boundary is a narrow strip of woodland on a steep bank and it provides significant screening from the A6089. The NW boundary coincides with the 'viewshed' skyline for northern Kelso i.e. it is a ridge top that contains views of the town from the NW.

### Landscape summary

LANDSCAPE COMMENTS: The NW boundary coincides with the 'viewshed' skyline which is an important landscape feature that needs to be retained and strengthened in any future development scenarios. Low habitat values within site itself but moderate values in perimeter hedgerows and woodland. The area can only be developed via access improvements off site – most likely via the adjoining field on the SE side AKELS021. The NW and SW boundaries needs to be strengthened by new planting (20m wide) and the Angryflat Plantation needs a protective buffer zone (15m wide) to protect and strengthen the woodland structure that defines the site boundaries and, in particular, the skyline formed by the NW boundary when viewed from Kelso. This will also contribute to the setting of Kelso and Kelso Bank Plantation on the SW side and help to protect the setting of Floors Castle grounds. Within these planting structures, the site has capacity for medium density development.

SNH: We understand that there are allocations for housing at the southern half of this site (AKELS021, RKE17B) and for education at its easternmost extent adjacent to the racecourse (DKELS001). In addition, there is a safeguard for the remainder of the site between the cultivation terraces and the unclassified road to the racecourse (SKELS004). Site requirements for AKELS021 state that a planning brief in the form of supplementary guidance will be prepared for that site and that it is to be masterplanned together with future development phases at Nethershot. If you are minded to support development of this site during the current plan period, we recommend that it is included in the site development brief / design framework alongside AKELS021 to ensure that a coordinated, strategic approach is achieved from the outset.

## Planning and infrastructure assessment

### Physical access/road capacity

### Near a trunk road?

ROADS PLANNING TEAM: I am not opposed to these sites being developed for residential development, but not in isolation of the allocated housing sites to the south directly adjacent to Angraflat Road (A6089).

**Site Ref AKELS027****Site name** Nethershot (Phase 2 & 3)**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area (ha)**

12.7

**Indicative capacity**

260

**Housing SG Status****Excluded**

The sites benefit from good access options, these being from Angraflat Road via the existing allocated sites as well as from the minor public road (D79/4) serving the racecourse. The minor public road would require to be upgraded and the junction of the minor road with the A6098 is poor and not suited to serving increased traffic without significant upgrading work affecting land on the north side of the junction. A Transport Assessment will help inform any other requirements.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

No

**Sewerage**

No

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Limited

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Good

**Land use allocations**

On site

**If yes, what?**

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

**Planning and Infrastructure summary**

DEVELOPMENT MANAGEMENT: No objections to this site being considered for housing as part of the call for sites. This site has previously been assessed and considered to be acceptable. It is located outwith the settlement boundary but is allocated for longer term housing within the LDP 2016.

SCOTTISH WATER - WWTW: Will need upgrade to works, developer will need to meet 5 growth criteria, upgrade would be 4 years following application.

SCOTTISH WATER - WTW: Large scale development in Kelso may require some significant upgrades on the Network (and possibly Service Reservoirs & Trunk Mains). This would need an assessment undertaken by the Developer(s) who would need to fund any upgrades.

CONTAMINATED LAND OFFICER: The site appears to have been developed with a reservoir which was subsequently infilled. The site is brownfield land and its use may present development constraints and this should be taken into consideration.

STRATEGIC TRANSPORT: The National Cycling Network runs past the northern boundary of this site. Access to the site would need to be carefully planned. There are opportunities to provide good ped/cycling linkages to the new high school.

NETWORK MANAGER: Need to resolve access issues but could lead to removal/improvement of existing junction with A6089. Would need to extend 30 mph limit

OUTDOOR ACCESS TEAM: Provide path links to new high school site and Angryflat Plantation.

EDUCATION: If this site is completed, an extension may be required.

NEIGHBOURHOOD SERVICES: Town entrance sign flower bed appears to be within the site. Potential for on-site play provision.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

**Site Ref AKELS027****Site name** Nethershot (Phase 2 & 3)**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area  
(ha)**

12.7

**Indicative  
capacity**

260

**Housing  
SG Status****Excluded**

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**Overall assessment****Overall assessment****Acceptable****Summarised conclusion**

The site is identified within the Local Development Plan as part of a large potential longer term housing site. It is considered that part of this site should be taken forward into the Housing SG.

**Conclusions**

Overall the site has been assessed as acceptable as part of the site assessment process. The site is identified within the Local Development Plan as a potential longer term housing site. It is considered this is an area identified for future settlement expansion. There is a planning application on phase 1 of the development at the allocated site at Nethershot (AKELS021 & DKELS001) which is pending decision due to an outstanding legal agreement (13/00427/PPP). The roads planning team state this site must not be developed in insolation of the housing allocation to the south (AKELS021). The site creates opportunities to provide good pedestrian and cycling linkages to the new high school. The site was received as part of the call for sites process and the landowner is in discussions with a developer. It is considered at this stage there is only a need to bring forward part of the longer term site within the Housing SG. Therefore phase two (AKELS026) of Nethershot will be taken forward as part of the Supplementary Guidance with a site capacity of 100 units with the remainder of this site being identified as a potential longer term housing site.

**Site Ref** AKELS028

**Site name** Hendersyde (Phase 2)

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area (ha)**

9.5

**Indicative capacity**

190

**Housing SG Status**

Alternative

## Initial assessment

**Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy**

The site is located within the Central Strategic Development Area and within the Central Housing Market Area.

**Initial assessment summary**

SEPA: Review of the surface water 1 in 200 year flood map shows that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. 2013 Proposed Plan (adopted May 2016) states "Water Impact Assessment would be required". Foul water must connect to the existing SW foul network although the area zoned appears to be beyond the existing network.

SBC FLOOD TEAM: This site is shown to be at risk of flooding at a 1 in 200 year flood event from surface water flooding in a few sections. I would have no objections if the development could show that they are mitigating the risk from surface water.

The site is included within the Local Development Plan as a longer term housing site. As part of the Housing SG process the site has been reassessed to establish its short-term housing potential. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

On site

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** 16/01002/S37 - Rebuild 33Kv over head line (PENDING DECISION)

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line contribution required?**

## Site Ref AKELS028

Site name Hendersyde (Phase 2)

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Kelso

Site area  
(ha)

9.5

Indicative  
capacity

190

Housing  
SG Status

Alternative

### Accessibility and sustainability summary

BIODIVERSITY: Minor risk - Arable fields. Mature trees on the southern site boundary- lowland mixed deciduous woodland. Woodland is within Hendersyde Park HGDL. Mitigation for breeding birds and other protected species e.g. badger. No significant biodiversity issues.

## Local impact and integration assessment

### Conservation area

Not applicable

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

Adjacent to site

### Ancient woodland inventory

Not applicable

### Open space

Not applicable

### Archaeology

On site

### Listed buildings

Not applicable

### Visual relationship/integration with existing settlement

The site is a greenfield site to the north of the Kelso development boundary. The site is visible from the north but there is a stone wall along the B6461 and some existing residential buildings to the west that can help minimise impact. The race course is located to the west of the site, the cemetery to the north and to the south is an undeveloped allocated housing site (AKELS022). There is also further agricultural land to the north of the site.

### Impact on open space

Low

### Impact on archaeology

Medium

### Impact on listed buildings

Low

### Local impact and integration summary

ARCHAEOLOGY: Site immediately alongside site of Medieval hospital which has seen previous archaeological work and alongside the designed landscape to the south; nothing recorded within the site itself (cf. Soutra; Brompton on Swale; Partmey; Tynemouth etc).

HERITAGE & DESIGN: Significant edge of settlement site. Design will be critical including edge of site treatment.

## Landscape assessment

NSA

Not applicable

SLA

Not applicable

Landscape designation

Minor

General amenity

Good

Altitude  
>200m?

Height  
constraint  
Minor

Slope >12  
degrees?

Slope  
constraint  
Minor

Constrained in Landscape Capacity Study

### Landscape features

LANDSCAPE COMMENTS: Arable field partially enclosed by high stone walls. Random rubble stone wall with half round coping in excess of 2m high on NW boundary and partially down NE and SW boundaries. S corner includes a utility depot. Arable land to SW and NE. Woodland associated with Hendersyde Park driveway to SE. Kelso cemetery to NW. Woodland adjoining to SE is part of Hendersyde Park Designed Landscape and stone boundary walls are a feature. OH power line crosses site just south of cemetery. Wooded driveway from Hendersyde North Lodge to Hendersyde House forms a significant visual feature and currently contains the settlement

## Site Ref AKELS028

Site name Hendersyde (Phase 2)

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Kelso

Site area  
(ha)

9.5

Indicative  
capacity

190

Housing  
SG Status

Alternative

boundary of Kelso. Development of this site would breach this physical feature and spill out development into a much wider open area to the north.

**Landscape summary** LANDSCAPE COMMENTS: There are potential new pedestrian links might be negotiated via the Hendersyde Designed Landscape. Very limited habitat value on site but there may be bat roosts in existing boundary walls and there is habitat value in the woodland on the south boundary. There is a landscape argument that development should not extend north of Hendersyde Park which currently provides physical containment for Kelso. However, some land has already been allocated at AKELS022 and this area could be developed in conjunction with that site. A buffer zone (15m wide) is required to protect the existing woodland abutting SE boundary and new planting (15m wide) is proposed along NE and NW boundaries to provide new visual containment and shelter and screening of views from the north.

SNH: This site is adjacent to housing allocation AKELS022 and is included in the LDP as a longer-term safeguarded site (SKELS005). Site requirements for AKELS022 state that a site development brief in the form of supplementary guidance will be prepared for that site and that it is to be masterplanned together with future development phases at the safeguard site. If you are minded to support development of this site during the current plan period, we recommend that it is included in the planning brief alongside AKELS022 to ensure that a coordinated, strategic approach is achieved from the outset.

## Planning and infrastructure assessment

### Physical access/road capacity

Near a trunk road?

ROADS PLANNING TEAM: I have no objection to this site being allocated for residential development. The adjacent land to the south west is already allocated for housing and benefits from planning permission where allowance has been made for street connectivity with this site. A Transport Assessment will be required to inform infrastructure adjustments required.

### Contaminated land

Not applicable

### HSE consultation

On site

### Water supply

Limited

### Sewerage

Limited

### Education provision

Average

### Primary school capacity

Limited

### Secondary school capacity

Limited

### Right of way

Not applicable

### TPOs

Not applicable

### Marketability

Good

### Land use allocations

On site

### If yes, what?

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

### Planning and Infrastructure summary

DEVELOPMENT MANAGEMENT: No objections to this site being considered for housing as part of the call for sites. This site has previously been assessed and considered to be acceptable. It is located outwith the settlement boundary but is allocated for longer term housing within the LDP 2016.

SCOTTISH WATER - WWTW: Will need upgrade to works, developer will need to meet 5 growth criteria, upgrade would be 4 years following application.

SCOTTISH WATER - WTW: Large scale development in Kelso may require some significant upgrades on the Network (and possibly Service Reservoirs & Trunk Mains). This would need an assessment undertaken by the Developer(s) who would need to fund any upgrades.

CONTAMINATED LAND OFFICER: The site appears to have remained undeveloped throughout the map extracts reviewed with the exception of a small pumping

## Site Ref **AKELS028**

**Site name** Hendersyde (Phase 2)

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area  
(ha)**

9.5

**Indicative  
capacity**

190

**Housing  
SG Status**  
**Alternative**

station. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

STRATEGIC TRANSPORT: Opportunity to improve the local path network and provide enhanced connectivity to the existing Hendersyde development and also to the new high school.

NETWORK MANAGER: Unclear where access would come from.

OUTDOOR ACCESS TEAM: Consideration be given to incorporate a 'safe route to school' (Broomlands PS) in the SE.

EDUCATION: If this site is completed, an extension may be required.

NEIGHBOURHOOD SERVICES: Shared boundary wall with Ferneyhill Cemetery. Potential for on-site play provision.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### Overall assessment

**Acceptable**

### Summarised conclusion

The site is identified within the Local Development Plan as part of a large potential longer term housing site. It is considered that this site is a logical expansion to the settlement.

### Conclusions

This site is identified as a potential longer term housing site within the adopted Local Development Plan 2016. Overall the site has been assessed as acceptable and there are some site constraints that will need to be taken into consideration as part of the site design. There is currently a planning application pending decision (13/00259/PPP) for a residential development on phase 1 of the Hendersyde site (AKELS022) which is to the south of this proposed site. Therefore this site is a logical extension of the settlement to the north east. The site has not been put forward as part of the Call for Sites process and it is not known if there is a developer associated with this part of the site. Therefore the site has been taken forward into the Housing Supplementary Guidance as an alternative site with an indicative capacity of 190 units.



**Site Ref RKELS002****Site name** Former High School site**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area (ha)**

2.4

**Indicative capacity**

50

**Housing SG Status**

Preferred

**Initial assessment****Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy** The site is located within the Central Strategic Development Area.**Initial assessment summary** There are no major issues at this initial assessment stage.

SEPA: Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues adjacent to this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. No mention of this in 2013 Proposed Plan (adopted May 2016). Foul water must connect to the existing SW foul network.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk.

The site is included within the Local Development Plan as a redevelopment opportunity. As part of the Housing SG process the site has been reassessed to establish its housing potential. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Other

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** No relevant previous planning history on the site.

## Site Ref RKELS002

Site name Former High School site

Proposed usage

Redevelopment

SDA

Central

HMA

Central

Settlement

Kelso

Site area  
(ha)

2.4

Indicative  
capacity

50

Housing  
SG Status  
Preferred

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Good

Access to services

Good

Wider biodiversity impacts

Moderate

Site aspect

South-west

Waverley line  
contribution  
required?

### Accessibility and sustainability summary

BIODIVERSITY: Moderate risk - Existing built structures (High School) have moderate potential to support protected species such as bats (EPS) and breeding birds. Some tree cover within site boundary

GENERAL COMMENTS: The site is located close to the town centre and the area offers a wide range of facilities and services.

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Not applicable

Archaeology

On site

Listed buildings

On site

Visual relationship/integration with existing settlement

This is a brownfield site within an predominantly residential area and the buildings on site offer many opportunities for redeveloping the site which could be done in an appropriate manner taking cognisance of the surrounding townscape.

Impact on open space

Low

Impact on archaeology

Medium

Impact on listed buildings

High

### Local impact and integration summary

ARCHAEOLOGY: Listed Building school buildings; portions within Medieval burgh and OS1 shown street frontage and extensive backland plot.

HERITAGE & DESIGN: An options appraisal has been undertaken for this site by SBC by Simpson and Brown, which identified a mixture of new build and conversions of the significant parts of this category B listed building.

GENERAL COMMENTS: This is a brownfield site within an predominantly residential area and the buildings on site offer many opportunities for redeveloping the site which could be done in an appropriate manner taking cognisance of the surrounding townscape. The main high school building is B listed and there are some archaeological issues to be addressed and mitigated.

**Site Ref RKELS002**

Site name Former High School site

**Proposed usage**  
Redevelopment**SDA**  
Central**HMA**  
Central**Settlement**  
Kelso**Site area (ha)**  
2.4**Indicative capacity**  
50**Housing SG Status**  
Preferred**Landscape assessment****NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Average

**Altitude >200m?****Height constraint**

Minor

**Slope >12 degrees?****Slope constraint**

Minor

**Constrained in Landscape Capacity Study** **Landscape features**

There are diverse trees located across site many meriting retention. There is residential property to the north, west and south with Poynder Park rugby ground adjoining on south eastern boundary.

**Landscape summary**

LANDSCAPE COMMENTS: Due to the significant constraints imposed by the listed buildings, restricted access and potential tree retentions, a feasibility study should be carried out to consider development options in more detail including a tree survey to BS5837:2012 to identify trees that might merit retention. Development capacity and form can only be determined following the study.

SNH: No comments.

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

ROADS PLANNING TEAM: I am happy to support the redevelopment of this site. Vehicular access is available from Bowmont Street and from Croft Road. A further minor access is available from Orchard Park with a further pedestrian link available to Croft Road at the north west of the site. A Transport Statement will be required.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Yes

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

On site

**If yes, what?**

ED5: Regeneration

**Planning and Infrastructure summary**

DEVELOPMENT MANAGEMENT: No objections in principle to the redevelopment of this site. It has previously been assessed and considered acceptable as a redevelopment opportunity and is allocated in the LDP. Consideration must be given to the retention of the B listed school. This site may be suitable for housing and/or mixed use development however the surrounding area is predominantly residential therefore the amenity of the area must be protected. It would be important to ensure connectivity with the site and the surrounding area.

## Site Ref **RKELS002**

**Site name** Former High School site

### **Proposed usage**

Redevelopment

### **SDA**

Central

### **HMA**

Central

### **Settlement**

Kelso

**Site area  
(ha)**

2.4

**Indicative  
capacity**

50

**Housing  
SG Status**

**Preferred**

SCOTTISH WATER - WWTW: OK.

SCOTTISH WATER - WTW: Large scale development in Kelso may require some significant upgrades on the Network (and possibly Service Reservoirs & Trunk Mains). This would need an assessment undertaken by the Developer(s) who would need to fund any upgrades.

CONTAMINATED LAND OFFICER: The site appears to have been developed as a horticultural nursery and more recently as a school. The site is brownfield land and its use may present development constraints and this should be taken into consideration.

ECONOMIC DEVELOPMENT: We support the redevelopment of this site and protection of the main section of the B listed building. We are aware of the Simpson Brown Options Appraisal report from August 2013. We therefore support any employment generating opportunities by creating tourist based accommodation and / or commercial activity, as noted in options 5 & 6 in the report, as well as some ancillary housing.

STRATEGIC TRANSPORT: Potential opportunity to provide connectivity through the site to Croft Road and beyond to the new high school.

NETWORK MANAGER: May need to consider parking restrictions in adjacent Bowmont Street which narrows to one lane because of parked cars to north/west of school entrance.

OUTDOOR ACCESS TEAM: No comments.

EDUCATION: If this site is completed, an extension may be required.

NEIGHBOURHOOD SERVICES: Potential off-site contribution for play at Croft Park.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### **Overall assessment**

**Acceptable**

### **Summarised conclusion**

Redevelopment of this brownfield site offers a range of opportunities including housing.

### **Conclusions**

This is a brownfield site within a predominantly residential area. The buildings on site offer various opportunities for redeveloping the site which should be undertaken in an appropriate manner taking cognisance of the surrounding townscape. The use of the site as a High School has generated considerable vehicle movements and it is not anticipated redevelopment of the site will cause any insurmountable vehicular issues although this would be addressed at a further stage in the process once a planning brief is prepared and more firm proposals are considered. Cognisance should be taken of the B listed main building, protection of boundary trees and archaeological matters to be addressed. There is also the potential opportunity to provide connectivity through the site to Croft Road and beyond to the new high school.

**Site Ref** RKELS002

**Site name** Former High School site

**Proposed usage**

Redevelopment

**SDA**

Central

**HMA**

Central

**Settlement**

Kelso

**Site area  
(ha)**

2.4

**Indicative  
capacity**

50

**Housing  
SG Status**

**Preferred**

---

The site was included within the adopted Local Development Plan as a redevelopment opportunity although no indicative capacity was stated. The site has been taken forward into the Housing Supplementary Guidance with a indicative capacity of 50 units. A planning brief will be produced identifying various options for the site.

**Site Ref** ANEWS005

**Site name** The Orchard

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Newstead

**Site area (ha)**

0.2

**Indicative capacity**

6

**Housing SG Status**

Preferred

## Initial assessment

**Floodrisk**

1:100

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy** Site located within the Central Strategic Development Area.

### Initial assessment summary

SEPA COMMENTS: We require an FRA which assesses the risk from the small watercourse which is partially culverted through the site. Consideration will need to be given to bridge and culvert structures within and adjacent to the site. Developable area/ development type may be constrained due to flood risk. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer.

SBC FLOOD TEAM: A drain / spring run directly through this site. It would need to be shown that this does not generate a flood risk at the site. This will probably end up in a Flood Risk Assessment.

ASSESSMENT SUMMARY: A Flood Risk Assessment is required to assess the risk associated with a small watercourse which is partially culverted through the site. A Flood Risk Assessment is required to assess the risk associated with this watercourse. Flood risk may constrain development potential.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land** **MOD safeguarded area**

Not applicable

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** 03/00182/OUT - Erection of six dwellinghouses; 06/02207/FUL - Erection of six dwelling houses with attached garages.

**Site Ref ANEWS005**

Site name The Orchard

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Newstead

**Site area (ha)**

0.2

**Indicative capacity**

6

**Housing SG Status**  
Preferred**Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Moderate

**Site aspect**

Not applicable

**Waverley line contribution required?****Accessibility and sustainability summary**

ECOLOGY OFFICER: Biodiversity Risk: Moderate. Trees and thorn scrub and rank semi-natural neutral grassland within site. Site with Eildon & Leaderfoot NSA. Mitigation for breeding birds and other protected species e.g. badger, reptiles and amphibia.

ACCESSIBILITY: The site has good access to local services and facilities in Melrose, one mile or less than 15 minutes drive away. It has good access to employment particularly in Galashiels, 6 miles or less than 15 minutes drive away. The settlement is on the A6091(T) which is also part of the strategic public transport network.

**Local impact and integration assessment****Conservation area**

On site

**Scheduled Ancient Monument**

Adjacent to site

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

On site

**Archaeology**

Adjacent to site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

The site sits within the settlement boundary of Newstead, and within Newstead Conservation Area. The neighbouring land uses are primarily residential. The site benefits from partial screening from an existing wall to the north of the site, which is understood to be of heritage significance. The site is considered to be well related to Newstead. A sensitively designed development could be acceptable in this location.

**Impact on open space**

Low

**Impact on archaeology**

Medium

**Impact on listed buildings**

Low

**Local impact and integration summary**

HERITAGE OFFICER: Within CA. Appears to have not previously been developed since 1850s. The surrounding wall is significant.

ARCHAEOLOGY OFFICER: Plot shown open by OS1; nothing recorded in HER for location, but number of finds and old buildings in surroundings; Located in backlands of medieval village; High potential for Roman archaeology assoc with Newstead.

DEVELOPMENT MANAGEMENT: This site has previously been approved for six houses, though since lapsed. I don't see any difficulty with the principle, albeit different design expectations will apply though Placemaking and Design

In summary, the site is located within Newstead Conservation Area, but this does not preclude development. The wall on the northern boundary of the site is of heritage significance, provides a screening function, and should be retained. A sensitive design will be required. There is a high potential for Roman archaeology.

Site Ref **ANEWS005**

Site name The Orchard

**Proposed usage**  
Housing

**SDA**  
Central

**HMA**  
Central

**Settlement**  
Newstead

**Site area (ha)**  
0.2

**Indicative capacity**  
6

**Housing SG Status**  
Preferred

## Landscape assessment

**NSA**

On site

**SLA**

Not applicable

**Landscape designation**

Major

**General amenity**

Average

**Altitude >200m?**

**Height constraint**

Minor

**Slope >12 degrees?**

**Slope constraint**

Minor

**Constrained in Landscape Capacity Study**

**Landscape features** This is an edge of historic village site where density within the village is high and pattern of development is complex.

**Landscape summary** LANDSCAPE SECTION: This is an edge of historic village site where density within the village is high and pattern of development is complex. It would enhance the development if the historic wall is retained and incorporated into the site and at least a portion of the trees along the western boundary and the specimen apple tree are retained as part of any future development. Suggested capacity of 6 probably about right if trees were not a consideration but the retention of trees in the western part might reduce this capacity to 3 or 4.

## Planning and infrastructure assessment

**Physical access/road capacity**

**Near a trunk road?**

ROADS DM: I was able to support the planning application (06/02207/FUL) for 6 houses on this site on the basis of the junction of Back Road with Main Street being upgraded including improved provision for pedestrians. The initial length of Back Road would then be upgraded to adoptable standards to serve the site road which would also have to be to adoptable standards.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

On/adjacent to site

**TPOs**

Not applicable

**Marketability**

Good

**Land use allocations**

Adjacent to site

**If yes, what?**

EP6: Countryside Around Towns

**Planning and Infrastructure summary**

ENVIRONMENTAL HEALTH (CONTAMINATION): The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

STRATEGIC TRANSPORTATION: Opportunity to provide enhanced connectivity within the settlement and also to provide improvements to the existing path network.



**Site Ref** ANEWS005

**Site name** The Orchard

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Newstead

**Site area  
(ha)**

0.2

**Indicative  
capacity**

6

**Housing  
SG Status**

Preferred

---

SEPA COMMENTS: Foul water must connect to the SW network in Newstead. There appears to be a culverted watercourse running through the site. The development should seek to de-culvert to make a feature of this and no further culverting for land gain should be allowed.

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## Overall assessment

### Overall assessment

**Acceptable**

### Summarised conclusion

Previous approval for six units on the site, now lapsed. The site remains acceptable for housing use, subject to a number of site requirements.

### Conclusions

The site has been considered as part of the Housing SG. An initial stage 1 assessment was undertaken, followed by a full site assessment and consultation process. The site has previously been approved for six dwelling houses but this consent lapsed.

The site sits within the settlement boundary of Newstead, and within Newstead Conservation Area. The neighbouring land uses are primarily residential. The site benefits from partial screening from an existing wall to the north of the site, which is understood to be of heritage significance and would need to be retained. Trees on the site also require retention and integration within the site design.

There are no major accessibility and sustainability issues. There is an opportunity to provide enhanced connectivity within the settlement and also to provide improvements to the existing path network. There appears to be a culverted watercourse running through the site. The development should seek to de-culvert to make a feature of this.

A Flood Risk Assessment is required to assess the risk associated with the partially culverted watercourse which runs through the site. Flood risk may constrain development potential.

Overall, the site is considered to be well related to Newstead and a sensitively designed development which acknowledges and respects the character of the Conservation Area could be acceptable in this location. This inclusion reflects the principle that development can take place on the site which has been tested and approved via the Development Management planning application process.

**Site Ref** ANEWS006

**Site name** Newstead North

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Newstead

**Site area (ha)**

1.1

**Indicative capacity**

23

**Housing SG Status**

Alternative

## Initial assessment

**Floodrisk**

Not applicable

**SAC**

Adjacent to site

**SPA**

Not applicable

**SSSI**

Adjacent to site

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Moderate

**Structure Plan policy** Site located within the Central Strategic Development Area.

**Initial assessment summary**

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk.

SEPA: Contours indicate a sufficient height difference between site and River Tweed.

SUMMARY: No flooding issues identified. The site is adjacent to the River Tweed SAC and SSSI.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area**

Not applicable

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** N/a

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

Not applicable

**Waverley line contribution required?**

## Site Ref **ANEWS006**

Site name Newstead North

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Newstead

**Site area  
(ha)**

1.1

**Indicative  
capacity**

23

**Housing  
SG Status**  
Alternative

### **Accessibility and sustainability summary**

ECOLOGY OFFICER: Biodiversity Risk: Minor. Improved pasture with some mature tree cover within site. Woodland strip on N boundary. Garden ground with mature tree cover on boundary. No significant biodiversity issues.

ACCESSIBILITY: The site has good access to local services and facilities in Melrose, one mile or less than 15 minutes drive away. It has good access to employment particularly in Galashiels, 6 miles or less than 15 minutes drive away. The settlement is on the A6091(T) which is also part of the strategic public transport network.

## **Local impact and integration assessment**

### **Conservation area**

On/adjacent to site

### **Scheduled Ancient Monument**

Adjacent to site

### **Garden and designed landscape**

Not applicable

### **Ancient woodland inventory**

Not applicable

### **Open space**

On site

### **Archaeology**

Not applicable

### **Listed buildings**

Not applicable

### **Visual relationship/integration with existing settlement**

The site is located adjacent to the settlement boundary of Newstead, and within the CAT policy area. The CAT policy does not preclude development, and this particular part of the CAT is less sensitive than other areas, as the risk of coalescence in this location is limited. The site sits partly within, and partly adjacent to Newstead Conservation Area. Potential impacts on the Conservation Area are a key issue. The neighbouring land uses are residential to the south, whilst the boundary to the north is defined by mature trees.

### **Impact on open space**

Medium

### **Impact on archaeology**

Low

### **Impact on listed buildings**

Low

### **Local impact and integration summary**

HERITAGE OFFICER: Mostly outwith CA. Prominent location. Edge treatment and "sense of place" will be important given the narrowness of the proposed site. Likely to be restricted in heights of buildings.

ARCHAEOLOGY OFFICER: Nothing recorded in the area save for possible Roman road lines from Newstead and Dere Street descending to the Tweed.

PARKS OFFICER: Potential off-site contribution for play

DEVELOPMENT MANAGEMENT: On the one hand, I can see its appeal, with its landscape containment and some scope for discrete development. On the other hand, it clearly has access issues, not just into it, but through it. It also contains/sits alongside mature trees. In particular, though, it is a varied, somewhat disjointed collection of spaces that (while it could be argued this would allow housing that would complement the varied townscape already in the village), does make it difficult to foresee how residential development could work in a manner which complements the Conservation Area. I am not convinced this should be a housing allocation based purely on a simple location plan. It requires a good deal more analysis and design to show how a development would work.

Site Ref **ANEWS006**

Site name Newstead North

Proposed usage  
Housing

SDA  
Central

HMA  
Central

Settlement  
Newstead

Site area  
(ha)  
1.1

Indicative  
capacity  
23

Housing  
SG Status  
Alternative

## Landscape assessment

NSA	SLA	Landscape designation	General amenity	Altitude >200m?	Height constraint	Slope >12 degrees?	Slope constraint
On site	Not applicable	Major	Good	<input type="checkbox"/>	Minor	<input type="checkbox"/>	Moderate

Constrained in Landscape Capacity Study

**Landscape features** Site elevated above haugh land to the north. Western half of site sloping down to north west. Mature trees (mainly ash) along some of the historic field boundaries in the western half of site. Mature woodland to the north an important feature of the site. A detailed tree survey will be required to establish quality and health of existing tree resource that contributes so much to the amenity of the immediate area.

**Landscape summary** SNH COMMENTS: While this site was not considered by the Reporter, their comments on Newstead in relation to Issue 250 are relevant. Newstead's position within the Eildon & Leaderfoot National Scenic Area (NSA) and a Countryside Around Towns (CAT) area demonstrates the sensitivity of the landscape and the quality of place of the existing settlement. If you are minded to allocate this site, the special qualities of the NSA and policy of the current Countryside Around Towns Supplementary Planning Guidance should be used to establish site requirements and secure delivery of a high quality place that respects this setting.

LANDSCAPE SECTION: Indicative site capacity of 23 units unlikely to be achieved given mature trees on the western half of site and severe constraints to access. If access constraints from the east can be overcome it should be possible to develop the eastern half of the site. Any further development to the western half is severely constrained by the location of mature and high value amenity trees along historic field boundaries. Given above comments capacity is likely to be about half of suggested capacity. The paddocks are an attractive and valuable local open space which contrasts with the complex pattern of development in the historic core of the village and the newer residential developments to the south east of the site. If access could be overcome a more limited development of the eastern portion of the site would be possible if adequate buffer zones were identified to woodland and mature trees.

PD: The site sits with Eildon and Leaderfoot National Scenic Area, but is well screened to the north, and to some degree to the west. The Landscape Capacity Study (2007) found the southern-most portion of the site to be suitable for a small cluster of houses, but the remainder of the site to be within a wider area of constrained land to the north of Newstead. With respect to the

## Planning and infrastructure assessment

Physical access/road capacity      Near a trunk road?

ROADS DM: I am able to support this site for development, but only on the basis that significant upgrading work is undertaken in the public road known as Rushbank leading to the site. Similarly the private road known as Eddy Road leading to the site needs to be upgraded to an adoptable standard. In both cases third party land owners are directly affected. For Rushbank part of the road needs to be widened and provision for on-street parking needs to be improved. For Eddy Road the junction with Main Street needs to be improved to the west in terms of junction visibility by lowering the roadside wall and shifting street furniture and dealing with vegetation. The road itself needs to be upgraded to an adoptable standard in terms of construction, drainage, lighting etc. and it needs to be widened and on-street parking provision formalised. The two buildings on the west side of the road combined with the high roadside wall on the east side create pinch-points which appear too narrow and a minimum width of 3.4m (wall to wall) is required.

## Site Ref **ANEWS006**

**Site name** Newstead North

### **Proposed usage**

Housing

### **SDA**

Central

### **HMA**

Central

### **Settlement**

Newstead

**Site area  
(ha)**

1.1

**Indicative  
capacity**

23

**Housing  
SG Status**

**Alternative**

In conclusion, if this off-site work can be achieved along with the creation of an internally connected street network, including pedestrian links to St. John's Wynd and Townhead Way, then I will be able to support an indicative number of 23 houses on the site.

### **Contaminated land**

Not applicable

### **HSE consultation**

Not applicable

### **Water supply**

Yes

### **Sewerage**

Yes

### **Education provision**

Good

### **Primary school capacity**

Yes

### **Secondary school capacity**

Yes

### **Right of way**

On/adjacent to site

### **TPOs**

Not applicable

### **Marketability**

Good

### **Land use allocations**

On/Adjacent to site

### **If yes, what?**

EP6: Countryside Around Towns

### **Planning and Infrastructure summary**

ACCESS OFFICER: it is essential to retain the path heading north out of St John's Wynd; the path then connects to the River Tweed and its associated path network.

NETWORK MANAGER: Access issues likely

ENVIRONMENTAL HEALTH (CONTAMINATION): The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints

## **Overall assessment**

### **Overall assessment**

**Doubtful**

### **Summarised conclusion**

Roads access may prove insurmountable, but the site can go forward as an alternative site to allow further consideration. Landscaping/ loss of trees also a key issue.

### **Conclusions**

The site has been considered as part of the Housing SG. An initial stage 1 assessment was undertaken, followed by a full site assessment and consultation process.

The site sits on the northern periphery of Newstead, partly within the settlement boundary. Similarly the site is partly within both Newstead Conservation Area, and partly within the Countryside Around Towns (CAT) policy area. The CAT policy does not preclude development, and this particular part of the CAT is less sensitive than other areas, as the risk of coalescence in this location is minimal.

The settlement's relationship with Newstead Conservation Area is a key consideration. The site is large relative to the size of the settlement and sensitive integration into the settlement would be essential. The site sits on the edge of Eildon & Leaderfoot National Scenic Area (NSA) and adjacent to the River Tweed SSSI and SAC. The applicant has submitted an indicative site layout proposing 23 units. Due to the need to protect healthy trees on the site it is likely if the site was to be allocated this figure would be reduced considerably.

A portion of the proposed site was considered and rejected on access grounds at the time of the Local Plan Amendment. Roads access has been reassessed and is not opposed in principle by the

**Site Ref ANEWS006****Site name** Newstead North**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Newstead

**Site area  
(ha)**

1.1

**Indicative  
capacity**

23

**Housing  
SG Status****Alternative**

Council's Road section, as in this instance further investigation is being sought with regards to the possibility of forming a road link between Rushbank and Eddy Road. However, key issues remain to be resolved: significant upgrading work is required in the public road known as Rushbank; and the private road known as Eddy Road needs to be upgraded to an adoptable standard. In both cases third party land owners are directly affected. For the whole site to be developed, access would be required from both. It remains to be seen whether the developer is in a position to address these points and that the Council can consequently be satisfied the requirements can be resolved.

Overall, there are more preferable sites available in the Central Housing Market Area but it is considered the site can go forward to public consultation as an alternative site to enable further consideration of these points.

## Site Ref AROXB003

Site name Land north east of Roxburgh

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Roxburgh

Site area  
(ha)

0.6

Indicative  
capacity

20

Housing  
SG Status

Excluded

## Initial assessment

### Floodrisk

1:200

### SAC

Not applicable

### SPA

Not applicable

### SSSI

Not applicable

### Ramsar

Not applicable

### Adjacent to River Tweed?

### International/national designation constraints

Minor

### Structure Plan policy

The site is located within the Central Strategic Development Area and within the Central HMA.

### Initial assessment summary

The north-eastern part of the site falls within the 1:200 year flood risk area.

SEPA: Request a Flood Risk Assessment is undertaken for the site to assess the risk from the River Teviot and the unnamed small watercourse adjacent to the site. They also state consideration will need to be given to the bridge and culvert structures within and adjacent to the site. Foul water should be connected to the SW foul network. It is noted that this may require an extension of the network and if so, opportunity should be taken to picking up other existing properties which appear also to be off the network.

SBC FLOOD TEAM: This site is shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Map and also has a small watercourse running adjacent to the site. I would likely ask for a flood risk assessment for this site.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

### Minerals and coal

Not applicable

### NNR

Not applicable

### Prime Quality Agricultural Land

Not applicable

### Current use/s

Greenfield

### Common Good Land

Not applicable

### MOD safeguarded area

Not applicable

### Aerodrome/Technical Site Safeguarding

Not applicable

### Planning history reference

There is no planning history on this site.

## Site Ref AROXB003

Site name Land north east of Roxburgh

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Roxburgh

Site area  
(ha)

0.6

Indicative  
capacity

20

Housing  
SG Status

Excluded

## Accessibility and sustainability assessment

Access to public transport

Poor

Access to employment

Poor

Access to services

Poor

Wider biodiversity impacts

Moderate

Site aspect

Not applicable

Waverley line  
contribution  
required?

### Accessibility and sustainability summary

BIODIVERSITY: Moderate risk - Arable field with garden ground on small boundary of site, small burn to North. Potential connectivity with River Tweed SAC/SSSI through drainage—Mitigation required to ensure no significant adverse effects on integrity of River Tweed SAC.

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Not applicable

Archaeology

Adjacent to site

Listed buildings

Not applicable

Visual relationship/integration with  
existing settlement

The site is located alongside the settlement boundary for Roxburgh. The site could potentially be developed in linear form similar to that on the opposite side of the road and throughout the village.

Impact on open space

Low

Impact on archaeology

Low

Impact on listed buildings

Low

### Local impact and integration summary

ARCHAEOLOGY: There is a possibility of street frontage plots.

HERITAGE & DESIGN: Potential linear development echoing farm rows.

## Landscape assessment

NSA

Not applicable

SLA

On/adjacent to site

Landscape designation

Moderate

General amenity

Average

Altitude  
>200m?

Height  
constraint

Moderate

Slope >12  
degrees?

Slope  
constraint

Minor

Constrained in Landscape Capacity Study

### Landscape features

A narrow (15m) strip of land on side of single track country lane opposite existing cottages. The ground slopes down towards the road and is elevated above the road by a stone retaining wall. The site is within the Tweed Lowlands Special Landscape Area.



## Site Ref AROXB003

Site name Land north east of Roxburgh

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Roxburgh

Site area  
(ha)

0.6

Indicative  
capacity

20

Housing  
SG Status

Excluded

**Landscape summary** LANDSCAPE COMMENTS: The site is a narrow (15m) strip of land on side of single track country lane opposite existing cottages. The ground slopes down towards the road and is elevated above the road by a stone retaining wall. The long north western boundary is entirely arbitrary and does not relate to any landscape feature. Opposite the site there is intermittent rural housing on opposite side of the existing lane. The site shape is arbitrary and is presumably based on direct access off the existing lane. Development would require considerable excavation of material to achieve level access. This would also require major retention of excavated banking along the long (rear) NW boundary. There is a telecom and/or pole mounted electricity line running along the road side to the south of the site. The residential amenity of the existing properties would be affected by development at this location. Overall the site does not represent a viable or acceptable development scenario and it is therefore concluded that the site as proposed is not viable.

SNH: No comment.

## Planning and infrastructure assessment

### Physical access/road capacity

Near a trunk road?

ROADS PLANNING TEAM: The roads currently serving the site are restrictive but the site is accessible from the north and south to assist with spread of traffic. A linear development respecting the existing village layout and road capacity is acceptable. Some improvements to the existing road adjacent to the site will be required e.g. passing provision and street lighting requirements to consider. It should be noted that there is a level difference between the public road and the site which will require careful consideration to overcome.

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Yes

### Sewerage

No

### Education provision

Good

### Primary school capacity

Yes

### Secondary school capacity

Yes

### Right of way

Not applicable

### TPOs

Not applicable

### Marketability

Average

### Land use allocations

Not applicable

### If yes, what?

### Planning and Infrastructure summary

DEVELOPMENT MANAGEMENT: The topography of the ground leads Development Management to conclude that any such development on this elevated site would struggle to make acknowledgement of the historical context and would erode the sense of place. Although Roxburgh has a settlement boundary, extensions of ribbon development along public roads will not normally be permitted (for building groups) and this is equally applicable in this situation. Amenity of immediate neighbours would also be a material concern. To finalise, there is no natural context to contain or determine the extent of a development either; in the topography of the ground or; defined by natural land cover. This would lead to an uncomfortable relationship with the existing settlement. Any development would be visually prominent without significant changes to levels and boundary treatments, which could recourse to character of surrounding area, and be contrary to policy PMD2.

SCOTTISH WATER - WWTW: No capacity, small septic tank only a new works will need to be built, developer will need to meet 5 growth criteria, upgrade would be 4 years following application.

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the

## Site Ref AROXB003

Site name Land north east of Roxburgh

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Roxburgh

Site area  
(ha)

0.6

Indicative  
capacity

20

Housing  
SG Status

Excluded

developer to enable a connection.

STRATEGIC TRANSPORT: There is an opportunity to provide enhanced pedestrian access in this area of the village.

NETWORK MANAGER: No comments.

OUTDOOR ACCESS TEAM: As this housing proposal is on a minor road shared with Core path 01 (Borders Abbeys Way) with no current footway. A road pavement path should be made up within the site to be brought up to adoptable standard, links made to the development and entered in to the list of public roads per section 1 of the Roads (Scotland) Act 1984.

CONTAMINATED LAND OFFICER: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

EDUCATION: No issues.

NEIGHBOURHOOD SERVICES: Potential off-site contribution for play.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### Overall assessment

**Doubtful**

### Summarised conclusion

The site has been assessed as doubtful. The site has various constraints including wastewater infrastructure and site topography. The site is within the Tweed Lowlands SLA. The residential amenity of adjacent properties would need to be taken into consideration if the site was to be developed.

### Conclusions

It is not considered appropriate to allocate this site for housing within the Housing Supplementary Guidance. The site is significantly elevated above the road and development of the site would require considerable excavation of material to achieve level access. This would also require major retention of excavated banking along the long (rear) NW boundary. The residential amenity of the existing properties would be affected by development at this location. There are also infrastructure constraints in relation to the wastewater treatment capacity within the settlement. Roxburgh is currently served by a small septic tank and therefore the foul system will need to be upgraded to support any development at this location. The site is also within the Tweed Lowlands Special Landscape Area and careful consideration must be given to boundary treatments, the landscape and visual impact mitigation as well as the site design. There are no key facilities or public services within the village and there is also limited access to public transport links. Overall it is considered there are more appropriate sites to meet the housing land shortfall as part of the Housing Supplementary Guidance.

**Site Ref ASELK031****Site name** Land north of Bannerfield**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

11.9

**Indicative capacity**

10

**Housing SG Status**

Excluded

**Initial assessment****Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy** The site is located within Central Strategic Development Area and Central Housing Market Area.**Initial assessment summary** There is a small area within the site that may be at risk of surface water flooding.

SEPA: Site is adjacent to fluvial Flood Map however OS Map contours indicate a sufficient height difference between the site and the Etrick and Linglie Burn. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Also surface water runoff from the nearby hills may be an issue and may require mitigation measures during design stage. Foul water must be taken to the SW foul network. There appears to be a reservoir shown on the map just to the north of the site. It is not known what this is or if it is still active.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. This will be even further enforced in that the Selkirk Flood Protection Scheme will be completed in Late 2016/Early 2017.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area**

Not applicable

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** There is no relevant planning history on the site.

**Site Ref ASELK031**

Site name Land north of Bannerfield

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

11.9

**Indicative capacity**

10

**Housing SG Status**

Excluded

**Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line contribution required?****Accessibility and sustainability summary**

BIODIVERSITY: Minor risk - improved pasture with some mature tree and scrub cover and garden ground on boundary of site. No obvious connectivity to Ettrick water (River Tweed SAC/SSSI) (Protected species may include e.g. badger and breeding birds. Safeguard trees on boundary. No significant biodiversity issues. Whilst this area of Selkirk is some distance from the town, there is a nearby general store, a primary school and good public transport links available within the vicinity. The capacity of Philiphaugh Community School to accommodate development would need to be checked with Education.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

On site

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

On site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

The site is located adjacent to the settlement boundary of Selkirk, to the north of Bannerfield. Part of the site has been considered previously in 2006, and was discounted for the reason that "the site is detached from the settlement by a steep, tree covered bank". However, the Scottish Borders Development and Landscape Capacity Study (February 2007) states that "there is potentially scope for several houses to be located to extend the existing pattern of individual house development north east of Levenlea, sited behind the belt of woodland which extends along the roadside. These proposals were not, however, interpreted as offering a serious expansion opportunity for Selkirk, as this area, while technically part of Selkirk, feels very detached from the main settlement". It is therefore considered that the principal of residential development at this location may be acceptable.

**Impact on open space**

Low

**Impact on archaeology**

Medium

**Impact on listed buildings**

Low

**Local impact and integration summary**

ARCHAEOLOGY: Area partly within Registered Battlefield (Philiphaugh); no other archaeological comments; Archaeological potential; Setting should be accounted for.  
HERITAGE & DESIGN: No natural boundary to rear, a softer boundary is needed. Possible series of larger individual houses on elevated sites.

**Site Ref ASELK031**

Site name Land north of Bannerfield

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

11.9

**Indicative capacity**

10

**Housing SG Status**

Excluded

**Landscape assessment****NSA**

Not applicable

**SLA**

On site

**Landscape designation**

Moderate

**General amenity**

Good

**Altitude >200m?****Height constraint**

Major

**Slope >12 degrees?****Slope constraint**

Major

**Constrained in Landscape Capacity Study** **Landscape features**

LANDSCAPE COMMENTS: Substantial mature shelterbelt planting along part of southern boundary, on steeply sloping bank above road with evidence of previous felling done to lower slopes. Difficulty of access must be a major constraint on development. The expansion of development onto sloping and highly visible slopes outwith the settlement boundary is another constraint on (the type of) development. Attractive and well maintained drystone walls to field boundaries. Possible access through field gate at top of drive to Levenlea or otherwise from NE corner of site – but in the latter the visibility and speed of traffic at this location may preclude this. Poor access to town centre but good pedestrian access to countryside and hills to north. Woodland on slopes along the southern boundary is good habitat for birds, bats and invertebrates. Structure planting in the form of a robust shelterbelt along the northern boundary would provide additional habitat as well as a backdrop to any development.

**Landscape summary**

LANDSCAPE COMMENTS: The suggested capacity of 10 units reflects the type of detached villa development to date along this side of the A707 road and further development of this style and density would be the most appropriate to the location.

SNH: This site lies outwith the current settlement boundary as shown in the LDP. It is within a Special Landscape Area. The site is elevated relative to the A707 which runs along its southern boundary. Development in the eastern third of the site is likely to be visible from the A707 east of Linglie, bringing the perceived entry to Selkirk some 0.5km east of its current point.

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

ROADS PLANNING TEAM: I am opposed to this site being allocated for development owing to it being on the opposite side of the A708 Principal Road from the rest of the town and the lack of opportunity for access to it. Due to the topography of the site and the elongated nature of the proposed site, there is no obvious means of access which would adequately serve the development.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability****Land use allocations****If yes, what?**

## Site Ref **ASELK031**

Site name Land north of Bannerfield

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Selkirk

Site area  
(ha)

11.9

Indicative  
capacity

10

Housing  
SG Status

Excluded

Average

Not applicable

### Planning and Infrastructure summary

DEVELOPMENT MANAGEMENT: I have very significant concerns given the landscape designation (the site is within the SLA). Development of this site would do major harm to the landscape setting of the town. The site is remote from town centre, and would not be my first or even second choice site to develop on this scale in Selkirk. The other Selkirk sites rank ahead of this in terms of suitability for development.

CONTAMINATED LAND OFFICER: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

STRATEGIC TRANSPORT: No comments.

NETWORK MANAGER: No comments.

OUTDOOR ACCESS TEAM: There is no existing provision on or adjacent to this site to allow responsible access into the countryside, the creation of this should be a major consideration. Connection to the existing path network on the south side of the road should also be created.

EDUCATION: No issues.

SCOTTISH WATER - WWTW: OK.

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the developer to enable a connection.

NEIGHBOURHOOD SERVICES: No comments.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### Overall assessment

### Summarised conclusion

Unacceptable

It is not possible to achieve an appropriate access into the site due to topography and the elongated nature of the site.

### Conclusions

The site area and capacity was reduced for the purposes of the consultation process as it was considered that a reduced area/capacity was worth exploring. There is a small area within the site that may be at risk of surface water flooding which would require investigation as well as surface water run off from the nearby hills. There are no significant biodiversity issues relating to the site. Whilst this area of Selkirk is some distance from the town, there are facilities within the vicinity, including Philiphaugh Primary School. The site is located adjacent to the settlement boundary of Selkirk, to the north of Bannerfield. Part of the site has been considered previously in 2006, and was discounted for the reason that "the site is detached from the settlement by a steep, tree covered bank". However, the Scottish Borders Development and Landscape Capacity Study (February 2007) states that "there is potentially scope for several houses to be located to extend the existing pattern of

**Site Ref ASELK031****Site name** Land north of Bannerfield**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area  
(ha)**

11.9

**Indicative  
capacity**

10

**Housing  
SG Status****Excluded**

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individual house development north east of Levenlea, sited behind the belt of woodland which extends along the roadside. These proposals were not, however, interpreted as offering a serious expansion opportunity for Selkirk, as this area, while technically part of Selkirk, feels very detached from the main settlement". It is therefore considered that the principal of residential development at this location may be acceptable. However, the extend of the site from that submitted during the 'Call for Sites' was significantly reduced for the consultation process. Consideration would need to be given to the location of the site within a Special Landscape Area. Detached villa development would be most appropriate to the location. However, it is not possible to achieve an appropriate access into the site due to topography and the elongated nature of the site.

**Site Ref ASELK033**

Site name Angles Field

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

2.0

**Indicative capacity**

30

**Housing SG Status**

Preferred

**Initial assessment****Floodrisk**

1:200

**SAC**

Adjacent to site

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy**

The site is located within the Central Strategic Development Area and the Central Housing Market Area.

**Initial assessment summary**

The eastern part of the site is within the 1:200 year flood risk area.

SEPA: We require an FRA which assesses the risk to this site from the Long Philip Burn and small drain as well as the Ettrick Water and interaction between. The FRA will need to take into consideration the recent changes to the channel and the FPS as well as blockages to structures. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues adjacent to this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Site will likely be heavily constrained due to flood risk and the council may wish to consider removing this from the LDP. A drain is shown running through the east edge of the site. Foul water must be connected to the SW foul sewer.

SBC FLOOD TEAM: Part of this site is now protected to a 1 in 200 year flood event by the Selkirk Flood Protection Scheme. If all of the area is raised to this level of protection I would have no objection. The levels etc. will be with the Selkirk FPS and they would be best in terms of consultation on this.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference**

No relevant planning history on the site.



**Site Ref ASELK033**

Site name Angles Field

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

2.0

**Indicative capacity**

30

**Housing SG Status**

Preferred

**Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

Not applicable

**Waverley line contribution required?****Accessibility and sustainability summary**

BIODIVERSITY: Minor risk - Site being developed and cleared for development. Selkirk Flood Protection scheme removes site from SEPA 1 in 200 year flood risk, so will no longer be within functional floodplain of Ettrick water (River Tweed SAC). Although the site is some distance from the town centre, there is a nearby general store, a primary school and good public transport links available within the vicinity. The capacity of Philiphaugh Community School to accommodate development would need to be checked with Education.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Adjacent to site

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

On site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

The site is situated within a triangular area surrounded by the A707 and A708 roads. There are well established residential areas to the north and east. It is considered a suitably designed development at this location would have a negligible impact upon the built environment.

**Impact on open space**

Low

**Impact on archaeology**

High

**Impact on listed buildings**

Low

**Local impact and integration summary**

ARCHAEOLOGY: Within Registered Battlefield (Philiphaugh) and area of previous archaeological work; no sites within immediate area. Nothing shown by previous OS; Setting of battlefield to be considered. Site has been assessed for archaeology.

HERITAGE & DESIGN: Works have been carried out as part of Selkirk Flood Protection Scheme. The site is very exposed site with three outer faces.

**Landscape assessment****NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Average

**Altitude >200m?****Height constraint**

Minor

**Slope >12 degrees?****Slope constraint**

Minor

## Site Ref **ASELK033**

Site name Angles Field

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area  
(ha)**

2.0

**Indicative  
capacity**

30

**Housing  
SG Status**

Preferred

### Constrained in Landscape Capacity Study

**Landscape features** LANDSCAPE OFFICER: The southern part of the field immediately to the south has been adapted to incorporate embankments to the re-aligned Long Philip Burn (LPB). The eastern boundary adjoins the busy A707 road. The NW boundary is adjacent to the recently stopped up A708 so it is likely site access would be off this road. Important line of mature trees along the eastern boundary with small drain running along this boundary into the LPB. Good opportunity to access the LPB walkway from the SW and SE of site which links to both Corby Linn and to Bannerfield and across the new pedestrian bridge to Riverside. The mature trees provide a valuable habitat for birds, bats and invertebrates. Additional structure planting to the corners and wall/hedge planting along NW boundary would provide additional habitat.

**Landscape summary** LANDSCAPE OFFICER: A site capacity of 20-30 given the actual size of the site after installation of FPS would seem an appropriate density. Further structure and hedge planting will be important in establishing a 'sense of place' for this development.

SNH: This site is within the existing settlement boundary, as shown in the LDP. At present it relates more strongly to the surrounding countryside than to the urban area. If taken forward as an allocation, the principles for development set out in site requirements for the adjacent ASELK006 would be relevant to this site. In particular: pedestrian/cycle links between the site and Selkirk; retain existing trees along the southern and eastern boundaries; mitigation measures to prevent impact on the River Tweed SAC via the Long Philip Burn on the south boundary of the site; the southern boundary of the site appears to have been chosen to avoid flood risk. It appears likely that there will be some similar restrictions on the eastern side of the site. We recommend that these areas are safeguarded as open space and that no built development takes place. SEPA's advice should be sought on flood risk.

## Planning and infrastructure assessment

### Physical access/road capacity

### Near a trunk road?

ROADS PLANNING TEAM: I have no objections to this site being zoned for housing.

In terms of access there are several options available for both vehicular access and pedestrian/cycle linkage therefore the site can connect and integrate well with its surroundings as well as internally.

Recent alterations to the road network means that the road along the western boundary is no longer an 'A' class road. The street lighting, footway etc. on this road can be extended to serve the development of the site.

Vehicular access will be via the two roads directly adjacent to the site and the creation of strong street frontages onto these existing roads is strongly recommended in the interests of good street design as well to help fashion an environment which encourages slower traffic speeds.

In its favour this site is close to public transport links.

A Transport Statement will be required.

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Yes

### Sewerage

Yes

## Site Ref **ASELK033**

Site name Angles Field

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Selkirk

Site area  
(ha)

2.0

Indicative  
capacity

30

Housing  
SG Status

Preferred

### Education provision

Good

### Primary school capacity

Yes

### Secondary school capacity

Yes

### Right of way

Not applicable

### TPOs

Not applicable

### Marketability

Average

### Land use allocations

Not applicable

### If yes, what?

### Planning and Infrastructure summary

DEVELOPMENT MANAGEMENT: No concerns about housing development here – I support fully this land being allocated for housing. The site could tie in very well with the enhancement and greenspace works on the Long Philip Burn through the Selkirk FPS, which could make for a high quality environment for housing. It is considered this is the best of the Selkirk sites brought forward by a considerable margin. Selkirk Flood Protection Scheme contributions should also be highlighted.

EDUCATION: No issues

STRATEGIC TRANSPORT: Creates an opportunity to provide enhanced pedestrian/cycling facilities and also to provide links to the local path network. The key issue is access to the site and how to get people safely across the A class roads.

OUTDOOR ACCESS TEAM: Path links should be made to the path adjacent to the Long Philip Burn.

NETWORK MANAGER: Careful consideration needs to be given to access arrangements.

CONTAMINATED LAND OFFICER: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

SCOTTISH WATER - WWTW: OK.

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the developer to enable a connection.

NEIGHBOURHOOD SERVICES: Potential for on-site play provision.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### Overall assessment

Acceptable

### Summarised conclusion

The principle of development at this location is considered to be acceptable. Consideration required to flood risk issues, a FRA required.

**Site Ref ASELK033****Site name** Angles Field**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area  
(ha)**

2.0

**Indicative  
capacity**

30

**Housing  
SG Status****Preferred**

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**Conclusions**

The eastern part of the site is within the 1:200 year flood risk area, SEPA require a FRA. The Council's Flood Team has, however, advised that part of the site is now protected to a 1 in 200 year flood event by the Selkirk Flood Protection Scheme and if all the area is raised to this level of protection this would be acceptable. The required levels would be informed by the Selkirk FPS. There is minor biodiversity risk and accessibility to local services is good. It is considered that the site relates well to the existing settlement at this location. The setting of the historic battlefield (Battle of Philiphaugh) would require to be considered. Further structure and hedge planting will be important in establishing a 'sense of place' for this development. Mitigation measures would be required to prevent impact on the River Tweed SAC via the Long Philip Burn on the south boundary of the site. In terms of access there are several options available for both vehicular access and pedestrian/cycle linkage therefore the site can connect and integrate well with its surroundings as well as internally. Contamination will require to be investigated. Potential local Water Treatment Works issues.

**Site Ref ASELK038**

Site name Heather Mill

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

1.3

**Indicative capacity**

75

**Housing SG Status**

Excluded

**Initial assessment****Floodrisk**

1:200

**SAC**

Adjacent to site

**SPA**

Not applicable

**SSSI**

Adjacent to site

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Moderate**Structure Plan policy** The site is located within the Central Strategic Development Area.**Initial assessment summary**

SEPA COMMENTS: This proposed change to the land use is an increase in vulnerability and is reliant on the FPS to protect the site from the Etrick Water. There is a residual risk from surface water ponding behind defences. Council should be mindful that allocating land for housing will increase the number of persons reliant on a FPS to protect them from flooding. We would stress that FPSs have a finite design life. We would be more supportive of a land use type that is similar to the current land use.

SBC FLOOD TEAM: I would have no objections on the grounds of flood risk to any site that is protected to a 1 in 200 year flood event by the Selkirk Flood Protection Scheme. This site will be protected to a 1 in 500 year plus climate change level of protection so I would have no objections on the grounds of flood risk.

SFPS: SEPA are correct that the site's development would place new property behind a FPS defence and that that creates a new risk that the FPS must be maintained – this is however the Council's intention. The Scheme has been designed to take into account ponding behind the defences through a drainage network etc.

SEPA's flood maps identify the site as being at risk from 1 in 200 year flood events. However, the Selkirk Flood Protection Scheme will provide flood protection to this site and the Council is of the view that the flood scheme will enable development at this location, including housing. SEPA have been consulted and would be more supportive of a land use type similar to the existing use. SEPA also note a residual risk from surface water ponding behind defences, but the design of the Scheme takes account of this risk.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Buildings

**Common Good Land MOD safeguarded area**

Not applicable

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** 96/01386/FUL - Replacement of roof coverings

**Site Ref ASELK038**

Site name Heather Mill

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

1.3

**Indicative capacity**

75

**Housing SG Status**

Excluded

**Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Moderate

**Site aspect**

Not applicable

**Waverley line contribution required?****Accessibility and sustainability summary**

ECOLOGY OFFICER: Existing built structures (textile mill and domestic properties) have potential to support protected species such as bats (EPS) and breeding birds. Part of site contains and area of developing woodland and scrub including semi-mature trees (protected species interest may include bats and breeding birds). Possible drainage connectivity with River Tweed SAC. Site within Selkirk FPS area.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

On site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

This site sits within Selkirk's settlement boundary, in the Riverside area. The Riverside area is situated adjacent to the Ettrick Water, and is historically the site of several mills, including Heather Mill which operated on the proposed site. The site is visually prominent from the crossing the riverside footpath along the Ettrick and at Bannerfield, and particularly from Bridge Street footbridge.

**Impact on open space**

Low

**Impact on archaeology**

Medium

**Impact on listed buildings**

Low

The existing neighbouring land uses include class 4 office, class 6 storage, and also within the vicinity are class 9 residential properties, class 11 assembly and leisure uses and a small number of retail units.

**Local impact and integration summary**

BUILT HERITAGE OFFICER: Redevelopment opportunity but will need a design vision and integrity to echo the more substantial mill buildings in this area.

ARCHAEOLOGY OFFICER: Mill site since OS3; some mill buildings demolished, others remain (OS6 date); small part of the area clips Registered Battlefield (Philiphaugh).

**Site Ref ASELK038**

Site name Heather Mill

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

1.3

**Indicative capacity**

75

**Housing SG Status**

Excluded

**Landscape assessment****NSA**

Not applicable

**SLA**

Adjacent to site

**Landscape designation**

Moderate

**General amenity**

Poor

**Altitude >200m?****Height constraint**

Minor

**Slope >12 degrees?****Slope constraint**

Minor

**Constrained in Landscape Capacity Study** **Landscape features**

Mill buildings at SW end of site originally built from whinstone and latterly brick built additions but in poor state of repair. NE half of site cleared of mill buildings and covered by natural regeneration woodland. Parts of original mill boundary walls and gates still extant along Whinfield Road.

**Landscape summary**

LANDSCAPE OFFICER: Now that the flood protection scheme is installed (almost complete) this becomes a prime location overlooking the new bridge and plaza and on an important route to main pedestrian river crossing. (It could act as a catalyst to further prestige development and set the standard in design.). The pattern of past industrial development suggests a high density development with a mixture of residential units including flatted apartments and contemporary interpretations of the local artisan dwellings.

SNH: This site lies within business allocation BSELK003 and as such, the principle of redevelopment has been established. The site requirements for BSELK003 in the LDP highlight the site's relationship to the Ettrick Water. As this is part of the River Tweed SAC we recommend that the required planning brief highlights the need for assessment and mitigation of potential impacts.

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

ROADS DM: I have no objections to this site being redeveloped. There are multiple acceptable permutations in terms of accessing the site, however best use of the existing road infrastructure should be employed. An opportunity will exist for street connectivity between Whinfield Road and Riverside Road at the east end of the site. Any development will have to take into account the alterations to the road network as part of the Selkirk Flood Prevention Scheme. A Transport Assessment will be required.

**Contaminated land**

On site

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Adjacent to site

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

On site

**If yes, what?**

PMD3: Land Use Allocations

## Site Ref ASELK038

Site name Heather Mill

Proposed usage

Housing

SDA

Central

HMA

Central

Settlement

Selkirk

Site area  
(ha)

1.3

Indicative  
capacity

75

Housing  
SG Status

Excluded

### Planning and Infrastructure summary

ENVIRONMENTAL HEALTH (CONTAMINATED LAND): The site appears to have been developed with a Woollen Mill, a Yarn Mill, and a weaving and spinning mill. The site is brownfield land and its use may present development constraints.

The Council's Access team commented that the erection of an unsuitable building, not in keeping with the stone mills, would detract from the aesthetics of the path network in this area.

STRATEGIC TRANSPORT: Good opportunity to provide enhanced links to the existing riverside shared access route.

PARKS OFFICER: Potential off-site contribution for play at Victoria Park

SEPA: Foul water should be connected to the SW foul sewer network. Site is located near to an exempt scrap site, but this is not anticipated to be an issue.

DM Officer raised various concerns including: contamination; mix/ conflicts of uses; Selkirk FPS contributions; and long term intentions for the Riverside area, in terms of allocations.

ECONOMIC DEVELOPMENT: Do not support loss of employment land for housing. Selkirk FPS & proximity to Tweedbank Station could encourage development for business use.

SUMMARY: The site is located within Riverside 8, which is allocated for business and industrial use as a designated 'local' site. LDP policy ED1 aims to maintain the supply of employment land, but gives a low level of protection to Local Sites. Development other than Classes 4, 5 and 6 is likely to be supported on local sites, subject to respecting the character and amenity of the surrounding area and being compatible with neighbouring business and industrial uses. The site is considered to meet the requirements of this policy. Comments from Economic Development regarding loss of employment land are noted, but change of use of 'local' employment land to housing is already established as appropriate by the Local Development Plan.

## Overall assessment

### Overall assessment

Acceptable

### Summarised conclusion

### Conclusions

The site has been considered as part of the Housing SG. An initial stage 1 assessment was undertaken, followed by a full site assessment and consultation process. This site has been assessed for housing use, and mixed use. This assessment is for housing use.

The site sits within Selkirk's settlement boundary, in the Riverside area. The site is currently allocated for 'local' employment use by the Local Development Plan. This is a more flexible employment land designation which allows the change of use of employment land to other uses, including housing, under certain conditions. The Riverside area is situated adjacent to the Ettrick Water, and is historically the site of several mills, including Heather Mill which operated on the proposed site.

SEPA's flood maps identify the site as being at risk from 1 in 200 year flood events. However, the Selkirk Flood Protection Scheme will provide flood protection to this site and the Council is of the view that the flood scheme will enable development at this location, including housing. SEPA have been consulted and would be more supportive of a land use type similar to the existing use. SEPA



**Site Ref ASELK038****Site name** Heather Mill**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

1.3

**Indicative capacity**

75

**Housing SG Status****Excluded**

also note a residual risk from surface water ponding behind defences, but the flood protection scheme is designed to account for this. SEPA have not objected to the site. Overall, the Council considers the FPS to have provided the opportunity for high quality, high density housing development at this location.

The site is subject to a moderate level of biodiversity risk due to the potential on the site for protected species. There are also potential archaeological interests at the site. Detrimental impacts on the SAC and SSSI must be mitigated. The site appears to have been developed with a Woollen Mill, a Yarn Mill, and a weaving and spinning mill. The site is brownfield land and its use may present development constraints.

In terms of access to the site, there are multiple acceptable permutations. The best use of the existing road infrastructure should be employed.

In conclusion, the site is acceptable for housing use. However, the site has also been assessed for mixed use, which is the preference of the developer. The site is considered equally suited to mixed use development, which provides greater flexibility and is the preference of the developer. The site will be excluded for housing use only, and put forward as a preferred site for mixed use.

## Site Ref **ASELK040**

Site name Philiphaugh Mill

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Selkirk

Site area  
(ha)

1.6

Indicative  
capacity

19

Housing  
SG Status

Alternative

## Initial assessment

### Floodrisk

1:200

### SAC

Not applicable

### SPA

Not applicable

### SSSI

Not applicable

### Ramsar

Not applicable

### Adjacent to River Tweed?

### International/national designation constraints

Minor

### Structure Plan policy

The site is located within Central Strategic Development Area and Central Housing Market Area.

### Initial assessment summary

SEPA: Due to the site being in a sparsely developed area and a proposed increase in sensitivity from commercial to residential we do not consider that it meets with the requirements of Scottish Planning Policy and our position is unlikely to change. We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the first instance. Therefore, we recommend that this site is not included within the SG. However, we would be supportive of redevelopment of the site for a similar commercial use.

The SEPA Flood Risk Hydrology acknowledges that the Selkirk Flood Prevention Scheme (FPS) will reduce the risk of flooding to Selkirk, including to site ASELK040 (previously zRO200) Philiphaugh Mill. However, the existing properties behind the proposed defences will remain in a flood risk area. Likewise site ASELK040 will remain in a flood risk area and any development located on that site will increase the overall numbers of properties and people at risk of flooding. Flood defences do not entirely remove the risk of flooding to a site. Defences can be breached or overtopped leading to a scenario that can be significantly worse than if there are no defences present as flooding can be sudden, unexpected and floodwater trapped behind defences can extend the period of inundation which can lead to greater damage. FPS have a finite design life, which may be less than that of the proposed and future development.

The mill lade which went through old fish farm runs through the site. This would need to be protected to maintain flow and protect water quality. Foul water should be connected to the SW foul sewer network. SEPA is aware that there is made ground on the site (filling in of old fish tanks) which could contain unsuitable materials (ie be considered contaminated land). It should be noted that SEPA have also submitted a Flood Risk Technical Report alongside as part of their response.

Mill lade which went through old fish farm runs adjacent the site. This would need to be protected to maintain flow and protect water quality. Foul water should be connected to the SW foul sewer network. It should be noted that SEPA have also submitted a Flood Risk Technical Report alongside as part of their response.

SBC FLOOD TEAM: Strongly refutes SEPA's position in relation to this site, and furthermore how sites that will now fall behind the protection provided by one of the most comprehensive flood protection schemes delivered to date in Scotland should be evaluated / assessed (from a planning perspective) further to the precedent set by SEPA in relation to this site. The Selkirk Flood Protection Scheme was not provided to allow development or to provide protection to undeveloped land, however the Scheme is now delivered and operational in this area and thus flooding from the 0.5% AEP Event will not occur.

The site was identified by Scottish Borders Council as having potential to contribute to the housing land supply, as part of the Housing SG process. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

## Site Ref **ASELK040**

**Site name** Philiphaugh Mill

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

1.6

**Indicative capacity**

19

**Housing SG Status**

Alternative

### **Minerals and coal**

Not applicable

### **NNR**

Not applicable

### **Prime Quality Agricultural Land**

Not applicable

### **Current use/s**

Buildings

### **Common Good Land**

Not applicable

### **MOD safeguarded area**

On site

### **Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** There is no relevant planning history on the site.

## Accessibility and sustainability assessment

### **Access to public transport**

Good

### **Access to employment**

Good

### **Access to services**

Good

### **Wider biodiversity impacts**

Moderate

### **Site aspect**

Not applicable

### **Waverley line contribution required?**



### **Accessibility and sustainability summary**

BIODIVERSITY: Moderate risk - existing built structures (textile mill) have potential to support protected species such as bats (EPS) and breeding birds. Site contains trees and scrub and derelict buildings adjacent to mill lade, potential connectivity to Ettrick water (River Tweed SAC/SSSI) (protected species interest may include bats, badger and breeding birds). Mitigation required to ensure no significant adverse effects on integrity of River Tweed SAC. Although the site is some distance from the town centre, there is a nearby general store, a primary school and good public transport links available within the vicinity. The capacity of Philiphaugh Community School to accommodate development would need to be checked with Education.

## Local impact and integration assessment

### **Conservation area**

Not applicable

### **Scheduled Ancient Monument**

Not applicable

### **Garden and designed landscape**

Not applicable

### **Ancient woodland inventory**

Not applicable

### **Open space**

Not applicable

### **Archaeology**

On site

### **Listed buildings**

Not applicable

### **Visual relationship/integration with existing settlement**

Whilst the site is located on the edge of the settlement, it is adjacent to existing residential properties. It is considered a suitably designed development at this location would have a negligible impact upon the built environment.

### **Impact on open space**

Low

### **Impact on archaeology**

Medium

### **Impact on listed buildings**

Low

## Site Ref ASELK040

Site name Philiphaugh Mill

### Proposed usage

Housing

### SDA

Central

### HMA

Central

### Settlement

Selkirk

Site area  
(ha)

1.6

Indicative  
capacity

19

Housing  
SG Status  
Alternative

### Local impact and integration summary

ARCHAEOLOGY: Mill site since OS1; site includes ancillary features of mill race and much survival of these (shown by APs); area lies completely within Registered Battlefield (Philiphaugh); Setting should also be accounted for.

HERITAGE & DESIGN: Building not listed but desirable to incorporate at least part of the existing buildings into any redevelopment.

## Landscape assessment

### NSA

Not applicable

### SLA

Not applicable

### Landscape designation

Minor

### General amenity

Good

### Altitude >200m?

### Height constraint

Minor

### Slope >12 degrees?

### Slope constraint

Minor

### Constrained in Landscape Capacity Study

### Landscape features

LANDSCAPE COMMENTS: Disused stone built mill buildings dating from 1850. Small scale of buildings associated woollen mill business. Mill lade in good condition and an attractive (and an historic) feature of the site as are some of the buildings that could make an attractive conversion. Philiphaugh Mill is at the end of the Ettrickhaugh Road which serves Philiphaugh Mill and Ettrickhaugh House and artisan cottages built along the road to house mill workers. Mill lade is main feature of site and worthy of retention as an attractive feature of the site. Trees along mill lades, especially along north and east boundaries should be protected from development as they have a screening and amenity value. Building survey should be undertaken to assess cultural and historic value of remaining buildings. Need to explore potential to make direct pedestrian link onto footpath that runs along south and west boundary site. Perimeter trees and scrub have ecological value and should be retained and supplemented.

### Landscape summary

LANDSCAPE COMMENTS: Capacity is dependent on ability to convert some of the better quality mill buildings and infill development. A capacity of approximately 15-20 does not seem inappropriate for an ex-industrial site where density could be higher than surrounding area. The site has potential to be an interesting combination of building conversion, retaining the more attractive buildings, supplemented by infill development in keeping with the character of the site.

SNH: No comments.

## Planning and infrastructure assessment

### Physical access/road capacity

### Near a trunk road?

ROADS PLANNING TEAM: No objections to the site being zoned for housing. Some minor widening of Ettrickhaugh Road will be required to mitigate the increase in traffic movements. Access to the site will require a new bridge over the Ettrickhaugh Burn. Given that the site only has one realistic point of access, any proposal will need to provide a well-connected layout internally with a potential link to the adjacent site to the north east if that site is also to be allocated for housing. Pedestrian/cycle links will also be required to take advantage of the new riverside path which has been constructed as part of the Selkirk Flood Prevention Scheme.

### Contaminated land

On site

### HSE consultation

Not applicable

### Water supply

Yes

### Sewerage

Yes

**Site Ref ASELK040**

Site name Philiphaugh Mill

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

1.6

**Indicative capacity**

19

**Housing SG Status**

Alternative

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

Not applicable

**If yes, what?****Planning and Infrastructure summary**

DEVELOPMENT MANAGEMENT: Building not listed but desirable to incorporate at least part of the existing buildings into any redevelopment.

STRATEGIC TRANSPORT: Good opportunity to provide enhanced links to the existing path network. Ped/access on Ettrickhaugh Road will need to be given further consideration.

NETWORK MANAGER: No comments.

OUTDOOR ACCESS TEAM: The erection of an unsuitable building, not in keeping with the stone mills, at this site will further detract from the aesthetics of the path network in this area. The site would also need to be linked to the existing path network.

CONTAMINATED LAND OFFICER: The site appears to have been developed with a Woollen Mill. The site is brownfield land and its use may present development constraints

EDUCATION: No issues.

SCOTTISH WATER - WWTW: OK.

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the developer to enable a connection.

NEIGHBOURHOOD SERVICES: Potential off-site contribution for play.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

**Overall assessment****Overall assessment**

Acceptable

**Summarised conclusion**

It is considered that the principle of residential development at this location is acceptable in principle.

**Conclusions**

**Site Ref ASELK040****Site name** Philiphaugh Mill**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area  
(ha)**

1.6

**Indicative  
capacity**

19

**Housing  
SG Status****Alternative**

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SEPA object to the allocation of the site on flooding grounds on the basis that despite the recent Selkirk Flood Protection Scheme, the site remains at risk as a FPS does not entirely remove the risk of flooding to a site. The Council's Flood Team, however, refute this view and consider that the site is now protected from the 0.5% AEP Event. Further discussions between the Council and SEPA will take place to see if an agreement can be reached. Moderate risk to biodiversity. Mitigation required relating to River Tweed SAC. It is considered that the site relates well to the existing settlement at this location. Setting of historic battlefield to be considered. Accessibility to local services is acceptable. The site has the potential to be an interesting combination of building conversion with infill development in keeping with the character of the site. An acceptable access arrangement is achievable. Pedestrian/cycle links required. Potential contamination issues. WTW local network issues possible.

Site Ref **ASELK041**

Site name Philiphaugh 2

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area  
(ha)**

0.6

**Indicative  
capacity**

8

**Housing  
SG Status**  
Alternative

## Initial assessment

**Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

## Structure Plan policy

### Initial assessment summary

SEPA: We have a shared duty with Scottish Ministers and other responsible authorities under the Flood Risk Management (Scotland) Act 2009 to reduce overall flood risk and promote sustainable flood risk management. The cornerstone of sustainable flood risk management is the avoidance of flood risk in the first instance. Therefore, we recommend that this site is removed from the Housing SG. We have reviewed the information provided in this consultation and it is noted that the entire application site lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of flooding. The Selkirk FPS is currently being constructed and will offer protection to existing development along Ettrickhaugh Road. With the scheme in place, Ettrickhaugh Road and adjacent properties will be protected to a 1:200 year event with an allowance for climate change incorporated into the scheme design.

As the housing allocation is located on Greenfield land, and has been flooded in the past, we strongly recommend that this site is removed from the Housing SG. In line with our SEPA position on development behind formal FPSs, development in this area would add to the overall area at risk and would therefore be contrary to the policy principles of Scottish Planning Policy and the aspirations of the Flood Risk Management (Scotland) Act. As such we do not support housing in this area.

SBC FLOOD TEAM: Strongly refutes SEPA's position in relation to this site, and furthermore how sites that will now fall behind the protection provided by one of the most comprehensive flood protection schemes delivered to date in Scotland should be evaluated / assessed (from a planning perspective) further to the precedent set by SEPA in relation to this site. The Selkirk Flood Protection Scheme was not provided to allow development or to provide protection to undeveloped land, however the Scheme is now delivered and operational in this area and thus flooding from the 0.5% AEP Event will not occur.

The site was identified by Scottish Borders Council as having potential to contribute to the housing land supply, as part of the Housing SG process. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

Site Ref **ASELK041**

Site name Philiphaugh 2

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

0.6

**Indicative capacity**

8

**Housing SG Status**

Alternative

**Planning history reference** 04/02026/OUT - Erection of eight dwellinghouses (REFUSED)

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Moderate

**Site aspect**

Not applicable

**Waverley line contribution required?**



### Accessibility and sustainability summary

BIODIVERSITY: Moderate risk - improved pasture with some mature tree and scrub cover and garden ground on boundary of site. Potential drainage connectivity to Ettrick water (River Tweed SAC/SSSI) via mill lade . (Protected species may include e.g. badger and breeding birds. Safeguard trees on boundary. Mitigation required to ensure no significant adverse effects on integrity of River Tweed SAC

## Local impact and integration assessment

**Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

Not applicable

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

Whilst the site is located on the edge of the settlement, it is adjacent to existing residential properties. It is considered a suitably designed development at this location would have a negligible impact upon the built environment.

**Impact on open space**

Low

**Impact on archaeology**

Medium

**Impact on listed buildings**

Low

### Local impact and integration summary

ARCHAEOLOGY: Area lies completely within Registered Battlefield (Philiphaugh) and to immediate northeast of previous area. Nothing recorded for area, but previously developed; Setting should also be accounted for.

HERITAGE & DESIGN: No comments.

## Landscape assessment

**NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Good

**Altitude >200m?**



**Height constraint**

Minor

**Slope >12 degrees?**



**Slope constraint**

Minor



**Site Ref ASELK041**

Site name Philiphaugh 2

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

0.6

**Indicative capacity**

8

**Housing SG Status**

Alternative

**Constrained in Landscape Capacity Study** 

**Landscape features** LANDSCAPE COMMENTS: Trees in association with the mill lade to SE boundary are a valuable bird and bat habitat and must be retained and an adequate buffer must be enforced to ensure their successful retention. Capacity of 8 units not inappropriate for the area and would reflect the density of existing residential units. Care will be required to retain the special qualities of the Ettrickhaugh Rd. Caution should be used in any development to maintain scale of surrounding houses i.e. Single or one and a half storey houses would be most appropriate.

**Landscape summary** LANDSCAPE COMMENTS: Trees in association with the mill lade to SE boundary are a valuable bird and bat habitat and must be retained and an adequate buffer must be enforced to ensure their successful retention. Capacity of 8 units not inappropriate for the area and would reflect the density of existing residential units. Care will be required to retain the special qualities of the Ettrickhaugh Rd. Caution should be used in any development to maintain scale of surrounding houses i.e. Single or one and a half storey houses would be most appropriate.

SNH: Refer to HRA of zRO200 for measures to avoid likely significant effect on River Tweed SAC.

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

ROADS PLANNING TEAM: No objections to the site being zoned for housing. Some minor widening to Ettrickhaugh Road will be required to mitigate the increase in traffic movements. A strong street frontage should be incorporated into the design to mirror the housing opposite.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

Not applicable

**If yes, what?****Planning and Infrastructure summary**

DEVELOPMENT MANAGEMENT: No comments.

STRATEGIC TRANSPORT: No comments.

NETWORK MANAGER: No comments.

OUTDOOR ACCESS TEAM: The erection of an unsuitable building, not in keeping with the stone mills, at this site will further detract from the aesthetics of the path network in this area. The site would also need to be linked to the existing path network.

**Site Ref ASELK041**

Site name Philiphaugh 2

**Proposed usage**

Housing

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area  
(ha)**

0.6

**Indicative  
capacity**

8

**Housing  
SG Status**  
Alternative

CONTAMINATED LAND OFFICER: The site appears to have remained undeveloped until aerial images identify a portion of the site as a storage facility/ yard (precise us unknown). The site is brownfield land and its use may present development constraints

EDUCATION: No issues.

SCOTTISH WATER - WWTW: OK.

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the developer to enable a connection.

NEIGHBOURHOOD SERVICES: Potential off-site contribution for play.

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

**Overall assessment****Overall assessment****Acceptable****Summarised conclusion**

Despite an objection from SEPA on flooding grounds, it is considered that the allocation of this site for housing is acceptable in principle.

**Conclusions**

The site is a greenfield site, and has flooded in the past. SEPA object to the allocation of the site on flooding grounds on the basis that despite the recent Selkirk Flood Protection Scheme, the site is at risk of flooding. The Council's Flood Team, however, refute this view and consider that the site is now protected from the 0.5% AEP Event. Further discussions between the Council and SEPA will take place to see if an agreement can be reached. There is moderate risk to biodiversity and River Tweed SAC mitigation would be required. Accessibility to local services is acceptable. Archaeological investigation and mitigation required. Setting of registered battlefield requires consideration. In principle it is considered that the site offers a suitable location for housing. Trees in associated with mill lade would require to be retained and an adequate buffer must be enforced to ensure their successful retention. Site acceptable from a physical access/road capacity point of view and should be linked to existing path network. Possible contamination would require to be investigated and mitigated.

**Site Ref MSELK002**

Site name Heather Mill

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

1.3

**Indicative capacity**

75

**Housing SG Status**

Preferred

**Initial assessment****Floodrisk**

1:200

**SAC**

Adjacent to site

**SPA**

Not applicable

**SSSI**

Adjacent to site

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Moderate**Structure Plan policy** The site is located within the Central Strategic Development Area.**Initial assessment summary**

SEPA COMMENTS: This proposed change to the land use is an increase in vulnerability and is reliant on the FPS to protect the site from the Etrick Water. There is a residual risk from surface water ponding behind defences. Council should be mindful that allocating land for housing will increase the number of persons reliant on a FPS to protect them from flooding. We would stress that FPSs have a finite design life. We would be more supportive of a land use type that is similar to the current land use.

SBC FLOOD TEAM: I would have no objections on the grounds of flood risk to any site that is protected to a 1 in 200 year flood event by the Selkirk Flood Protection Scheme. This site will be protected to a 1 in 500 year plus climate change level of protection so I would have no objections on the grounds of flood risk.

SFPS: SEPA are correct that the site's development would place new property behind a FPS defence and that that creates a new risk that the FPS must be maintained – this is however the Council's intention. The Scheme has been designed to take into account ponding behind the defences through a drainage network etc.

SEPA's flood maps identify the site as being at risk from 1 in 200 year flood events. However, the Selkirk Flood Protection Scheme will provide flood protection to this site and the Council is of the view that the flood scheme will enable development at this location, including housing. SEPA have been consulted and would be more supportive of a land use type similar to the existing use. SEPA also note a residual risk from surface water ponding behind defences, but the design of the Scheme takes account of this risk.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Buildings

**Common Good Land MOD safeguarded area**

Not applicable

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** 96/01386/FUL - Replacement of roof coverings

## Site Ref MSELK002

Site name Heather Mill

Proposed usage

Mixed Use

SDA

Central

HMA

Central

Settlement

Selkirk

Site area  
(ha)

1.3

Indicative  
capacity

75

Housing  
SG Status  
Preferred

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Good

Access to services

Good

Wider biodiversity impacts

Moderate

Site aspect

Not applicable

Waverley line  
contribution  
required?

### Accessibility and sustainability summary

The following consultation responses were received in relation to the potential housing use of the site.

ECOLOGY OFFICER: Existing built structures (textile mill and domestic properties) have potential to support protected species such as bats (EPS) and breeding birds. Part of site contains an area of developing woodland and scrub including semi-mature trees (protected species interest may include bats and breeding birds). Possible drainage connectivity with River Tweed SAC. Site within Selkirk FPS area.

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Not applicable

Archaeology

On site

Listed buildings

Not applicable

Visual relationship/integration with existing settlement

This site sits within Selkirk's settlement boundary, in the Riverside area. The Riverside area is situated adjacent to the Ettrick Water, and is historically the site of several mills, including Heather Mill which operated on the proposed site. The site is visually prominent from the crossing the riverside footpath along the Ettrick and at Bannerfield, and particularly from Bridge Street footbridge.

Impact on open space

Low

Impact on archaeology

Medium

Impact on listed buildings

Low

The existing neighbouring land uses include class 4 office, class 6 storage, and also within the vicinity are class 9 residential properties, class 11 assembly and leisure uses and a small number of retail units.

### Local impact and integration summary

The following consultation responses were received in relation to the potential housing use of the site.

BUILT HERITAGE OFFICER: Redevelopment opportunity but will need a design vision and integrity to echo the more substantial mill buildings in this area.

ARCHAEOLOGY OFFICER: Mill site since OS3; some mill buildings demolished, others remain (OS6 date); small part of the area clips Registered Battlefield (Philiphough).

**Site Ref MSELK002**

Site name Heather Mill

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area (ha)**

1.3

**Indicative capacity**

75

**Housing SG Status**

Preferred

**Landscape assessment****NSA**

Not applicable

**SLA**

Adjacent to site

**Landscape designation**

Moderate

**General amenity**

Poor

**Altitude >200m?****Height constraint**

Minor

**Slope >12 degrees?****Slope constraint**

Minor

**Constrained in Landscape Capacity Study** 

**Landscape features** Mill buildings at SW end of site originally built from whinstone and latterly brick built additions but in poor state of repair. NE half of site cleared of mill buildings and covered by natural regeneration woodland. Parts of original mill boundary walls and gates still extant along Whinfield Road.

**Landscape summary** The following consultation responses were received in relation to the potential housing use of the site.

LANDSCAPE OFFICER: Now that the flood protection scheme is installed (almost complete) this becomes a prime location overlooking the new bridge and plaza and on an important route to main pedestrian river crossing. (It could act as a catalyst to further prestige development and set the standard in design.). The pattern of past industrial development suggests a high density development with a mixture of residential units including flatted apartments and contemporary interpretations of the local artisan dwellings.

SNH: This site lies within business allocation BSELK003 and as such, the principle of redevelopment has been established. The site requirements for BSELK003 in the LDP highlight the site's relationship to the Ettrick Water. As this is part of the River Tweed SAC we recommend that the required planning brief highlights the need for assessment and mitigation of potential impacts.

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

The following consultation responses were received in relation to the potential housing use of the site.

ROADS DM: I have no objections to this site being redeveloped. There are multiple acceptable permutations in terms of accessing the site, however best use of the existing road infrastructure should be employed. An opportunity will exist for street connectivity between Whinfield Road and Riverside Road at the east end of the site. Any development will have to take into account the alterations to the road network as part of the Selkirk Flood Prevention Scheme. A Transport Assessment will be required.

**Contaminated land**

On site

**HSE consultation**

Not applicable

**Water supply**

Yes

**Sewerage**

Yes

**Education provision**

Good

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Adjacent to site

**TPOs**

Not applicable

## Site Ref MSELK002

Site name Heather Mill

Proposed usage

Mixed Use

SDA

Central

HMA

Central

Settlement

Selkirk

Site area  
(ha)

1.3

Indicative  
capacity

75

Housing  
SG Status  
Preferred

### Marketability

Average

### Land use allocations

On site

### If yes, what?

PMD3: Land Use Allocations

### Planning and Infrastructure summary

The following consultation responses were received in relation to the potential housing use of the site.

ENVIRONMENTAL HEALTH (CONTAMINATED LAND): The site appears to have been developed with a Woollen Mill, a Yarn Mill, and a weaving and spinning mill. The site is brownfield land and its use may present development constraints.

The Council's Access team commented that the erection of an unsuitable building, not in keeping with the stone mills, would detract from the aesthetics of the path network in this area.

STRATEGIC TRANSPORT: Good opportunity to provide enhanced links to the existing riverside shared access route.

PARKS OFFICER: Potential off-site contribution for play at Victoria Park

SEPA: Foul water should be connected to the SW foul sewer network. Site is located near to an exempt scrap site, but this is not anticipated to be an issue.

DM Officer raised various concerns including: contamination; mix/ conflicts of uses; Selkirk FPS contributions; and long term intentions for the Riverside area, in terms of allocations.

ECONOMIC DEVELOPMENT: Do not support loss of employment land for housing. Selkirk FPS & proximity to Tweedbank Station could encourage development for business use.

SUMMARY: The site is located within Riverside 8, which is allocated for business and industrial use as a designated 'local' site. LDP policy ED1 aims to maintain the supply of employment land, but gives a low level of protection to Local Sites. Development other than Classes 4, 5 and 6 is likely to be supported on local sites, subject to respecting the character and amenity of the surrounding area and being compatible with neighbouring business and industrial uses. The site is considered to meet the requirements of this policy. Comments from Economic Development regarding loss of employment land are noted, but change of use of 'local' employment land to housing is already established as appropriate by the Local Development Plan.

## Overall assessment

### Overall assessment

Acceptable

### Summarised conclusion

### Conclusions

The site has been considered as part of the Housing SG. An initial stage 1 assessment was undertaken, followed by a full site assessment and consultation process. This site has been assessed for housing use, and mixed use. This assessment is for mixed use.

**Site Ref MSELK002****Site name** Heather Mill**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Selkirk

**Site area  
(ha)**

1.3

**Indicative  
capacity**

75

**Housing  
SG Status****Preferred**

This site sits within Selkirk's settlement boundary, in the Riverside area. The site is currently allocated for 'local' employment use by the Local Development Plan. This is a more flexible employment land designation which allows the change of use of employment land to other uses, including housing, under certain conditions. The Riverside area is situated adjacent to the Ettrick Water, and is historically the site of several mills, including Heather Mill which operated on the proposed site.

SEPA's flood maps identify the site as being at risk from 1 in 200 year flood events. However, the Selkirk Flood Protection Scheme will provide flood protection to this site and the Council is of the view that the flood scheme will enable development at this location, including housing. SEPA have been consulted and would be more supportive of a land use type similar to the existing use. SEPA also note a residual risk from surface water ponding behind defences, but the flood protection scheme accounts for this. SEPA have not objected to the site. Overall, the Council considers the FPS to have provided the opportunity for high quality, high density mixed use development at this location.

The site is subject to a moderate level of biodiversity risk due to the potential on the site for protected species. There are also potential archaeological interests at the site. Detrimental impacts on the SAC and SSSI must be mitigated. The site appears to have been developed with a Woollen Mill, a Yarn Mill, and a weaving and spinning mill. The site is brownfield land and its use may present development constraints.

In terms of access to the site, there are multiple acceptable permutations. The best use of the existing road infrastructure should be employed.

In conclusion, the site is acceptable for mixed use. The site has also been assessed for housing use, and found to be acceptable for such use. However, the site is considered equally suited to mixed use development, which provides greater flexibility and is the preference of the developer. The site will be excluded for housing use only, and put forward as a preferred site for mixed use.

Site Ref **MCHAR002**

Site name Charlesfield

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

St Boswells

**Site area (ha)**

31.8

**Indicative capacity**

750

**Housing SG Status**

Excluded

## Initial assessment

**Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy**

The site is located within the Central Strategic Development Area and Central Housing Market Area.

**Initial assessment summary**

SEPA: We require an FRA which assesses the risk from the small watercourse on the boundary of the site as well as taking into account the pond on site. Consideration will need to be given to bridge and culvert structures within and adjacent to the site. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Majority of site will likely be developable. There appears to be a large pond and drain within the site. It is not known what purpose these serve however SEPA is aware of surface water from this field causing problems at the foul water pumping station serving the industrial estate. Foul water must be connected to the SW foul sewer network.

SBC FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. As a few drains and a pond are within the proposed site I would expect the applicant to show this risk from surface water would be mitigated.

This site was submitted as part of the Call for Sites process, for the Housing SG. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** No relevant planning history on the site.



**Site Ref MCHAR002**

Site name Charlesfield

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

St Boswells

**Site area (ha)**

31.8

**Indicative capacity**

750

**Housing SG Status**

Excluded

**Accessibility and sustainability assessment****Access to public transport**

Limited

**Access to employment**

Limited

**Access to services**

Limited

**Wider biodiversity impacts**

Moderate

**Site aspect**

Not applicable

**Waverley line contribution required?****Accessibility and sustainability summary**

BIODIVERSITY: Moderate risk: Mature broad-leaved woodland and parkland, improved pasture and pond. Potential drainage connectivity River Tweed SAC/SSSI), N boundary and NW part of site in SEPA 1 in 200year fluvial flood risk area. Noctule bat recorded at this site (pers.comm). Existing built structures and woodlands of high suitability for bats (EPS). Potential to support otter (other Protected species may include e.g. bats badger and breeding birds). Pond was assessed for GCN in previous national survey- unsuitable, check survey results. Safeguard trees on boundary. Mitigation required to ensure no significant adverse effects on integrity of River Tweed SAC. Safeguard mature woodland and parkland trees and maintain buffer area to River Tweed SAC/SSSI. This would constrain the number of potential units.

GENERAL COMMENTS: The site has good access to the trunk road A68 and access to some employment at Charlesfield. Other services and wider employment opportunities are available in St Boswells, Newtown St Boswells and Selkirk.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

On site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

The site is not connected to an existing settlement and is located to the south-west of St Boswells. The business and industrial area at Charlesfield are located adjacent from the proposed site.

**Impact on open space**

Low

**Impact on archaeology**

Medium

**Impact on listed buildings**

Low

**Local impact and integration summary**

ARCHAEOLOGY: Site immediately outside incendiary factory/industrial estate site; a portion of this extends into the area (but possible pillbox and other defences).

HERITAGE & DESIGN: Scale of development would need careful phasing and consideration of infrastructure needs. Rolling nature of the land could be used to break up the site. Not all the site can be developed.

Site Ref **MCHAR002**

Site name Charlesfield

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

St Boswells

**Site area (ha)**

31.8

**Indicative capacity**

750

**Housing SG Status**

**Excluded**

## Landscape assessment

**NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Moderate

**General amenity**

Average

**Altitude >200m?**

**Height constraint**

Minor

**Slope >12 degrees?**

**Slope constraint**

Minor

**Constrained in Landscape Capacity Study**

### Landscape features

LANDSCAPE COMMENTS: The site is generally flat and slightly undulating. The site is currently in use as arable farm land. Along the short NW boundary is the road which connects the A68 with B6359 near Clarilaw. To the NE is Charlesfield Industrial Estate and to the south and west are agricultural fields. There are existing hedges and field boundary trees along some of the field divisions but the site is predominantly open. The main constraint to this site being considered for residential development is the isolation from the towns of St Boswells or Newtown St Boswells and its location alongside Charlesfield Industrial Estate.

### Landscape summary

LANDSCAPE COMMENTS: The hedgerows and boundary trees offer valuable habitat for birds, bats and invertebrates and any additional structure planting and hedges will increase these habitats. SUDS ponds could create wetland habitat. If it was decided this was an appropriate location for a large housing development the site could accommodate a significant number of houses but it would be important to allow for a substantial belt of structure tree planting to act as a buffer between the industrial estate and the residential site

SNH: This site lies outwith the settlement boundary and appears likely to create a new village. If allocated, a planning brief would be required and due recognition of the open landscape context and the potential impacts from the National Scenic Area, integrated into the development approach.

## Planning and infrastructure assessment

**Physical access/road capacity**

**Near a trunk road?**

ROADS PLANNING TEAM: To support this relatively large mixed use development site, several extensive road improvements will be required on both the local road and Trunk Road network outwith the site

The junction with the A68 which serves Charlesfield Industrial Estate will likely need to be upgraded from a standard T-Junction to a simple right Hand turning lane type layout. Pedestrian connectivity, including street lighting provision, between this junction and St Boswells also requires to be provided. It should be noted that all these improvements will require Transport Scotland's approval. Consideration must be given to public transport provision. The Charlesfield road will require a footway along its entire length, and it should be street lit. The latter part of this road towards the site would need to be widened as required for HGV, mixed use and residential traffic. As well as direct access from the Charlesfield road, good road connectivity with the existing business/industrial site will be required. Internally, a well-connected street layout is required.

A comprehensive Transport Assessment will be required to fully assess transport infrastructure requirements.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

No

**Sewerage**

No

**Site Ref MCHAR002**

**Site name** Charlesfield

**Proposed usage**  
Mixed Use

**SDA**  
Central

**HMA**  
Central

**Settlement**  
St Boswells

**Site area (ha)**  
31.8

**Indicative capacity**  
750

**Housing SG Status**  
Excluded

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Yes

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

Not applicable

**If yes, what?**

**Planning and Infrastructure summary**

**DEVELOPMENT MANAGEMENT:** The site is subject to the Countryside Around Towns policy. The site is too remote from St Boswells and access to any significant services, certainly for initial phases of a development. The rear of Charlesfield is not the most immediately pleasant of locations for significant housing development. Given the location between Charlesfield and the protected Waverley railway route, Development Management would rather see this site identified for rail freight/interchange type of development, or for very long term employment development, and even then it is unclear how this would not be contrary to the CAT designation. Only the northern most part of the site would seem to have any potential of accommodating housing due to the noisy, and less attractive mixture of uses present within Charlesfield.

**SCOTTISH WATER - WWTW:** No capacity. Will need upgrade to works, developer will need to meet 5 growth criteria, upgrade would be 4 years following application.

**SCOTTISH WATER - WTW:** Large scale development in the St Boswells area will require some significant upgrades on the network.

**ECONOMIC DEVELOPMENT:** We do not support this option. This location for part residential use does not sit comfortably with the mix of existing uses currently at Charlesfield industrial estate for which there is a historic precedent, and suggest housing development would be better located elsewhere.

**CONTAMINATED LAND OFFICER:** An area of the site appears to have been developed with a mill pond which appears to have been infilled. The site is brownfield land and its use may present development constraints and this should be taken into consideration.

**STRATEGIC TRANSPORT:** Railway corridor for a potential extension of Borders Rail is located to the west of the site. There is an opportunity to upgrade the existing path network.

**TRANSPORT SCOTLAND:** Should this site come forward for inclusion then a proportionate Transport Appraisal will be required. This appraisal, proportionate to the nature and scale of the allocations, and the trunk road network in the area, would be required to determine any potential cumulative impact of the sites, and identify appropriate and deliverable mitigation measures on the network including on the A6091, A68 and potentially the A7.

**OUTDOOR ACCESS TEAM:** To provide connectivity with other local paths - Along the north edge of the site alongside the public road or parallel to it a . Road pavement path should be made up within the site. This new path on the north perimeter of the site to be brought up to adoptable standard, links made to the development and entered in to the list of public roads per section 1 of the Roads (Scotland) Act 1984.

**EDUCATION:** A new Primary School and an extension to the Primary School would have to be considered.

**NEIGHBOURHOOD SERVICES:** Consideration for functional open space, i.e. sport & recreation as well as play.

**ENVIRONMENTAL HEALTH:** Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of

**Site Ref MCHAR002****Site name** Charlesfield**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

St Boswells

**Site area (ha)**

31.8

**Indicative capacity**

750

**Housing SG Status****Excluded**

nearby existing noise sources. For land near or adjacent to commercial/industrial land uses, busy roads or the railway, the design of dwellings may need to take cognisance of nearby existing noise sources (e.g. no openable windows on facades subject to noise exposure).

## Overall assessment

**Overall assessment****Doubtful****Summarised conclusion**

Following the assessment it is not considered appropriate to allocate this site. The site has a number of significant constraints and there are more appropriate sites within the Central SDA to help meet the housing shortfall.

**Conclusions**

The proposed site is a large mixed use site outwith a settlement and is remote from nearest settlement St Boswells. The site is located adjacent to the Charlesfield Industrial Estate and the railway corridor for a potential extension of Borders Rail is located to the west of the site. To bring forward the site for development significant investment would be required for road improvements and water/wastewater infrastructure upgrades. The site also falls within the Countryside Around Towns area and Development Management consider only the northern most part of the site as having any potential of accommodating housing due to the noisy, and less attractive mixture of uses present within Charlesfield Industrial Estate.

The allocation of this site for housing is not supported by Economic Development Team as it is considered residential use does not sit comfortably with the mix of existing uses currently within the industrial estate for which there is a historic precedent, and suggest housing development would be better located elsewhere. Overall the site is assessed as doubtful due to the various constraints associated with the site and is therefore not being taken forward into the Housing Supplementary Guidance as it is considered there are more appropriate sites to meet the housing land shortfall.

Site Ref **MTWEE002**

Site name Lowood

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Tweedbank

**Site area (ha)**

33.9

**Indicative capacity**

300

**Housing SG Status**

Preferred

## Initial assessment

**Floodrisk**

1:200

**SAC**

Adjacent to site

**SPA**

Not applicable

**SSSI**

Adjacent to site

**Ramsar**

Not applicable

**Adjacent to River Tweed?**



**International/national designation constraints** Moderate

**Structure Plan policy**

The site is located within the Central Strategic Development Area and the Central Housing Market Area.

**Initial assessment summary**

SEPA: We require an FRA which assesses the risk from the River Tweed. Consideration will need to be given to bridge and culvert structures within and adjacent to the site. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Site may be constrained due to flood risk. The site borders the River Tweed along a large part of its length so care must be taken to protect this sensitive water environment. There also appears to be a pond within the estate which should be protected. Foul water must be connected to the SW foul network, however this site is not currently within the sewered catchment. Co-location issues include potential for odour from E Langlee landfill (PPC) and WML exempt composting site at Pavillion Farm.

SBC FLOOD RISK TEAM: This site is shown to be at flood risk within the SEPA 1 in 200 Year indicative flood map for fluvial and surface water flooding. We would require a flood risk assessment to assess the flood risk from the River Tweed and require the applicant to demonstrate how the risk from surface water flooding would be mitigated.

The site was identified by Scottish Borders Council as having potential to contribute to the housing land supply, as part of the Housing SG process. An initial stage 1 RAG assessment was undertaken and subsequently the site was subject to internal and external consultation.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area**

Not applicable

On site

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** 03/01027/FUL - Alterations to flats (Approved)

Site Ref **MTWEE002**

Site name Lowood

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Tweedbank

**Site area (ha)**

33.9

**Indicative capacity**

300

**Housing SG Status**

Preferred

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Moderate

**Site aspect**

Not applicable

**Waverley line contribution required?**



### Accessibility and sustainability summary

BIODIVERSITY: Moderate risk - mature broad-leaved woodland and parkland , improved pasture and pond. Potential drainage connectivity River Tweed SAC/SSSI), N boundary and NW part of site in SEPA 1 in 200 year fluvial flood risk area. Noctule bat recorded at this site (pers.comm). Existing built structures and woodlands of high suitability for bats (EPS). Potential to support otter (other Protected species may include e.g. bats badger and breeding birds). Pond was assessed for GCN in previous national survey- unsuitable, check survey results. Safeguard trees on boundary. Mitigation required to ensure no significant adverse effects on integrity of River Tweed SAC. Safeguard mature woodland and parkland trees and maintain buffer area to River Tweed SAC/SSSI. This would constrain the number of potential units.

## Local impact and integration assessment

**Conservation area**

Not applicable

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

On site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

This site is outwith the Tweedbank settlement boundary however it benefits from close proximity to the station at Tweedbank and business and industrial sites. The northern site boundary runs along the River Tweed SAC. The site is located within an area subject to the Council's Countryside Around Towns policy (EP6) which seeks to protect the high quality living environment. The policy aims to prevent piecemeal development, which would detract from the area's environment, and to avoid coalescence of settlements, thereby retaining their individual identity. The site is entirely enclosed by the River Tweed to the north and by the existing settlement of Tweedbank to the south. The development of the site would not result in settlement coalescence. It is considered that the site offers a strategic opportunity due to its immediate proximity to the railway terminus and its location within the Central Borders. Internally there are a number of constraints which would require to be sensitively addressed. A masterplan for the development of the site would be required.

**Impact on open space**

Low

**Impact on archaeology**

Medium

**Impact on listed buildings**

Low

## Site Ref **MTWEE002**

Site name Lowood

### Proposed usage

Mixed Use

### SDA

Central

### HMA

Central

### Settlement

Tweedbank

Site area  
(ha)

33.9

Indicative  
capacity

300

Housing  
SG Status

Preferred

### Local impact and integration summary

ARCHAEOLOGY: Landscape park across whole area, anticipated road route in area – but uncertain – direction; Location of 'Bridgend' medieval settlement likely, as well as bridge footings and medieval road.

HERITAGE & DESIGN: The site needs a masterplan to consider the overall potential of this site to take account of the existing planned landscape and consider appropriate zoning and phasing for redevelopment. Connectivity at the western end of the site will need to be carefully considered as the railway line cuts off the site from the rest of Tweedbank, some careful paths / cycle ways of an appropriate gradient will need to be provided.

## Landscape assessment

### NSA

Not applicable

### SLA

Not applicable

### Landscape designation

Minor

### General amenity

Good

### Altitude >200m?

### Height constraint

Minor

### Slope >12 degrees?

### Slope constraint

Minor

### Constrained in Landscape Capacity Study

### Landscape features

Development within the 'Policies and Parkland' character area is severely constrained by the quality and integrity of the designed landscape associated with Lowood, and the secluded quality of the setting of the River Tweed. In addition, the embankments and planting associated with the disused railway create a robust settlement edge, and any development which breaches this will be perceived as detached from the main settlement of Tweedbank.

Lowood Estate forms an attractive backdrop in views from the B6374 Gala to Melrose Road and from the Borders Railway and station, the offices at Tweedside Park and from north Tweedbank generally. The main driveway from Lowood Bridge to the mansion house is a landscape receptor in own right and is set within attractive parkland. In addition, the estate forms the setting for various houses and a nursery each with their own visual issues.

### Landscape summary

LANDSCAPE: Area of land within large meander of the River Tweed, gently to moderately sloping with steep slopes in places with various slope orientations, between river level around 85m AOD at Backbrae Pool up to 105m AOD at Well Park (N of the station). The ground forms a rural estate with a mansion house, driveway with entrance gatehouse, parkland, fields, gardens, steading and various cottages. W, N and E boundaries formed by River Tweed a designated SSSI and SAC. Long southern boundary largely formed by Borders rail line, Tweedbank Station and Lowood access road. Although remarkably lacking in designations, the estate shows clear indications of being a 'designed landscape' with an attractive meandering driveway leading from the gatehouse through parkland to the main house and associated buildings. There is a significant tree and woodland structure on the estate much of it of potential TPO quality. The river and riparian strip and pond are also notable features as is the stone boundary wall that defines much of the southern boundary.

The main constraint is access with the river and railway line forming a significant barrier around most of the perimeter and leaving only the section of ground between Tweedbank Station and Lowood Bridge as potential access points (unless substantial and potentially intrusive engineering is to be undertaken.) Future extension of the railway is also a consideration. A further constraint is provided by mature existing woodland which would probably need to be breached to some degree. The river flood zone limits development around the N perimeter. An OH power line crosses the W section of the site.

Despite its central location in central borders, this area is quite isolated and presently undeveloped. There is some scope for development particularly towards the western section but access is problematic. Great care would be required to form any development in the easier to reach eastern (parkland) parts of the site where the amenity values and potential for disruption are greatest. Given the exceptional quality of the parkland area, it is recommended that development be restricted to 'prestige' forms that benefit from such a setting e.g. corporate headquarters or luxury hotel. More mundane development would constitute a wasted opportunity and would likely

Site Ref **MTWEE002**

Site name Lowood

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Tweedbank

**Site area (ha)**

33.9

**Indicative capacity**

300

**Housing SG Status**

Preferred

cause environmental degradation. The site merits a detailed feasibility study including tree survey to BS5837 prior to any revision of status.

SNH: This site lies outwith the settlement boundary. Its northern boundary abuts the River Tweed SAC.

At present the site is characterised by areas of woodland, specimen trees and boundary walls enclosing Lowood. It is a relatively well contained site that would nevertheless benefit from its proximity to Tweedbank Station. If allocated, we recommend that development is designed around these existing features, making use of them to create a high-quality, sustainable development. The quality of the existing site and the proposed extent of development suggest that a site development brief will be required. The proximity to the River Tweed SAC and the need for assessment and mitigation of potential impacts should be clearly highlighted in the planning brief.

## Planning and infrastructure assessment

### Physical access/road capacity

Near a trunk road?

ROADS PLANNING TEAM: This site has the potential to be a key development site given its location between the expanding east side of Galashiels and Tweedbank, including Tweedbank Railway Station and the proposed Central Borders Business Park. I am able to offer my support for this land being zoned for mixed use in that it offers ample opportunity for good accessibility and for supporting sustainable transport initiatives. The site is well positioned to take advantage of the comprehensive range of services and transport infrastructure in the vicinity. If this land is to be zoned for development then in light of its strategic significance it will have to be carefully master planned, including the undertaking of comprehensive transport appraisal work.

There will have to be at least two key vehicular access points into the site and good internal street connectivity will be expected as well as good external connectivity. Creation of effective pedestrian/cycle connectivity with both Galashiels and Tweedbank is a prerequisite for development of the site.

Site access must take cognisance of the possible extension of the Borders Railway and of the potential for a replacement for Lowood Bridge as identified in the 'Local Access and Transport

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Limited

### Sewerage

No

### Education provision

Average

### Primary school capacity

Limited

### Secondary school capacity

Limited

### Right of way

Not applicable

### TPOs

Not applicable

### Marketability

Good

### Land use allocations

Not applicable

### If yes, what?

### Planning and Infrastructure summary

DEVELOPMENT MANAGEMENT: This is a large site. I would expect development here would be best served by a masterplan. Planning applications may also likely require EIA. That said, it has the potential to complement the landscape setting of the village, being naturally bound by the river, so I certainly would consider it a sound prospect as an addition to the village, in broad principle. Woodland/trees are key constraints, as are flooding and proximity to the River Tweed SAC/SSSI. These need not rule out development though. Impact on the local road network will be a key issue. Also, a key design/access issue within the site will be to ensure the development can link to the existing village/railway station so it forms part of it (and not a detached estate on the other side of the railway tracks). The potential for non-residential uses is obvious given proximity to the railway, though I would be concerned about how such uses would complement the area around the railway station and the LDP's aspirations for the industrial estate. Therefore, I think it would be wise that the distribution and siting of uses should account for the existing



**Site Ref MTWEE002**

Site name Lowood

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Tweedbank

**Site area (ha)**

33.9

**Indicative capacity**

300

**Housing SG Status**

Preferred

village allocations and industrial estate, so they form part of a cohesive future plan for the entire village.

TRANSPORT SCOTLAND: Should this site come forward for inclusion then a proportionate Transport Appraisal will be required. This appraisal, proportionate to the nature and scale of the allocations, and the trunk road network in the area, would be required to determine any potential cumulative impact of the sites, and identify appropriate and deliverable mitigation measures on the network including on the A6091, A68 and potentially the A7.

STRATEGIC TRANSPORT: Significant opportunities to provide a mixed use development in close proximity to the rail station and also to provide a new bridge across the tweed to replace the existing bottle bridge. There are also significant opportunities to develop the local walking and cycling network in this area and promote sustainable transport. Any proposal will need to be aware of the Council's ambition to extend the Borders Railway Line towards Hawick and to provide improvements to the local road network which will be challenging. The possibility of promoting the existing bottle bridge at Gattonside as shared access should be considered if a new bridge comes to fruition.

NETWORK MANAGER: Potentially significant impact on local road network.

OUTDOOR ACCESS TEAM: As this housing proposal is on a land shared with Core path 01 ( Borders Abbeys way ) along the riverside which is prone to flood damage. A wide strip of land ( guideline 10 metres- ideally more in particular around the North West corner of the site near Oak Pool and should be left to accommodate the path and future possible damage due to bank erosion. This should additionally have a natural buffer of landscaping to allow the continued "countryside path " nature of this route to continue after development. There may also be scope to create a circular route around the perimeter of the site with the south side providing a path away from vehicles. Road pavement path should be made up within the site. This new path on the south perimeter of the site to be brought up to adoptable standard, links made to the development and entered in to the list of public roads per section 1 of the Roads (Scotland) Act 1984. Path linkages to Tweedbank and Galasheils would need to be developed.

CONTAMINATED LAND OFFICER: The site appears to have been developed with an estate including an agricultural and horticultural aspect. Small quarries that appear to have been infilled are also recorded. The site is brownfield land and its use may present development constraints.

EDUCATION: An extension would have to be considered.

SCOTTISH WATER - WWTW: No capacity in network also no gravity solution developer will need to install SPS, Will need upgrade to works, developer will need to meet 5 growth criteria, upgrade would be 4 years following application.

SCOTTISH WATER - WTW: No significant issues identified. However there may be local network issues which would need to be addressed and funded by the developer to enable a connection. A Drainage Impact Assessment would be required.

ECONOMIC DEVELOPMENT: We fully support the zoning of this site for a mix of uses, but would prefer to ensure that a business park allocation is specified to the eastern part of the site with easy links to the railway station and that there is a clear separation from the housing developments. Therefore instead of a general mixed use we would prefer that specific zonings were identified. This is a sensitive site so we consider that a clear planning brief should be provided to support and guide future development.

NEIGHBOURHOOD SERVICES: Potential for on-site play provision.

HOUSING STRATEGY TEAM: I am supportive of MTWEE002 as a mixed use development site. We intend to include this as a potential site opportunity for inclusion in the next SHIP submission due in Nov 2016.

Site Ref **MTWEE002**

Site name Lowood

**Proposed usage**

Mixed Use

**SDA**

Central

**HMA**

Central

**Settlement**

Tweedbank

**Site area  
(ha)**

33.9

**Indicative  
capacity**

300

**Housing  
SG Status**

**Preferred**

ENVIRONMENTAL HEALTH: Developers need to be aware of the need to consult with Environmental Health, in respect of low carbon/carbon neutral technologies. This includes air source heat pumps, solid fuel use, biomass heating and district heating schemes. The design of dwellings may also need to take cognisance of nearby existing noise sources.

## Overall assessment

### Overall assessment

**Acceptable**

### Summarised conclusion

The site offers a strategic opportunity in terms of housing/mixed use development but is subject to constraints which require full investigation through a masterplan.

### Conclusions

The submission of a Flood Risk Assessment would be required to assess risk from the River Tweed as well as surface water flooding issues. Co-location issues include potential for odour from E Langlee landfill (PPC) and WML exempt composting site at Pavillion Farm. There is moderate risk to biodiversity and mitigation would be required to ensure no significant adverse effects on the integrity of the River Tweed SAC. Archaeological investigation would be required. This site is outwith the Tweedbank settlement boundary however it benefits from its close proximity to the station at Tweedbank and business and industrial sites as well as a range of services in Galashiels. The site is entirely enclosed by the River Tweed to the north and by the existing settlement of Tweedbank to the south. The development of the site would not result in settlement coalescence. It is considered that the site offers a strategic opportunity due to its immediate proximity to the railway terminus and its location within the Central Borders. Internally there are a number of constraints which would require to be sensitively addressed. Although lacking in designations, the estate shows clear indications of being a 'designed landscape' with an attractive meandering driveway leading from the gatehouse through parkland to the main house and associated buildings. There is also a significant tree and woodland structure on the estate as well as a pond which is a notable feature. These issues will require careful consideration through the process of the aforesaid masterplan and a tree survey. A Transport Appraisal will be required, with the need for at least two key vehicular access points into the site and effective pedestrian/cycle connectivity. Site access must take cognisance of the possible extension of the Borders Railway and of the potential for a replacement for Lowood Bridge as identified in the Local Access and Transport Strategy. Potential contamination would require investigation/mitigation. A full Drainage Impact Assessment would be required. There is currently no capacity at the Waste Water Treatment Works to accommodate development. The site, with its close proximity to the existing business and industrial uses at Tweedbank offers the opportunity for the extension of the Central Borders Business Park. A masterplan for the site is currently being prepared which will address relevant matters in more detail, including taking account of the existing planned landscape and the consideration of appropriate zoning and phasing.

**Site Ref MCARD008**

Site name Nether Horsburgh

**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Cardona

**Site area (ha)**

18.0

**Indicative capacity**

140

**Housing SG Status**

Excluded

**Initial assessment****Floodrisk**

1:200

**SAC**

Adjacent to site

**SPA**

Not applicable

**SSSI**

Adjacent to site

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Moderate**Structure Plan policy** The site sits within the Western SDA and within the Northern HMA.**Initial assessment summary** Small areas of flood risk on site (surface and river), though this is not considered to be a constraint on development.

SEPA: There is a watercourse running through the site that should be protected and enhanced as part of any development. There should be no culverting for land gain. There is no sewerage provision in this area however it would be expected that this site would connect to Cardona STW and also take the opportunity to pick up Horsburgh housing which had its own SW septic tank system. This would require an upgrade to Cardona STW due to the scale of development. We require an FRA which assesses the risk from the small watercourses which flow through and adjacent to the site. Consideration will need to be given to bridge and culvert structures within and adjacent to the site which may exacerbate flood risk. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer.

FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Due to the scale and there is a few drains / springs running through the site, I would expect the applicant to show how surface water would be mitigated. Consider Surface Water Runoff.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** 14/00573/FUL Formation of new access.

Site Ref **MCARD008**

Site name Nether Horsburgh

**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Cardrona

**Site area (ha)**

18.0

**Indicative capacity**

140

**Housing SG Status**

Excluded

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line contribution required?**

### Accessibility and sustainability summary

BIODIVERSITY: Biodiversity Risk: Minor  
Improved pasture. Hedgerow on boundary. No significant biodiversity issues.

The site is located adjacent to the A72 and is a short walking distance from Cardrona. The site is a potential mixed use site which would require to provide an element of employment. However, consideration will need to be given to how active travel between the site and the village of Cardrona will be achieved.

## Local impact and integration assessment

**Conservation area**

Not applicable

**Scheduled Ancient Monument**

Adjacent to site

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

Adjacent to site

**Listed buildings**

Adjacent to site

**Visual relationship/integration with existing settlement**

The site is separate from the rest of Cardrona with the A72 running between them. Located within the Tweed Valley the site sits within an area of open landscape along the valley floor. There are two scheduled monuments adjacent to the site and whilst it is acknowledged that the setting of these monuments, and particularly the tower situated to the north east which will need to be respected; it is noted that enhanced forest planting is proposed in the area to the north of the site to be undertaken by FES.

**Impact on open space**

Low

**Impact on archaeology**

High

**Impact on listed buildings**

Low

### Local impact and integration summary

HISTORIC ENVIRONMENT SCOTLAND: Development of this site, particularly at the level of units proposed, has the potential for significant adverse effects on the setting of SM 3118. Whilst we are content that it could be possible to develop this site without significant effects, this will require robust mitigation. Detailed evaluation of potential effects should inform a masterplan or development brief to guide detailed proposals.

HERITAGE & DESIGN: Would be a substantive intrusion into the Tweed Valley. At present the Cardrona development is restricted to the south bank of the Tweed, which is screened behind the former railway embankment, with the exception of the hotel / golf club. Not desirable.

ARCHAEOLOGY: Nothing recorded within area, but close to Medieval towerhouse and presumed village; Setting of Scheduled tower must be taken into account; some potential for medieval archaeology.

Site Ref **MCARD008**

Site name Nether Horsburgh

Proposed usage

Mixed Use

SDA

Western

HMA

Northern

Settlement

Cardrona

Site area  
(ha)

18.0

Indicative  
capacity

140

Housing  
SG Status

Excluded

## Landscape assessment

NSA

Not applicable

SLA

On/adjacent to site

Landscape designation

Major

General amenity

Good

Altitude  
>200m?

Height  
constraint

Minor

Slope >12  
degrees?

Slope  
constraint

Minor

Constrained in Landscape Capacity Study

### Landscape features

The site is a reasonably flat site located on the floor of the Tweed Valley, and primarily forms the open area to the north of the River Tweed. There is minimal landscaping on the site at present. A stone boundary wall runs along the western part of the site and an area of mature trees are located within the extreme northern part of the site.

### Landscape summary

SCOTTISH NATURAL HERITAGE: This site lies outwith the current settlement boundary as shown in the LDP and is within a Special Landscape Area. Due to its physical separation there is little relationship of this site to Cardrona or to Peebles and it appears likely that development here would essentially involve the creation of another new village. Due to the prominence and location of this site here is a high potential for adverse landscape and visual impacts within the SLA, even with mitigation.

LANDSCAPE: There is a significant landscape issue in relation to development at this site as built development would obstruct existing panoramic views currently enjoyed from the main road and adjoining properties including Nether Horsburgh House (listed) looking SW and Cardrona Hotel looking NE. Development would change the character of this section of the Tweed Valley and could easily impair the qualities of the Special Landscape Area (SLA) by introducing an urban character. Mitigation measures designed to screen out 'lower amenity' buildings would, unfortunately, further restrict existing views. Features such as a new roundabout, street lighting, pedestrian crossing etc. could not be screened from the road.

In addition, the main road and river separate this site physically from Cardrona village and would prevent it becoming an extension of that settlement. It would therefore be isolated and disconnected in a very conspicuous location.

For these reasons, allocation of this site is not supported. Any development options in this area need to be considered more widely including relationships with approved woodland creation to the N, the R Tweed to the S and the built form S of the A72. A local landscape study is therefore recommended.

Located within the Tweed Valley Special Landscape Area.

## Planning and infrastructure assessment

Physical access/road capacity

Near a trunk road?

ROADS PLANNING: I am not hugely in favour of this site for mixed use development. The site is on the opposite side of the A72, the main arterial route linking the central Borders with the west, from the existing settlement of Cardrona. The A72 would effectively split the extended village in two. In order to satisfactorily serve the site from a vehicular aspect, this would involve a roundabout at the main access into Cardrona to replace the existing junction arrangement. Whilst there is an engineering solution for vehicular access, dealing with pedestrians and cyclists is more challenging, an underpass or an overbridge being the preferred solution, but difficult to achieve due to the lie of the land and physical constraints. Any such structure will be convoluted in nature and likely out of place for the setting. Pedestrians crossing the A72 at grade to access mixed uses including housing on either side of the A72, even with a roundabout introduced to slow traffic speeds, would be far from ideal.

If this site is to be zoned for development, a Transport Assessment will be required to inform infrastructure adjustments required and to address sustainable travel requirements. Addressing

**Site Ref MCARD008****Site name** Nether Horsburgh**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Cardrona

**Site area (ha)**

18.0

**Indicative capacity**

140

**Housing SG Status****Excluded**

concerns on the ability to properly integrate the two parts of Cardrona separated by the A72 will be a key consideration for the Transport Assessment to address.

NETWORK MANAGER: Concern over access onto A72. Fast section of road and additional junction will complicate layout and increase potential for accidents.

STRATEGIC TRANSPORT: Key issues are the junction arrangement onto the A72 and finding a suitable arrangement that provides good safe access for pedestrians, cyclists and horse riders. There are good opportunities to provide links to the popular Tweed Valley Railway Path which is located nearby and also to the local path network and additional facilities at Glentress.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Limited

**Sewerage**

No

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Limited

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Good

**Land use allocations**

Not applicable

**If yes, what?****Planning and Infrastructure summary**

SCOTTISH WATER WWTW: Will need upgrade to works, developer will need to meet 5 growth criteria, upgrade would be 4 years following application.

SCOTTISH WATER WTW: This area is supplied from Innerleithen WTW but is also on the boundary of the Bonnycraig WTW (Peebles) zone. Currently SW are nearing capacity at both WTW and therefore this additional site may require a growth capex (would need to be assessed).

ECONOMIC DEVELOPMENT: As Peebles is a difficult location to find high quality useable business land, then we would support this proposal which has the benefit of creating new flat development sites, even though this location is somewhat remote from the Town. We are not in favour of arbitrary site boundaries being the field fence boundaries; which can restrict development design and should be more related to land form and existing infrastructure or natural features. This is a major allocation and its relationship of housing to business development needs careful consideration, so we welcome feedback on the proposed mix for the site. The Cavalry Park development has been successful and, providing regular transport links can be provided to this location, then this site has the potential to be as successful.

DEVELOPMENT MANAGEMENT: Totally opposed to any development here on natural landscape containment grounds. Urbanisation can be limited to some extent by development staying on the south side of the A72.

ENVIRONMENTAL HEALTH: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

ACCESS: EN – connectivity from this site to the Tweed Valley Railway Path would be essential and path connections into Glentress.

NEIGHBOURHOOD SERVICES: Potential for on-site play provision.

**Site Ref MCARD008****Site name** Nether Horsburgh**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Cardrona

**Site area  
(ha)**

18.0

**Indicative  
capacity**

140

**Housing  
SG Status****Excluded**

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## Overall assessment

**Overall assessment****Unacceptable****Summarised conclusion**

There is a high potential for adverse landscape and visual impacts within the SLA even with mitigation. In addition finding a solution to the access issues that will fit within the environment would be difficult.

**Conclusions**

A mixed use site with potential to deliver employment land. The site has minor flood risk however SEPA state that they would require a FRA, Surface water run off should also be considered. There is the potential for a minor impact on biodiversity. The setting of the Scheduled Monument to be taken into account, potential for archaeology on site.

There is a high potential for adverse landscape and visual impacts within the SLA even with mitigation.

Concern has been expressed to developing at this location by Roads colleagues. In order to satisfactorily serve the site from a vehicular aspect, this would involve a roundabout at the main access into Cardrona to replace the existing junction arrangement. Whilst there is an engineering solution for vehicular access, dealing with pedestrians and cyclists is more challenging, an underpass or an overbridge being the preferred solution, but difficult to achieve due to the lie of the land and physical constraints. In addition, finding a solution that will fit sensitively within environment would be very difficult.

It is noted that strong objections were raised by the Development Management section and by the Council's Landscape Architect who stated that "Development would change the character of this section of the Tweed Valley and could easily impair the qualities of the Special Landscape Area (SLA) by introducing an urban character. Mitigation measures designed to screen out 'lower amenity' buildings would, unfortunately, further restrict existing views. Features such as a new roundabout, street lighting, pedestrian crossing etc. could not be screened from the road".

In addition, Scottish Natural Heritage also stated that "Due to the prominence and location of this site here is a high potential for adverse landscape and visual impacts within the SLA, even with mitigation".

Therefore the site is unacceptable and will not be included with in the SG.

**Site Ref** MINNE001

**Site name** Caerlee Mill

**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Innerleithen

**Site area (ha)**

1.5

**Indicative capacity**

35

**Housing SG Status**  
Preferred

## Initial assessment

**Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy**

The site is located within the Western SDA and within the Northern HMA.

**Initial assessment summary**

Small area of surface flood risk in south eastern corner.

FLOODING TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. The culvert that runs from St Ronan's takes a 90 degree turn towards the Tennis Courts so does not run underneath this site, neither does the Mill Lade. I would be unlikely to object to this development but dependant on the type of development, the applicant may have to show that they are not at risk.

SEPA: Foul drainage must connect to SW foul sewer network for Walkerburn stw. There appear to be 1 or 2 potential watercourses which may be culverted through the site (unnamed tributary and mill lade). Opportunity should be taken to de-culvert where possible.

Should the agreed layout or development type differ from what was previously agreed we would require an updated FRA which considers our previous responses. As this area of Innerleithen is at flood risk, it is essential that any new development will have a neutral impact on flood risk and the FRA will inform the area of redevelopment, type of development, finished floor levels and ensure that the development has a neutral impact on flood risk. Furthermore flood resilient and resistant materials may be incorporated. Site will likely be constrained as a result. Consideration should be given to any lade structures through the site and buildings must not be constructed over an existing drain (including a field drain) that is to remain active. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Brownfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference**

11/009777/LBC Demolition of weaving sheds, knitting sheds, mill shop, offices and outbuildings.  
14/00638/PPP Residential development and associated access, parking and infrastructure works.  
14/00639/LBC Demolition and internal and external alterations.



Site Ref **MINNE001**

Site name Caerlee Mill

**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Innerleithen

**Site area (ha)**

1.5

**Indicative capacity**

35

**Housing SG Status**

Preferred

## Accessibility and sustainability assessment

**Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Moderate

**Site aspect**

Not applicable

**Waverley line contribution required?**

### Accessibility and sustainability summary

Building on site - potential for habitat, although it is noted that some of the former mill buildings have already been removed from the site.

ECOLOGY: Existing built structures have potential to support protected species such as bats (EPS) and breeding birds. See Planning applications 14/00638/PPP and 14/00639/LBC.

SCOTTISH NATURAL HERITAGE: No comment.

## Local impact and integration assessment

**Conservation area**

On/adjacent to site

**Scheduled Ancient Monument**

Not applicable

**Garden and designed landscape**

Not applicable

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

On site

**Listed buildings**

On site

**Visual relationship/integration with existing settlement**

Brownfield site with listed building. Site is also located with the Innerleithen Conservation Area.

**Impact on open space**

Low

**Impact on archaeology**

Medium

**Impact on listed buildings**

High

### Local impact and integration summary

Any new development will require to consider the setting of the Listed Building on site. Furthermore careful consideration is also required in finding new uses for the buildings onsite.

HERITAGE & DESIGN: The principle of this redevelopment at Caerlee is accepted and proposals brought forward for the first phase of housing. The link between the redevelopment and the repair and reuse of the listed category B Brodie's Mill needs to be monitored.

ARCHAEOLOGY: Previous woollen mill site (pre-OS1 onwards); standing historic building and selective demolition; historic building recording carried out previously; Mill lead through the site.

Site Ref **MINNE001**

Site name Caerlee Mill

**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Innerleithen

**Site area (ha)**

1.5

**Indicative capacity**

35

**Housing SG Status**

Preferred

## Landscape assessment

**NSA**

Not applicable

**SLA**

Not applicable

**Landscape designation**

Minor

**General amenity**

Good

**Altitude >200m?**

**Height constraint**

Minor

**Slope >12 degrees?**

**Slope constraint**

Minor

**Constrained in Landscape Capacity Study**

**Landscape features**

Mill Lade running through site.  
Stone Boundary walls would require to be retained and would be part of listing.

**Landscape summary**

LANDSCAPE: If the major issue of the fate of the listed buildings can be resolved, this brownfield site is an obvious opportunity for re-development to residential use. It appears to be suitable for medium to high density development.

## Planning and infrastructure assessment

**Physical access/road capacity**

**Near a trunk road?**

NETWORK MANAGER: Chapel Street very narrow with no parking at all at this location.

STRATEGIC TRANSPORT: Proposal needs to provide good connectivity to the rest of the town and there is an opportunity to upgrade the existing path network in the immediate area and provide enhanced access.

ROADS PLANNING: I have no objections to the redevelopment of this site. A planning brief has already been approved for the site. A pedestrian/cycle link from the site is required to connect in with the existing network to the west of the site. Maxwell Street is currently not adopted and whilst a vehicular link with Maxwell Street is desirable it will require the entire length of Maxwell Street to be upgraded to an adoptable standard. Main access will be via Chapel Street.  
A Transport Statement will be required for the site.

**Contaminated land**

On/adjacent to site

**HSE consultation**

Not applicable

**Water supply**

Limited

**Sewerage**

Limited

**Education provision**

Average

**Primary school capacity**

Yes

**Secondary school capacity**

Yes

**Right of way**

Adjacent to site

**TPOs**

Not applicable

**Marketability**

Good

**Land use allocations**

Not applicable

**If yes, what?**

## Site Ref **MINNE001**

Site name Caerlee Mill

### Proposed usage

Mixed Use

### SDA

Western

### HMA

Northern

### Settlement

Innerleithen

Site area  
(ha)

1.5

Indicative  
capacity

35

Housing  
SG Status

Preferred

### Planning and Infrastructure summary

SCOTTISH WATER WWTW: Limited capacity at works.

SCOTTISH WATER WTW: Nearing capacity at WTW and therefore this additional site would need further assessment as other sites are developed.

ECONOMIC DEVELOPMENT: This site has an existing approved planning brief and we support the adherence to this brief which advocates mixed use and re-use of the protected buildings for future business use. We believe it is important that some business uses are retained on this site.

DEVELOPMENT MANAGEMENT: This site has PPP and LBC for a residential and mixed use development, no follow up applications yet.

ENVIRONMENTAL HEALTH: The site appears to have been developed as a Woollen Mill with associated petroleum storage. The site is brownfield land and its use may present development constraints.

ACCESS: EN – connectivity for pedestrians required to Victoria Park and BT91 (The Strip).

NEIGHBOURHOOD SERVICES: Potential off-site contribution for play.

## Overall assessment

### Overall assessment

**Acceptable**

### Summarised conclusion

The site is an acceptable site as it offers the opportunity to enhance the listed building and the conservation area, as well as making use of a brown field site within the settlement.

### Conclusions

The site is considered to be an acceptable site. It is proposed for mixed use development and has the benefit of recent planning permission. Planning consent on the site related around the demolition of the lesser important mill buildings, and making-good of historic listed building on site, and for residential development to take place on part of the site. The site not only provides for a brownfield site to be brought back into use, but also for the enhancement of the listed building on site and the conservation area. It is also noted that a Planning Brief in the form of an SPG has been produced on the site. It is noted that SEPA have stated that should the agreed layout for the site differ they would require an updated FRA. Surface Water should also be considered and flood resilient material incorporated into the proposed development. Existing buildings on site have potential to support protected species. The main vehicular access will be required to be taken off Chapel Street. Provision of amenity access within the development for pedestrians and cyclists will be required and links to the footpath network to be created and amenity maintained and enhanced. A Transport Statement is also required to inform the proposed development. Economic Development request that some business use is retained on the site. Potential contamination on the site should be investigated and mitigated.

Therefore is is proposed to include the site within the Draft SG as a preferred site for 35 units.

**Site Ref APEEB046**

Site name Glensax Road

**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

0.1

**Indicative capacity**

6

**Housing SG Status**

Excluded

**Initial assessment****Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy** The site is located within the Western SDA and within the Northern HMA.**Initial assessment summary**

Surface water flood risk on site.

FLOODING TEAM: This site is shown to be at risk of flooding at a 1 in 200 year flood event from surface water flooding in a few sections. I would have no objections if the development could show that they are mitigating the risk from surface water. Consider Surface Water Runoff.

SEPA: Foul water should be connected to the SW foul network.

We require an FRA which assesses the surface water risk at this location. As LiDAR indicates it is within/ on the edge of a depression and any alterations to ground levels here could increase flood risk elsewhere we require an FRA to assesses this risk.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Combination

**Common Good Land MOD safeguarded area**

Not applicable

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** Formation of parking area.**Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

Not applicable

**Waverley line contribution required?**

**Site Ref APEEB046**

Site name Glensax Road

**Proposed usage**  
Housing**SDA**  
Western**HMA**  
Northern**Settlement**  
Peebles**Site area (ha)**  
0.1**Indicative capacity**  
6**Housing SG Status**  
Excluded**Accessibility and sustainability summary**

ECOLOGY: Garages with corrugated iron roof. Mitigation for breeding birds. Low potential for bats for timber sheds. No significant biodiversity issues.

SCOTTISH NATURAL HERITAGE: No comment.

**Local impact and integration assessment****Conservation area**  
Not applicable**Scheduled Ancient Monument**  
Not applicable**Garden and designed landscape**  
Not applicable**Ancient woodland inventory**  
Not applicable**Open space**  
Not applicable**Archaeology**  
Not applicable**Listed buildings**  
Not applicable**Visual relationship/integration with existing settlement**

The site is a relatively enclosed site, generally surrounded by buildings and is set back from the Glensax Road. Used as garaging, residential at this location would integrate well into the surroundings, however displacement of parking would need to be considered. The site is located adjacent to Victoria Park.

**Impact on open space**  
Low**Impact on archaeology**  
Low**Impact on listed buildings**  
Low**Local impact and integration summary**

HERITAGE & DESIGN: No comments; seems to replacing existing garages – displacement of parking.

ARCHAEOLOGY: No comments.

**Landscape assessment****NSA**  
Not applicable**SLA**  
Not applicable**Landscape designation**  
Minor**General amenity**  
Average**Altitude >200m?**  
**Height constraint**  
Minor**Slope >12 degrees?**  
**Slope constraint**  
Minor**Constrained in Landscape Capacity Study** **Landscape features** Minimal landscaping features on site - potential for enhancement of the area.**Landscape summary** LANDSCAPE: Suitable for single or 1.5 storey housing in scale and density with new development to west.

**Site Ref APEEB046**

Site name Glensax Road

**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

0.1

**Indicative capacity**

6

**Housing SG Status**

Excluded

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

STRATEGIC TRANSPORT: Connectivity past the site needs to be maintained.

ROADS PLANNING: I am not willing to support any development of this garage court site which will result in vehicles being displaced onto the surrounding road network in an inappropriate manner. The site was extended in the late 1990's to provide additional parking and this would appear to demonstrate that parking is at a premium in the area. The existing public road, which terminates at the entrance to the garage court, can easily be extended to serve this site and opportunities are available for good pedestrian/cycle connectivity with the surrounding street network. Any development of this site though will have to clearly demonstrate existing demand for parking and how this can be incorporated in a revised layout for the site. This requirement will control the number of houses, if any, that the site can accommodate.

**Contaminated land**

On site

**HSE consultation**

Not applicable

**Water supply**

Limited

**Sewerage**

Yes

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Limited

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Average

**Land use allocations**

Not applicable

**If yes, what?****Planning and Infrastructure summary**

SCOTTISH WATER WWTW: OK

SCOTTISH WATER WTW: Nearing capacity at WTW and therefore this additional site may require a growth capex (would need to be assessed).

ECONOMIC DEVELOPMENT: Looks like sensible infill but will involve car displacement, which may be an issue in this locale.

DEVELOPMENT MANAGEMENT: Lock-up garages site, should be possible to achieve a small development though daylighting regs will need to be assessed. The displacement of parking should be checked with Roads Planning.

ENVIRONMENTAL HEALTH: The site appears to have been developed with a curling pond which was subsequently infilled and used as a 'refuse tip'. The site is brownfield land and its use may present development constraints.

ACCESS: EN – connectivity to Victoria Park exists.

NEIGHBOURHOOD SERVICES: No comments.

**Site Ref** APEEB046

**Site name** Glensax Road

**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

0.1

**Indicative capacity**

6

**Housing SG Status**

Excluded

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## Overall assessment

### Overall assessment

**Unacceptable**

### Summarised conclusion

Issues around roads, day-lighting and potential contamination as well as flood risk.

### Conclusions

Whilst the site has many positive aspects, a flood risk assessment would be required. In addition Roads Planning have issues in relation to the displacement of parking. There is also the potential for day-lighting issues and potential for contamination on site.

Therefore this site is considered to be Unacceptable and will not be identified within the Draft SG.

**Site Ref APEEB049****Site name** South West of Whitehaugh**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

4.0

**Indicative capacity**

100

**Housing SG Status**

Excluded

**Initial assessment****Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy** The site is located within the Western SDA and within the Northern HMA.**Initial assessment summary** No initial constraints on site.

SEPA: To reiterate what was stated in our 2014 consultation. We require an FRA which assesses the risk from the Haystoun Burn and small drain which is identified as being flowing adjacent to the site. There is potentially a mill lade to the south of the site. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues adjacent to this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. A holistic approach to development within this area of Peebles is recommended to ensure flood risk is not increased, or developable area reduced, as a result of piecemeal development. Foul water should be connected to the SW foul network. There may be a culverted watercourse running through the site however this is not shown or is not clear on the map. If so, the watercourse should preferably be de-culverted.

FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk. However, I would recommend that potential source of surface water flooding be considered.  
Consider Surface Water Runoff

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** N/A. The site is identified as a longer term housing site within the LDP.



**Site Ref APEEB049**

Site name South West of Whitehaugh

Proposed usage  
HousingSDA  
WesternHMA  
NorthernSettlement  
PeeblesSite area  
(ha)  
4.0Indicative  
capacity  
100Housing  
SG Status  
Excluded**Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line  
contribution  
required?****Accessibility and  
sustainability summary**

The site is just outside Peebles settlement boundary. Peebles has a wide range of services, facilities and employment opportunities.

ECOLOGY: Biodiversity Risk: Minor  
Improved pasture with mature tree cover around boundary of site (Lowland mixed deciduous woodland). Protected species may include e.g. badger and breeding birds. Safeguard trees on boundary. No significant biodiversity issues

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Adjacent to site

**Garden and designed landscape**

Adjacent to site

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

Adjacent to site

**Listed buildings**

Not applicable

**Visual relationship/integration with  
existing settlement**

This area contributes to the local setting of the immediate development, but not significantly to the wider setting of the town.

**Impact on open space**

Low

**Impact on archaeology**

Low

**Impact on listed buildings**

Low

**Local impact and  
integration summary**

HERITAGE & DESIGN: Outwith CA; Whitehaugh is listed B, but its setting has already been changed by the existing developments. Boundary treatment and roofscape important.

ARCHAEOLOGY: Nothing recorded within area, but general surroundings of Scheduled Monument palisaded enclosure; Setting should be accounted for.

Site adjacent to SBC Haystoun Designed Landscape.  
An extension at this location would integrate well within the enclosed landscaping.

**Site Ref APEEB049****Site name** South West of Whitehaugh**Proposed usage**  
Housing**SDA**  
Western**HMA**  
Northern**Settlement**  
Peebles**Site area (ha)**  
4.0**Indicative capacity**  
100**Housing SG Status**  
Excluded**Landscape assessment****NSA**

Not applicable

**SLA**

On/adjacent to site

**Landscape designation**

Minor

**General amenity**

Good

**Altitude >200m?****Height constraint**

Minor

**Slope >12 degrees?****Slope constraint**

Minor

**Constrained in Landscape Capacity Study** **Landscape features** Some tree belts and hedges on/adjacent site but these would require enhancing.**Landscape summary** The Landscape Capacity Study considered this area to be appropriate for development. It also suggested areas for landscape enhancement within the site.

SCOTTISH NATURAL HERITAGE: This site is included in the LDP as SPEEB003.

Given the proximity of this site to SPEEB004, we recommend that the consideration to design of the overall site that is included in site requirements should be undertaken for both sites as part of a site development brief / framework. Both sites lie outwith the existing settlement boundary as shown in the LDP, where there is a recognisable change in character along Glen Road and the paths that continue onwards to Hogbridge and Whitehaugh.

The site benefits from mature woodland and trees along all of its boundaries. We strongly support the existing site requirement that the woodland and landscape buffer is enhanced and suggest that this forms part of the detailed design work on the overall site. Existing path links should be retained and integrated into footpaths and cycle routes in the development site.

LANDSCAPE: Due to the potential for development to damage the amenity and recreational value of the adjacent Drovers Road, I recommend that any buildings should be positioned well back on the site from the Drovers Road (at least 20-30m ) and preferably in the northern half of the plot to maintain some openness of views under the canopy of the mature trees out across the valley.

Tree and hedgerow planting on the boundary of the development would assist in linking it to the surrounding landscape.

If there is a requirement for vehicle access to link with Glen Road I suggest this is done round the back of the existing house in the western corner of the site and through the tree belt in order to retain the integrity of the Cross Borders Drove Road.

**Planning and infrastructure assessment****Physical access/road capacity****Near a trunk road?** 

ROADS PLANNING: This land is already identified as a site potentially suitable for longer term housing (Site SPEEB003). In general, development in this location is reliant on a new crossing over the Tweed. Development of the site also relies on vehicular linkage between the end of Glen Road and the roundabout at the southern end of Whitehaugh Park. Furthermore the upgrading of Glen Road adjacent to Forest View needs to be considered as part of any submission.

Pedestrian/cycle links to the surrounding network to be incorporated into the development.

A Transport Assessment will be required for this site.

STRATEGIC TRANSPORT: New bridge across the River Tweed will be required before development progresses. A new vehicular link through Whitehaugh will be required. Along with an enhanced walking and cycling facilities. Opportunity to enhance the surrounding path network.

## Site Ref APEEB049

Site name South West of Whitehaugh

Proposed usage

Housing

SDA

Western

HMA

Northern

Settlement

Peebles

Site area  
(ha)

4.0

Indicative  
capacity

100

Housing  
SG Status

Excluded

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Limited

### Sewerage

Limited

### Education provision

Average

### Primary school capacity

Limited

### Secondary school capacity

Limited

### Right of way

On/adjacent to site

### TPOs

Not applicable

### Marketability

Good

### Land use allocations

On site

### If yes, what?

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

### Planning and Infrastructure summary

SCOTTISH WATER WWTW: OK - once Growth project has been delivered in 2018/19.

SCOTTISH WATER WTW: Nearing capacity at WTW and therefore this additional site may require a growth capex (would need to be assessed).

ECONOMIC DEVELOPMENT: Sensible extension and already allocated, so just pulling implementation forward. Appears a large allocation to bring forward all at once, but assume strong demand available.

DEVELOPMENT MANAGEMENT: This site is very visible from the A72 approach to Peebles and there is an existing dwellinghouse to respect. I am not keen on this being advanced until the bridge changes the whole visual aspect in this location, then it would be less prominent.

ENVIRONMENTAL HEALTH: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

ACCESS: EN – this site should be connecting to the existing path network on all four sides that allows all people flow through the site; with this in mind there should be a buffer round the whole side to maintain the aesthetic enjoyment of the paths.

## Overall assessment

### Overall assessment

Doubtful

### Summarised conclusion

The site is an acceptable site, however for it to come forward it requires a new bridge, upgrading of Glen Road and a vehicular connection through to Whitehaugh.

### Conclusions

The site takes in almost all of the longer term housing site SPEEB003 identified within the LDP, with exception of the plot of land where a new house has already been constructed.

Whilst the site is an acceptable site for development, SEPA have stated that a flood risk assessment would be required and the Council's flood team have stated that surface water would need to be considered. The site would have a potential minor impact on biodiversity; the site is located on the edge of the settlement and has good access to services and facilities; consideration should be given to the design of the overall site to take account of the Special Landscape Area, the adjacent SBC Garden and Designated Landscape and the setting of the the adjacent Scheduled Monument. Additional landscape enhancement would also be required along with buffers to existing and proposed landscaping. Mitigation measures are required to prevent any impact on the River Tweed SAC/SSSI.

**Site Ref APEEB049**

**Site name** South West of Whitehaugh

**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

4.0

**Indicative capacity**

100

**Housing SG Status**

**Excluded**

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Further assessment on nature conservation interest will also be required and mitigation put in place. Development should not take place in the required buffer area of the Scheduled Monument but rather that area should be left as open space. Enhancement of the footpath would also be required. Roads Planning also states that development in this location is reliant on a new crossing over the Tweed, vehicular linkage between the end of Glen Road and the roundabout at the southern end of Whitehaugh Park as well as the upgrading of Glen Road adjacent to Forest View. Therefore based on all of the above, the site is Doubtful and will therefore not be included within the Draft SG on Housing.

**Site Ref APEEB050****Site name** South West of Whitehaugh**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

4.5

**Indicative capacity**

100

**Housing SG Status**

Excluded

**Initial assessment****Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy** The site is located within the Western SDA and within the Northern HMA.**Initial assessment summary** No initial constraints on site.

SEPA: We require an FRA which assesses the risk from the Haystoun Burn and small drain which is identified as being flowing adjacent to the site. There is potentially a mill lade to the south of the site. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues adjacent to this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. A holistic approach to development within this area of Peebles is recommended to ensure flood risk is not increased, or developable area reduced, as a result of piecemeal development. Foul water should be connected to the SW foul network. There may be a culverted watercourse running through the site however this is not shown or is not clear on the map. If so, the watercourse should preferably be de-culverted.

FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk. However, I would recommend that potential source of surface water flooding be considered. Consider Surface Water Runoff

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** Application for a single house on site.

**Site Ref APEEB050****Site name** South West of Whitehaugh**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

4.5

**Indicative capacity**

100

**Housing SG Status****Excluded****Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line contribution required?****Accessibility and sustainability summary**

The site is just outside Peebles settlement boundary. Peebles has a wide range of services, facilities and employment opportunities.

**ECOLOGY:** Biodiversity Risk: Minor  
 Improved pasture with mature tree cover around boundary of site (Lowland mixed deciduous woodland). Protected species may include e.g. badger and breeding birds. Safeguard trees on boundary. No significant biodiversity issues.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Adjacent to site

**Garden and designed landscape**

Adjacent to site

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

Adjacent to site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

This area contributes to the local setting of the immediate development, but not significantly to the wider setting of the town.

**Impact on open space**

Low

**Impact on archaeology**

Low

**Impact on listed buildings**

Low

**Local impact and integration summary**

**HERITAGE & DESIGN:** Outwith CA; Whitehaugh is listed B, but its setting has already been changed by the existing developments. Boundary treatment and roofscape important.

**ARCHAEOLOGY:** Nothing recorded within area, but general surroundings of Scheduled Monument palisaded enclosure; Setting should be accounted for.

Site adjacent to SBC Haystoun Designed Landscape.  
 An extension at this location would integrate well within the enclosed landscaping.

## Site Ref APEEB050

Site name South West of Whitehaugh

Proposed usage  
Housing

SDA  
Western

HMA  
Northern

Settlement  
Peebles

Site area  
(ha)  
4.5

Indicative  
capacity  
100

Housing  
SG Status  
Excluded

## Landscape assessment

### NSA

Not applicable

### SLA

On/adjacent to site

### Landscape designation

Minor

### General amenity

Good

### Altitude >200m?

### Height constraint

Minor

### Slope >12 degrees?

### Slope constraint

Minor

### Constrained in Landscape Capacity Study

**Landscape features** Some tree belts and hedges on/adjacent site but these would require enhancing.

**Landscape summary** The Landscape Capacity Study considered this area to be appropriate for development. It also suggested areas for landscape enhancement within the site.

SCOTTISH NATURAL HERITAGE: This site is included in the LDP as SPEEB003.

Given the proximity of this site to SPEEB004, we recommend that the consideration to design of the overall site that is included in site requirements should be undertaken for both sites as part of a site development brief / framework. Both sites lie outwith the existing settlement boundary as shown in the LDP, where there is a recognisable change in character along Glen Road and the paths that continue onwards to Hogbridge and Whitehaugh.

The site benefits from mature woodland and trees along all of its boundaries. We strongly support the existing site requirement that the woodland and landscape buffer is enhanced and suggest that this forms part of the detailed design work on the overall site. Existing path links should be retained and integrated into footpaths and cycle routes in the development site.

LANDSCAPE: Due to the potential for development to damage the amenity and recreational value of the adjacent Drovers Road, I recommend that any buildings should be positioned well back on the site from the Drovers Road (at least 20-30m ) and preferably in the northern half of the plot to maintain some openness of views under the canopy of the mature trees out across the valley.

Tree and hedgerow planting on the boundary of the development would assist in linking it to the surrounding landscape.

If there is a requirement for vehicle access to link with Glen Road I suggest this is done round the back of the existing house in the western corner of the site and through the tree belt in order to retain the integrity of the Cross Borders Drove Road.

## Planning and infrastructure assessment

### Physical access/road capacity

### Near a trunk road?

ROADS PLANNING: This land is already identified as a site potentially suitable for longer term housing (Site SPEEB003). In general, development in this location is reliant on a new crossing over the Tweed. Development of the site also relies on vehicular linkage between the end of Glen Road and the roundabout at the southern end of Whitehaugh Park. Furthermore the upgrading of Glen Road adjacent to Forest View needs to be considered as part of any submission.

Pedestrian/cycle links to the surrounding network to be incorporated into the development.

A Transport Assessment will be required for this site.

STRATEGIC TRANSPORT: New bridge across the River Tweed will be required before development progresses. A new vehicular link through Whitehaugh will be required. Along with an enhanced walking and cycling facilities. Opportunity to enhance the surrounding path network.

## Site Ref APEEB050

Site name South West of Whitehaugh

### Proposed usage

Housing

### SDA

Western

### HMA

Northern

### Settlement

Peebles

Site area  
(ha)

4.5

Indicative  
capacity

100

Housing  
SG Status

Excluded

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Limited

### Sewerage

Limited

### Education provision

Average

### Primary school capacity

Limited

### Secondary school capacity

Limited

### Right of way

On/adjacent to site

### TPOs

Not applicable

### Marketability

Good

### Land use allocations

On site

### If yes, what?

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

### Planning and Infrastructure summary

It should be also be noted that whilst this site takes in the Longer Term Housing Site SPEEB003, part of the site has already been developed with the completion of a single house within the north west corner.

SCOTTISH WATER WWTW: OK - once Growth project has been delivered in 2018/19.

SCOTTISH WATER WTW: Nearing capacity at WTW and therefore this additional site may require a growth capex (would need to be assessed).

ECONOMIC DEVELOPMENT: Sensible extension and already allocated, so just pulling implementation forward. Appears a large allocation to bring forward all at once, but assume strong demand available.

DEVELOPMENT MANAGEMENT: This site is very visible from the A72 approach to Peebles and there is an existing dwellinghouse to respect. I am not keen on this being advanced until the bridge changes the whole visual aspect in this location, then it would be less prominent.

ENVIRONMENTAL HEALTH: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

ACCESS: EN – this site should be connecting to the existing path network on all four sides that allows all people flow through the site; with this in mind there should be a buffer round the whole side to maintain the aesthetic enjoyment of the paths.

NEIGHBOURHOOD SERVICES: Potential for on-site play provision.

## Overall assessment

### Overall assessment

Doubtful

### Summarised conclusion

Site requires a new bridge, upgrading of Glen Road and a vehicular connection through to Whitehaugh, also part of site has been developed for a house, also part of site has been developed for a house.

### Conclusions



**Site Ref APEEB050****Site name** South West of Whitehaugh**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area  
(ha)**

4.5

**Indicative  
capacity**

100

**Housing  
SG Status****Excluded**

The site takes in the longer term housing site SPEEB003 identified within the LDP.

Whilst the site is an acceptable site for development, SEPA have stated that a flood risk assessment would be required and the Council's flood team have stated that surface water would need to be considered. The site would have a potential minor impact on biodiversity; the site is located on the edge of the settlement and has good access to services and facilities; consideration should be given to the design of the overall site to take account of the Special Landscape Area, the adjacent SBC Garden and Designated Landscape and the setting of the the adjacent Scheduled Monument. Additional landscape enhancement would also be required along with buffers to existing and proposed landscaping. Mitigation measures are required to prevent any impact on the River Tweed SAC/SSSI. Further assessment on nature conservation interest will also be required and mitigation put in place. Development should not take place in the required buffer area of the Scheduled Monument but rather that area should be left as open space. Enhancement of the footpath would also be required.

Roads Planning also states that development in this location is reliant on a new crossing over the Tweed, vehicular linkage between the end of Glen Road and the roundabout at the southern end of Whitehaugh Park as well as the upgrading of Glen Road adjacent to Forest View.

It should be also be noted that whilst this site takes in the Longer Term Housing Site SPEEB003, part of the site has already been developed with the completion of a single house within the north west corner.

Therefore based on all of the above, the site is Doubtful and will therefore not be included within the Draft SG on Housing.

**Site Ref** APEEB051

**Site name** North West of Hogbridge

**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

2.8

**Indicative capacity**

55

**Housing SG Status**

Excluded

## Initial assessment

**Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy** The site is located within the Western SDA and within the Northern HMA.

**Initial assessment summary** 1:200 flood risk to south western part of site, majority of site not affected.

SEPA: We require an FRA which assesses the risk from the Haystoun Burn. There is a mill lade/ small watercourse which also flows through the site. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues adjacent to this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Site will likely be constrained due to flood risk. A holistic approach to development within this area of Peebles is recommended to ensure flood risk is not increased, or developable area reduced, as a result of piecemeal development. Foul water should be connected to the SW foul network. There is a watercourse running just beyond the southern boundary of the site which should be protected.

FLOOD TEAM: This site is shown to be at risk of flooding within the SEPA 1 in 200 Year Indicative Flood Mapping for both fluvial and pluvial flooding. Therefore, I would require a Flood Risk Assessment to be undertaken.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area**

Not applicable

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference** N/A. Site identified as potential longer term housing within the LDP.

**Site Ref APEEB051**

Site name North West of Hogbridge

**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

2.8

**Indicative capacity**

55

**Housing SG Status**

Excluded

**Accessibility and sustainability assessment****Access to public transport**

Good

**Access to employment**

Good

**Access to services**

Good

**Wider biodiversity impacts**

Minor

**Site aspect**

South

**Waverley line contribution required?****Accessibility and sustainability summary**

ECOLOGY: Biodiversity Risk: Minor

Improved pasture with mature tree cover around boundary of site (Lowland mixed deciduous woodland). Protected species may include e.g. badger and breeding birds. Safeguard trees on boundary. No significant biodiversity issues

The site is located adjacent to the Peebles Development Boundary and has good access to services and facilities within the settlement.

**Local impact and integration assessment****Conservation area**

Not applicable

**Scheduled Ancient Monument**

Adjacent to site

**Garden and designed landscape**

Adjacent to site

**Ancient woodland inventory**

Not applicable

**Open space**

Not applicable

**Archaeology**

Adjacent to site

**Listed buildings**

Not applicable

**Visual relationship/integration with existing settlement**

This area contributes to the local setting of the immediate adjacent development, but not significantly to the wider setting of the town.

**Impact on open space**

Low

**Impact on archaeology**

Low

**Impact on listed buildings**

Low

**Local impact and integration summary**

Site adjacent to SBC Haystoun Designed Landscape.

ARCHAEOLOGY: Nothing recorded within area, but general surroundings of Scheduled Monument palisaded enclosure; Setting should be accounted for

**Landscape assessment****NSA**

Not applicable

**SLA**

On/adjacent to site

**Landscape designation**

Minor

**General amenity**

Good

**Altitude >200m?****Height constraint**

Minor

**Slope >12 degrees?****Slope constraint**

Minor

**Constrained in Landscape Capacity Study**

## Site Ref **APEEB051**

**Site name** North West of Hogbridge

**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area  
(ha)**

2.8

**Indicative  
capacity**

55

**Housing  
SG Status**

**Excluded**

**Landscape features** Trees and hedgrows on site boundary, would require enhancement.

**Landscape summary** The Landscape Capacity Study considered this area to be appropriate for development. It also suggested areas for landscape enhancement within the site.

SCOTTISH NATURAL HERITAGE: This site is included in the LDP as SPEEB003. Given the proximity of this site to SPEEB004, we recommend that the consideration to design of the overall site that is included in site requirements should be undertaken for both sites as part of a site development brief / framework. Both sites lie outwith the existing settlement boundary as shown in the LDP, where there is a recognisable change in character along Glen Road and the paths that continue onwards to Hogbridge and Whitehaugh.

The site benefits from mature woodland and trees along all of its boundaries. We strongly support the existing site requirement that the woodland and landscape buffer is enhanced and suggest that this forms part of the detailed design work on the overall site. Existing path links should be retained and integrated into footpaths and cycle routes in the development site.

LANDSCAPE: If it can be shown that flood prevention can be designed into the development this site should be consider for extension of connection to existing developments to north and west with agreement to access site avoiding mature trees. A buffer of 25m width should run parallel with Glen Road to protect the mature TPO trees.

Recommend low density housing appropriate to urban fringe location. Linked with hedge and tree planting to wider landscape. Maintain some permeability of views through to hills from boundaries and across site.

The area most at risk of flooding could be planted up increasing the tree buffers to the south and further assisting site containment.

Existing perimeter tree structure on all perimeters to be retained -important part of Landscape Character and setting. Careful design of site/ consideration of shading required – adequate separation between existing trees and new buildings to reduce risk of damage or removal and future problems.

## Planning and infrastructure assessment

### Physical access/road capacity

**Near a trunk road?**

ROADS PLANNING: This land is already identified as a site potentially suitable for longer term housing (Site SPEEB004). In general, development in this location is reliant on a new crossing over the Tweed. Development of the site also relies on vehicular linkage between the end of Glen Road and the roundabout at the southern end of Whitehaugh Park. Furthermore the upgrading of Glen Road adjacent to Forest View needs to be considered as part of any submission.

Pedestrian/cycle links to the surrounding network to be incorporated into the development.

A Transport Assessment will be required for this site.

STRATEGIC TRANSPORT: New bridge across the River Tweed will be required before development progresses. A new vehicular link through Whitehaugh will be required. Along with an enhanced walking and cycling facilities. Opportunity to enhance the surrounding path network.

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Limited

### Sewerage

Limited

## Site Ref APEEB051

Site name North West of Hogbridge

### Proposed usage

Housing

### SDA

Western

### HMA

Northern

### Settlement

Peebles

Site area  
(ha)

2.8

Indicative  
capacity

55

Housing  
SG Status

Excluded

### Education provision

Average

### Primary school capacity

Limited

### Secondary school capacity

Limited

### Right of way

Adjacent to site

### TPOs

On/adjacent to sit

### Marketability

Good

### Land use allocations

Not applicable

### If yes, what?

### Planning and Infrastructure summary

SCOTTISH WATER WWTW: OK - once Growth project has been delivered in 2018/19.

SCOTTISH WATER WTW: Nearing capacity at WTW and therefore this additional site may require a growth capex (would need to be assessed).

TPO along north-eastern boundary.

ECONOMIC DEVELOPMENT: Sensible extension and already allocated, so just pulling implementation forward. Appears a large allocation to bring forward all at once, but assume strong demand available.

DEVELOPMENT MANAGEMENT: The woodland edge needs to be thickened up here and sufficient separation distances left from the existing trees.

ENVIRONMENTAL HEALTH: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

ACCESS: EN – this site should also allow for connectivity to the path network.

NEIGHBOURHOOD SERVICES: Potential for on-site play provision.

## Overall assessment

### Overall assessment

Doubtful

### Summarised conclusion

The site is Doubtful as it relies on a bridge over the River Tweed, upgrading of the Glen Road and connection through to the Whitehaugh development.

### Conclusions

A flood risk assessment would be required. The site has good access to nearby services and facilities and has the potential to result in a minor biodiversity risk. The setting of the nearby scheduled monument should be taken into consideration. Site identified within the Development & Landscape Capacity study as suitable for development, the site sits within a Special Landscape Area. SNH requests that a developemnt brief is produced that covers the three longer term sites.

Roads Planning and Strategic Transport have stated that development at this location is reliant on a new bridge of the River Tweed, and connection through to the Whitehaugh development. In addition Roads Planning also state that the Glen Road requires upgrading for this site to come forward.

As the site is reliant on the connection through to Whitehaugh via another potential development site, as well as the other Roads requirements, it is not considered appropriate to allocate this site, therefore this site is a Doubtful and will not be included within the SG on Housing.

## Site Ref **MPEEB004**

**Site name** Land South East of Peebles (Part of SPEEB005)

### **Proposed usage**

Mixed Use

### **SDA**

Western

### **HMA**

Northern

### **Settlement**

Peebles

**Site area  
(ha)**

14.0

**Indicative  
capacity**

150

**Housing  
SG Status**

**Excluded**

## Initial assessment

### **Floodrisk**

1:200

### **SAC**

Adjacent to site

### **SPA**

Not applicable

### **SSSI**

Adjacent to site

### **Ramsar**

Not applicable

### **Adjacent to River Tweed?**



### **International/national designation constraints**

Moderate

### **Structure Plan policy**

The site is located within the Western Strategic Development Area and within the Northern HMA.

### **Initial assessment summary**

A large part of the site is affected by 1:200 flood risk. Haystoun Burn runs beyond the south of the site. Therefore likely implications for the SAC and SSSI.

FLOOD TEAM: This site is shown to be at risk of flooding within the SEPA 1 in 200 Year Indicative Flood Mapping for both fluvial and pluvial flooding. Therefore, I would definitely require a Flood Risk Assessment for the Haystoun Burn to be undertaken for this site. I would note that the Haystoun Burn burst its banks and flooded a few properties in Kittlegairy View over the 2015/16 winter. Scottish Water have also raised concerns about their capacity in the Kittlegairy area.

SEPA RESPONSE AT SG STAGE: We require an FRA which assesses the risk from the Haystoun Burn and the River Tweed, including the interaction between. Consideration will need to be given to bridge and culvert structures within and adjacent to the site. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Development may be heavily constrained at this site and council may wish to consider removal from the LDP. A holistic approach to development within this area of Peebles is recommended to ensure flood risk is not increased, or developable area reduced, as a result of piecemeal development. Therefore, we would recommend that the council commissions an FRA prior to allocating this site within the LDP.

(EXTRACT ON RECEIPT OF NON-TECHNICAL SUMMARY PROVIDED BY BW): If formally consulted through the planning process on the proposed development we would object on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy based on the information supplied with this consultation.

..... In the first instance we would recommend that an updated FRA is provided which adheres to Scottish Planning Policy and our Technical Flood Risk Guidance and demonstrates that development can take place out with the functional floodplain giving due consideration to all sources of flooding including fluvial and surface water. ... Site bounded by either Glensax burn or R Tweed, classified as Good and Moderate respectively. These watercourses should be protected. Foul water must be connected to the SW foul network.

## Information relating to planning applications

### **Minerals and coal**

Not applicable

### **NNR**

Not applicable

### **Prime Quality Agricultural Land**

Not applicable

### **Current use/s**

Greenfield

### **Common Good Land**

### **MOD safeguarded area**

### **Aerodrome/Technical Site Safeguarding**

## Site Ref MPEEB004

<b>Site name</b>	Land South East of Peebles (Part of SPEEB005)	<b>Proposed usage</b>	Mixed Use	<b>SDA</b>	Western	<b>HMA</b>	Northern	<b>Settlement</b>	Peebles	<b>Site area (ha)</b>	14.0	<b>Indicative capacity</b>	150	<b>Housing SG Status</b>	Excluded
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Not applicable      Not applicable      Not applicable

**Planning history reference**      Previous application for lowering of ground levels.  
16/00721/PAN Residential development with associated roads, infrastructure, open space and landscaping.

## Accessibility and sustainability assessment

<b>Access to public transport</b>	<b>Access to employment</b>	<b>Access to services</b>	<b>Wider biodiversity impacts</b>	<b>Site aspect</b>	<b>Waverley line contribution required?</b>
Good	Good	Good	Major	South	<input type="checkbox"/>

### Accessibility and sustainability summary

This site is being considered for mixed use however, the LDP states that some employment use could take place in the short term.

The site is outside the development boundary. Peebles has a range of services, facilities and has employment opportunities. Parts of site on flood in of River Tweed SAC/SSSI including Haystoun burn (SAC).

ECOLOGY: Biodiversity Risk: Major - All of the site in flood plain of Haystoun burn (River Tweed SAC) and River Tweed SAC/SSSI, (SEPA 1in 200year fluvial flood risk). Potential connectivity with River Tweed SAC through drainage—Mitigation required to ensure no significant adverse effects on integrity of River Tweed SAC. Improved pasture, remnant thorn hedge within site. Mature trees and woodland strip on part of boundary.

## Local impact and integration assessment

<b>Conservation area</b>	<b>Scheduled Ancient Monument</b>	<b>Garden and designed landscape</b>	<b>Ancient woodland inventory</b>
Not applicable	Not applicable	Adjacent to site	Not applicable
<b>Open space</b>	<b>Archaeology</b>	<b>Listed buildings</b>	<b>Visual relationship/integration with existing settlement</b>
Not applicable	Adjacent to site	Adjacent to site	The majority of the site is flat, exposed and open in character. It is at this location where the hard edge of the adjacent development is evident. It is considered that any development to take place within this areas and on the other side of the B7062 should aim to enhance the area and seek to integrate the development into its surroundings.
<b>Impact on open space</b>	<b>Impact on archaeology</b>	<b>Impact on listed buildings</b>	
Low	Medium	Low	

### Local impact and integration summary

ARCHAEOLOGY: Not sites recorded in the area, but previous (negative) evaluation trenching across area.

HERITAGE & DESIGN: Is this the natural edge of the west expansion of Peebles south of the river? Care will be needed to consider the boundaries of the site and how the development could be phased.

## Site Ref **MPEEB004**

**Site name** Land South East of Peebles (Part of SPEEB005)

**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

14.0

**Indicative capacity**

150

**Housing SG Status**

Excluded

Site adjacent to SBC kailze Designed Landscape.

## Landscape assessment

**NSA**

Not applicable

**SLA**

On/adjacent to site

**Landscape designation**

Minor

**General amenity**

Good

**Altitude >200m?**

**Height constraint**

Minor

**Slope >12 degrees?**

**Slope constraint**

Minor

**Constrained in Landscape Capacity Study**

**Landscape features** Mature trees particularly along the northern boundary of the site. Burn running beyond the southern boundary of the site.

**Landscape summary** The Landscape Capacity Study considered this area not to be appropriate for development. However it is considered that this area provides a good opportunity to enhance the settlement edge. This site however is part of an enlarged longer term site - SPEEB005.

SCOTTISH NATURAL HERITAGE: While this site is outwith the current settlement boundary as shown in the LDP, it is identified as part of a longer-term safeguard (SPEEB005).

If you are minded to support development of this site during the current plan period, further detailed assessment will be required. Given the site's proximity to MPEEB006/APEEB050 and APEEB003, SPEEB001 & SPEEB005

MPEEB007/APEEB051, we suggest that requirements for these sites are detailed in a design framework that should include the open space safeguard to the north of the B7062.

LANDSCAPE AT SG STAGE: I recommend that this site is one of the less suitable sites for development as it would perpetuate the outward creep of the town east along the valley floor. However the density of the latest development on the adjacent site and lack of structure planting visually detracts from the amenity of the area.

A sensitive development to the east of this including adequate treebelts, hedgerows and open space could mitigate the 'hard' edge to the town that is currently apparent. In drawing a conclusion on this site the risk of flooding should be considered.

## Planning and infrastructure assessment

**Physical access/road capacity**

**Near a trunk road?**

Roads Planning have stated in advance of the LDP that they can support some employment use at this location in the short term.

ROADS PLANNING: This land is already identified as part of a site potentially suitable for longer term mixed use development (Site SPEEB005). In general, development in this location is reliant on a new crossing over the Tweed, but some development could be brought forward to meet a need for employment land.

Upgrading of the B7062 Kingsmeadows Road will be required to support vehicular access to the site and the creation of a street frontage onto the B7062 is recommended. Links into the adjacent



**Site Ref MPEEB004****Site name** Land South East of Peebles (Part of SPEEB005)**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

14.0

**Indicative capacity**

150

**Housing SG Status****Excluded**

housing development, both pedestrian/cycle and vehicular are critical.  
 Flooding is an issue with this area and will need to be considered as part of any development proposal.  
 A Transport Assessment will be required.

NETWORK MANAGER COMMENTS AT SG STAGE: 30 mph limit would need to be extended.

STRATEGIC TRANSPORT AT SG STAGE: New bridge across the River Tweed will be required before development progresses. A new vehicular link through Whitehaugh, linking to Glen Road is recommended. To improve connectivity and to reduce pressure on the B7062. Improvements to the B7062 will be required as part of this proposal. There is an opportunity to develop the walking and cycling network in this location. The Council has a long term aspiration to develop an off-road walking and cycling link between the south eastern part of the town and the town centre, potentially on the river corridor.

**Contaminated land**

Not applicable

**HSE consultation**

Not applicable

**Water supply**

Limited

**Sewerage**

Limited

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Limited

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Good

**Land use allocations**

On site

**If yes, what?**

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

**Planning and Infrastructure summary**

Site identified in the Consolidated Local Plan for Longer Term Mixed Use.

SCOTTISH WATER WWTW: OK - once Growth project has been delivered in 2018/19.

SCOTTISH WATER WTW: Nearing capacity at WTW and therefore this additional site may require a growth capex (would need to be assessed).

NEIGHBOURHOOD SERVICES: Potential for on-site play provision.

ECONOMIC DEVELOPMENT AT SG STAGE: It is noted that this site is already allocated, so this just suggests pulling the implementation forward. We are concerned that there is no new general allocation of employment land for Peebles and therefore would welcome a substantial allocation within this mixed use site. As Cavalry Park is generally completed and full, we consider a new development should be encouraged as there is known demand and provision of serviced plots or new development should form part of any agreement and be provided by the developer. We are unclear on what area, and what location, is proposed for mixed use. We suggest progress is needed with a formal Planning Brief to resolve this issue.

ACCESS: EN – this site should connect to the existing path networks through the site to the west and connect to the path network at its southern end.

EDUCATION AT SG STAGE: An extension may have to be considered.

DEVELOPMENT MANAGEMNT: A PAN is currently in for this site, much depending on them persuading Roads Planning that it can go ahead before the bridge. No PPP yet submitted. I fail to see how it could now be acceptable but wasn't when it was put in the original Consultative Draft. Roads and Flooding led.

**Site Ref MPEEB004****Site name** Land South East of Peebles (Part of SPEEB005)**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

14.0

**Indicative capacity**

150

**Housing SG Status****Excluded**

ENVIRONMENTAL HEALTH: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

## Overall assessment

**Overall assessment****Unacceptable****Summarised conclusion**

Site is unacceptable as there are issues in relation to roads and floodrisk, also in terms of placemaking.

**Conclusions**

It is noted that this site is part of site SPEEB005 that has been identified as a longer term mixed use site within the LDP and has the potential to bring forward employment land within the short term.

The site is being considered as a mixed use site. Whilst the LDP sets out that part of the Longer Term Mixed Use site SPEEB005 could come forward for employment land during the lifetime of the Plan, it is not considered appropriate to bring forward the site at this stage for mixed use, this is primarily as a result of issues around flood risk and roads access/bridge. In addition, in relation to good placemaking, should this site come forward in the future it should be in conjunction with the area of land to the north of the B7062 as identified within the LDP and which is part of site SPEEB005.

Other issues that have been raised in relation to this site are: potential moderate impact on biodiversity; the site is adjacent to the River Tweed SAC/SSSI; the site sits within the Tweed Valley SLA and the site was identified as being constrained within the Development and Landscape Capacity Study.

Therefore based on all of the above it is not considered appropriate to include this site within the Draft SG on Housing.

**Site Ref MPEEB006**

Site name Rosetta Road Mixed Use

**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

6.4

**Indicative capacity**

30

**Housing SG Status**

Preferred

**Initial assessment****Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy**

The site is located within the Western Strategic Development Area and within the Northern HMA.

**Initial assessment summary**

SEPA SG STAGE: We require an FRA which assesses the risk from the Gill Burn and other small watercourses which flow along the northern, southern, and western boundaries. Consideration will need to be given to bridge and culvert structures within and adjacent to the site which may exacerbate flood risk. Review of the surface water 1 in 200 year flood map shows that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Surface water runoff from the nearby hills may be an issue. May require mitigation measures during design stage. There are 2 unnamed tributaries running through the site which should be protected as part of any development. There should be no culverting for land gain. Foul water must be connected to the SW foul network for Peebles STW.

FLOODING TEAM AT SG STAGE: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Due to the scale and there is a few drains / springs running through the site, I would expect the applicant to show how surface water would be mitigated. Consider Surface Water Runoff.

This site was recommended for inclusion in the LDP by the LDP Examination Reporter. In line with with the Reporter's Recommendations, longer term housing and mixed use sites identified in the plan will be considered first. In addition, it should be noted that the Reporter did not identify an indicative site capacity for this site.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Other

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference**

96/01158/FUL Extension to caravan park to erect 32 static caravans.  
13/00444/FUL Mixed use development including housing - Pending Consideration.

## Site Ref MPEEB006

Site name Rosetta Road Mixed Use

Proposed usage

Housing

SDA

Western

HMA

Northern

Settlement

Peebles

Site area  
(ha)

6.4

Indicative  
capacity

30

Housing  
SG Status

Preferred

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Good

Access to services

Good

Wider biodiversity impacts

Moderate

Site aspect

Not applicable

Waverley line  
contribution  
required?

### Accessibility and sustainability summary

ECOLOGY OFFICER: Biodiversity Risk: Moderate

Site contains built structures with known bat roosts and parkland trees/ designed landscape, potential veteran trees, also featured on OS 1st ed. map. Boundary features include broadleaved trees, hedgerow and riparian woodland along Gill burn, connectivity with Eddleston water (River Tweed SAC). Bat, badger and breeding birds identified re planning application 13/00444/PPP.

Mitigation required to ensure no significant adverse effects on River Tweed SAC Retain mature trees. EPS survey (bats) will be required. Site clearance outside breeding bird season.

SCOTTISH NATURAL HERITAGE: This site is included in the LDP. We understand that this allocation is for redevelopment of the existing caravan site for residential development. As the site is subject to a planning application (13/00444/PPP), we have no further comment to make at this stage. Should that consent not be implemented, we would be happy to advise on natural heritage issues for the required planning brief.

## Local impact and integration assessment

Conservation area

Not applicable

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Not applicable

Archaeology

On site

Listed buildings

On site

Visual relationship/integration with existing settlement

Grounds of country house currently used as part of a caravan park. Category B Listed Roetta House, and B Listed Stables as well as C listed Walled Garden and Garden Building (part of a B group).

Although the site sits within the Development Boundary it sits on the edge of the settlement and rises to the west.

Impact on open space

Low

Impact on archaeology

Medium

Impact on listed buildings

High

### Local impact and integration summary

ARCHAEOLOGY: Historic parkland (OS1) with number of Listed Building portions surviving, but currently camping and caravan site; form of the ROC post mentioned unknown (could be underground 1960s or sandbagged WW2 post) and may be only vaguely located; Roman road potentially running through the site.

HERITAGE & DESIGN: Sensitive scheme needed to respect the listed buildings within the site and ensure that an appropriate use for them is delivered as part of the works; before the last phase new build works is undertaken. Visibility across the valley needs to be considered as well as a design approach to create appropriate sense of place.

There may be potential for some (minor) development to take place however caution would be required as over-development at this location would result in a negative

## Site Ref MPEEB006

Site name Rosetta Road Mixed Use

Proposed usage

Housing

SDA

Western

HMA

Northern

Settlement

Peebles

Site area  
(ha)

6.4

Indicative  
capacity

30

Housing  
SG Status  
Preferred

impact not only on the listed buildings and archaeology onsite but would also detract from the attractive approach into the settlement from the north; as well as the impact that such development would have on the tourism facility onsite. Also, as a site that rises to above 200m, the site can be seen from other parts of the town and although currently well screened due to the mature trees on site as well as those on the neighbouring site APEEB044 - loss of that landscaping would have a negative impact.

## Landscape assessment

NSA

Not applicable

SLA

Adjacent to site

Landscape designation

Minor

General amenity

Good

Altitude  
>200m?



Height  
constraint

Moderate

Slope >12  
degrees?



Slope  
constraint

Moderate

Constrained in Landscape Capacity Study

### Landscape features

Site consists of the upper section of Rosetta House grounds with the N and S drive to the house forming the E site boundary. The W boundary is a field boundary within the estate with the boundary woodland a further field to the W.  
Strong pattern of landscape structure and mature tree cover consistent with a designed landscape (undesigned and not recorded on recent SBC survey but a designed landscape nevertheless)  
Taken in conjunction with APEEB044, there is a significant house, a courtyard block, a walled garden, N and S formal driveways with N and S gates, a gatehouse, perimeter policy woodland and plentiful parkland tree planting, particularly in APEEB044.  
N and S policy woodlands are associated with small streams which have also been retained for ornamental purposes.

### Landscape summary

LANDSCAPE AT SG STAGE: The area on higher ground above the cluster of listed buildings could be sensitively developed for housing subject to suitable access arrangements.  
Rosetta House, the stable block and the walled garden with garden building require protection with sufficient grounds around them as a setting for these historic buildings. The walled garden and the stable block could be converted for small scale housing or community purposes.  
On the adjoining area below Rosetta House, the lower slopes could remain as a camping and caravan park.  
Any development should respect the historic aspect of both the house and its surroundings as well as its location on the rural edge of the town. Because development in this area is likely to be visible from across the valley and from adjacent path systems the density of housing should be low and the tree and screen planting carefully sited to protect the amenity of the area and link with tree bands and planting within and out with the site.

## Planning and infrastructure assessment

Physical access/road capacity

Near a trunk road?

ROADS PLANNING: I am not opposed to this land being zoned for mixed use development with an indicative capacity of 50 units. That said this site along with Site APEEB044 forms part of the larger planning application site – 13/00444/PPP. These two sites combined would need to proceed in accordance with the requirements agreed by the council with regards to its consideration of that application. Further to consultation, a Transport Assessment will be required.

**Site Ref MPEEB006**

**Site name** Rosetta Road Mixed Use

**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

6.4

**Indicative capacity**

30

**Housing SG Status**

Preferred

NETWORK MANAGER: Potential pressure on existing road network.

STRATEGIC TRANSPORT: Potential pressure on existing road network and existing Tweed Bridge. The adjacent road that links Violet Bank to the A703 is currently single track with passing places and not currently designed for additional increased traffic movements. There is a proposal for a new bridge at Dalatho but if this proposal and potentially others in this area go ahead there will still be increased pressure on this particular road.

Rosetta Road is currently very difficult to access because of the historical nature of the street and the number of vehicles that are currently travelling and parking in this area. This proposal and other significant proposals in this area will exacerbate this situation and careful consideration will be required in terms of any potential access and proposed uses for the site. This proposal in conjunction with other potential proposals in the immediate area will also put more pressure on Tweed Bridge and the local road network. The Council is currently involved in developing proposals to promote a shared access route between Peebles and Eddleston and beyond to Midlothian.

**Contaminated land**

On site

**HSE consultation**

Not applicable

**Water supply**

Limited

**Sewerage**

Limited

**Education provision**

Average

**Primary school capacity**

Limited

**Secondary school capacity**

Limited

**Right of way**

Not applicable

**TPOs**

Not applicable

**Marketability**

Good

**Land use allocations**

On site

**If yes, what?**

PMD3: Land Use Allocations

**Planning and Infrastructure summary**

SCOTTISH WATER WWTW: OK - once Growth project has been delivered in 2018/19.

SCOTTISH WATER WTW: Nearing capacity at WTW and therefore this additional site may require a growth capex (would need to be assessed).

ACCESS: EN – this site in itself is a good resource for shorter recreational access, the remnants of the designed landscape including old buildings and mature trees and to the quality of the experience. This should be considered if development is increased here.

ENVIRONMENTAL HEALTH: The site appears to have been developed with agricultural buildings. The site is brownfield land and its use may present development constraint.

ECONOMIC DEVELOPMENT: We understand that the mixed use allocation has been decided by the Scottish Government Reporter. We still however, would wish to ensure that the bulk of the allocation is retained for the Tourism based Caravan and camping site, with minimum support for residential development.

DEVELOPMENT MANAGEMENT: This site is minded to approve for housing and an improved caravan site facility but no idea why the settlement boundary does not expand to the west to reflect the minded to grant position. The Housing capacity is a bit low and doesn't reflect the LDP figure, even though that may be a bit high. Still challenged over developer contributions and the Committee still to make a determination on this matter.

NEIGHBOURHOOD SERVICES: Potential for on-site play provision with scope for further development if further development nearby.

**Site Ref MPEEB006****Site name** Rosetta Road Mixed Use**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area  
(ha)**

6.4

**Indicative  
capacity**

30

**Housing  
SG Status****Preferred**

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## Overall assessment

**Overall assessment****Acceptable****Summarised conclusion**

The site is Acceptable as the site is already allocated within the LDP and has been subject to a planning application. There is moderate biodiversity risk. Caution required regarding impact that development could have on heritage and landscape assets onsite and the settlement. Road improvements would be required. Economic Development would wish to the bulk of the site retained for tourism use.

**Conclusions**

This site was recommended for inclusion in the LDP by the LDP Examination Reporter. In line with the Reporter's Recommendations, longer term housing and mixed use sites identified in the plan will be considered first. In addition, it should be noted that the Reporter did not identify an indicative site capacity for this site.

A flood risk assessment will be required to assess the risk from the Gill Burn and other small watercourses which flow along the northern, southern, and western boundaries. Consideration will also need to be given to bridge and culvert structures within and adjacent to the site which may exacerbate flood risk. It is considered that there will be a moderate impact on the biodiversity, further assessment on biodiversity would be required alongside appropriate mitigation. In addition further assessment on archaeology and appropriate mitigation would also be required. Whilst, there may be potential for some (minor) development to take place, caution would be required as over-development at this location would result in a negative impact on the listed buildings and archaeology onsite as well as detracting from the attractive approach into the settlement from the north. Road improvements would be required. Economic Development would wish to see the bulk of the site retained in tourism use. Investigation and mitigation of potential contamination would also be required.

Therefore, it is proposed that this site is identified as a preferred site with an indicative site capacity of 30 units within the Draft SG.

**Site Ref** MPEEB007

**Site name** March Street Mill

**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

2.2

**Indicative capacity**

70

**Housing SG Status**

Preferred

## Initial assessment

**Floodrisk**

1:200

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?**

**International/national designation constraints** Minor

**Structure Plan policy**

The site is located within the Western SDA and within the Northern HMA.

**Initial assessment summary**

Some areas shown to be at risk through surface water flooding.

SEPA: Although no evidence of a culverted watercourse can be found on historic maps we would highlight the potential risk during site investigations. We would stress that no buildings should be constructed over an existing drain/ lade that is to remain active. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues at this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Large pond and drain shown on the map which presumably related to the historic use as a mill. These would need to be investigated further before any development could be started. Foul water must be connected to the SW foul sewer network.

FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Due to the scale and there is a few drains / springs running through the site, I would expect the applicant to show how surface water would be mitigated. Consider Surface Water Runoff.

## Information relating to planning applications

**Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Buildings

**Common Good Land**

Not applicable

**MOD safeguarded area**

Not applicable

**Aerodrome/Technical Site Safeguarding**

Not applicable

**Planning history reference**

16/00714/PAN Redevelopment of former mill to accommodate a range of uses including residential, retirement, commercial, allotment and other community use.



## Site Ref MPEEB007

Site name March Street Mill

Proposed usage

Mixed Use

SDA

Western

HMA

Northern

Settlement

Peebles

Site area  
(ha)

2.2

Indicative  
capacity

70

Housing  
SG Status  
Preferred

## Accessibility and sustainability assessment

Access to public transport

Good

Access to employment

Good

Access to services

Good

Wider biodiversity impacts

Major

Site aspect

Not applicable

Waverley line  
contribution  
required?

### Accessibility and sustainability summary

ECOLOGY: Biodiversity risk: Moderate-Major

Existing built structures (textile mill) have potential to support protected species such as bats (EPS) and breeding birds. Part of site within flood plain of Eddleston water (River Tweed SAC) (SEPA 1 in 200year fluvial flood risk)

SCOTTISH NATURAL HERITAGE: This site is adjacent to key greenspace GSPEEB008. Redevelopment of this site should not obstruct existing or planned footpath and cycle route access to this site and the development itself should be linked to and beyond via this key space.

Allotments on site will require to be retained inline with LDP Policy EP11.

The site is a brownfield site located within the settlement.

## Local impact and integration assessment

Conservation area

On/adjacent to site

Scheduled Ancient Monument

Not applicable

Garden and designed landscape

Not applicable

Ancient woodland inventory

Not applicable

Open space

Not applicable

Archaeology

On site

Listed buildings

Not applicable

Visual relationship/integration with existing settlement

The site is located within the Peebles Conservation area, within the site there are many buildings which relate to the previous use onsite. Whilst it is very likely that not all of the buildings would require to be retained, there are some of good architectural quality and others that relate well to the character of the conservation area. Consideration of retention and reuse of some of the buildings onsite will be required.

Impact on open space

Low

Impact on archaeology

High

Impact on listed buildings

Low

### Local impact and integration summary

HERITAGE & DESIGN: A balance is needed to ensure that the street frontage is respected and that the overall scale and height of the scheme respects the conservation area made up of primarily residential properties. Some of the buildings on site, e.g. the boiler and engine house are capable of being reused.

ARCHAEOLOGY: Extensive woollen mill site from OS2; buildings and other features may survive within larger complex. Not listed buildings; recording required.

Following further consideration and a site visit with DM, H&D have requested that the Boiler House and the Lodge House be retained.

Site Ref **MPEEB007**

Site name March Street Mill

Proposed usage

Mixed Use

SDA

Western

HMA

Northern

Settlement

Peebles

Site area  
(ha)

2.2

Indicative  
capacity

70

Housing  
SG Status

Preferred

## Landscape assessment

NSA

Not applicable

SLA

Not applicable

Landscape designation

Minor

General amenity

Good

Altitude  
>200m?

Height  
constraint

Minor

Slope >12  
degrees?

Slope  
constraint

Minor

Constrained in Landscape Capacity Study

**Landscape features** Some trees on site that would receive protection through the Conservation Area designation. Good opportunity for landscape enhancement to take place.

**Landscape summary** LANDSCAPE: Suitable for 1 to 1.5 storey housing particularly towards southern and western parts of site so as not to dominate existing built form adjacent, unless existing buildings can be redeveloped for residential use.  
Opportunity for higher flatted properties towards rear of site linking with more recent developments (such as Ballantyne Place) particularly on lower parts of site to east.  
Allow sufficient space for tree planting.  
Retain allotments and include open space. (EP11) Retain open views to east to hills.  
Retain and make use of existing street frontage buildings, gates and gateways to retain character. Reuse stone from sheds for walling or retainment structures.

## Planning and infrastructure assessment

**Physical access/road capacity**

Near a trunk road?

ROADS PLANNING: This is a good site for mixed use development given its close proximity to the town centre and the well-connected street network. Access can be achieved via a number of locations which include Dovecot Road, March Street and Ballantyne Place. A pedestrian/cycle link can also be achieved via the access to the allotments on Rosetta Road. Whilst the topography of the site limits the options of internal connectivity, any housing development on the site must adopt the principles of 'Designing Streets' to achieve a well-connected/integrated development which naturally calms traffic and creates a sense of place. A Transport Statement will be required for this site.

STRATEGIC TRANSPORT: Rosetta Road is currently very difficult to access because of the historical nature of the street and the number of vehicles that are currently travelling and parking in this area. This proposal and other significant proposals in this area will exacerbate this situation and careful consideration will be required in terms of any potential access and proposed uses for the site. This proposal in conjunction with other potential proposals in the immediate area will also put more pressure on Tweed Bridge and the local road network. The Council is currently involved in developing proposals to promote a shared access route between Peebles and Eddleston and beyond to Midlothian.

NETWORK MANAGER: Concern if vehicle access is off of Rosetta Road

**Contaminated land**

On site

**HSE consultation**

Not applicable

**Water supply**

Limited

**Sewerage**

Limited

## Site Ref MPEEB007

Site name March Street Mill

### Proposed usage

Mixed Use

### SDA

Western

### HMA

Northern

### Settlement

Peebles

### Site area (ha)

2.2

### Indicative capacity

70

### Housing SG Status

Preferred

### Education provision

Average

### Primary school capacity

Limited

### Secondary school capacity

Limited

### Right of way

Not applicable

### TPOs

Not applicable

### Marketability

Good

### Land use allocations

On site

### If yes, what?

EP11: Protection of Greenspace

### Planning and Infrastructure summary

SCOTTISH WATER WWTW: OK - once Growth project has been delivered in 2018/19.

SCOTTISH WATER WTW: Nearing capacity at WTW and therefore this additional site may require a growth capex (would need to be assessed).

ECONOMIC DEVELOPMENT: We advocate support for retention of some employment uses on this site, as there is currently little available business land in the town. Class 4 uses would fit comfortably in a redeveloped site, with housing, although conversion of some of the existing space into class 5/6 uses would also be supported. Until a new employment site can be developed in Peebles, there are limited opportunities for business space and therefore continuation of business use on this site should be a priority.

DEVELOPMENT MANAGEMENT: Subject of a current PAN and ongoing meetings to discuss the best mix on this site, but an infill opportunity and largely to be residential.

ENVIRONMENTAL HEALTH: The site appears to have been developed as a Woollen Mill with associated petroleum storage. The site is brownfield land and its use may present development constraints.

ACCESS: EN – no comments on access.

NEIGHBOURHOOD SERVICES: Need to protect allotments. Potential for on-site play provision.

## Overall assessment

### Overall assessment

Acceptable

### Summarised conclusion

The site is acceptable as it is a brownfield site within the the settlement and Conservation Area and provides the opportunity for enhancement of the area. Potential for enhanced connectivity and retention of some employment us on the site.

### Conclusions

A brownfield site within the settlement and located within the Peebles Conservation Area. Potential to allow for mixed use to take place and retention of boiler house and lodge house onsite. Archaeological recording of the site would be required prior to the commencement of development. Consideration of surface water flood risk must be taken into account along with any associated mitigation. Potential for moderate/major impact on biodiversity. Allotments on site safeguarded through Polict EP11. The site has potential to improve connectivity to the surrounding area and the site to be accessed from a number of locations. Economic Development seeks retention of some employment use on the site. Therefore, it is proposed that this site is identified as a preferred site with an indicative site capacity of 70 units within the Draft SG.

## Site Ref MPEEB008

Site name Peebles East (South of the River)

### Proposed usage

Mixed Use

### SDA

Western

### HMA

Northern

### Settlement

Peebles

Site area  
(ha)

32.3

Indicative  
capacity

150

Housing  
SG Status

Excluded

## Initial assessment

### Floodrisk

1:200

### SAC

Adjacent to site

### SPA

Not applicable

### SSSI

Adjacent to site

### Ramsar

Not applicable

### Adjacent to River Tweed?



### International/national designation constraints

Moderate

### Structure Plan policy

The site is located within the Western SDA and within the Northern HMA.

### Initial assessment summary

A large part of the site is affected by 1:200 flood risk. Haystoun Burn runs beyond the south of the site and River Tweed to the north and east. Therefore likely implications for the SAC and SSSI.

FLOOD TEAM: This site is shown to be at risk of flooding within the SEPA 1 in 200 Year Indicative Flood Mapping for both fluvial and pluvial flooding. Therefore, I would definitely require a Flood Risk Assessment for the Haystoun Burn to be undertaken for this site. I would note that the Haystoun Burn burst its banks and flooded a few properties in Kittlegairy View over the 2015/16 winter. Scottish Water have also raised concerns about their capacity in the Kittlegairy area.

SEPA RESPONSE AT SG STAGE: We require an FRA which assesses the risk from the Haystoun Burn and the River Tweed, including the interaction between. Consideration will need to be given to bridge and culvert structures within and adjacent to the site. Review of the surface water 1 in 200 year flood map indicates that there may be flooding issues within this site. This should be investigated further and it is recommended that contact is made with the flood prevention officer. Development will likely be constrained at this site and council may wish to consider removal from the LDP. A holistic approach to development within this area of Peebles is recommended to ensure flood risk is not increased, or developable area reduced, as a result of piecemeal development. Therefore, we would recommend that the council commissions an FRA prior to allocating this site within the LDP.

(EXTRACT ON RECIEPT OF NON-TECHNICAL SUMMARY PROVIDED BY BW): If formally consulted through the planning process on the proposed development we would object on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy based on the information supplied with this consultation.

..... In the first instance we would recommend that an updated FRA is provided which adheres to Scottish Planning Policy and our Technical Flood Risk Guidance and demonstrates that development can take place out with the functional floodplain giving due consideration to all sources of flooding including fluvial and surface water. ... Site bounded by either Glensax burn or R Tweed, classified as Good and Moderate respectively. These watercourses should be protected. Foul water must be connected to the SW foul network.

## Information relating to planning applications

### Minerals and coal

Not applicable

### NNR

Not applicable

### Prime Quality Agricultural Land

Not applicable

### Current use/s

Greenfield

### Common Good Land

### MOD safeguarded area

### Aerodrome/Technical Site Safeguarding

## Site Ref MPEEB008

Site name Peebles East (South of the River)

### Proposed usage

Mixed Use

### SDA

Western

### HMA

Northern

### Settlement

Peebles

Site area  
(ha)

32.3

Indicative  
capacity

150

Housing  
SG Status

Excluded

Not applicable

Not applicable

Not applicable

### Planning history reference

06/02124/FUL Engineering works to reduce ground levels.

16/00721/PAN Residential development with associated roads, infrastructure, open space and landscaping on southern part of site.

## Accessibility and sustainability assessment

### Access to public transport

Good

### Access to employment

Good

### Access to services

Good

### Wider biodiversity impacts

Major

### Site aspect

Not applicable

### Waverley line contribution required?

### Accessibility and sustainability summary

ECOLOGY: Biodiversity Risk: Major - All of the site in flood plain of Haystoun burn (River Tweed SAC) and River Tweed SAC/SSSI, (SEPA 1in 200year fluvial flood risk). Potential connectivity with River Tweed SAC through drainage—Mitigation required to ensure no significant adverse effects on integrity of River Tweed SAC. Improved pasture, remnant thorn hedge within site. Mature trees and woodland strip on part of boundary.

The site is just outside Peebles development boundary and has good access to local employment, services and facilities within the settlement. Development at this location would provide opportunity for increased accessibility through a new bridge. Parts of site on flood plain of River Tweed SAC/SSSI including Haystoun burn (SAC).

## Local impact and integration assessment

### Conservation area

Not applicable

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

Adjacent to site

### Ancient woodland inventory

Not applicable

### Open space

Not applicable

### Archaeology

Not applicable

### Listed buildings

Not applicable

### Visual relationship/integration with existing settlement

The majority of the site is flat, exposed and open in character. This is a very large site for the settlement and would have a noticeable impact on its character. However as a mixed use site that is being considered as a potential location for some employment use it is being considered in the context of the longer term site SPEEB005. The site also provides an opportunity to continue the green space element along the riverside which continues through most of the settlement.

### Impact on open space

Low

### Impact on archaeology

Low

### Impact on listed buildings

Low

## Site Ref MPEEB008

Site name Peebles East (South of the River)

### Proposed usage

Mixed Use

### SDA

Western

### HMA

Northern

### Settlement

Peebles

### Site area (ha)

32.3

### Indicative capacity

150

### Housing SG Status

Excluded

### Local impact and integration summary

ARCHAEOLOGY: Not sites recorded in the area, but previous (negative) evaluation trenching across area.

The site is adjacent to a number of Scottish Borders Designed Landscapes - Kingsmeadows, Eshiels, Kalzie, and also the Haystoun.

## Landscape assessment

### NSA

Not applicable

### SLA

On/adjacent to site

### Landscape designation

Minor

### General amenity

Good

### Altitude >200m?

### Height constraint

Minor

### Slope >12 degrees?

### Slope constraint

Minor

### Constrained in Landscape Capacity Study

### Landscape features

Mature trees particularly along the road edges. Burn running beyond the southern boundary of the site and River Tweed along the north and eastern boundary of the site.

### Landscape summary

The Landscape Capacity Study considered this area not to be appropriate for development. It also suggested areas for landscape enhancement within the site. The site is located within the Tweed Valley Special Landscape Area.

SCOTTISH NATURAL HERITAGE: While this site is outwith the current settlement boundary as shown in the LDP, it is identified as part of a longer-term safeguard (SPEEB005).

If you are minded to support development of this site during the current plan period, further detailed assessment will be required. Given the site's proximity to MPEEB006/APEEB050 and APEEB003, SPEEB001 & SPEEB005 MPEEB007/APEEB051, we suggest that requirements for these sites are detailed in a design framework that should include the open space safeguard to the north of the B7062.

LANDSCAPE AT SG STAGE: I recommend that this site is one of the less suitable sites for development as it would perpetuate the outward creep of the town east along the valley floor. However the density of the latest development on the adjacent site and lack of structure planting visually detracts from the amenity of the area.

A sensitive development to the east of this including adequate treebelts, hedgerows and open space could mitigate the 'hard' edge to the town that is currently apparent. In drawing a conclusion on this site the risk of flooding should be considered.

## Planning and infrastructure assessment

### Physical access/road capacity

### Near a trunk road?

Roads Planning have stated in advance of the LDP that they can support some employment use at this location in the short term.

ROADS PLANNING: This land is already identified as part of a site potentially suitable for longer term mixed use development (Site SPEEB005). In general, development in this location is reliant on a new crossing over the Tweed, but some development could be brought forward to meet a need for employment land.

Upgrading of the B7062 Kingsmeadows Road will be required to support vehicular access to the site and the creation of a street frontage onto the B7062 is recommended. Links into the adjacent

## Site Ref MPEEB008

Site name Peebles East (South of the River)

### Proposed usage

Mixed Use

### SDA

Western

### HMA

Northern

### Settlement

Peebles

### Site area (ha)

32.3

### Indicative capacity

150

### Housing SG Status

Excluded

housing development, both pedestrian/cycle and vehicular are critical. Flooding is an issue with this area and will need to be considered as part of any development proposal. A Transport Assessment will be required.

NETWORK MANAGER: Would need to extend 30 mph limit Pressure on Tweed Bridge?

STRATEGIC TRANSPORT: New bridge across the River Tweed will be required before development progresses. A new vehicular link through Whitehaugh, linking to Glen Road is recommended. To improve connectivity and to reduce pressure on the B7062. Improvements to the B7062 will be required as part of this proposal. There is an opportunity to develop the walking and cycling network in this location. The Council has a long term aspiration to develop an off-road walking and cycling link between the south eastern part of the town and the town centre, potentially on the river corridor.

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Limited

### Sewerage

Limited

### Education provision

Average

### Primary school capacity

Limited

### Secondary school capacity

Limited

### Right of way

Not applicable

### TPOs

Not applicable

### Marketability

Good

### Land use allocations

On site

### If yes, what?

HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

### Planning and Infrastructure summary

Peebles is located within the Western Strategic Development Area, and in the Northern Housing Market Area. The site is currently identified as a potential longer term mixed use site within LDP. The LDP also states that there is currently a shortfall of good quality business and industrial land in Peebles and that employment land at this location could come forward early to meet this shortfall.

SCOTTISH WATER WWTW: OK - once Growth project has been delivered in 2018/19.

SCOTTISH WATER WTW: Nearing capacity at WTW and therefore this additional site may require a growth capex (would need to be assessed).

NEIGHBOURHOOD SERVICES: Potential for on-site play provision.

ACCESS: EN – this site should connect to the existing path networks through the site to the west and connect to the path network at its southern end.

ECONOMIC DEVELOPMENT: It is noted that this site is already allocated, so this just suggests pulling the implementation forward. We are concerned that there is no new general allocation of employment land for Peebles and therefore would welcome a substantial allocation within this mixed use site. As Cavalry Park is generally completed and full, we consider a new development should be encouraged as there is known demand and provision of serviced plots or new development should form part of any agreement and be provided by the developer. We are unclear on what area, and what location, is proposed for mixed use. We suggest progress is needed with a formal Planning Brief to resolve this issue.

DEVELOPMENT MANAGEMNT: A PAN is currently in for this site, much depending on them persuading Roads Planning that it can go ahead before the bridge. No

**Site Ref MPEEB008****Site name** Peebles East (South of the River)**Proposed usage**

Mixed Use

**SDA**

Western

**HMA**

Northern

**Settlement**

Peebles

**Site area (ha)**

32.3

**Indicative capacity**

150

**Housing SG Status****Excluded**

PPP yet submitted. I fail to see how it could now be acceptable but wasn't when it was put in the original Consultative Draft. Roads and Flooding led.

ENVIRONMENTAL HEALTH: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

**Overall assessment****Overall assessment****Summarised conclusion****Unacceptable****Conclusions**

It is noted that this site is the same area as site SPEEB005 that has been identified as a longer term mixed use site within the LDP and has the potential to bring forward employment land within the short term.

The site is being considered as a mixed use site. Whilst the LDP sets out that part of the Longer Term Mixed Use site SPEEB005 could come forward for employment land during the lifetime of the Plan, it is not considered appropriate to bring forward the site at this stage for mixed use, this is primarily as a result of issues around flood risk and Roads Access/bridge which would require to be resolved. Roads colleagues state that for development to occur at this location a second bridge over the Tweed would be required.

Other issues that have been raised in relation to this site are: potential major impact on biodiversity; the site is adjacent to the River Tweed SAC/SSSI; the site sits within the Tweed Valley SLA and the site was identified as being constrained within the Development and Landscape Capacity Study.

Therefore based on all of the above it is not considered appropriate to include this site within the Draft SG on Housing.



**Site Ref AROMA003**

Site name Halmyre Loan

**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Romanobridge

**Site area (ha)**

2.6

**Indicative capacity**

25

**Housing SG Status**

Excluded

**Initial assessment****Floodrisk**

Not applicable

**SAC**

Not applicable

**SPA**

Not applicable

**SSSI**

Not applicable

**Ramsar**

Not applicable

**Adjacent to River Tweed?****International/national designation constraints** Minor**Structure Plan policy** The site is located outwith any SDA and within the Northern HMA.**Initial assessment summary** No initial constraints.

SEPA: There is a burn upstream and culverted through Romano Mains. Based on the OS Map contours this could potentially pose a flood risk by directing water through the site. As such we require additional information to ensure there is no increase in flood risk elsewhere and the development itself is not at risk of flooding. In addition, surface water runoff from the nearby hills may be an issue and may require mitigation measures during design stage. Foul water should be connected to the SW foul network.

FLOOD TEAM: This site is not shown to be at flood risk within the SEPA 1 in 200 Year Indicative Flood Mapping. Therefore, I would have no objection on the grounds of flood risk.

**Information relating to planning applications****Minerals and coal**

Not applicable

**NNR**

Not applicable

**Prime Quality Agricultural Land**

Not applicable

**Current use/s**

Greenfield

**Common Good Land MOD safeguarded area Aerodrome/Technical Site Safeguarding**

Not applicable

Not applicable

Not applicable

**Planning history reference** N/A**Accessibility and sustainability assessment****Access to public transport**

Limited

**Access to employment**

Limited

**Access to services**

Limited

**Wider biodiversity impacts**

Minor

**Site aspect**

South-west

**Waverley line contribution required?**

## Site Ref **AROMA003**

Site name Halmyre Loan

### Proposed usage

Housing

### SDA

Western

### HMA

Northern

### Settlement

Romanobridge

Site area  
(ha)

2.6

Indicative  
capacity

25

Housing  
SG Status

Excluded

### Accessibility and sustainability summary

ECOLOGY: Biodiversity Risk: Minor  
Improved pasture with garden ground on boundary of site-Railway embankment. No significant biodiversity issues.

Whilst the site is located adjacent to a settlement, the settlement is outwith any of the Strategic Development Areas. Residents are required to travel for many services and facilities.

Flood risk is an issue that has been raised by SEPA, they have raised concerns and request further information to ensure there is no increase in flood risk elsewhere and that the development itself is not at risk of flooding.

## Local impact and integration assessment

### Conservation area

Not applicable

### Scheduled Ancient Monument

Not applicable

### Garden and designed landscape

On/adjacent to site

### Ancient woodland inventory

Not applicable

### Open space

Not applicable

### Archaeology

Not applicable

### Listed buildings

Not applicable

### Visual relationship/integration with existing settlement

The site is located adjacent to the Development Boundary, and reasonably recent development is located adjacent to the site. It is noted that SNH state that the eastern part of the site falls within the beginning of the rise from the lower lying area around the River Tweed to the transition around Deans Hill and Drum Maw and recommend that development is kept away from this transitional area.

### Impact on open space

Low

### Impact on archaeology

Low

### Impact on listed buildings

Low

### Local impact and integration summary

HERITAGE & DESIGN: Design context will need to be carefully considered.

ARCHAEOLOGY: No archaeological comments.

Site sits within the SBC Romano Designed Landscape.

## Landscape assessment

### NSA

Not applicable

### SLA

Not applicable

### Landscape designation

Minor

### General amenity

Average

### Altitude >200m?



### Height constraint

Minor

### Slope >12 degrees?



### Slope constraint

Minor

Constrained in Landscape Capacity Study

## Site Ref AROMA003

Site name Halmyre Loan

### Proposed usage

Housing

### SDA

Western

### HMA

Northern

### Settlement

Romanobridge

Site area  
(ha)

2.6

Indicative  
capacity

25

Housing  
SG Status

Excluded

### Landscape features

Stone walls, timber palisade fencing.  
Mature individual Beech tree to eastern side of site.

### Landscape summary

SCOTTISH NATURAL HERITAGE: This site lies outwith the current settlement boundary as shown in the LDP. The eastern part of the site falls within the beginning of the rise from the lower lying area around the River Tweed to the transition around Deans Hill and Drum Maw. If you are minded to allocate this site, we recommend that development is kept away from this transitional area. The resulting buffer area of approximately 60m could then be used to extend the adjacent woodland strip.  
The Cross Borders Drove Road runs along the western and southern boundaries of the site. The context of the route through Damside suggests that development at this site would not significantly alter the characteristic of this section.

LANDSCAPE: Low – mid density housing suited to rural location and compatible with existing adjacent. Allowing sufficient space for tree belts, individual trees and hedgerows to link to wider environment both residential and rural.  
Adequate consideration needs to be given to Cross Borders Drovers Road and existing mature Beech tree. These are important attributes of the site.

## Planning and infrastructure assessment

### Physical access/road capacity

Near a trunk road?

ROADS PLANNING: I have no objections to housing development on this site. The road serving the site is well designed in terms of traffic calming. Any new road serving this site should follow the 'Designing Streets' theme.

The existing road to the south west of the site serving Romanno House Farm has a sub-standard junction with the A701 in terms of junction visibility and there may be an opportunity here for the road to be re-routed as part of the development of this site. Pedestrian connectivity will be a further consideration.  
A Transport Statement will be required for this site.

STRATEGIC TRANSPORT: Opportunity to enhance the local path network and potentially provide enhanced off-road access to the primary school.

### Contaminated land

Not applicable

### HSE consultation

Not applicable

### Water supply

Limited

### Sewerage

No

### Education provision

Average

### Primary school capacity

Yes

### Secondary school capacity

Yes

### Right of way

Adjacent to site

### TPOs

Not applicable

### Marketability

Good

### Land use allocations

Not applicable

### If yes, what?

### Planning and Infrastructure summary

SCOTTISH WATER WWTW: No capacity, small septic tank only a new works will need to be built, developer will need to meet 5 growth criteria, upgrade would be 4 years following application.

**Site Ref AROMA003****Site name** Halmyre Loan**Proposed usage**

Housing

**SDA**

Western

**HMA**

Northern

**Settlement**

Romanobridge

**Site area (ha)**

2.6

**Indicative capacity**

25

**Housing SG Status****Excluded**

ECONOMIC DEVELOPMENT: Looks like sensible infill. Extra cost in developing due to removing overhead electricity cables.

ENVIRONMENTAL HEALTH: The site appears to have remained undeveloped throughout the map extracts reviewed. There is no evidence to indicate that this site is brownfield land or that its historic uses may present development constraints.

ACCESS: EN – this site would need to allow for the retention of core path 168 and the enhancement of it.

NEIGHBOURHOOD SERVICES: Potential for on-site play provision.

DEVELOPMENT MANAGEMENT: There may be road access issues. Landscaping scheme would be required to reduce impact on landscape.

## Overall assessment

**Overall assessment****Doubtful****Summarised conclusion**

The site is Doubtful as further detail is required on flood risk to ensure the site will not result in increased risk elsewhere and on the site, there are limited services and facilities, within the settlement and a new WWTW is required.

**Conclusions**

SEPA have stated that there is a burn upstream and culverted through Romanno Mains. Based on the OS Map contours this could potentially pose a flood risk by directing water through the site, as such they would require additional information to ensure there is no increase in flood risk elsewhere and the development itself is not at risk of flooding.

It is noted that no evidence has been submitted with regards to any potential flood risk which would satisfy SEPA's concerns.

The site has limited access to services and facilities.

SNH have stated that development at this location is acceptable however it should be kept away from the transitional area.

Roads planning can support the development of the site, however SW have stated that a new WWTW would need to be built.

Therefore the site is Doubtful and will not be included within the Draft SG.



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## **HAWICK ACTION PLAN – UPDATE**

**Report by Corporate Transformation & Services Director**

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### **SCOTTISH BORDERS COUNCIL**

**10 November 2016**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report provides an update on the Initial Hawick Action Plan, which was approved by Council in June 2016, and outlines the priority actions that should be taken forward in 2017.**
- 1.2 The Initial Hawick Action Plan is structured around three key themes which were identified and agreed by the key stakeholders for the town. The first strategic theme focuses on making Hawick a 'Great Place for Working and Investing'. The second theme focuses on making Hawick a 'Great Place for Living and Learning' and the third theme focuses on making Hawick a 'Great Destination to Visit', aiming to make Hawick a great place to visit and stay.
- 1.3 The work is being led by a partnership of Scottish Borders Council, Scottish Government, Scottish Enterprise and Skills Development Scotland. Since the previous update in June 2016, Council officers have been working to take forward some of the actions in the Plan in conjunction with key stakeholders, local businesses and other local organisations in Hawick.
- 1.4 A number of key actions have been progressed and importantly, additional funding support has been offered by the Scottish Government in relation to regeneration support for the town and the Hawick Flood Protection Scheme.

#### **2 RECOMMENDATIONS**

- 2.1 I recommend that Scottish Borders Council:**
  - (a) Notes the progress made in implementing the Initial Hawick Action Plan over the last 6 months, as set out in Appendix 1;**
  - (b) Agrees that the Council should support further work with businesses and stakeholders in Hawick in 2017/18 as outlined in Appendix 1; and**
  - (c) Asks the Corporate Transformation and Services Director to present a progress report on the Action Plan to the Council at its meeting scheduled for 30 March 2017.**

### 3 INITIAL HAWICK ACTION PLAN

3.1 The Action Plan is structured around three key themes which were identified and agreed by the key stakeholders. The themes are:

Theme 1: 'Great Place for Working and Investing'

1.1 Hawick is a 'Connected Place' ready to do business in the modern economy.

1.2 Create an Environment to Encourage Economic Growth

1.3 Create an Innovative Flood Protection Scheme

Theme 2: 'Great Place for Living & Learning'

2.1 Provide a suitable environment to retain school leavers and to attract new workers into the area.

Theme 3: 'Great Destination to Visit'

3.1 Make Hawick a great place to visit and stay

3.2 The Initial Hawick Action Plan was approved by Council in June 2016. Since then Council officers have been working to take forward some of the actions in the Plan in conjunction with other key stakeholders, local businesses and other local organisations in Hawick.

### 4 IMPLEMENTING THE ACTION PLAN

4.1 An update of the Action Plan with key areas of progress completed and priority actions identified is set out in Appendix 1. Some of the key areas of progress are highlighted below.

#### 4.2 **Theme 1: 'Great Place for Working and Investing'**

- **Superfast Broadband** - Service Mapping has been completed and with the 'unbundling' of the BT exchange, a new service provider, Commsworld, is also now providing services. They are proactively contacting local businesses offering new services.
- **Borders Railway Extension Feasibility Scoping Study** - Partnership agreement and funding package is in place to progress the scoping of the feasibility study for the extension of the Borders Railway from Tweedbank to Carlisle.
- **A7 Trunk Road** - The Scottish Government's Programme for Government highlighted the A7 as one of a number of routes that would be reviewed. The Government will examine the case for improvements to the A1, A7, and A68 with a study to identify Borders transport requirements reporting by the end of 2017.
- **Town Centre Regeneration Approach** - The Council has approved a Town Centre Resilience Index and Regeneration Approach to prioritise regeneration activity across the Scottish Borders. Hawick is confirmed as one of the priority towns.
- **Retail Gap Analysis Study for Hawick** (and Galashiels) Town Centres undertaken by Ryden Consultants was complete in September 2016. The report made a number of recommendations and identified potential target operators for the town.
- **Property Assessment** - A meeting progressed in September with

the Council's Planning, Heritage and Property experts to discuss options for key empty buildings and property in the town.

- **Scottish Government Funding for Regeneration** – Funding of £3.625m has been offered from the Scottish Government to support regeneration activity for capital related projects in the town.
- Following input from the Council and Scottish Enterprise, an **Inward Investment business** has bought the Teviotdale Mill property and plans to set up a new knitwear operation. This will start in Spring 2017.
- **Hawick Flood Protection Scheme** - The first part of funding for the Hawick Flood Protection Scheme was confirmed by the Scottish Government in August 2016. The Government has provided an initial £1.342million to the project as a general capital grant in 2016/17. A public exhibition was hosted in Hawick Town Hall and a riverside walk was organised to give members of the public the opportunity to make their views known on the scheme. Over 700 people attended the exhibition.

#### 4.3 **Theme 2: 'Great Place for Living & Learning'**

- **Young Enterprise Scotland** is being relaunched in the Borders to encourage school pupils to look at business as an opportunity when they leave school.
- **Digital Boost** - Business Gateway is delivering Digital Boost workshops and has had 190 people attending these so far in 2016 (Borders wide).
- **Centre for Business Development** - Borders College has opened a Centre for Business Development in its Hawick campus. This will allow its commercially focused training arm to address the needs of businesses and ensure relevant training is offered. This was officially launched on 28 October 2016.

#### 4.4 **Theme 3: 'Great Destination to Visit'**

- **Tourism Marketing** - A tourism focused workshop was held in September 2016, facilitated by Brightlight Marketing. The meeting was very positive with a number of the attendees keen to be involved in the work of a future steering group. A number of key actions were identified to progress.
- **Hotel Accommodation** - Two hotels have re-opened in the town in 2016 – Mansfield House Hotel (12 rooms) and Balcary House (10 rooms).
- **Scottish Borders High Street Loan Fund** – the Council has approved a Scottish Borders High Street Loan Fund focused on Hawick for 2017/18. This is a new pilot initiative to encourage property owners to convert larger premises into smaller units.
- **Theme Town** - An initial workshop has been held with local businesses, investigating the potential for a themed town opportunity.
- **Townscape Heritage Proposal:** An initial proposal has been identified to progress a potential Hawick 'Townscape Heritage' project for the town centre focusing on "Redefining & Rejuvenating Hawick High Street". This could be a 5 year programme with potential funding from Heritage Lottery Funding and other sources.

## 5 PRIORITIES WITHIN THE ACTION PLAN FOR 2017/18

The following priorities are identified for 2017/18:

### 5.1 Theme 1: 'Great Place for Working and Investing'

- **Superfast Broadband** - Review service provision/ coverage - Contact businesses to gauge awareness/ uptake of Superfast Broadband. Identify 'notspots' to be addressed with service providers, including Commsworld.
- **Enterprise Areas** - A review paper on Enterprise Areas has been drafted by Council officers for initial discussion with stakeholders.
- **WiFi** - Customer Research - Research is required to better understand who will use WiFi in the town and when. Business Engagement – a promotional exercise is required to encourage private businesses e.g. cafes, hotels, restaurants, to make WiFi accessible/ available for their customers.
- **Town Centre Regeneration Approach** – the Council will progress a rolling three year Town Centre Action Plan which will be approved annually.
- **Scottish Government Funding for Regeneration** - £3.625m has been offered to support regeneration activity for capital related projects in the town. A team of SBC officers is looking at potential projects that meet the criteria and that can be carried out within the timescales.
- **Hawick Flood Protection Scheme** - There is ongoing communication with the Flood Protection project managers to ensure there are benefits for businesses.

### 5.2 Theme 2: 'Great Place for Living & Learning'

- **Career Pathways** - Further discussion is required to determine the appropriate promotion of career pathways for young people ie – should the focus be on retaining young people in the town/region when they leave school; or on encouraging them to learn new skills outside of the town/region and bring these back when they are older? This should also form a key part of an Inward Investment marketing message.
- **Business Skills Requirement** - Through the Employer Offer Group, work is being done to encourage partners to work together to identify the digital skills needs of local businesses and to ensure that Borders College is making appropriate courses available.

### 5.3 Theme 3: 'Great Destination to Visit'

- **Tourism Marketing** - Agree priorities and progress actions identified at the workshop in particular:
  - Develop a tourism group of key operators
  - Cross-sell other Hawick businesses
  - Develop a marketing strategy and plan for the town
  - Develop an events calendar for the town
  - Look at 2017 as a launch pad with new developments - relaunch of Wilton Lodge Park; and the opening of the new Distillery.



- **Visitor Accommodation** - Further assessment required as to current capacity and the demand/ type for visitor accommodation required.
- **Theme Town** - Further meetings will be scheduled to progress this option with other town centre businesses encouraged to attend.
- **Retail Workshops** - Future Hawick are holding two retail workshops in November 2016. The aim is to provide information to ease trade and provide options for attracting more customers. Various actions have been suggested by the private sector and the workshop aims to agree how these can be prioritised/ delivered.
- **Scottish Borders High Street Loan Support Fund for Hawick** – The Council will deliver the High Street Loan Support Fund for Hawick in 2017/18 as a pilot complemented by Business Grant support.
- **Aldi Development/ Developer Contribution** - £18K has been secured to progress improved signage, pedestrian links or a Shop Front Improvement scheme to encourage footfall onto the High Street.
- **Townscape Heritage** - SBC to identify the feasibility of a 'Townscape Heritage' proposal for Hawick High Street.

### **Project Management and Delivery**

5.4 The Council is taking a positive role in helping to develop the Action Plan and securing the commitment and engagement of its Community Planning Partnership partners and the Scottish Government. The actions outlined above have been taken forward by the Council and its partners, with some input from local businesses.

5.5 It is crucial that local businesses and other organisations in Hawick are practically involved in the delivery of the Action Plan. Some local business people have already proactively become involved in the Action Plan work and Future Hawick has also formally requested involvement in the implementation of the Action Plan. Further work on business engagement and involvement will be undertaken, to build on the positive response already seen.

### **Resources and New Scottish Government Funding**

5.6 The actions in the Initial Hawick Action Plan require to be properly resourced by a range of organisations if they are to be effectively delivered. Some of the actions have been delivered within existing Scottish Borders Council schemes and budgets and staff resource are already in place. A £25,000 allocation of funding from the Economic Development service for 2016/17 has been identified to progress actions as highlighted above.

5.7 Additional funding has been offered by the Scottish Government for two major programmes in the town: £3.625 million has been confirmed to progress Town Regeneration activity in 2016/17 and an initial £1.342 million has been provided to the Hawick Flood Protection Scheme as a capital grant in 2016/17. These major programmes will be prioritised to ensure they are effectively and successfully delivered to maximise the economic opportunities for the town.

- 5.8 The Scottish Government funding must be committed by March 2017. Given the short timescale for delivery and given the challenge in relation to the number of empty properties in the town and town centre, the Town Regeneration funding of £3.625 million and its delivery will require to be prioritised. Officers are working with Scottish Enterprise and Scottish Government to develop proposals and anticipate a report coming to Council in December 2016.
- 5.9 It is important to note that there are limitations to how the Scottish Government funding may be used. The key factor is that this funding is public sector capital funding, so it needs to be targeted at physical development that boosts the economy and creates an asset that will be publicly owned (but that may be able to be sold at market value in future if that is deemed to be appropriate). This gives a clear framework for the project development that officers are pursuing at present. However, it also means that some of the ideas being generated by local partners will not fit with this particular funding opportunity.

## **6 IMPLICATIONS**

### **Financial**

- 6.1 For the Town Regeneration Funding offered by the Scottish Government, Council officers will progress more detailed plans once the prioritisation of properties has been completed and agreed. The £25,000 allocation of funding from the Economic Development service for 2016/17 has supported other activities to move forward. This activity will be complemented with the new Town Centre Regeneration Approach as approved by Executive Committee on 4 October 2016.

### **Risk and Mitigations**

- 6.2 There is a reputational risk to the Council if it does not support the Initial Hawick Action Plan and help to implement the actions set out in the plan. This risk is mitigated by the positive role that the Council is taking in helping to develop the Action Plan and securing the commitment and engagement of its Community Planning Partnership (CPP) partners and the Scottish Government. The CPP's Economy and Low Carbon Theme Group will monitor progress in relation to delivery of the Action Plan. There is also a risk to the successful implementation of the Action Plan if local businesses and the community do not engage in the projects and provide positive support for the initiative. This will be mitigated by engaging businesses in workshop activity and enabling local organisations such as Future Hawick to positively support the Plan.

### **Equalities**

- 6.3 It is anticipated that an Equalities Impact Assessment would be required in relation to the individual projects as they are developed in order to ensure that there are no adverse impacts due to race, disability, gender, age, sexual orientation or religious/belief arising.

### **Acting Sustainably**

- 6.4 The Initial Hawick Action Plan aims to make the economy of the town more sustainable by improving its connectivity, its business infrastructure, the level of local skills and the tourism offering. If it helps to secure additional economic activity and growth it will have contributed to the sustainability of the local economy and community.

### **Carbon Management**

6.5 Some of the actions contained in the Initial Hawick Action Plan could have a positive impact on carbon emissions, particularly those actions that lead to the development or redevelopment of ageing or vacant industrial properties.

**Rural Proofing**

6.6 The Initial Hawick Action Plan focuses on the town of Hawick but it is acknowledged that some of the actions, especially relating to digital connectivity could have a positive impact on the rural areas surrounding the town.

**Changes to Scheme of Administration or Scheme of Delegation**

6.7 There are no changes to be made to the Scheme of Administration or Scheme of Delegation arising from this report.

**7 CONSULTATION**

7.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted and their comments have been incorporated into the report.

**Approved by**

**Rob Dickson**  
**Corporate Transformation**  
**and Services Director**

**Signature .....**

**Author(s)**

Name	Designation and Contact Number
Bryan McGrath	Chief Officer Economic Development, Chief Executives – Tel 01835 826525

**Background Papers: None**

**Previous Minute Reference:** Scottish Borders Council, 29 June 2016

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

Contact us at Bryan McGrath, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA Tel: 01835 826525, email [bmcgrath@scotborders.gov.uk](mailto:bmcgrath@scotborders.gov.uk)

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***Theme 1. Great Place for Working & Investing***

***1. Make Hawick a 'Connected Place' ready to do business in the modern economy***

Ref	Activity	Stakeholder	Outputs	Outcomes	LEAD	Timescale	October 2016/ COMPLETE	October 2016/ ACTION PROGRESSING
a	Review current superfast broadband coverage and existing plans for increasing	SBC, local businesses, local community	Assessment of current roll-out, Communication to businesses and community on roll-out schedule, Identify "hotspots" that need addressed	Clear timetable for roll-out, Increased capacity in areas or buildings identified as important to economy	SBC	2016/18	<p><b>COMPLETE: Service Mapping</b> - Phase 1: Mapping exercise carried out by work placement student over the summer 2016 to map all available coverage and speeds for the main industrial areas and individual premises for businesses.</p> <p><b>COMPLETE: New Service Provider</b> - Superfast Broadband services for Glasgow, Edinburgh and Hawick have been unbundled at the local exchanges as part of the new CGI contract. The new service provider, Commsworld, is aiming to provide an enhanced service for business and community users; and have been proactively contacting local businesses following the live launch date of 1 Oct 2016.</p>	<p><b>ACTION: Review service provision/ coverage</b> - Phase 2: Contact businesses to gauge awareness/ uptake of Superfast Broadband. Identify 'notspots' to be addressed with service providers, including Commsworld.</p>
b	Review current mobile coverage and existing plans for increasing	SBC, local businesses, local community	Assessment of current roll-out, Communication to businesses and community on roll-out schedule, Identify "hotspots" that need addressed	Clear timetable for roll-out, Increased capacity in areas identified as important to economy	South of Scotland Alliance	2017/19	Mobile phone discussions with all Mobile operators are being led by South of Scotland Alliance.	<p><b>ACTION: Review service provision/ coverage</b> - Indications that coverage should be improved across the whole of Scotland in the next two years through EE's contract for Emergency Services coverage. 4G is already available in some parts of Hawick.</p>
c	Create free Wifi Hotspots in key parts of the the town	- SBC, local businesses, local community, tourists	Feasibility study into where these should be and their impact/effectiveness	Wi-fi hotspots in key parts of the town	SBC	2017 /18	<p><b>COMPLETE: WIFI Service</b> - Public buildings have been identified that could provide Wi-Fi services.</p>	<p><b>ACTION: Customer Research</b> - Research is required to better understand who will use WiFi in the town and when.</p> <p><b>ACTION: Business Engagement</b> - Promotional exercise is required to encourage private businesses e.g. cafes, hotels, restaurants to make WIFI accessible/ available for their customers. Heart of Hawick can be used as an example to businesses about how they can benefit from making this available to clients.</p>
d	Make progress with scoping work in regard to the extension of the Borders Railway from Tweedbank to Carlisle	- SBC, local businesses, local community, tourists	Report covering the scope of a potential project	Information baseline in place to facilitate a future feasibility study	Scottish Govt	2018	<p><b>COMPLETE: Borders Railway Extension Feasibility Scoping Study</b> - Partnership agreement and funding package is in place to progress scoping of the feasibility study for the extension of the Borders Railway from Tweedbank to Carlisle.</p>	<p><b>ACTION: Feasibility Scoping Study</b> - to be progressed and complete by 2018.</p>

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e	Consider opportunities for improving A7 trunk road north and south of the town	SBC, local businesses, local community, tourists, A7 Action Group			Transport Scotland  A7 Action Group  Future Hawick  SBC	2017/18	<p><b><u>ROUTE UPGRADING/ MAINTENANCE</u></b>  <b>COMPLETE:</b> The Programme for Government announced in the summer of 2016 highlighted the A7 as one of a number of routes that would be reviewed. The Government will examine the case for improvements to the A1, A7, and A68 with a study to identify Borders transport requirements reporting by the end of 2017.</p> <p><b><u>SIGNAGE</u></b>  <b>COMPLETE: Promotional signage</b> - The existing promotional signage has been adopted by Future Hawick on the A7 and the A698.</p>	<p><b><u>ROUTE UPGRADING/ MAINTENANCE</u></b>  <b>ACTION: Lobbying</b> - Continued lobbying by the A7 Action Group.</p> <p><b><u>SIGNAGE</u></b>  <b>ACTION: Promotional signage</b> - Some work is required to address the A7/ A698 signage to make it more visually appealing and link with the potential town themes being explored.</p> <p><b>ACTION: Roads signage</b> - SBC Roads/ Tourism Officers will review signage on the A7 to identify if there are any further signage opportunities.</p>
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**2. Create an Environment to Encourage Economic Growth**

Ref	Activity	Stakeholders Impacted	Outputs	Outcomes	LEAD organisation	Timescale	October 2016/ COMPLETE	October 2016/ ACTION PROGRESSING
a	Explore the benefits of an Enterprise Zone in Hawick and consider how similar benefits may be delivered through alternative approaches	SE, SBC, Businesses	Assessment of opportunity and comparison to other similar areas	An enabler to doing business in Hawick	SE/ SBC	2017/18	<b>COMPLETE: Town Centre Regeneration Approach</b> SBC has approved a Town Centre Resilience Index and Regeneration Approach to prioritise regeneration activity across the Scottish Borders. Hawick is confirmed as one of the priority towns. A rolling three year Town Centre Action Plan will be developed and approved annually.	<b>ACTION: Enterprise Areas</b> - A review paper on Enterprise Areas has been drafted by Council officers for initial discussion with stakeholders.  <b>ACTION: Town Centre Regeneration Approach</b> - SBC to progress a rolling three year Town Centre Action Plan which will be developed and approved annually.
b	Identify future business property needs and match with current availability	SE, SBC, Business Owners, building owners	Gap analysis showing potential future business property needs, existing and planned availability, and action required to meet gap	Appropriate business property available in the town to allow local businesses to grow and inward investment to locate	SE/ SBC	2016/18	<b>COMPLETE: Property Survey</b> - has been carried out on behalf of an SE client on empty buildings in Hawick. SBC are approaching SE to see if this can be used by SBC.  <b>COMPLETE: A Retail Gap Analysis Study for Hawick</b> (and Galashiels) Town Centres undertaken by Ryden Consultants was complete in September 2016. The report made a number of recommendations and identified potential target operators for the town. The recommendations are being progressed as appropriate eg High Street Loan Fund to reduce size of retail units.  <b>COMPLETE: Property Assessment</b> - A meeting progressed in September with SBC Planning, Heritage and Property experts to discuss options on buildings and property in the town.  <b>COMPLETE: Scottish Government Funding for Regeneration</b> - Funding of £3.625m has been offered by the Scottish Government to support regeneration activity for capital related projects.	<b>ACTION: Scottish Government Funding for Regeneration</b> - the Scottish Government has offered £3.625m to support regeneration activity for capital related projects. A team of SBC officers is looking at potential projects that can meet the criteria and be carried out within the timescales. It is anticipated that a shortlist of projects will be presented to Council in December 2016.
c	Evaluation of the empty industrial/commercial properties in the town, reasearching ownership, future potential use and gap analysis	- SE - SBC	Details of all empty properties, assessment of potential future uses, identification of those that can be developed for 2d, identification of those that can be	Upgraded appearance of the town, new life for old buildings, spaces cleared for future development or change of use	SBC	2017/18	<b>COMPLETE: Gap analysis</b> has been carried out on retail property by Rydens consultant (as per 2b).  <b>COMPLETE:</b> Following input from the Council and Scottish Enterprise, an <b>Inward Investment business</b> has bought the Teviotdale Mill and will set up a new knitwear operation on these premises. This will start in Spring 2017.	<b>ACTION: Scottish Government Funding for Regeneration</b> - There is potential for this funding to be used to improve other properties and make them more attractive for other inward investment businesses (as per 2b).

d	Development of an incubator and innovation centre to encourage business innovation - Borders Business Improvement Base	SE, SBC, Business Owners, building owners	Review of possible areas for innovation, research opportunity for building use,	A thriving, managed business facility, Space for new business development, a space for innovation around specific areas relating to the town e.g. Textiles, energy. Creation of a modern facility leading the way for future development	SBC	2016/18	<p><b>COMPLETE:</b> A <b>Pilot start-up incubator space</b> has been approved in Council offices in Rosetta Road, Peebles. It is intended that this will be replicated in other towns – with Hawick earmarked as the next potential location. A meeting has been held with Community Planning Partners to identify potential options. SBC Estates are currently gauging suitability of the premises and other possible options.</p> <p><b>COMPLETE: Innovation Centre</b> - Talks have been held with Heriot Watt University, who are planning an Innovation Centre in Galashiels. They welcomed SBC's involvement; and will discuss a hub and spoke approach with potentially a smaller centre in Hawick. Talks have started with Borders College about using their Hawick Campus for potential Innovation projects.</p>	<b>ACTION:</b> Potential properties are being assessed and considered as part of the evaluation of projects that could be delivered with the additional Scottish Govt monies.
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**3. Create an Innovative Flood Protection Scheme**

Ref	Activity	Stakeholders Impacted	Outputs	Outcomes	LEAD organisation	Timescale	October 2016/ COMPLETE	October 2016/ ACTION PROGRESSING
a	Support the current activity that is creating an innovative plan to address the flood protection of the town. This should be supported where possible by the Hawick Action Plan	SBC, community, businesses	Flood protection for businesses and householders	Future flood protection, innovative business and tourism ideas, renewable energy options and reuse of buildings	SBC	2016/19	<p><b>COMPLETE: Scottish Government Funding Confirmation</b> - The first part of funding for the Hawick Flood Protection Scheme was confirmed by the Scottish Government in August 2016. The Government has provided an initial £1.342million to the project as a general capital grant in 2016/17. The scheme will receive 80 per cent (£29.2m) of the overall project costs from the Government, which currently stands at £36.4m.</p> <p><b>COMPLETE:</b> A <b>public exhibition</b> was hosted over two days in Hawick Town Hall and a Riverside Walk was organised for the Hawick Flood Protection Scheme to give members of the public the opportunity to make their views known on the scheme. Over 700 people attended the exhibition.</p> <p><b>COMPLETE: The third Hawick FPS Ground Investigation contract</b> progressed over 4 weeks in late Sept/ early Oct to provide the design team with additional data to ensure the new flood defence wall design is based on as accurate information as possible.</p>	<b>ACTION:</b> There is ongoing communication with the Flood Protection project managers to ensure there is benefit for businesses. This will also have a link to the Innovation Centre above as there may be opportunities around using the river for creating energy.



***Theme 2. Great Place for Living & Learning***

**1. Provide a suitable environment to retain school leavers and to attract new workers into the area**

Ref	Activity	Stakeholder	Outputs	Outcomes	LEAD	Timescale	October 2016/ COMPLETE	October 2016/ ACTION PROGRESSING
a	Consider how to retain young people in, and attract them back to, the area and ensure they have the skills local businesses need	SDS, SBC, BC, HWU -	Survey of young people to identify what will make them stay / encourage them to return . Communication to employers about apprenticeship schemes. Closer working between employers and further education to develop courses required	A detailed plan for young people showing opportunities which would attract them to stay in the town and / or return eg graduates	SBC / SDS	2016/18'	<b>COMPLETE: Young Enterprise Scotland</b> is being relaunched in the Borders to encourage school pupils to look at a business as an opportunity when they leave school. YES also teaches some excellent life skills that will be of use to future employers. Unfortunately no High Schools in the Region took advantage of the opportunity for 2016/17. The YES Board will continue to meet and aim to have schools on the programme for the next session.	<b>ACTION: Career Pathways</b> - Further discussion is required to determine the appropriate promotion of career pathways for young people ie - should the focus be on retaining young people in the town/region when they leave school; or on encouraging them to learn new skills outside of the town/region and bring these back when they are older? This should also form a key part of an Inward Investment marketing message.
b	Attract people from outside the Scottish Borders to come to work in Hawick	SBC, Employers	Creation of a marketing campaign to promote the town/region to people looking to develop their career/family life	Enlarging the labour pool, attracting new skills and new families into the Borders, facilitating economic growth	SBC / SDS	2017/19		<b>ACTION:</b> This action relies on progressing other actions in the Action Plan to ensure that there are a number of key work related attractors to encourage people to come to Hawick. The work around Incubators, Innovation centres and Inward Investment opportunities should help deliver this action.
c	Deliver digital skills to all age groups to ensure that the workforce has the skills required for a digital future	SBC, Borders College, SDS, Scottish Govt	A coordinated programme of digital skills training for businesses and individuals to raise skills base	More people with higher level digital skills, more businesses utilising higher level digital skills	Borders College	2016/18	<b>COMPLETE: Digital Boost</b> - Business Gateway is delivering Digital Boost workshops and has had 190 people attending these so far in 2016 (Borders wide).	<b>ACTION: Business Skills Requirement</b> - Through the Employer Offer Group, work is being done to encourage partners to work together to identify the digital skills needs of local businesses and to ensure that Borders College is making appropriate courses available.
d	Ensure local training providers are delivering the courses that businesses require	BC, HWU, SE, SBC, SDS	Deliver a process that enables employers to easily inform further education institutions what future skills requirements they have for employees (young people and existing employees)	A more skilled workforce ready for jobs created in the area	Borders College	2017/18	<b>COMPLETE: Centre for Business Development</b> - Borders College have opened a Centre for Business Development in their Hawick campus. This will allow their commercially focussed training arm to address the needs of businesses and ensure relevant training is offered. This is being launched on 29 October.	AS ABOVE

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**Theme 3. Great Destination to Visit**

**1. Make Hawick a great place to visit and stay**

Ref	Activity	Stakeholder	Outputs	Outcomes	LEAD	Timescale	October 2016/ COMPLETE	October 2016/ ACTION PROGRESSING
a	Working with local businesses, identify what the tourism offer is, agree what the gaps are and how to fill them	VS, SBC, Businesses	Collate details of attractions and experiences, both existing and in development, and other essential tourist facilities	A strong tourist offering available to both visitors and community to help sell the town, more visitors making the businesses more secure	VS/ SBC	2016/19	<b>COMPLETE: Tourism Marketing</b> - A Workshop was held in September, facilitated by Brightlight Marketing. 40 businesses were invited, with 6 attending. The meeting addressed the current tourism offering for the town and was very positive with a number of the attendees keen to be involved in any steering group going forward. A report has been completed and a number of key actions have been identified to progress.	<b>ACTION: Tourism Marketing</b> - Agree priorities and progress suggested actions identified at the workshop including: - Develop a tourism group of key operators - Invite presentations from other tourism/ food related groups to understand best practice - Cross-sell other Hawick businesses - Develop a marketing strategy & plan for the town - Develop an events calendar for the town - Work with interested SMEs in Hawick - Look at 2017 as a launch pad with new developments - relaunch of Wilton Lodge Park; and the opening of the Distillery.
b	Work with local tourism operators to address the issue of a lack of hotel accommodation	VS, SBC, Businesses	Collate information held on bed spaces available in Hawick, find out from Mansfield House Hotel owners what their intentions are	Accommodation available for the increased number of visitors	VS/ SBC	2016/17	<b>COMPLETE: Hotel Accommodation</b> - Two hotels have re-opened in the town in 2016 – Mansfield House Hotel (12 rooms) and Balcary House (10 rooms).	<b>ACTION: Visitor Accommodation</b> - Further assessment required as to the current capacity and the demand/ type of visitor accommodation required (including business and tourist).
c	Work with local businesses to address issues facing the High Street, with shop closures and attractiveness of the buildings	SBC, Businesses, Future Hawick	identification of main problems, meeting with owners of empty properties, use of Business Gateway shop jackets, produce plan for longer term development of the street	Attractive High street for visitors and for new businesses to start	VS/ SBC Future Hawick SBC	2017/19	<b>COMPLETE: Scottish Borders High Street Loan Support Fund</b> - SBC has approved funding for a Scottish Borders High Street Loan Support Fund for Hawick for 2017/18. This is a new pilot initiative to encourage property owners to convert larger premises into smaller units. This will be complemented by Business Grant support to businesses, who wish to relocate/ start up in the new smaller units.  <b>COMPLETE: Theme Town</b> - An initial workshop has been held with local businesses investigating the potential for a themed town opportunity.  <b>COMPLETE: Townscape Heritage Potential:</b> Potential identified to progress a possible Hawick 'Townscape Heritage' project for the town centre focusing on "Redefining & Reinvigorating Hawick High Street". This could be a 5 year programme with potential funding from Heritage Lottery Funding and other sources. The 2 stage application processes takes approx 18-24 months and if all funding bids were successful, could potentially allow delivery to start in April 2019.	<b>ACTION: Theme Town</b> - Further meetings will be scheduled to progress this option with other town centre businesses encouraged to attend.  <b>ACTION: Retail Workshops</b> - Future Hawick are holding two retail workshops in November 2016 - the aim is to provide information to ease trade and provide options for attracting more customers. Various actions have been suggested by the private sector and the workshop aims to agree how these can be prioritised/ delivered.  <b>ACTION: Scottish Borders High Street Loan Fund for Hawick</b> - SBC to deliver the High Street Loan Fund for Hawick in 2017/18 as a pilot complemented by Business Grant support.  <b>ACTION: Aldi Development/Developer Contribution</b> - £18K has been secured to progress improved signage, pedestrian links or a Shop Front Improvement scheme to encourage footfall onto the High Street.  <b>ACTION: Townscape Heritage</b> - SBC to identify the feasibility of a 'Townscape Heritage' proposal for Hawick High Street.

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## **REPORT ON THE RESPONSE TO THE SCOTTISH GOVERNMENT'S CONSULTATION ON SOCIAL SECURITY IN SCOTLAND**

**Report by Chief Executive**

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### **SCOTTISH BORDERS COUNCIL**

**10 November 2016**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 The purpose of this report is to seek approval for a response to the Scottish Government's Consultation on Social Security in Scotland.**
- 1.2 The Scottish Government's consultation on devolved Social Security powers began on 29 July 2016. The closing date for the consultation is 28 October 2016. An extension has been granted to Scottish Borders Council in order for its submission to be approved by the full Council. The consultation provides the opportunity to set out views on the shaping of the new Scottish social security powers that have been devolved to the Scottish Parliament under the Scotland Act 2016. These powers will provide opportunities to develop a strategic approach to welfare that can be closely linked to tackling local needs, reducing inequalities and supporting prevention.
- 1.3 The Council's response highlights that local authorities have an important role to play in administering the devolved benefits and to coordinate a joined up approach to supporting claimants at the local level working with other Community Planning partners. It highlights the importance of treating claimants with respect and dignity and of meeting the diversity of needs of claimants across Scotland, particularly those living in rural areas such as the Scottish Borders. The limitations of using digital technology are highlighted for the delivery of benefits and the need to promote digital inclusion. Also particular issues of importance to the Scottish Borders are outlined where claimants move back and forward across the border to live and work.

#### **2 RECOMMENDATIONS**

- 2.1 It is recommended that the Council approves the response as set out in Appendix 2 to the Scottish Government's consultation on Social Security in Scotland.**

### 3 BACKGROUND

3.1 As part of the UK Government's Scotland Act 2016 it was agreed that new social security powers would be devolved to Scotland. A paper on a New Future for Social Security in Scotland was published by the Scottish Government in March 2016. This indicated that the Scottish Government would consult on how best to use the new powers. The proportion of the Scottish social security budget that will be devolved to Scotland amounts to only £2.7 billion or 15% of the total £17.5 billion spent here every year.

3.2 The Scottish Government launched a consultation on the newly devolved Social Security powers on 29 July 2016. It is a large consultation paper (See Appendix 1) comprising 144 pages with an extensive range of questions. The Consultation is in three parts:

Part 1: A principled approach – this section contains questions around

- Principles for the new Social Security Agency.
- Outcomes and the user experience.
- Delivery of social security in Scotland.
- Equality and low income, and
- Independent advice and scrutiny.

Part 2: The Devolved Benefits – this section contains questions on

- Each of the powers being devolved to Scotland in the area of Social Security – Disability Benefits, Carer's Allowance, Winter Fuel & Cold Weather Payments, Funeral Payments, Best Start Grant, Discretionary Housing Payments, Job Grant, and Universal Credit flexibilities and housing element.

Part 3: Operational Policy – this section contains questions covering

- Advice.
- Representation.
- Advocacy.
- Complaints, reviews and appeals.
- Residency and cross-border issues.
- Overpayments and debts.
- Fraud.
- Protecting information, and
- Uprating of benefits.

3.3 Many of the questions in the consultation paper are of a technical nature about the working of particular benefits. This applies particularly to those questions posed in Section 2 on the specific Devolved Benefits. Inputs from officers have been provided based on their experience of dealing with these benefits.

3.4 The new social security arrangements will impact on the range of Council, health and voluntary services that support people in need in the Scottish Borders. This consultation provides the opportunity to make improvements to the social security system in order that it can be more closely tailored to meeting local needs, tackling inequalities and supporting prevention measures. A large number of questions have been asked in the consultation paper and to develop the response, input has come from a wide number of officials across the Council's services and partners including NHS Borders.

## **4 RESPONSE BY SCOTTISH BORDERS COUNCIL**

4.1 The proposed response from the Council is shown in Appendix 2. There are a number of key themes which inform answers to the questions. These are as follows:

- The importance of ensuring that the opportunity is taken to change the strategic design of the social security support to support prevention, tackle inequalities and meet local needs.
- The widest range of expertise should be used to design the new services in order to ensure that they are effective and sustainable. This means drawing on existing expertise of service delivery including local authorities, users and organisations involved in supporting and advising clients. This expertise should be drawn from the different geographical areas within Scotland, including the Scottish Borders.
- Claimants should be renamed customers and they should be treated in a holistic way which would best be done by integration with local services, to ensure a joined up approach which should be better for the customer and more cost effective in the longer term. There should be a Customer Charter which should provide details of how claimants should expect to be treated and the standard of service they should receive. This includes the rights and responsibilities of claimants.
- There is considerable scope to utilise the skills, knowledge and experience within Local Authorities in order to administer some of the devolved benefits and to coordinate this joined up approach at the local level working with other Community Planning partners.
- There needs to be sensitivity to the delivery of social security for customers located in the different parts of Scotland particularly those living in rural areas including the Scottish Borders. The additional costs of accessing services and affordability of transportation are important issues that need to be fully recognised and factored into welfare support. There tends to be a historic low take up of benefits in rural areas that need to be addressed.
- There should be principles in the legislation that claimants should be treated with dignity and respect. It is important that the new system avoids as much as possible the negative stereotyping of benefit claimants.
- Whilst digital provision of services will be important going forward, the experience of supporting vulnerable people in the Scottish Borders highlights the importance of also where appropriate using face to face provision to ensure that customers do not miss out on entitlements.
- Benefits should be paid in cash as opposed to 'in kind' services. There is as yet limited information available as to what 'in kind' services could be procured as an alternative and there is the potential issue of claimants being stigmatised through non cash payments.

- 4.2 The response also refers to the particular issues where people often move back and forward across the Scottish/English border to live and work. Due to the rural nature of Scottish Borders there are often people who live in Scotland but have medical care in England and those who live in England who have medical and social care delivered in Scotland. There are also those who cross border to work or live temporarily across the border in order to work. There needs to be data sharing across the UK and Scottish systems or there will be the potential for people to make claims through both systems.

## **5 IMPLICATIONS**

### **5.1 Financial**

There could be considerable financial implications arising from this consultation depending on the future role of local authorities in the delivery of welfare benefits.

### **5.2 Risk and Mitigations**

Changes in the delivery of social security services could have major implications for the delivery of Council and partners services to people in need across the Scottish Borders and for reducing inequalities and supporting work on prevention.

### **5.3 Equalities**

Equalities issues are being addressed in the consultation paper.

### **5.4 Acting Sustainably**

There are no direct sustainability implications arising from this consultation response.

### **5.5 Carbon Management**

There are no effects on carbon emissions.

### **5.6 Rural Proofing**

The needs of rural areas such as the Scottish Borders need to be considered in the future delivery of social security services in Scotland. The additional costs of accessing services and affordability of transportation needs to be fully recognised and factored into welfare support.

### **5.7 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made.

## **6 CONSULTATION**

- 6.1 The Council's Corporate Management Team, Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council have been consulted on this report.

**Approved by**

**Tracey Logan  
Chief Executive**

**Signature .....**

**Author(s)**

Name	Designation and Contact Number
Douglas Scott	Senior Policy Adviser

**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. Douglas Scott can also give information on other language translations as well as providing additional copies.

Contact us at: Douglas Scott [dscott@scotborders.gov.uk](mailto:dscott@scotborders.gov.uk) tel: 01835 825155

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# **A New Future for Social Security**

## **Consultation on Social Security in Scotland**

### **Answer Booklet**

**July 2016**



**Scottish Government**  
Riaghaltas na h-Alba  
gov.scot

## Introduction to the Answer Booklet

This is designed to accompany the Consultation on Social Security in Scotland which can be found here: <http://www.gov.scot/Publications/2016/07/9955> . This booklet should be used if you cannot or do not wish to provide an online response. Please refer to the consultation document to give context to the questions.

Send your completed response to:

[socialsecurityconsultation@gov.scot](mailto:socialsecurityconsultation@gov.scot)

or

Social Security Consultation  
5<sup>th</sup> Floor  
5 Atlantic Quay  
150 Broomielaw  
Glasgow  
G2 8LU.

We need to know how you wish your response to be handled and, in particular, whether you are happy for your response to be made public. Please complete and return the **Respondent Information Form**. If you ask for your response not to be published we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

## Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to:

Chris Boyland  
5 Atlantic Quay, 5<sup>th</sup> floor  
150 Broomielaw  
Glasgow,  
G2 8LU.

Or

E-mail: [socialsecurityconsultation@gov.scot](mailto:socialsecurityconsultation@gov.scot)

## RESPONDENT INFORMATION FORM

Consultation on Social Security in Scotland to determine how best to use the new social security powers which will be devolved by the Scotland Act 2016.

**Please Note** this form **must** be returned with your response.

Are you responding as an individual or an organisation?

Individual

Organisation

Full name or organisation's name

Scottish Borders Council

Contact Douglas Scott:Tel:01835 825155

Phone number

Address

Scottish Borders Council  
Council HQ  
Newtown St Boswells  
Melrose

TD6 0SA

Postcode

Email

dscott@scotborders.gcsx.gov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response with name

Publish response only (anonymous)

Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Yes

No

## CONSULTATION QUESTIONS

## **PART 1: A PRINCIPLED APPROACH**

### **1. Fixing the principles in legislation**

**Q: Which way do you think principles should be embedded in the legislation?**  
(please tick the option/s you prefer)

A. As a 'Claimant Charter'?	
B. Placing principles in legislation?	
C. Some other way, please specify	<b>x</b>

Why do you favour this/these option/s?

Developing a Claimant Charter and placing principles in legislation.
--

If you think option A, 'a Claimant Charter' is the best way to embed principles in the legislation please advise:

**Q: What should be in the Charter?**

<p>Detail of how customers should expect to be treated and the standard of service they should receive. Sensitivity to diversity of population should be taken into account as well as accessibility, which is particularly relevant for those with disabilities and residents of rural areas.</p> <p>It should also include the rights and responsibilities of the customer.</p>
---

**Q: Should the Charter be drafted by:**

(please tick the option/s you prefer)

A. An advisory group?	
B. A wider group of potential users and other groups or organisations?	
C. Both	<b>x</b>
D. Some other way, please specify	

Why do you favour this/these option/s?

In developing the Charter it is important to gain the expertise from those people with specialist expertise in social security together with users and groups who are involved in the provision of advice and support.

**Q: We are considering whether or not to adopt the name, “Claimant Charter”. Can you think of another name that would suit this proposal better? If so, what other name would you choose?**

The word 'claimant' can carry a level of stigmatisation. It may be better to name it quite simply 'Customer Charter'.

**Q: Do you have any further comments on the ‘Claimant Charter’?**

Although Scottish Government should ultimately have responsibility for the process, it is essential that those with lived experience of claiming, advising and processing should have the opportunity to contribute. It will be important to address issues of inequalities and rurality because of the challenges to individuals of accessibility to services, training and employment and the additional costs of living such as transport and fuel whilst ensuring the Charter is realistic.

If you think option B placing the principles in legislation is the best way to embed

principles in the legislation, please advise:

**Q: On whom would you place a duty to abide by the principle that claimants should be treated with dignity and respect?** (please tick the option you prefer)

A. The Scottish Government	
B. The Scottish Ministers	
C. The Chief Executive of the Social Security Agency	
D. Someone else, please specify	<b>x</b>

Everyone involved in any elements of Social Security in Scotland should have to abide by the principles that claimants should be treated with dignity and respect. This should be recognised at every stage in the process of claiming and decision making as well as in the promotion of entitlement.

**Q: Do you have any further comments on placing principles in legislation?**

Concepts such as 'treated with dignity and respect' can be open to interpretation and would be difficult to define in law. However, placing some overriding principles in legislation would add weight and purpose to the Charter.

**Q: Do you have any further comments or suggestions in relation to our overall approach, to fix our principles in legislation? For example, do you feel that there is no need to fix principles in legislation?**

(please tick one box)

<b>Yes</b>	
<b>No</b>	<b>x</b>

No comment.

**right high level outcomes to develop and measure social security in Scotland?**

(please tick one box)

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

These are sound outcomes but it is important to have clarity around how these can and would be monitored in order to identify that these are being achieved.

**Q: Are there any other outcomes that you think we should also include (and if so, why?)**

Effective integration with the reserved benefit system and other public services will be essential to ensure people get the support they need at the right time.

There should be an equitable service for everyone no matter where they reside in urban and rural areas.

**Q: How can the Scottish social security system ensure all social security communications are designed with dignity and respect at their core?**

It is important to ensure that all staff (frontline as well as supervisory and managerial) have effective training in dealing with people especially those with in equality protected characteristic categories and in particular, that there are appropriate levels of disability awareness training.

There should be a culture of dignity and respect within the organisation dealing with Social Security and an awareness that those accessing the benefits devolved may well have a number of barriers to claiming. This may include learning disabilities, sensory impairments, digital exclusion, language barriers, literacy issues, rurality and lack of transport amongst others.

There needs to be a variety of methods available to customers and a joined up approach from relevant services which removes barriers to claiming.

**the use of language for social security in Scotland is accessible and appropriate?**

A wide range of people with lived experience should be given the opportunity to share their views. This should be representatives from the different parts of Scotland including areas such as the Scottish Borders. Also consultation should be carried out with representatives of groups covering the Equality protected characteristic groups.

In thinking of the title of the service (s) consideration should be given to the fact that it is often not the word or phrase itself rather what develops and is associated with the word in time. For example in the 1980s Social Security became known as 'the Soash' and along with it came negative undertones.

**Q: Are there any particular words or phrases that should not be used when delivering social security in Scotland?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

It is important to recognise that the media and others have contributed to negative stereotyping of benefit claimants. The language used can be both divisive and stigmatising, and can misinterpret the reality of people's lives.

Raising awareness amongst staff of words and phrases that are unhelpful is important. A number of local authorities have endorsed the work by the Poverty Alliance under the 'Stick your Labels' campaign which highlights many of these.

**Q: What else could be done to enhance the user experience, when considering the following?**

- When people first get in touch
- When they are in the processes of applying for a benefit
- When a decision is made (for example, about whether they receive a benefit)
- When they are in receipt of a benefit

**When people first get in touch:**



- First contact should be in line with the adopted Charter.
- Knowledgeable staff should be at first line of contact who can give appropriate advice/guidance. This should actually help to reduce the number of transactions between customer and service.
- Signposting provided to support organisations if appropriate.
- Acknowledgment should be made of the applications and information received.
- An outline should be provided of what will happen next, with clear timescales.

**When they are in the processes of applying for a benefit**

- Where timescales are not being met the customer should be notified.
- Liaise with accessible contacts for more information, if appropriate, in order to assist the decision making process.

**When a decision is made (for example, about whether they receive a benefit)**

- Communicate clearly in plain English what the decision is and what options there are if the decision is not considered to be satisfactory.
- Information provided on how to challenge decisions should be straightforward with signposting for support where appropriate.
- If there is 'passporting' as a result of a decision this should be clearly stated.

**When they are in receipt of a benefit**

- Ensure that customers know what their responsibilities are around notification of changes etc.
- Take into account the accessibility of delivery services in terms of opening hours, location and method of contact.
- At any point, there should be an escalation process, with dedicated line for representatives to enable problems to be resolved directly.

**Q: How should the Scottish social security system communicate with service users? (For example, text messaging or social media)?**

Agree at outset with customer their preference for communication.

It is desirable to offer a range of methods of communication including email and text messages. However, it should be recognised that not everyone has access to digital communications and that even where it is available people may be unable to use it for a variety of reasons, such as costs or other restrictions such as disabilities for example.

General information about the service should be made widely available in a range of formats.

**Q: What are your views on how the Scottish Government can ensure that a Scottish social security system is designed with users using a co-production and co-design approach?**

A co-production and co-design approach will be essential if we are to develop a sustainable and effective service. Benefit matters are extremely complex so it will require input from those who have knowledge and experience of delivering existing services i.e. Department of Work and Pensions (DWP), Revenues & Benefits, Advice Services along with those who have experience of receiving benefits, and bodies providing advice and support.

This is a unique opportunity to develop a system which is cost effective and at the same time offer high levels of customer satisfaction. There is also scope to link this into other forms of help and support for customers.

**Q: We are considering whether or not to adopt the name “User Panels”. Can you think of another name that would better suit the groups of existing social security claimants which we will set up?**

Some clarity is required around 'User Panels' and 'Advisory Panels' previously referred to. Given the complexity of the benefits system it may be beneficial to include those with knowledge of administering benefits on panels which could therefore not be referred to as User Panels.

### **3. Delivering social security in Scotland**

**Q: Should the social security agency administer all social security benefits in Scotland?**

(please tick one box)

<b>Yes</b>	
<b>No</b>	<b>x</b>

There is considerable scope to utilise the skills, knowledge and experience within Local Authorities in order to administer some of the devolved benefits, particularly those which are lump sum one off payments. Local Authorities are already administering School Meals, Clothing Grants, Education Maintenance Allowance as well as Housing Benefit and Council Tax Reduction and are in a position, with agreement from DWP, to be able to use the existing infrastructure and accountability arrangements to administer some of the devolved benefits. Supporting customers with Personal Budgeting Support through the introduction of Universal Credit is also a role being undertaken by Local Authorities on behalf of DWP.

Councils demonstrated their ability to put new arrangements into place quickly and efficiently by delivering the Scottish Welfare Fund locally which was previously a national benefit. At a time when there is already a good deal of complexity and confusion around the benefit system it would seem sensible to build on the delivery role rather than create untested methods.

While recognising that delivery of claims through digital or telephony can be more cost effective, Local Authorities also have scope to see customers on a face to face basis. This is often necessary for certain vulnerable individuals when local authorities can work in collaboration with other partners and stakeholders to ensure a holistic approach. This is particularly relevant in rural areas.

**Q: Should the social security agency in Scotland be responsible for providing benefits in cash only or offer a choice of goods and cash?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Generally, benefits should be in cash. There is limited information available as to what other services could be procured and there could be difficulties in recovery in event of overpayments if these are not in cash. There is also the issue of being stigmatised through non cash payments which may not be consistent with dignity and respect and will potentially 'label' customers. Further discussion/information is required.

**Q: How best can we harness digital services for social security delivery in Scotland?**

Many rural areas of Scotland including the Scottish Borders have areas where there is no or poor broadband or mobile phone coverage. In these areas it should be recognised there will be considerable challenges for the Scottish Government to meet its 100% superfast broadband commitment by 2021. This coupled with individuals who have barriers to using a digital service means that there will be some significant challenges to overcome to ensure equality of Social Security Services in Scotland, particularly in more remote and rural areas.

It will be important that there are alternative options for those who need to claim.

**Q: Should social security in Scotland make some provision for face to face contact?**

(please tick one box)

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

From experience of supporting vulnerable customers in Scottish Borders it is considered that a proportionate face to face provision will be necessary to ensure that customers do not miss out on entitlements or and require greater support to get back to the 'status quo'.

There should however be mechanisms in place to encourage and support customers, where appropriate, to develop skills which could allow them to become more independent in relation to using digital technology.

**Q: Who should deliver social security medical assessments for disability related benefits?**

In many cases it should be possible to make a decision on disability benefits on the basis of medical evidence and/or health and social care reports, without the claimant attending for an assessment. This could reduce waiting times, costs and stress to customers. Assessments could be used for greater clarity of conditions or where no evidence is present.

Decision makers having access to the customer's medical records/care plans should help to facilitate this process but there would need to be wider discussion with interested parties as to how this could be achieved

**Q: Should we, as much as possible, aim to deliver social security through already available public sector services and organisations?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

It would be sensible to utilise skills, experience, knowledge and frameworks which are already in existence. The Social Security System is already complex with a good deal of confusion amongst customers. To add another delivery source could add to this. It would be better to promote integration with local services to ensure a joined up approach which should be better for the customer and more cost effective in the longer term.

**Q: Should any aspect of social security be delivered by others such as the 3<sup>rd</sup> sector, not for profit organisations, social enterprises or the private sector?**

(please tick one box)

<b>Yes</b>	
<b>No</b>	<b>x</b>

It will be important to work closely with the 3<sup>rd</sup> sector but it is considered at this stage that there is not the infrastructure and governance to make this workable.

Delivery by private sector could be problematic where there needs to be capacity to undertake face to face. The inclusion of private bodies would make the system difficult to navigate for customers and add complexities to sharing information.

## Equality and low income

**Q: How can the Scottish Government improve its partial EqIA so as to produce a full EqIA to support the Bill?**

These prompts could be helpful in framing your answer:

- What does the Scottish Government need to do, as it develops a Scottish social security system, to ensure that equality implications are fully taken into account?
- What does the Scottish Government need to do, as it develops a Scottish social security system, to ensure that any implications for those on low incomes are fully taken into account?
- Are there equality considerations for individual benefits that you would like to draw to our attention?
- Are there considerations about individual benefits for those on low incomes that you would like to draw to our attention?
- What are your views on how we can best gather equality information for the new Scottish benefits?
- What does the Scottish Government need to do to ensure that its social security legislation (including secondary legislation and guidance) aligns its vision and principles with equality for all those who need assistance through Social Security support?
- What does the Scottish Government need to do to ensure that a Scottish social security system provides the right level of support for those who need it, and what are the possible equality impacts of this?

There needs to be more discussion of the impact on equality characteristic groups on the delivery of social security for customers living in the different parts of rural Scotland including the Scottish Borders. A key part of this analysis should be about transportation for individuals, which is not just about access but about the affordability. Also there has been a history in rural areas of low take up of benefits and this is a matter that needs to be addressed in the new social security legislation from an equalities perspective.

## **5. Independent advice and scrutiny**

**Q: Do you think that there is a need for an independent body to be set up to scrutinise Scottish social security arrangements?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

It will be important to ensure that there is an independent scrutiny body reviewing the new Social Security arrangements, who will take account of how the arrangements are working and analyse performance data and feedback. It could be similar to the current UK process.

**Q: If you agree, does the body need to be established in law or would administrative establishment by the Scottish government of the day be sufficient?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

The body should be established in legislation. This would allow investigative powers and requirements to feedback on performance data.



**Q: If yes, what practical arrangements should be made for the independent body (for example, the law could state how appointments to it are made and the length of time an individual may serve as a member of the body)?**

The body should be independent with wide representation including those with lived experience. There should be limited serving periods. The body should be able to comment on how policies are working to ministers, the social security agency and others delivering the benefits.

**Q: Should there be a statutory body to oversee Scottish social security decision making standards?**

(please tick one box)

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Yes, but could also be part of the role of the independent scrutiny group.

**Q: If yes, should this be a separate body in its own right?**

(please tick one box)

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

This could be the scrutiny body or other appropriate qualified public body.

**Q: Do you have any other views about the independent scrutiny of social security arrangements in Scotland (e.g. alternative approaches)?**

No comment.

## **PART 2: THE DEVOLVED BENEFITS**

**6. Disability Benefits** (Disability Living Allowance, Personal Independence Payment, Attendance Allowance, Severed Disablement Allowance and Industrial Injuries Disablement Benefit)

**Q: Thinking of the current benefits, what are your views on what is right and what is wrong with them?**

### **Disability Living Allowance (DLA)**

What is right with DLA?

The DLA:

- Recognises additional costs of having a disability.
- Takes account of need for supervision e.g. in some conditions such as epilepsy, mental health.
- Involves direct notification for Council Tax and Housing benefit which benefits Council and individual.
- Has a responsive enquiry service.
- Provides Indefinite awards.
- Allows longer review intervals.
- Responds well to terminal illness.
- Non means tested and non taxable.

What is wrong with DLA?

- There is a lengthy claims process which can be more than a month.
- There are lower rate and higher rate mobility component. This means that it is not a flexible component. It is one or the other.
- The assessment process is open to interpretation.
- Limited capability to allow for varying conditions.

### **Personal Independence Payment (PIP)**

What is right with PIP?

- PIP takes account of both physical and mental disabilities when awarding mobility component.
- The scoring on PIP is clear and not open to interpretation.

- Direct notification for Council Tax and Housing benefit. This helps clients and local authorities.
- Non-taxable and non means tested
- Achieving points for using aids and appliances.

What is wrong with PIP?

- Pip does not recognise intermittent conditions and their effect.
- No recognition in PIP about the need for supervision e.g. in some conditions such as epilepsy, mental health for example.
- Scoring is clear but not open to any professional interpretation. There is less opportunity to meet descriptors. This means not meeting the needs of people who do not fit the descriptors and have needs out with them.
- Only short term awards are made under PIP. This mean there is a constant cycle of review and possible re-assessment e.g. 2 year award with review at end of 1st year. This review process is being undertaken when it may have taken a long time to get the award granted in the first place.

### **Attendance Allowance (AA)**

What is right with AA?

- Consistent benefit rarely limited awards.
- Direct notification for Council Tax and Housing benefit which benefits Council and the individual.
- Made easy to apply for.
- Time scale for award is quick and not as much face to face assessment time.
- Non-means tested and non-taxable.

**What is wrong with AA?**

- Its name leads potential claimants to believe they must have carers in attendance already rather than they reasonably require assistance.
- No recognition of mobility difficulties outdoors.

### **Industrial Injuries Disablement Benefit (IIDB)**

**What is right with IIDB?**

It is easy to claim.

**What is wrong with IIDB?**

IIDB could be perceived as an outdated benefit due to the change in industries and employment across the UK with a focus on male dominated employment. It impacts on means tested benefits and can often take people out of passporting. It does not cover conditions such as Post Traumatic Stress Disorder or other mental health issues.

**Q: Is there any particular change that could be made to these disability benefits that would significantly improve equality?**

Yes	x
No	

The changes that could be made are to:

- Review of age criteria to establish if differences are supported.
- Make all easier to apply for through a range of options.
- Offer support/signposting at application stage.
- Enable centralised processing.
- Consider that if the process is all self – assessment then there is a risk of fraud. If all the assessments are face to face it is costly with more appeals depending on quality of assessment. In the meantime the customer is potentially made more vulnerable.
- Any assessments should be made as close to the applicant’s home as possible at an accessible venue, particularly taking account of accessibility issues that could arise in rural areas.

We want to make sure that the process is clear and accessible from start to finish, and that people claiming devolved benefits understand how and when their claim will be dealt with.

**Q: In relation to the above how should the new Scottish social security system operate in terms of:**

- A person applying for a disability related benefit
- The eligibility criteria set for disability related benefits
- The assessment/consideration of the application and the person’s disability

and/or health condition

- The provision of entitlements and awards (at present cash payments and the option of the Motability Scheme)
- The review and appeal process where a person isn't content with the outcome

#### **A person applying for a disability related benefit**

- Reduce timescales from application to decision making.
- Keep people informed throughout.
- Well trained and informed staff who can answer questions directly.
- Needs to maintain quality.
- Needs to be cost effective.

#### **The eligibility criteria set for disability related benefits**

This will be in line with the type of benefit being applied for but at this stage.

#### **The assessment/consideration of the application and the person's disability and/or health condition**

Face to face assessment of all customers is costly and time consuming. In rural areas where there are poor transport links it is often unreasonable to expect people with significant disabilities to attend centralised assessment centres. This in turns increases the need for home visiting which is costly and often prolongs the waiting period for the assessment process to take place.

In many cases there would be adequate medical/social care information available which should allow the decision maker to make a decision without the need for a face to face assessment.

#### **The provision of entitlements and awards (at present cash payments and the option of the Motability Scheme)**

The current system or cash payment generally works well, as does the Motability Scheme. Recent changes through PIP are leading to uncertainty around the scheme and sudden loss of vehicles for some.

**The review and appeal process where a person isn't content with the outcome**

There should be a transparent process with the option to have the decision looked at again. If there is greater emphasis on the reconsideration process it should reduce the need for appeals which would reduce stress and anxiety for the customer and associated Tribunal costs.

An option to have an appeal heard by an independent Tribunal should be retained. Liaison with customer representatives could be beneficial in looking at ways to improve the appeal process.

**Q: With this in mind, do you think that timescales should be set for assessments and decision making?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Reasonable timescales should be set for applications, assessments and decision-making and this information should be made available to people in a variety of formats at the outset. The decision making process can be slowed down due to difficulties in obtaining supporting evidence and this should be acknowledged in any guidance on timescales.

**Q: What evidence and information, if any, should be required to support an application for a Scottish benefit?**

Proof of disability/long term condition and evidence of the effect e.g. condition; severity; impact on daily living and mobility.

Who should be responsible for requesting this information?

The agency making the decision.

Who should be responsible for providing it?

Any associated health or social care professional should be able to provide evidence.

**Q: Should the individual be asked to give their consent (Note: consent must be freely given, specific and informed) to allow access to their personal information, including medical records, in the interests of simplifying and speeding up the application process and/or reducing the need for appeals due to lack of evidence?**

(please tick one box)

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

No comment.

**Q: If the individual has given their permission, should a Scottish social security agency be able to request information on their behalf?**

(please tick one box)

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

No comment.

**Q: Do you agree that the impact of a person's impairment or disability is the best way to determine entitlement to the benefits?**

(please tick one box)

Yes	<input checked="" type="checkbox"/>
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No	
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Independent daily living and mobility.

If no, how do you suggest entitlement is determined?

No comment.

**Q: Currently there are only special rules for the terminally ill but should there be others?**

(please tick one box)

Yes	x
No	

Permanent disabilities and illnesses with no chance of recovery or further improvement.

The decision should be taken by the Medical practitioner.

**Q: What do you think are the advantages and disadvantages of automatic entitlement?**

**Advantages:** speed; easy; decreased stress on individuals.

**Disadvantages:** potential fraudulent claims increase; may create unfairness and inequalities.

**Q: Would applicants be content for their medical or other publicly-held records, for example, prescribing and medicines information or information held by HMRC, to be accessed to support automatic entitlement where a legal basis existed to do this?**

This will depend on each individual case. The process must also be secure.

**Q: Do you agree that the current UK-wide PIP and AA process for supporting people with terminal illnesses is responsive and appropriate?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

AA/DLA is responsive.

If no, how could the approach could be improved?

PIP is not currently in line with the others.

**Q: Should there be additional flexibility, for example, an up-front lump sum?**

(please tick one box)

<b>Yes</b>	
<b>No</b>	<b>x</b>

Possibly in exceptional circumstances? This should be exceptional with conditionality built in as there are risks that people may not use appropriately over a timeframe.

However this might 'clash' with other national benefits and the nature of this should be examined.

There needs to be a 'speedy way' of assessment and access to disability living aids for example.

**Q: In the longer term, do you think that the Scottish Government should explore the potential for a consistent approach to eligibility across all ages, with interventions to meet specific needs at certain life stages or situations?**  
(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

It should be explored but it could potentially end up as an umbrella benefit covering different stages in life with additional complexities.

**Q: What would the advantages and disadvantages of a single, whole-of-life benefit be?**

A single whole of life benefit could speed up processes, decrease stress on individuals with less repetition of same information and more consistency.

**Q: Could the current assessment processes for disability benefits be improved?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

It could be improved by

- More evidence base at start to support award.
- Assessment from medical records and social care and health care plans.
- A telephone follow up by decision makers to professionals involved or customer representative if difficulties in establishing evidence.

**Q: For those people that may require a face-to-face assessment, who do you think should deliver the assessments and how?**

For example, private organisation, not-for-profit organisation, public sector body or professional from health or social care.

- It should not be not a private organisation.
- Create a process which includes multi disciplines e.g. a panel with medic, nurse, Occupational Therapist, Physiotherapist, Speech and language therapist etc. and then the most relevant person is assigned to undertake the assessment/claim.
- Be as close to the applicant's home as possible and accessible (this includes plan English, alternative formats).

**Q: What are the advantages and disadvantages of different types of assessments?**

E.g. paper based, face-to-face, telephone

All three (paper based, face-to-face, telephone) have advantages and disadvantages  
Face to face – This can be stressful and it involves assessment usually from one person. This might not always be the best placed person, but can give the customer the opportunity to provide information assuming they are given the opportunity to do so.

Paper – This requires literacy skills and knowledge of how to complete the forms by the customer.

Telephone – This doesn't suit all people. It is impersonal but may be useful for clarification and follow up.

**Q: How could the existing assessment process be improved?**

This could be improved by collecting sufficient and relevant information at the beginning of the process prior to the decision being made. This reduces the cost of mandatory reconsiderations and appeals at a later stage.

**Q: Could technology support the assessment process to promote accessibility, communication and convenience?**

(please tick one box)

Yes	x
No	

As long as this is not the only option as many people cannot access various technologies.

**Q: If yes, please explain what technology would be helpful**

e.g. Skype, video conferencing

Online applications.  
Skype/video conferencing is possible but only where there are suitable facilities.

**Q: If the individual's condition or circumstances are unlikely to change, should they have to be re-assessed?**

(please tick one box)

Yes	
No	x

Some conditions and impairments are lifelong, without hope of recovery and the re-assessing of these cases at regular intervals increases both the person's and carer stress. Reviews in these cases should be minimal.

**Q: What evidence do you think would be required to determine that a person should / or should not be reassessed?**

Medical evidence.

**Q: Who should provide that evidence?**

A medical practitioner should provide evidence of lifelong impairments to daily living and mobility.

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**Q: Do you think people should be offered the choice of some of their benefit being given to provide alternative support, such as reduced energy tariffs or adaptations to their homes?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Generally benefits should be in cash but alternatives could be offered but without pressure to the customer to accept these. However it may be difficult to recover as overpayments.

**What alternative support do you think we should be considering? (Please specify below)**

No Comment

**Q: Would a one-off, lump sum payment be more appropriate than regular payments in some situations**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

This should be exceptional with conditionality built in as there is risk that people may not use such sums appropriately over a timeframe. One off lump sums may potentially have an impact on eligibility for other UK benefits by exceeding capital limits.

If yes, what are they?

No Comment

**Q: What would be the advantages and disadvantages of such an approach?**

A one off lump sum could potentially assist with adaptations to a home for example.

**Q: Should the new Scottish social security system continue to support the Motability scheme?**

(please tick one box)

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

It is successful, popular and supports people well, particularly in rural areas with poor public transport links.

**Q: How could the new Scottish social security system support older people with mobility problems not eligible for a mobility allowance?**

It could provide an opt-in to access it using other financial streams within the system such as mobility scheme. This is because social security system is intended to be designed to provide a total package to customers thereby reducing stress on people and carers.

**Q: How could the new Scottish social security system better support people of all ages with mobility problems who are in receipt of a mobility allowance?**

It could better support people by allowing the lump sum payment for some vehicles

on the Motability scheme to be paid over the lifetime of the contract rather than up front. The upfront payment is potentially a barrier to people being able to afford the most appropriate vehicle for their disability.

**Q: What kind of additional support should be available for people who need more help with their application and during assessment?**

Everyone should be offered help appropriate to their needs: e.g. ensuring adequate support from advice services to enable more face to face support from advisors. Help should be offered as standard.

**Q: How could disability benefits work more effectively with other services at national and local level assuming that legislation allows for this e.g. with health and social care, professionals supporting families with a disabled child.**

- Contact with the relevant medical professional should be made early on.
- Links to people who can help if required should also be made. For example supporters, advocates and professional advisers.

**Q: How do you think this might be achieved?**

There should be local and national liaison and identified local contacts in each area.

**Q: What are the risks?**

This may lead to increased workload of some health professionals and possibility of delays/backlog which may affect the application processing times.



**Q: If DLA and PIP help meet the additional costs of disability, what is the role of Industrial Injuries Disablement Benefit (IIDB) and its supplementary allowances (Constant Attendance Allowance, Reduced Earnings Allowance etc.) in the benefits system?**

**Please specify below**

No comment

**Q: In addition to the issues set out at page 47 of the consultation, please tell us:**

**What is right with the IIDB scheme?**

It is easy to claim.

**What is wrong with the IIDB scheme?**

The IIDB scheme is:

- Covered by old legislation and restrictive.
- Focussed on industrial injuries in roles undertaken predominantly by men - could be seen as an equality issue.
- Taken into account for means testing and as a result there is often no financial gain in claiming. This can take people out of passporting.

Finally the IIDB scheme doesn't specifically take into account more modern injuries e.g. Post-Traumatic Stress Disorders and other mental ill health concerns.

**Q: Should different approaches be taken for people with life limiting conditions compared to people with less severe conditions?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

This already happens as those with life limiting conditions tend to receive a higher award which would seem appropriate

**Q: Are there situations where a one off lump sum payment would be more appropriate than a regular weekly IIDB benefit payment?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Those who are assessed as being less than 14% disabled miss out on a regular payment. It may be appropriate to award a one-off lump sum payment for those who have a lesser injury.

**Q: Should the Scottish Government seek to work with the UK Government to reform the IIDB scheme?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

The Scottish Government should look to review the IIDB scheme as part of the overall system in conjunction with UK Government. This is because there are difficulties with how it interacts with the overall UK benefits system if changed solely in Scotland.

**Q: Do you agree with the Scottish Governments approach to Severe Disablement Allowance?**

(please tick one box)

<b>Yes</b>	
<b>No</b>	

We understand that there are now very few people of working age receiving Severe Disablement Allowance but there are those who have not transferred to State Retirement Pension. We see neither detriment or benefit in this but note that State Retirement Pension would be paid by UK Government.

## **7. Carers Allowance**

**Q: Do you agree with the Scottish Government's overall approach to developing a Scottish Carer's Benefit?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

We believe that the impact of the costs of caring is very high and that a payment in line with Job Seekers Allowance could be seen as a more appropriate level. However, someone claiming carers allowance would currently be able to top up their income through Income Support/Universal Credit which would be payable through DWP. To change would mean an increased cost for the devolved system but with a significant number of people no better off.

There would of course be benefits to carers who have other earned or unearned income.

**Q: Do you agree with our proposed short to medium term priorities for developing a Scottish carer's benefit?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

There are concerns that entitlement can end completely when the person being cared for goes into hospital even though the caring responsibilities and costs remain in place. There is also a concern that in many cases with a small increase in income (above the £110 per week allowance) means losing the allowance completely.

**Q: How can we improve the user experience for the carer (e.g. the application and assessment process for carer's benefit)?**

The user experience can be improved if the process is made really simple and paid quickly.

**Q: Should the Scottish Government offer the choice of exchanging some (or all) of a cash benefit for alternative support (e.g. reduced energy tariffs)?**

(please tick one box)

<b>Yes</b>	<input type="checkbox"/>
<b>No</b>	<input type="checkbox"/>

Unsure. This is because there:

- Are administration difficulties associated with non-cash payments when care allowances are stopped and started.
- Can be some stigma attached.

It is also important to maximise existing concessions for example fuel reduced tariffs should be being offered already by the companies themselves from their profits as part of their contributions to society etc.

**Q: What alternative support should be considered?**

Carers should be consulted on this as they know what would be more useful for them.

**Q: How can we achieve a better alignment between a future Scottish carer benefit and other devolved services?**

Make sure this is connected with the Carer's Bill.

**Q: How can we improve the support given to young people with significant caring responsibilities - beyond what is currently available?**

No Comment.

**Q: Do you agree with our proposed long term plans for developing a Scottish Carer's Benefit?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Non means tested would be a good approach for a Scottish Carer's Benefit but there could be significant cost implications in this.

**Q: Do you have any other comments about the Scottish Governments proposals for a Scottish Carer's Benefit?**

It is important to ensure that there is direct notification of awards of Carers Benefit to Local Authorities for Housing Benefit and Council Tax Reduction purposes. The entitlement to Carers Credit which allows a national insurance credits to help with gaps in the carers national insurance record should be retained.

## **8. Winter Fuel and Cold Weather Payments**

**Q: Do you have any comments about the Scottish Government's proposals for Winter Fuel and Cold Weather Payments?**

In its current form, the winter fuel payment is made to pensioners to help towards their winter heating costs but it is not targeted at those who are in fuel poverty. Consideration could be given to restricting it with a view to excluding higher rate tax payers for example and those not consistently resident in the UK over the winter period.

Extending winter fuel payments to families with disabled children on higher rate of Disability Living Allowance and those who live off the gas grid could be beneficial in the short term. However, identifying those who are in fuel poverty is problematic. It is difficult to compare the heating issues of an older person living in 'extra care housing' for example, which tends to be warm and well insulated, against someone of working age who is disabled with no children living in a rural property where income may be significantly less.

We welcome the intention to consider in the reports of the Fuel Poverty Strategic Working Group and the Scottish Rural Fuel Poverty Task Force.

**Q: Could changes be made to the eligibility criteria for Cold Weather Payments? For example, what temperature and length should Cold Weather Payments be made on in Scotland?**

Consideration could be given to inclusion of Council Tax Reduction within the criteria which may assist those home owners with high fuel costs and low income, who are just missing out on means tested income benefits.

Again, we would welcome the intention to consider the reports of the Fuel Poverty Strategic Working Group and the Scottish Rural Fuel Poverty Task Force in relation to this.





## **9. Funeral Payments**

**Q: Proposals for Funeral Payment: What should the benefit cover?**

See responses to the answers below.

**Q: Which of these elements do you think should be paid for by the Funeral Payment?**

	YES	NO
Professional funeral director fees – advice and administration etc.	X	
Removal or collection of the deceased	X	
Care and storage of the deceased before the funeral	X	
Coffin	X	
Hearse or transport of the deceased	X	
Limousines or other car(s) for the family		X
Flowers		X
Death notice in a paper/local advertising to announce details of funeral (time and location)		X
Fees associated with the ceremony e.g. for the minister or other celebrant	X	
Order of service sheets		X
Catering for wake/funeral reception		X
Venue hire for a wake/funeral reception		X
Memorial headstone or plaque		X
Travel expenses to arrange or attend the funeral	X	

**Q: Are there other elements that you think should be included or explicitly excluded?**

(please tick one box)

Yes	x
No	

While we believe that fees for a minister or other celebrant should be included, it is our view that these should be capped.

**Q: How can we improve the process for identifying whether someone is responsible for the funeral and should receive the funeral payment?**

The current practice of searching extensively for a relative who may not be in receipt of a qualifying benefit in order to take responsibility for the funeral can cause considerable financial hardship for the individual found responsible and can cause difficulties within the wider family. This needs to be discontinued.

**Q: In terms of the Scottish Funeral Payment, are there any qualifying benefits (e.g. Pension Credit) that you would add to or take away from the current qualifying benefit list?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Consideration should be given to add Council Tax Reduction to the list of qualifying benefits. It may however be appropriate to introduce a limit on household income as this can vary considerably from basic Job Seekers Allowance to Pension Credit with inclusion of additional premiums.

**Q: Is the three month application window for a Funeral Payment sufficient time for claimants to apply?**

(please tick one box)

Yes	
No	x

The current time limit should be extended to six months to allow decisions around qualifying benefits to be made and to reduce the need for a second claim. It also allows time for the funeral account to be received and families to work out how they are going to pay and to source help if necessary.

**Q: What are your views on the options for speeding up and simplifying the payment?**

A fast-track application would be welcomed for those who are terminally ill (DS1500). However, there should be clarification around whether reassessment would be required in the event that the 6 month life expectancy is exceeded. Paying burial or cremation costs directly to the Funeral Director, Local Authority or Crematorium should ensure that the payment is made timeously. Improved data sharing between agencies should speed up the claim process. Funeral costs can vary significantly between areas so a fixed amount may lead to inequity. Given the complexity of the benefits system an online checker may be misleading with the potential for claimants to miss out.

**Q: The other funds which are deducted from the DWP funeral payment are listed below. What sorts of funds do you think it is appropriate to deduct from a Scottish FP?**

	YES	NO
Funds in the deceased's bank account	X	
Funeral plan/insurance policy	X	
Contributions from charities or employers	X	
Money from an occupational pension scheme	X	
Money from a burial club	X	

**Q: Are there any other funds that you think are appropriate to deduct?**

No Comment.

**Q: Which services should promote awareness of the funeral payment to ensure that claimants know about it at the relevant time?**

- Registrars.
- Department of Work and Pensions (DWP).
- Local Authorities.
- Advice Agencies.
- Health and Social Care Professionals.
- Third Sector Organisations.

**Q: Are there any other points that you would like to raise in connection with the new Scottish Funeral Payment?**

People in our society no longer make provision for their future funeral as a matter of course in the same way that older generations did. In an effort to encourage people to save for their funerals, the development of a flexible funeral bond may be an option. The bond could be made available to those on low incomes who could save small amounts on a regular basis but have the option to take payment breaks.

## **10. Best Start Grant**

**Q: What are your views on who should receive the Best Start Grant (BSG)?**

We are concerned that some women are currently missing out of Surestart Maternity Grant and this needs clarified/amended (process, prompts, complexity).  
We wish to ensure the BSG goes directly to the parent/carer who has parental responsibility for the child. Adequate safeguards need to be in place to make sure another adult cannot access and misuse the grant.

**Q: Should we continue to use the same system to determine who is responsible for a child for the purposes of the BSG application?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Yes with some conditions

We wish to ensure the BSG goes directly to the parent/carer who has parental responsibility for the child. Adequate safeguards need to be in place for parents in exceptional circumstances.

**Q: Do you agree that each of the three BSG payments should only be made once for each child?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Yes, but we have limited experience to respond to this question.

There is a need to ensure that a young mother under 16 years of age living at home with other siblings would still be entitled to the full rate for the first child.

Similarly people who have accepted kinship care of children and then subsequently go on to have their own first child currently do not qualify for the SSG and provision should be made to ensure they are covered under the BSG.

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**Q: Should we continue to use the same method as the SSMG to determine whether a child is the first child in a household?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

There should be room for exceptional circumstances e.g. those who have accepted kinship care of children and then subsequently go on to have their own first child currently do not qualify for the SSG and provision should be made to ensure they are covered under the BSG for their own first child as they may never have had necessary items for a new baby e.g. a kinship carer takes on responsibility for siblings or nephews/nieces and subsequently has her own children may never have had any SSG and have never accumulated equipment etc. needed such as a pram/cot.

**If no, what alternative method should we use?**  
No Comment

**Q: Do you agree that we should retain the requirement to obtain advice from a medical professional before making a maternity payment?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Yes in principle, with conditions

Please explain your answer

We agree with the principle of linking receipt of the grant to medical advice. However, such advice must be available in a flexible and accessible manner, with safeguards built in for the most vulnerable parents. Discussion around how health professionals would signpost / give advice across Scottish/English Border. Consideration should be given to other signatories and not just health professionals for both grants.

**Q: Are there other points during the first five years of a child's life when families face greater pressure than at the start of nursery (other than birth and the start of school)?**

Any support should apply to all low income families.

**Q: What are your views on defining 'the start of nursery' as the point of entitlement to a funded early learning and childcare place, for the purposes of making the second payment?**

We would recommend using age as the point of entitlement because the date that a child actually starts nursery can vary for many reasons, especially in a rural area. Even if the child has not yet started nursery, the family may still experience financial need.

**Q: Are there any particular issues related to the nursery payment that you think we should consider?**

Parents may still need support with budgeting to manage these one off payments. There are ongoing costs associated with nursery/school that won't be managed

neatly by a one-off payment.

**Q: Are there any particular issues related to the school payment that you think we should consider?**

We recommend that the payment be linked to school enrolment, with provision made for home-schooled children. Parents may still need support with budgeting to manage these one-off payments. There are ongoing costs associated with nursery/school that won't be managed neatly by a one-off payment.

**Q: Should the school payment be payable to all eligible children who begin primary school for the first time in Scotland, or should an upper age limit be included?**

We recommend that the payment be linked to school enrolment and this applies up until Primary One.

**Q: What are your views on our proposals in relation to the BSG application process?**

We welcome the 6 month window for applications. We agree there should be 3 separate applications and this should encourage and support dialogue between supporting professionals and eligible families at critical transition stages. Staff training will be crucial to ensure all eligible parents are made aware of their entitlement and supported to make applications.



**Q: What are your views on establishing an integrated application process for the BSG and Healthy Start?**

We have mixed views about taking an integrated approach. Most are in favour of integration, provided some of the current concerns about complex processes are addressed and stages of the process are simple, streamlined and user-friendly to parents. Any helplines must be free.

**Q: What are the advantages and disadvantages of this approach?**

See answer to the previous question.

**Q: Would the option to receive items rather than a cash payment as part of the BSG have benefits?**

(please tick one box)

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Yes should be an option in some cases

In some cases, the receipt of items could simplify the process for families with particular needs. It may also ensure that the benefit goes directly to the eligible child. However we share the concerns about dignity and respect for individuals, stigmatisation, loss of choice and the potential for catalogue items to be more expensive than direct purchase. We think this should be an available option in particular cases which could be trialled prior to roll out. Some “brands” should be included to reduce stigmatisation.

**Q: Which services should promote awareness of the BSG to ensure that claimants know about it at the relevant time?**

Practitioners and managers of all services operating across this age group, including agencies such as housing providers and Libraries as well as Health Visitors and Early years practitioners.

## **11. Discretionary Housing Payment**

**Q: Could the way that Discretionary Housing Payments (DHPs) are currently used be improved?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Bedroom tax payments - This is a resource intensive means of paying what's not a discretionary award. The payments will be more difficult to award when universal credit rolls out. They take up a large amount of budget.

Local Housing Allowance rates for under 35's also have a significant impact on Discretionary Housing Payment budget.

**Q: Could the administration of DHP applications be improved?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Additional top up from SG is not finalised until after the financial year ends which causes some uncertainty.

It is costly for local authorities to administer in particular, to continue awards on in a new financial year.

When Universal Credit (UC) is introduced local authorities won't have real time access to the information which will make the administration more difficult. There will be a delay in awards being made. The housing element of UC needs to be in payment before DHP is considered.

When UC rates change, local authorities need notified as it will affect DHP award. Delays in a local authority being notified could result in DHP being overpaid.

**Q: Does the guidance for local authorities on DHPs need amending?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Further clarification required on the Scottish element, such as bedroom tax. The guidance would need to be amended to meet the issues addressed above.

## **12. Job Grant**

### **Q: What should the Scottish Government consider in developing the Job Grant?**

It is important to consider how making this payment integrates with local employability offerings so that public assistance has maximum impact.

The age range associated with this offering does not necessarily reflect the age profile of those who are unemployed and require assistance at a local level. This is particularly an issue in rural areas such as the Scottish Borders where there is a need to support older workers who become unemployed.

It is good to see the support given for transport and this needs to be extended to other older unemployed who have limited savings.

Also for the job grant consideration needs to be given to

- The definition of a job for this purpose
- The number of times an individual can access grants and the timescales between applications
- The evidence is required of securing a job.
- The eligibility checks that will be required.
- The administration of the grant.



### **13. Universal Credit flexibilities**

**Q: Should the choice of managed payments of rent be extended to private sector landlords in the future?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

For individuals in vulnerable groups, the management of monthly payments for rent can be extremely difficult.

Based on current evidence, rent arrears are increasing for tenants who are in receipt of Universal Credit whether they rent from a private landlord or a social registered landlord. As a result we could see an increase in the number of tenants being declared homeless and the potential for fewer properties to be available for rent in the private rented sector. The key issue for homelessness prevention is direct payments for landlords to prevent rent arrears.

Whilst individuals should retain choice in payment options, with some exceptions, the criteria should be clear as to when direct payments will be made, the review period should be longer to ensure consistency. Where a client is sanctioned the housing element should automatically be paid to the landlord direct including the private sector.

**Q: Should payments of Universal Credit be split between members of a household?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

The option should be there in certain circumstances, for example customers who are subject to domestic abuse could become financially challenged and at greater risk in other ways.

However, there are risks that this may become overly complex to administer including potential recovery of overpayments.

There has been insufficient experience yet across all areas to establish how this might work under the current Universal full system where this is currently an option. Potential issues around payment of housing costs.

If Yes, please indicate if you think the default position should be:

a) automatic payments to individuals, with the option to choose a joint payment

(please tick one box)

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

b) automatic household payments, with the option to choose individual payments.

(please tick one box)

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

**If Yes, how do you think payments should be split? For example 50/50 between members of a couple or weighted towards the person who is the main carer if the claim includes dependent children?**

It needs to be assessed based on the individual's circumstances with consideration given to caring responsibilities, paying rent, child care etc.

**Q: Do you have any other comments about how the Scottish Government's powers over Universal Credit administrative flexibilities will be delivered?**

Allowing direct managed payments to Social Registered Landlords is viewed as important to mitigate the impact of the potential build-up of rent arrears.

Adjusting the frequency of payments for those used to managing on a weekly/fortnightly basis could be helpful as they may experience financial hardship nearing towards the middle/end of the month and in turn seek support through other methods i.e. foodbanks.



**Q: Do you have any comments about the Scottish Government's powers over the housing element of Universal Credit?**

Cost of under occupation subsidy should be paid through Universal Credit or Housing Benefit and not administered through Discretionary Housing Payments.

There is a need to consider the impacts of using the housing element of Universal Credit against the following legislation and its implementation because of the importance of housing to achieve successful outcomes around prevention.

- Children and Young People Act 2014 continuing care and after care
- Housing Scotland Act and homeless provisions of them.
- Community Justice Scotland Act and the implementation of community justice at the local level. (A key element of supporting ex-offenders is around the stability of housing. Any decisions around the way benefit is paid would need to be in the spirit of what's in that legislation).

Any changes need to be flexible enough to address homeless needs and not just Local Housing Allowance rates.

There is a temporary accommodation funding issues that needs to be addressed, for example under 35s in homeless accommodation or people with specific accommodation needs (supported accommodation). Also short term temporary accommodation stays aren't being paid for.

The Scottish Government should revisit the delays in housing payments of up to 5 weeks. This is caused by the first week's payment not being made by DWP for a new customer, which means the payment is not made until the fifth week. This is because DWP pays out on a monthly basis. This means that customers start accruing one week's rent arrears in their tenancy that is replicated as circumstances change potentially.

## **PART 3: OPERATIONAL POLICY**

### **14. Advice, representation and advocacy**

**Q: What role[s] should publicly funded advice providers play in the development of a new Scottish social security system?**

Publically funded advice services have a wealth of experience across the full range of social security benefits and can readily identify what works well and where there are shortfalls in the existing systems. To exclude them would risk losing insight which could assist in the development of a cost effective and efficient new system.

**Q: What steps need to be taken, to understand the likely impact of the transfer of the devolved benefits on publicly funded advice in Scotland?**

There needs to be full understanding of how these changes may impact on different areas of Scotland as issues for those in city areas are very different to those in rural areas. Social Care and Health teams should also be involved in the process.

It is important to understand the current landscape in terms of advice providers across Scotland in order that potential impacts can be identified and assessed.

**Q: How could the transfer of the devolved benefits to Scotland be used to drive improvements in the provision of publicly funded advice?**

There is often a lack of clarity, misinformation, overlap and complexity in the current system which leads to advice services being involved. By improving the system it should reduce the need for a number of the transactions with advice services who could focus their stretched resources on dealing with more complex issues. Due to the nature of funding for advice services there is the risk of overlap and competition for funds. A longer term plan looking at what is required and where would be beneficial. Assessing services through Scottish National Standards for Information and Advice Providers would give a picture of what levels of advice provision are available and that they are working to a recognised standard.

**Q: Do you think that Independent Advocacy services should be available to help people successfully claim appropriate benefits?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

It is important that Independent advocacy services are available to assist those who are in need of additional support beyond what is offered by the advice sector.

**Q: What next steps would you recommend that would help the Scottish Government better understand the likely impact of the transfer of the devolved benefits on independent advocacy services?**

Understanding the current provision would help to assess what adjustments, if any, needs to be made.

## **15. Complaints, reviews and appeals**

**Q: Do you agree that we should base our CHP on the Scottish Public Services Ombudsman's 'Statement of Complaints Handling Principles'?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

It would make sense to deal with it in this way.

**Q: How should a Scottish internal review process work?**

There should be capacity for internal review which is transparent, simple to request and easy to follow and which allows the resolution of disputes at the earliest stage possible. There should be published guidelines for the process with timescales stated.

Currently the DWP mandatory reconsideration stage does not appear to be as effective as it could be with high numbers of cases going on to appeal with the claimant being successful at that later stage. The process should allow for supporting evidence to be fully considered at review to prevent cases going onto appeal where possible. This is more cost effective in the longer term.

There should be a mechanism for feedback to decision makers.

Any timescales set need to be realistic.

**Q: What would be a reasonable timescale for the review to be carried out?**

Timescales should be discussed with those experienced in making decisions as well as those who have lived experience of making claims. This would allow realistic timescales to be set. Timescales may vary depending on the type of benefit.

**Q: Should a tribunal be used as the forum for dispute resolution for the Scottish social security system?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

We would anticipate the tribunal system being used for ongoing benefit payments such as disability benefits as opposed to the one off payments of Best Start Grant etc. However, there does need to be some independent mechanism for appealing these one off payments.

**Q: If no, are there any alternative methods of dispute resolution that you think would be preferable to a tribunal?**

No comment.

**Q: How can we ensure that our values underpin the appeals process for a Scottish Social Security agency?**

We would want to ensure that the appeals service worked within the guidelines of Claimant Charter even though they would be seen as an independent body.

**Q: Are there any other values that you feel should be reflected in the design of the appeals process?**

It is important to ensure people can maintain their dignity at Tribunal.

**Q: What do you consider would be reasonable timescales to hear an appeal in relation a decision on a devolved benefit?**

It will depend on the benefit involved. There should be more emphasis on a mandatory reconsideration process which would reduce the need for appeals with the agency making the decision requesting the information.

**Q: In order to ensure a transparent appeals process, what steps could be taken to ensure that those appealing fully understand and are kept informed at each stage of the appeals process?**

There should be:

- Clearer information on how to make an appeal should be available to the public in a range of formats.
- Communication with the customer in an agreed format.
- A process for sending out evidence at an early stage.

**Q: How could the existing appeals process be improved?**

There be:

- Opportunities for customer feedback on the Appeals experience as this can vary enormously.
- An Appeals service accepting email from representatives through a secure network.
- An emphasis on reconsideration before an Appeal is scheduled.
- A process for ensure equality for those unable to travel to a venue which is particularly important in rural areas such as the Scottish Borders.

## **6. Residency and cross-border issues**

**Q: Should Scottish benefits only be payable to individuals who are resident in Scotland?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Yes, though there needs to be greater clarification around definition of residency status. The definition of a 'Scottish Claimant' will be of particular relevance in Scottish Borders where people often move back and forward across the border to live and work.

**Q: What are your views on the 'habitual' residence test currently used in the UK by DWP?**

While the current 'habitual' residence test is long established, decisions around residency can take a long time to be made and cases can be complex. This could be further complicated with different decisions being made by DWP and Scottish Social Security Agency on the same case about status. There are also complex associations with homeless requirements and benefits in relation to Habitual Residence Test.

**Q: Are there other issues that the Scottish Government should take into account when it comes to residency rules?**

Due to the rural nature of Scottish Borders there are often people who live in Scotland but have medical care in England and those who live in England who have medical and social care delivered in Scotland. There are also people who live in Scotland but work in England and vice versa.



**Q: What factors should Scottish Government consider in seeking to coordinate its social security system with other social security systems in the UK?**

There needs to be data sharing across the UK and Scottish systems or there will be the potential for people to make claims through both systems.

Would an award of disability or carers benefit need to be ended by a customer should they move from Scotland to England? If so what mechanism would there be in place to ensure that the Scottish benefit was ended prior to a new benefit being claimed? For example, although changes of Council Tax payers may be a trigger for notifications, this may not be appropriate in all cases.

**Q: How can the Scottish Government ensure that no-one either falls through the cracks or is able to make a 'double-claim'?**

This is complex and will rely on sound relationships between agencies as well as reciprocal agreements.

## **17. Managing overpayments and debt**

**Q: Could the existing arrangements for recovering social security overpayments be improved in the new Scottish social security system?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

There needs to be a joined up approach to the recovery of overpayments. The current situation often leads those claiming assistance further in to debt with unachievable repayment rates. There should also be greater emphasis on prevention of overpayments. It is potentially impossible to recover overpayments if benefit is paid in the form of adaptations or contribution to energy tariff.

**Q: What are your views on the role that financial advice can play in the recovery of overpayments?**

Financial advice is very important in the recovery of overpayments but there should also be emphasis in prevention and early notification. Education, clarity of roles and responsibilities for customers and easy mechanisms to notify change would help to reduce overpayments.

## **8. Fraud**

**Q: Should the existing Scottish Government approach to fraud be adopted for use in our social security system?**

(please tick one box)

<b>Yes</b>	
<b>No</b>	<b>x</b>

While the Scottish Governments Counter-Fraud strategy and policy are both sound documents, together with the fraud response plan they have been developed specifically with the Scottish Government's current focus on procurement and low volume high value payments for grants and subsidies to farmers etc. The fraud risks in these cases are very different from those that the Scottish Social Security System will experience when making high volume and low value payments to a large number of people in diverse situations.

The existing fraud response plan seems to have an emphasis on reporting to Police Scotland to investigate any crime, in reality it is doubtful if Police Scotland will have the resources or ability to get involved in detailed frauds relating to individuals income or medical conditions. The Scottish Social Security System should be able to carry out its own investigations in these specialist areas and report directly to the Procurator fiscal as a specialist reporting agency.

Scottish Borders Council is not well enough informed to comment on the work or performance of the Scottish Government's Fraud Response Team, but it is felt that a change of this magnitude would warrant a fresh approach. Any group or organisation carrying out investigation work must be part of, or closely linked to the organisation administering the benefit and the community in which the claimants live.

**Q: If yes, should our existing counter-fraud strategy be adapted in any way?**

(please tick one box)

<b>Yes</b>	
<b>No</b>	

No Comment

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**Q: How could the new Scottish social security system ‘design out’ errors and reduce the potential for fraud at the application stage?**

Scottish Borders Council does not think that it is possible to design out fraud but agree that the gateway to benefits should be carefully controlled. Traditional methods of collecting documentary evidence for items such as identity, residence and income often delays processing time and adds to administration costs. Claimants can be slow to produce information. It would be better to establish data sharing between organisations and authorities in Scotland so that claimants are not repeatedly asked for the same or similar information by different organisations. Each organisation should work to an agreed standard and work towards accepting applications on-line as a matter of course but where appropriate.

**Q: Should the Scottish social security system adopt DWP’s existing code of practice for investigators?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

Yes, but the code of practice may require some slight modification for example the code refers to Personal Information Notification System training which is only available currently to DWP staff, an alternative training package may be appropriate perhaps with a greater emphasis on compliance and data matching. In principal, the code should give a balance between the powers to obtain information and the responsibility to protect the rights of the individual.

**Q: What are your views on the existing range of powers granted to investigators?**

The power to request information from banks and utility companies is an essential part of proving a case and would be necessary for any organisation doing such investigations. If the investigators are not part of the DWP there should be a formal arrangement which allows the gathering of information from the DWP such as access to their Customer Information System. There should also be a memorandum

of understanding covering joint working as some of the individuals under investigation may also have issues with other DWP benefits or those administered by Local Authorities and information should be shared freely and electronically. Investigations into Scottish Social Security fraud should not be delayed because the DWP or Local Authority is not able to complete their investigation or have set different priorities.

**Q: What are your views on conducting interviews under caution?**

These are an essential part of the investigation and should be retained. Those administering Scottish Social Security should be trained and accredited to carry out such interviews.

**Q: What improvements could be made around conducting interviews under caution?**

There should be a standard code of practice but the emphasis should be on resolution of the situation with the individual without recourse to further legal action where the offence is of a minor nature and has been admitted. There should be a greater emphasis on providing support to individuals from organisations such as CAB, Welfare Rights Groups and Local Authorities. Interviews should be recorded on both audio and visual and copies should be made available to the interviewee regardless of whether a case will go to trial.

**Q: Should the Scottish Government retain the same list of offences which people can be found guilty of in terms of social security fraud?**

(please tick one box)

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

Scottish Borders Council has no suggestions for additional offences.

**Q: Should the Scottish Government impose the same level of penalties for social security fraud as are currently imposed?**

(please tick one box)

<b>Yes</b>	<input type="checkbox"/>
<b>No</b>	<input checked="" type="checkbox"/>

There should be a broader range of remedies available both on a compulsory or voluntary basis. Scottish Borders Council recognises that there is a need for an effective deterrent but that there are also difficulties in enforcing penalties from individuals who have no income or assets against which to recover. Those committing fraud have often moved or used the proceeds by the time the fraud is identified and collection from ongoing benefits is often ineffectual or results in pressure on other areas such as DHP, Social Fund Payments, homelessness and Foodbanks. People can continue for many years with debt hanging over them. The Scottish Government should consider some innovative ideas such as voluntary community service orders backed by the authority of the Court. Where it can be shown that assets have been purchased with the use of fraudulent funds, powers to seize assets similar to the Proceeds of Crime Act should also be considered.

## **19. Safeguarding your information**

**Q: Should the existing Scottish Government approach to Identity Management and Privacy Principles be adopted for use in our social security system?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

The rights of the applicant are supported by the proposal and it appears that staff will be supported to be confident in managing and sharing information lawfully.

**Q: If yes, should our existing Identity Management and Privacy Principles be adapted in any way?**

(please tick one box)

<b>Yes</b>	<b>x</b>
<b>No</b>	

There should be clear guidance on how the data sharing will be carried out and on who owns what. Clarity over ownership of shared information in the proposed secure email system is also required.

**Q: Who do you consider should be consulted in regard to the Privacy Impact Assessment and what form would this take?**

- All Local Authorities and Integrated Health and Social Care Partnerships (to include Social Work, Assessors/EROs, Mental Health, Homeless and Rehab. Services).
- Charities that support applicants and potential applicants such as CAB, Cancer Support Charities e.g. Macmillan, Carers Support, Disability Forums, MIND etc.
- Other Public Bodies – in particular Keeper of Records of Scotland, both Information Commissioners.
- Housing providers.
- Housing and Tenants Associations and Co-housing organisations.

The consultation should be in the form of roadshows to inform, engage with information providers and stakeholders and collect feedback, a survey, media/social media debate

**Q: What are your views on privacy issues that may affect the new agency?**

We foresee problems in information collection as being seen as stealth approach to amassing personal files if the process is not clearly described and communicated. It is therefore important to have:

- A personal account for applicants that is fully viewable by them would help allay this fear.
- A secure email address/Customer Relationship Management for partner organisations to use would also help as it would help define the limits of data harvesting.
- A clear process to distinguish between application processing/ benefit assessment and use of data to prevent crime etc.

**Q: Do you perceive any risks to the individual?**

The main risk to individuals is the delay that might occur through multi-agency supply of information where there is a lack of capacity in back office arrangements of the agencies involved in the process.



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**If Yes, What solutions might be considered to mitigate against these?**

The change process should be subject to regular review which allows for flexibility during transition and when in operation to make needed improvements fast.

**Q: Would you support strictly controlled sharing of information between public sector bodies and the agency, where legislation allowed, to make the application process easier for claimants?** For example, this information could be used to prepopulate application forms or to support applications, reducing the burden on applicants.

(please tick one box)

Yes	<input checked="" type="checkbox"/>
No	<input type="checkbox"/>

The example is a good one. Less repetition for the applicant is good but relies on all data sharing partners keeping their information up to date. Some claimants are highly itinerant and change names often. Exceptions handling should be part of the normal application process and should not happen after a claim has been stopped as a result of a data mismatch between agency supplied info.

**Q: Would you support strictly controlled sharing of information between a Scottish social security agency and other public sector organisations (for example local authorities) to support service improvements and deliver value for money?**

(please tick one box)

Yes	x
No	

Yes, but the cost of managing information by sharing must not fall entirely on the information providers using existing budgets. Additional funding for the new burdens must be in place from the outset. If the intention is to operate a digital service there will be an expectation of 24/7 delivery.

**Q: What are your views on having the option to complete social security application forms online? Can you foresee any disadvantages?**

This is a good idea and will help claimants identify key support agencies and help them find awareness campaigns and one to one support.

**Q: What are your views on the new agency providing a secure email account or other electronic access to check and correct information for the purposes of assessing applications (noting that any such provision would need to be audited and regulated so that the security and accuracy of the information would not be compromised)?**

Secure e-mail is a good way of progressing this, but a personal account where the individual can see all the claim documentation would significantly reduce the amount of duplication of paperwork etc. for the applicant.

Alternatives to digital delivery/ or additional support must be in place for those who cannot use technology or, who, as part of their condition, have a fear of information being managed this way. This may involve engaging particularly with Carer associations and reviewing how Power of Attorney arrangements can work to develop digital empowerment/inclusion.

## **20. Uprating**

**Q: What are your views on the best way to ensure that devolved benefits keep pace with the cost of living?**

Uprating is an important area which must be carefully considered against the landscape of reduced public spending. It needs to be looked at in terms of the actual assistance paid out but also around the way in which means tested benefits such as Council Tax Reduction are calculated to ensure those entitlements devolved to Scotland.

**Q: Are there any devolved benefits in particular where uprating based on a measure of inflation would not be effective?**

No comment.



# **A New Future for Social Security**

## **Consultation on Social Security in Scotland**



# **A New Future for Social Security**

**Consultation on Social Security in Scotland**

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## Ministerial Foreword



This consultation marks another important step in our journey towards delivering a Scottish social security system in line with the vision and principles set out in *A New Future for Social Security in Scotland*. It also represents the next stage in our work to ensure that the people closest to, and most impacted by, the devolution of social security powers have the opportunity to make their views known.

Every day, I'm conscious that we are laying foundations for the future. What we're doing right now, by establishing a social security system that will deliver our vision - **that social security is important to all of us and able to support each of us, when we need it** – won't just be important to the 1.4 million people who currently receive support from the benefits which will be devolved to Scotland; it will be important to communities, families and people in Scotland for generations to come.

These are exciting times, presenting a real opportunity to make a lasting difference to the lives of people across Scotland. I am delighted to play my part in delivering the promises that were made before this year's Holyrood elections. We are making strides in our work to increase Carer's Allowance, to expand maternity grants into a new Best Start Grant, and to tackle funeral poverty. And, partly as a result of this consultation, I am confident there will be a social security bill, before the end of the first year of this new Parliament.

I believe there are two things we must get right, as we begin to build our new, Scottish social security system. First, we must start as we mean to go on, by putting our principles at the heart of all that we do. Second, we must get off on the right foot – by taking the time to ensure that we have the right systems and people and processes in place to ensure continuity, making absolutely certain that everyone who currently receives the benefits being devolved - especially our carers and our disabled people - has their benefit transferred safely across to the new system.

We must also remember that the UK Government will remain responsible for 85% of benefit spend in Scotland, including benefits for pensioners and those seeking employment. So, while the Scottish Government believes that Scotland's citizens would be best protected if social security was fully devolved to the Scottish Parliament, both we and the UK Government have a duty to work together to deliver in the best interests of the people of Scotland.

We will only get one chance to do things for the first time and I am clear that the first time we exercise our new devolved powers will set the standard for all that follows.

If this means taking a little longer to get things right, then that is a balance that may have to be struck. It's more important to ensure that no-one falls through the gaps and that everyone is paid the money they need, at the right amount and when they need it. The Scottish Government has a steep learning curve in front of us, when it comes to social security, but with the help of Scotland's community of advisers, practitioners, public service professionals, representative groups and users, then I am confident that we will meet the challenges ahead.

This consultation is not just a listening exercise. As well as the extensive programme of events we are planning during the summer and into the autumn, to talk about this consultation, there will be opportunities over the months to come for us to provide further updates on what we're doing and the progress we're making. There is an enormous amount of other work going on, for example, to assess the options for delivery of our Scottish social security system. So, we will use these events as well as all of our other channels, to update you as we go along.

In taking forward this consultation, we will be open and inclusive and will welcome the views of those who will be affected the most. We will implement these new powers carefully and thoughtfully, taking the views of experts, practitioners and users into account. My firm belief is, the more people that are involved, the better the final outcome will be - so I hope that, over the coming months, as many of you as possible will join in and give us the benefit of your insights, your experience and your views.



**Angela Constance MSP**

Cabinet Secretary for Communities, Social Security and Equalities

## Introduction to the consultation

Throughout this document, we will refer to our paper, [A New Future for Social Security in Scotland](#)<sup>1</sup>, which we published in March. In that paper, the Scottish Government made a commitment to work with people across Scotland to determine how best to use the new social security powers which are being devolved by the Scotland Act 2016. We believe that there should be opportunities for everyone to participate in the debates and decisions that matter to them, regardless of their circumstances or backgrounds. This consultation document, and the events and engagement sessions that we will hold after its publication represent the next step in facilitating this participation. Holding an inclusive, informed and wide-ranging discussion will be essential to the successful implementation of our new social security powers.

It is important to set the context at the start of the conversation – which means being clear about some of the constraints we face and the limitations to what we can and can't do. This is not about making excuses – it is about being realistic and not making promises that can't be kept. The simple fact of the matter is that the proportion of the Scottish social security budget that will devolve to Scotland amounts to only £2.7 billion or 15% of the total £17.5 billion spent here every year. That said, the Scottish Government still intends to take an ambitious, new and distinctly different path to the one the UK Government has followed. Within the share of the system we will inherit, we will harness 100% of the powers we have to our values and our principles, in order to support our people, promote equality, tackle inequalities and take a step towards building a fairer Scotland.

Although this consultation is largely focussed on our work to develop social security legislation, there is also a great deal of other work going on in parallel. For example, we are currently carrying out Stage 2 of our appraisal of the options for the delivery of a new Scottish social security system. We published our findings at the end of Stage 1 of this appraisal exercise in March<sup>2</sup> and we expect to publish a report on Stage 2 as early in 2017 as possible.

Our report on Stage 2 of our options appraisal will say more about some of the costs which may arise, depending on the choices we make about changes to the devolved benefits in the years to come. The current spending environment has limited scope to accommodate this without reprioritising money which is currently being spent elsewhere - so there is a need for open, honest discussion about what can be realistically achieved and by when. We don't just want you to join this discussion - wherever possible, we would like you to lead it. That is why we are planning an extensive programme of post-publication consultation events, at locations around Scotland. The next section, "Responding to this consultation" explains how you can find out further details about these events. We hope as many of you that can attend

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<sup>1</sup> <http://www.gov.scot/Resource/0049/00496621.pdf>

<sup>2</sup> <http://www.gov.scot/Resource/0049/00494859.pdf>

these events do attend. And for those who cannot, there are different ways in which you can contact us to let us have your thoughts and views.

In the paper which we published in March, we set out our vision and a set of principles which will underpin all that we do to deliver a Scottish social security system. The first of our principles is that social security is an investment in Scotland. This means investment in people and their communities, a shared investment by each of us, in all of us. We hope you will invest some of your time and share your experiences with us as part of this consultation exercise. In doing so, you will help us build a social security system – and make an investment in a better future for Scotland, one that we hope will pay dividends for many years to come.

## **Responding to this Consultation**

We are inviting responses to this consultation by **Friday, 28 October 2016**.

We recognise that this consultation is lengthy and, at times, complex but we still want to make it as accessible as possible. That is why we have placed this consultation onto our consultation platform, Citizen Space, to allow for swift navigation and ease of use.

We use Citizen Space because we believe that responding online represents the best opportunity for respondents to give a full account of their views and opinions. However, we do understand that this is not possible in all cases, so we have published a shorter, summary version of the consultation document, to help you decide which sections of the longer document you want to complete. We have also made accessible alternative versions, including an EasyRead version, of the summary document available as well as a separate Consultation Questionnaire, if you would like to complete a clerical version of the consultation.

This consultation is also available in alternate formats on request, including large print, braille, BSL and other languages. We are happy to receive responses in alternative formats, e.g. spoken responses, other languages etc. British Sign Language (BSL) users can contact us via [contactSCOTLAND-BSL](#)

Please contact us by email at [socialsecurityconsultation@gov.scot](mailto:socialsecurityconsultation@gov.scot) or telephone on 0131 244 7763 or in writing at Social Security Consultation, 5th Floor, 5 Atlantic Quay, 150 Broomielaw, Glasgow, G2 8LU to request an alternative version.

**We are also arranging an extensive programme of stakeholder events, which will take place after the consultation has been launched.** These will be organised in partnership with a range of representative groups and other organisations. We hope that these events will provide opportunities for as many people who want to take part as possible, to come along to an accessible, friendly event and have their say.

We will circulate details of these stakeholder events in our weekly newsletter which is sent out every Friday. If you would like details of our stakeholder events, you can sign up for our newsletter either by following this link - <http://register.scotland.gov.uk/Subscribe/Step1> emailing us using the email address above or by phoning 0131 244 7763.

You can view and respond to this consultation online at <https://consult.scotland.gov.uk/social-security/social-security-in-scotland>  
You can save and return to your responses while the consultation is still open. Please ensure that consultation responses are submitted before the closing date of **Friday, 28 October 2016**.

If you are unable to respond online, please send your response, along with the completed Respondent Information Form (which you will find at Annex B, at the back of the consultation document) to:

[socialsecurityconsultation@gov.scot](mailto:socialsecurityconsultation@gov.scot)

or

Social Security Consultation  
5<sup>th</sup> Floor  
5 Atlantic Quay  
150 Broomielaw  
Glasgow  
G2 8LU.

### **Handling your response**

If you respond using Citizen Space (<http://consult.scotland.gov.uk/>) you will be directed to the Respondent Information Form. Please indicate how you wish your response to be handled and, in particular, whether you are happy for your response to be published.

If you are unable to respond via Citizen Space, please complete and return the Respondent Information Form (which you will find at Annex B, at the back of the consultation document). If you ask for your response not to be published, we will regard it as confidential, and we will treat it accordingly.

All respondents should be aware that the Scottish Government is subject to the provisions of the Freedom of Information (Scotland) Act 2002 and would therefore have to consider any request made to it under the Act for information relating to responses made to this consultation exercise.

### **Next steps in the process**

Where respondents have given permission for their response to be made public, and after we have checked that they contain no potentially defamatory material, responses will be made available to the public at <http://consult.scotland.gov.uk>. If you use Citizen Space to respond, you will receive a copy of your response via email.

Following the closing date, all responses will be analysed and considered along with any other available evidence to help us. Responses will be published where we have been given permission to do so.

## Comments and complaints

If you have any comments about how this consultation exercise has been conducted, please send them to:

Chris Boyland  
5<sup>th</sup> Floor  
5 Atlantic Quay  
150 Broomielaw  
Glasgow,  
G2 8LU.

or

[socialsecurityconsultation@gov.scot](mailto:socialsecurityconsultation@gov.scot)

## Scottish Government consultation process

Consultation is an essential part of the policy-making process. It gives us the opportunity to consider your opinion and expertise on a proposed area of work.

You can find all our consultations online: <http://consult.scotland.gov.uk> Each consultation details the issues under consideration, as well as a way for you to give us your views, either online, by email or by post.

Consultations may involve seeking views in a number of different ways, such as public meetings, focus groups, or other online methods such as Dialogue (<https://www.ideas.gov.scot>)

Responses will be analysed and used as part of the decision making process, along with a range of other available information and evidence. We will publish a report of this analysis for every consultation. Depending on the nature of the consultation exercise the responses received may:

- indicate the need for policy development or review
- inform the development of a particular policy
- help decisions to be made between alternative policy proposals
- be used to finalise legislation before it is implemented

While details of particular circumstances described in a response to a consultation exercise may usefully inform the policy process, consultation exercises cannot address individual concerns and comments, which should be directed to the relevant public body.



## What happens next?

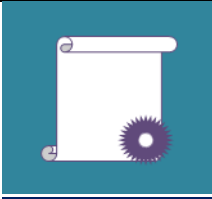
This consultation is an opportunity for people and organisations in Scotland to be involved in shaping our legislation. We have already announced that we will bring **Scotland's first social security bill to the Scottish Parliament next year.**

Between the end of the consultation period and the introduction of the bill, we will develop and draft our legislation. Outputs generated by the consultation and our stakeholder events will be taken into consideration during the development of both the bill and the secondary legislation (usually referred to as 'regulations') which will follow the bill. We aim to issue a report on this consultation process as early in 2017 as possible.

However, the consultation will not be the end of our engagement. We will continue to seek views and feedback, in the course of developing our policy proposals. For example, we hope to be able to consult and seek further feedback in the course of developing our secondary legislation which will follow the bill.

# **Consultation on Social Security in Scotland**

## **Part 1: A principled approach**



## 1. Fixing the principles in legislation

In Part 1 of this consultation document, we will talk about how we will develop a social security system that is based on a distinctively Scottish guiding vision and set of principles. We look at how our vision and principles can be reflected in the following ways:

- In our legislation;
- In our outcomes and the user experience;
- In deciding how to deliver social security benefits and services; and
- In addressing equality issues

We will also consider the role that independent advice and scrutiny can play, in keeping us to our promises and ensuring that we deliver what we say we will.

### **Our vision and principles**

In our paper, [A New Future for Social Security in Scotland](#)<sup>3</sup>, we set out our vision for social security in Scotland and our five key principles.

<p>Our Vision</p> <p><b>Social security is important to all of us and able to support each of us when we need it.</b></p>	<p>Principle 1.</p> <p>Social security is an <b>investment</b> in the people of Scotland</p>
<p>Principle 2.</p> <p><b>Respect</b> for the <b>dignity</b> of individuals is at the heart of everything we do</p>	<p>Principle 3.</p> <p>Our processes and services will be <b>evidence based</b> and <b>designed with the people</b> of Scotland</p>
<p>Principle 4.</p> <p>We will strive for <b>continuous improvement</b> in all our policies, processes and systems, <b>putting the user experience first</b></p>	<p>Principle 5.</p> <p>We will demonstrate that our services are <b>efficient</b> and <b>value for money</b></p>

<sup>3</sup> <http://www.gov.scot/Resource/0049/00496621.pdf>

We are pleased that many people and organisations in Scotland have now welcomed our vision. For example, a representative of the Scottish Council of Voluntary Organisations said, “We presented a strong message to the Scottish Government that we must use the new powers to build a fairer and stronger system which supports people when they need it most. It’s great to see that they listened and we look forward to seeing these principles be turned into [practice](#).<sup>4</sup>”

However we also recognise that, for the time being, the vision and principles are just words. The challenge which we must meet over the coming years is to turn those words into actions. This will not happen overnight. The transfer of social security powers to Scotland, while it is not as broad a transfer as the Scottish Government has argued for, still requires a large-scale programme of transition and implementation. This will be a challenge on a scale unlike anything experienced since devolution. We will be setting up – and running – a Scottish social security system that has to work in tandem to a UK social security system.

In doing this, we must make certain that no-one falls through the gaps. We are clear that our first and absolute priority is to ensure a smooth transition for everyone who looks to social security for help and support and who depends on the Scottish Government getting it right and paying the money they need to them, on time and at the right amount.

By the end of the process - when we have made our legislation, designed our systems and processes, opened our agency and started taking applications and making payments to people in Scotland – we will have gone a long way towards fulfilling that vision. At the same time, we will also have turned a corner, away from a social security system which many people say stigmatises and disempowers users, towards a future where social security in Scotland acts as a springboard to improve opportunities for everyone, providing protection and a safety net in times of need.

### **Fixing the principles in legislation**

We are considering ways in which we can support our principles through legislation. In this section, you will see two possible approaches to fixing principles, such as the right of the individual to be treated with dignity and respect, in legislation. We will explain these examples and ask for your views on whether we should adopt them, to underpin our new social security system in Scotland. This does not mean choosing the ‘best’ option. You may think that the best approach may be to adopt more than one option, if you think that the different approaches will work better together. We

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<sup>4</sup> John Downie; SCVO, Director of Public Affairs, writing for Third Force News - <http://thirdforcenews.org.uk/tfn-news/Scotland-to-create-a-fairer-social-security-system> (October 2015)

will also ask if you can tell us about any other approach that might support our principles through legislation. The two approaches that we have thought of are:

- A Claimant Charter
- Writing principles into legislation

### **Option A: A ‘Claimant Charter’**

We believe that the delivery of social security support and services in Scotland will require an implicit social contract between the Scottish Government and the people of Scotland. This means that the Scottish Government, its officials and its social security agency should commit to treating individuals claiming benefits in a certain way, in return for our staff being treated in the same way. Rather than just being implied or unwritten, this commitment could be set out in a claimant charter.

This could be developed on a similar basis to [The Charter of Patient Rights and Responsibilities](#)<sup>5</sup>. This Charter was suggested in response to the findings of a public consultation on patients’ rights and was introduced by the Patient Rights (Scotland) Act 2011.

The Scottish Government worked with Health Rights Information Scotland to develop the Charter, which is an information document that sets out what patients can expect when they use NHS services, and also details what the NHS in Scotland expects in return; to help it work effectively and make sure its resources are used responsibly. An advisory group provided guidance on the proposed format, and a detailed source document was produced, covering the full range of rights and responsibilities existing in legislation. Members of the advisory group were given the opportunity to comment on an early draft of the Charter. Thereafter, a period of user testing was carried out.

### **Option B: Writing principles into legislation**

Another approach which has been taken, to ensure that certain rights are protected including the rights to dignity and respect, is to write the principles into the legislation. Examples of this approach can be found in the [Tribunals \(Scotland\) Act 2014](#)<sup>6</sup> and the [Welfare Funds \(Scotland\) Act 2015](#)<sup>7</sup>.

When the Tribunals (Scotland) Bill was considered by the Scottish Parliament, the Parliament’s Justice Committee heard from groups such as the Child Poverty Action Group and Citizens Advice Scotland, who suggested that the Bill could contain principles which would “help guarantee openness, fairness and impartiality”<sup>8</sup>.

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<sup>5</sup> <http://www.gov.scot/resource/0039/00390989.pdf>

<sup>6</sup> <http://www.legislation.gov.uk/asp/2014/10/enacted>

<sup>7</sup> <http://www.legislation.gov.uk/asp/2015/5/contents>

<sup>8</sup> Justice Committee; [Stage 1 Report on the Tribunals \(Scotland\) Bill](#), para. 128

The Bill was amended to include a section<sup>9</sup> which required the Scottish Ministers, the Lord President and the President of Tribunals to have regard for the guiding principle that tribunal proceedings should be “handled quickly and effectively” and should be “accessible and fair”.

In a similar way, when the Welfare Funds (Scotland) Bill was considered by the Scottish Parliament, the Parliament’s Welfare Reform Committee gathered evidence from service users and their representative organisations. The Committee identified that one of the key themes running through all of the submissions and witness testimony was the danger that fund users would feel stigmatised. Third sector representatives emphasised the importance of maintaining dignity and respect when accessing the fund.

The Committee concluded that the Scottish Welfare Fund could be enhanced by outlining the importance of the principles of dignity and respect for users. The Scottish Government amended the Bill. When the Bill became an Act, it included a requirement in law<sup>10</sup>, for local authorities to take reasonable steps to ensure that those applying for assistance are treated with respect and that their dignity is preserved. This requirement was then carried forward into the Scottish Government’s published guidance which says that, “Local authorities should ensure that applicants applying for assistance are treated with respect and their dignity is preserved<sup>11</sup>”.

There are some key differences between the two approaches which we have identified. For example, it’s possible that we would be able to include more detail in a charter than we would be able to set out in legislation. A charter might be more accessible and more easily available for people to read and refer to than passages of legislation. On the other hand, writing the principles out in legislation might be easier to enforce in practice.

## Questions

**Which way do you think principles should be embedded in the legislation?**

- A. As a ‘Claimant Charter’?
- B. Placing principles in legislation?
- C. Some other way, please specify

If you think option A ‘ a Claimant Charter’ is the best way to embed principles in the legislation:

<sup>9</sup> Tribunals (Scotland) Act 2014; section 12, “Principle to be observed”

<sup>10</sup> Welfare Funds (Scotland) Act 2015; section 5, “Respect for, and dignity of, applicants for assistance”

<sup>11</sup> Scottish Welfare Fund – Statutory Guidance; <http://www.gov.scot/Resource/0049/00498598.pdf>, para. 4.1

**What should be in the Charter?**

**Should the Charter be drafted by**

- An advisory group?
- A wider group of potential user and other groups or organisations?
- Both
- Some other way, please specify.

**We are considering whether or not to adopt the name, “Claimant Charter”. Can you think of another name that would suit this proposal better? If so, what other name would you choose?**

**Do you have any further comments on the ‘Claimant Charter’?**

If you think option B ‘placing the principles in legislation’ is the best way to embed principles in the legislation.

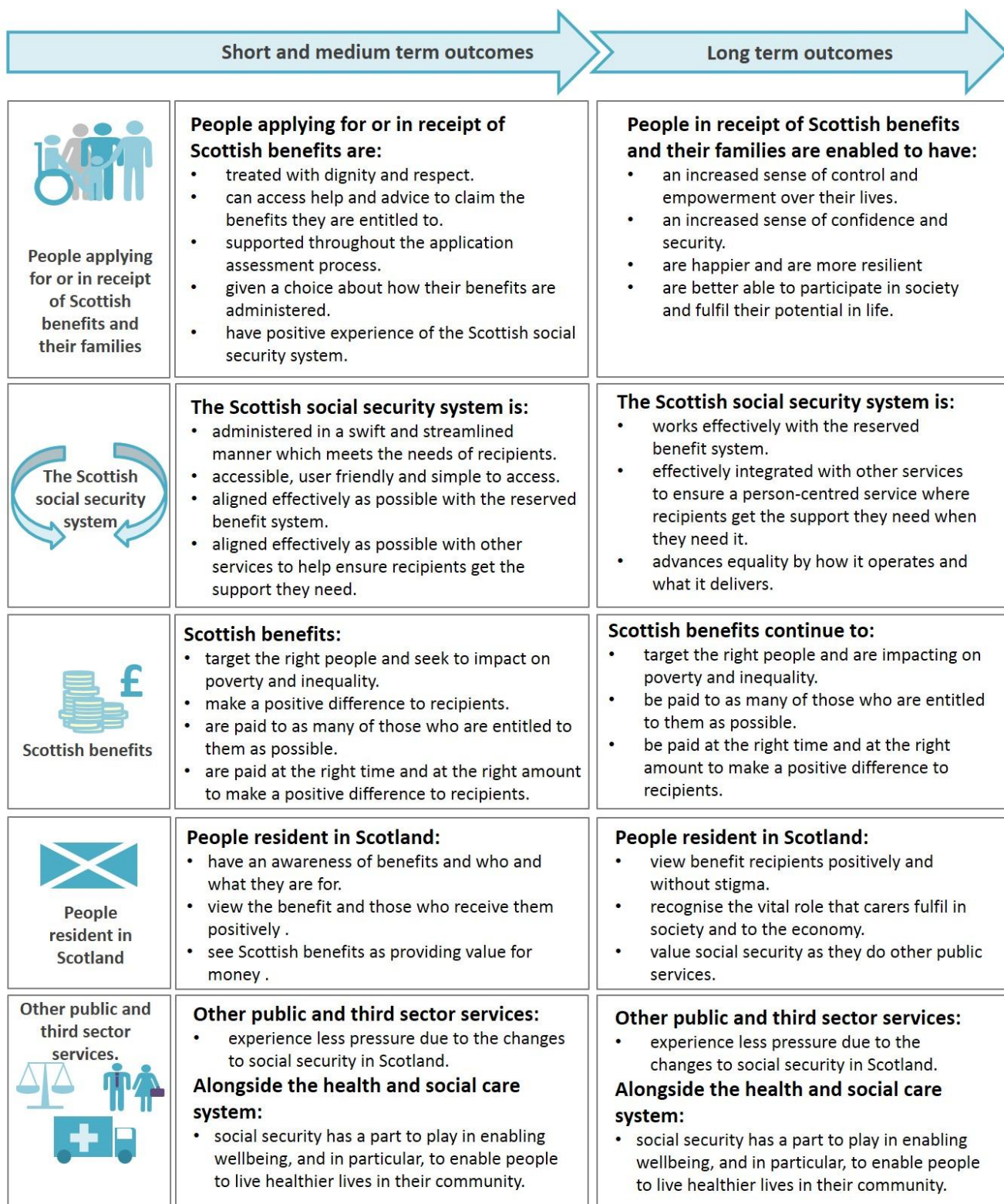
**On whom would you place a duty to abide by the principle that claimants should be treated with dignity and respect?**

- The Scottish Government
- The Scottish Ministers
- The Chief Executive of the Social Security Agency
- Someone else, please specify

**Do you have any further comments on placing principles in legislation?**

**Do you have any further comments or suggestions in relation to our overall approach, to fix our principles in legislation? For example, do you feel that there is no need to fix principles in legislation?**

**Please explain your answer?**







## 2. Outcomes and the user experience

In March, we published a paper called, "[The Strategic Case for Change and the Governance of Social Security in Scotland](#)"<sup>12</sup>, which included a set of short/medium and long-term outcomes. These outcomes will inform the development of social security in Scotland and help us to evaluate its functions into the future. In other words, this list of outcomes is a statement of what we want our system to achieve. Since March, further work across the Scottish Government and with external organisations has taken place which has informed a revised set of outcomes. **These are shown in the table on the previous page.**

### Questions

**Are the outcomes (shown in the table on the previous page) the right high level outcomes to develop and measure social security in Scotland?**

- Yes, please explain why
- No, please explain why

**Are there any other outcomes that you think we should also include (and if so, why?)**

### The user experience

As well as thinking about the outcomes we want to achieve, we are also considering the way in which we want to go about providing social security services in Scotland. We know from our '[Fairer Scotland' conversations](#)'<sup>13</sup> that the way in which existing organisations communicate with the individual can impact hugely on the user's experience and their wellbeing. The social security powers being devolved provide us with an opportunity to take a different approach.

The Scottish Parliament's Welfare Reform Committee, in its report on the [Future Delivery of Social Security in Scotland](#)<sup>14</sup>, recommended that all social security communications should be clear, accessible and written in plain English. Individuals should have the option to choose the method of communication that they were most comfortable with.

<sup>12</sup> <http://www.gov.scot/Resource/0049/00494859.pdf>

<sup>13</sup> <http://www.gov.scot/Resource/0047/00479666.pdf>

<sup>14</sup> [http://www.parliament.scot/S4\\_Welfare\\_Reform\\_Committee/General%20Documents/6th\\_Report\\_Future\\_Delivery\\_of\\_Social\\_Security\\_in\\_Scotland.pdf](http://www.parliament.scot/S4_Welfare_Reform_Committee/General%20Documents/6th_Report_Future_Delivery_of_Social_Security_in_Scotland.pdf)

How we communicate makes a difference. Users have told us that one of the key problems with the current system is the negative way it makes them feel. We are aware that, for many people, accessing support can feel difficult and disjointed, adding stress to what is already often a difficult situation. In order to address this, we will ensure that the language and tone that we use when communicating with people is respectful, considered and does not stigmatise. For example, we describe the powers that are being devolved to us as powers over ‘social security’ and not ‘welfare’. This distinction is intentional and important to us. We will work with users to ensure we use appropriate words, and challenge others to do the same.

We will also ensure that our processes and services are designed effectively to enable anyone who needs support to understand the system and access it in the way that best suits them. Modern IT systems could underpin a more sensitive approach to this. For example, existing data could be shared, to enable online interactions that are designed for ease of use and accessibility for applicants.

We are committed to involving people who receive the devolved benefits in the design, development and testing of new systems, to ensure the technology works well for the people who need to use it. We will follow the principles of the Scottish Government’s Digital First approach outlined in [Scotland Digital Future](#)<sup>15</sup> and those of [Inclusive Communications](#)<sup>16</sup>, to deliver our information services more effectively and ensure our information and guidance is accessible to all.

We will provide information in a range of accessible formats to help people understand the system and also ensure that the Scottish Government meets its statutory duties under the [Equality Act 2010](#)<sup>17</sup> and responsibilities under [the United Nations Convention on the Rights of Disabled People](#)<sup>18</sup> to guarantee that that disabled people are not disadvantaged by communication barriers.

An important term for us, in thinking about delivering a Scottish social security system is ‘co-production’. This is not a new term. The Scottish Government has actively promoted co-production in other areas such as health and social care for

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<sup>15</sup> <http://www.gov.scot/Resource/Doc/981/0114237.pdf>

<sup>16</sup> <http://www.gov.scot/Publications/2011/09/14082209/5>

<sup>17</sup> View the Equality Act 2010 at <http://www.legislation.gov.uk/ukpga/2010/15> contents for further information. You can download the Equality Act in Easy Read here: [http://www.equalities.gov.uk/equality\\_act\\_2010.aspx](http://www.equalities.gov.uk/equality_act_2010.aspx)

<sup>18</sup> View the UN Convention on the Rights of Persons with Disabilities at: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

View in Easy Read at: [www.equalityhumanrights.com/uploaded\\_files/publications/uncrpd\\_guide\\_easyread.Pdf](http://www.equalityhumanrights.com/uploaded_files/publications/uncrpd_guide_easyread.Pdf)

some time. However, because the devolution of social security to Scotland is new, this is the first time we will 'co-produce' social security systems and processes.

Co-production means enabling people to shape and co-design the services they use. It involves a process of on-going dialogue with service users and organisations, to achieve improved outcomes. There are some key principles of co-production, which are:

- People and communities who use services are actively involved in design and delivery choices and are recognised as having assets that can help improve those services
- People and communities are not viewed as passive consumers of services designed and delivered by someone else
- Service users act as catalysts for change through active engagement in identifying what services are needed and how they are designed and delivered
- Neither government nor citizens have all the resources needed to solve complex social problems on their own
- Individuals and communities bring a real-life understanding of complex issues and have the potential to make services more efficient, effective and responsive to community need
- Professionals, service users, families and communities are encouraged to join in active dialogue and engagement to achieve positive change

In order to co-produce social security services, we need to hear from users and people with real-life experience of the current system. That is why we will set up a range of social security 'user panels' made up of existing Scottish DWP claimants, to work with us as we design and develop a Scottish social security system. We will also consult prior to the publication of regulations and guidance and, in line with our Digital First approach, we will make sure information about how decisions are made is placed online. We intend to provide up-to-date information in a way that is responsive to the needs of service users and offers a more tailored service to deal with complex enquiries.

We have learned from the work of the Northern Ireland Social Security Agency (NISSA) that it is possible for devolved administrations to deliver benefits cost-effectively while, at the same time, providing a user experience which maintains high-levels of user friendliness and customer satisfaction. NISSA's approach focuses on communication via the telephone to ensure that application forms, letters and other information to provide clear and timely communication throughout all processes.

## Questions

**How can the Scottish social security system ensure all social security communications are designed with dignity and respect at their core?**

**With whom should the Scottish Government consult, in order to ensure that the use of language for social security in Scotland is accessible and appropriate?**

**Are there any particular words or phrases that should not be used when delivering social security in Scotland?**

Yes

No

Please state which words or phrases should not be used.

**What else could be done to enhance the user experience?**

- When people first get in touch
- When they are in the processes of applying for a benefit
- When a decision is made (for example, about whether they receive a benefit)
- When they are in receipt of a benefit

**How should the Scottish social security system communicate with service users? (For example, text messaging or social media)?**

**What are your views on how the Scottish Government can ensure that a Scottish social security system is designed with users using a co-production and co-design approach?**

**We are considering whether or not to adopt the name “User Panels”. Can you think of another name that would better suit the groups of existing social security claimants which we will set up?**



### **3. Delivering social security in Scotland**

In this section, we would like you to consider how we should deliver social security in Scotland. In the report which we published in March<sup>19</sup>, we said that:

“The social security system in Scotland can be seen to have a number of levels of delivery. This ranges from the governance of the entire system, the ‘back room’ delivery functions which will process applications and arrange for payments to be made etc. to the user interface where customers will interact with the system. This system is in the process of being appraised over two stages.”

The paper went on to report on our initial high level appraisal around the governance of social security in Scotland and the strategic case for change. It found that the governance body should have close links to Scottish Ministers and be flexible enough to respond as the social security landscape in Scotland unfolds.

Flexibility means having the capacity to expand and take on new work as well as being able to change to doing things in a different way. For example, in the event that further social security powers are devolved to Scotland sometime in the future, the agency will need to increase its resource and expand its services to take on these new responsibilities. A central agency with access to the wider resources of the Scottish Government family was seen as being able to deliver this flexibility. So, it seemed best for social security in Scotland to sit within the Scottish Government family in order that it might be able to draw upon the strengths and resources of the parent organisation, when needed.

On the basis of the evidence we gathered, the then Cabinet Secretary for Social Justice, Communities and Pensioners Rights, Alex Neil MSP, announced to the Parliament in a debate on 1 March that, “we intend, after having examined all the available options, to set up a new social security agency for Scotland<sup>20</sup>.” We now need to determine precisely what this agency does and how it works with existing public and third sector organisations in Scotland.

In time, our new social security system, operating as a single cohesive whole, with the agency at its heart, will deliver the outcomes which we described in the previous section. This means that, in the future, we will evaluate how well our Scottish social security system is working based on (for example) its ability to ensure that people receiving Scottish benefits are treated with dignity and respect as well as the other outcomes. This section seeks your views on the best way to deliver these outcomes.

<sup>19</sup> <http://www.gov.scot/Resource/0049/00494859.pdf>

<sup>20</sup> Scottish Parliament; Official Report, Meeting of the Parliament 1 March, col. 42

The Scottish Government has carried out a series of workshops with internal and external stakeholders. These workshops generated a list of core capabilities which must form part of the social security system in order to deliver the outcomes. (For example, the system must have the capability to make payments to claimants.)

However, the overall system, with the agency and these core capabilities embedded, could still deliver the outcomes in different ways. At one end of the possible spectrum, the system could be configured with the agency at the centre delivering all benefits, at the other end, the role of existing Scottish public sector organisations could be extended, where possible, to take on responsibility for social security.

To help us design the appropriate configuration for our Scottish social security system, we would like you to consider a Scottish social security system, with a new agency at its heart and then answer the series of questions set out below. These questions seek to gather evidence on peoples' preferences, in terms of the different ways in which the overall system could be configured.

Responses to this section will be used in of the second Stage of our appraisal of the options for delivery of social security in Scotland. Stage 2 of our options appraisal is on-going in parallel with this consultation exercise. A report on the outcome of this Stage 2 appraisal is expected to be published in early 2017, following the consultation. In that report, the Scottish Government will set out the evidence which it has gathered, on the most appropriate configuration for our Scottish social security agency and the wider system.

### Questions

**Should the social security agency administer all social security benefits in Scotland?**

Yes

No

Please explain you answer.

**Should the social security agency in Scotland be responsible for providing benefits in cash only or offer a choice of goods and cash?**

Yes

No

Please explain you answer.

**How best can we harness digital services for social security delivery in Scotland?**

**Should social security in Scotland make some provision for face to face**

**contact?**

Yes

No

Please explain you answer.

**Who should deliver social security medical assessments for disability related benefits?**

**Should we, as much as possible, aim to deliver social security through already available public sector services and organisations?**

Yes

No

Please explain you answer.

**Should any aspect of social security be delivered by others such as the 3<sup>rd</sup> sector, not for profit organisations, social enterprises or the private sector?**

Yes

No

If yes, which aspects?



## **4. Equality and low income**

**A partial Equality Impact Assessment (EqIA) has been developed to support the Consultation. This is available as an Annex, at the back of this document, and is ‘partial’ in the sense that it reflects our thinking to date. We now need your help and advice to produce a full and final EqIA to accompany the Social Security Bill.**

The EqIA provides detail on the Scottish Government’s engagement so far to understand the equality implications of the new social security powers. It then sets out general barriers people might face, many of which have equality implications, before discussing the individual benefits, including where we are proposing changes to existing UK benefits and how these impact on equality. There is also a brief discussion of the equality implications of the new social security agency and of appeals and tribunals.

The EqIA closes with a set of questions to enable a full EqIA to be developed once the consultation is complete and your feedback is received. These questions are set out below. However, these are not the only questions relevant to equality in this consultation – please feel free to reference equality concerns and considerations in your response to any question in this consultation.

Note that this partial EqIA also considers implications for households living on low incomes. This reflects the priority the Scottish Government places on tackling poverty and inequality, and reflects the introduction of a new socio-economic duty on public bodies in the near future. This will require public bodies to take account of socio-economic disadvantage in strategic decision-making.

### **Questions**

**How can the Scottish Government improve its partial EqIA so as to produce a full EqIA to support the Bill?**

These prompts could be helpful in framing your answer:

- What does the Scottish Government need to do, as it develops a Scottish social security system, to ensure that equality implications are fully taken into account?
- What does the Scottish Government need to do, as it develops a Scottish social security system, to ensure that any implications for those on low incomes are fully taken into account?



- Are there equality considerations for individual benefits that you would like to draw to our attention?
- Are there considerations about individual benefits for those on low incomes that you would like to draw to our attention?
- What are your views on how we can best gather equality information for the new Scottish benefits?
- What does the Scottish Government need to do to ensure that its social security legislation (including secondary legislation and guidance) aligns its vision and principles with equality for all those who need assistance through Social Security support?
- What does the Scottish Government need to do to ensure that a Scottish social security system provides the right level of support for those who need it, and what are the possible equality impacts of this?



## **5. Independent advice and scrutiny**

In our paper “[A New Future for Social Security in Scotland<sup>21</sup>](#)”, which we published in March, we said that:

“Once we implement our new powers, the Scottish and UK Governments will ‘share competence’ and both will be accountable for delivering elements of social security in Scotland. This will require new and innovative approaches to inter-governmental working, scrutiny and oversight. We believe that the work of our agency, and our social security policy choices, should be supported by independent, expert analysis and scrutiny – both of the impact that we are able to have on devolved areas of responsibility and of the impact that the UK social security system has in Scotland.”

In this section we will consider key points in relation to the independent, advice and scrutiny of our new Scottish social security arrangements.

### **Current arrangements**

At the present time, there are two independent, statutory UK social security advisory committees which scrutinise draft regulations and provide advice to DWP Ministers on social security matters. These two committees are:

- The Social Security Advisory Committee (SSAC)
- The Industrial Injuries Advisory Council (IIAC)

Members of both Committees are appointed by the Secretary of State for Work and Pensions and are drawn from representatives of business, employees, social security law, academia, and in the case of the IIAC, the scientific sector. Each committee is supported by a secretariat of DWP staff.

The UK Government has decided that, after devolution, the role of the SSAC and IIAC should remain unchanged and that both Committees should provide advice to UK Ministers and NISSA only. In the House of Lords debate on the Welfare Reform and Work Bill, Lord Dunlop (speaking for the UK Government) said that:

“The roles of the SSAC and IIAC are to remain unchanged. Scottish Ministers, however, will not be able to refer their draft regulations to these bodies for consideration. Once legislative competence has been given to the Scottish Parliament it may, if it wishes, put in place separate scrutiny bodies to consider

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<sup>21</sup> <http://www.gov.scot/Resource/0049/00497219.pdf>

legislative proposals made by the Scottish Government within the scope of the legislative competence and report back to Scottish Ministers.”

The UK Government’s position is that the UK and Scottish Governments would be best served by separate scrutiny bodies that can advise each government on their respective proposals. This means that the Scottish Parliament will be able to determine arrangements for the future scrutiny of social security in Scotland. These could include provision for a body to report independently to the Holyrood Parliament, in addition to advising the Scottish Ministers.

The Scottish Government wishes to consult with individuals and users on the way in which a Scottish social security scrutiny body might be set up. In considering these questions, it may be helpful to be aware of the way in which the Committees are currently established.

The existing UK Committees are set up on a statutory basis<sup>22</sup> and the Secretary of State for Work and Pensions has a duty in law, to refer proposals for changes to secondary legislation (regulations) to the Committees. Further details as to the operation of the Committees, how the Secretary of State should go about appointing members, the number of members, the length of time for which individuals may serve as members of the Committees, powers to reimburse Committee members and pay expenses and other practicalities are also set out in legislation<sup>23</sup>.

At present, the Committees assist DWP in the following ways:

- They scrutinise most of the proposed regulations that underpin the social security system and provide advice on them to the Secretary of State
- They provide advice and assistance, whether in response to a specific request or on their own initiative
- They respond to public consultation exercises, where appropriate
- They respond to specific requests for advice from ministers and officials
- They undertake detailed studies as part of their independent work programme providing comment on draft guidance and communications produced by DWP and HMRC

### **Proposals for independent scrutiny**

The Scottish Government has a good record of engaging positively with expert advisors on social security and welfare matters as it did when it formed the Expert Working Group on Welfare. We are now seeking views on whether there should be

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<sup>22</sup> See the [Social Security Administration Act 1992](#), sections 170 – 174

<sup>23</sup> See the [Social Security Administration Act 1992](#), Schedule 5

an independent body, however constituted, to provide expert analysis and scrutiny of our new Scottish social security arrangements.

Although the Expert Working Group was not set up on a statutory basis and did not scrutinise draft legislation, it was able to provide valuable insight and advice to the Scottish Government. It may be, therefore, that there is no need for a scrutiny body to be set up on a statutory basis - provided it is able to maintain positive relationships with the Scottish Government of the day and other relevant interest groups. Over time, custom and practice would also provide a degree of permanence as it would be difficult to disestablish an independent scrutiny body without good reason.

That said, the Scottish Government recognises that setting up an independent scrutiny body on a statutory basis sends a clear message to the membership of the body as well as other interest groups, that the body's constitution and permanence is assured. It is less clear, however, that the UK approach to fixing various practical arrangements for the operation of the existing SSAC adds value, particularly the way in which the SSAC remit, is fixed on the face of the Act by reference to a long list of legislation<sup>24</sup>, rather than the more general way that the remit of the IAC is described<sup>25</sup>.

### Questions

**Do you think that there is a need for an independent body to be set up to scrutinise Scottish social security arrangements?**

Yes

No

Please explain your answer.

**If you agree, does the body need to be established in law or would administrative establishment by the Scottish government of the day be sufficient?**

Yes

No

Please explain your answer.

**If yes, what practical arrangements should be made for the independent body (for example, the law could state how appointments to it are made and the length of time an individual may serve as a member of the body)?**

### Further considerations

<sup>24</sup> See the [Social Security Administration Act 1992](#), section 170

<sup>25</sup> See the [Social Security Administration Act 1992](#), section 171, which sets the remit by a general reference to industrial injuries benefit and its administration

There are also further questions to address such as: the role that an independent body could play in relation to the existing Committees of the Scottish Parliament, how it could tackle cross-border issues and how it could interact with the UK social security system. If the Government decides to set up an independent scrutiny body (whether it is established in statute or not), then it would propose to consult in more detail on these issues.

### Independent scrutiny of standards

Finally, in this section - in addition to scrutiny, we are exploring whether there might be a need for an independent function to oversee standards. In the past, DWP had a Decision Making Standards Committee, which reported to the Chief Executives of Jobcentre Plus, the Pensions Service and the Disability and Carers Service. The committee advised on the accuracy of reports, on standards of decision making, recommended improvements in decision making and considered specific issues on request. That body was abolished and the Administrative Justice & Tribunals Council (AJTC) took on the task, until it too was abolished. The AJTC also had a wider role across government.

### **Questions**

**Should there be a statutory body to oversee Scottish social security decision making standards?**

Yes                      No

Please explain your answer.

**If yes, should this be a separate body in its own right?**

Yes                      No

Please explain your answer.

**Do you have any other views about the independent scrutiny of social security arrangements in Scotland (e.g. alternative approaches)?**

# **Consultation on Social Security in Scotland**

## **Part 2: The Devolved Benefits**

## Part 2: Devolved Benefits

In Part 1 of this consultation document, we talked about the Scottish social security system overall. In Part 2, we would like to discuss powers over specific benefits which will transfer to Scotland. We will refer to these as the 'devolved benefits'. We understand that, when thinking about a new Scottish social security system, many people will think first and foremost about how this will affect the benefits that they currently receive. That is why we want to be clear, in relation to all of the devolved benefits, what we are considering and how we will take people's views into account.

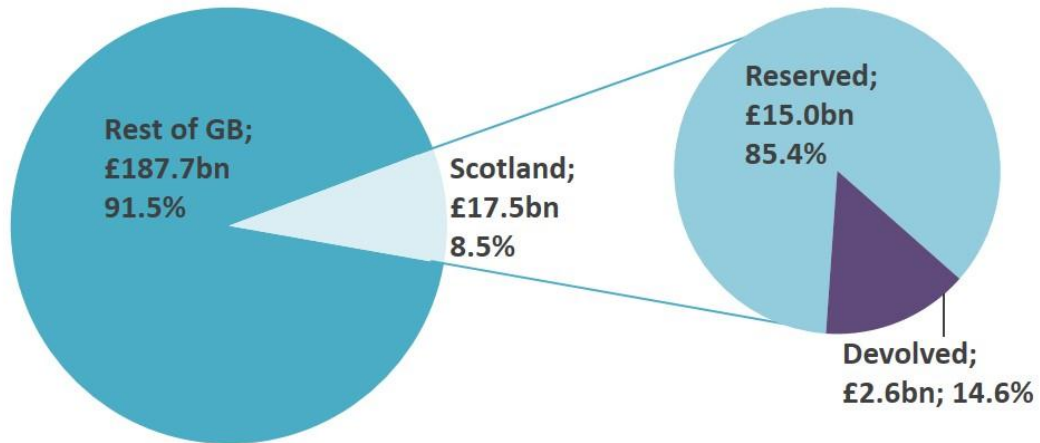
It may be helpful to bear in mind that the devolved benefits only represent a part of the overall social security system in Scotland. DWP will continue to administer a number of benefits in Scotland on behalf of the UK Government. There are currently no plans for the following benefits to be devolved to Scotland:

- **Universal Credit** (which replaces Jobseeker's Allowance, Income Related Employment Support Allowance, Working Tax Credits, Child Tax Credits, and Housing Benefit)
- **State Pension and Pension Credit**
- **Contributory Employment Support Allowance**
- **Child benefit**
- **Maternity and Paternity Pay**

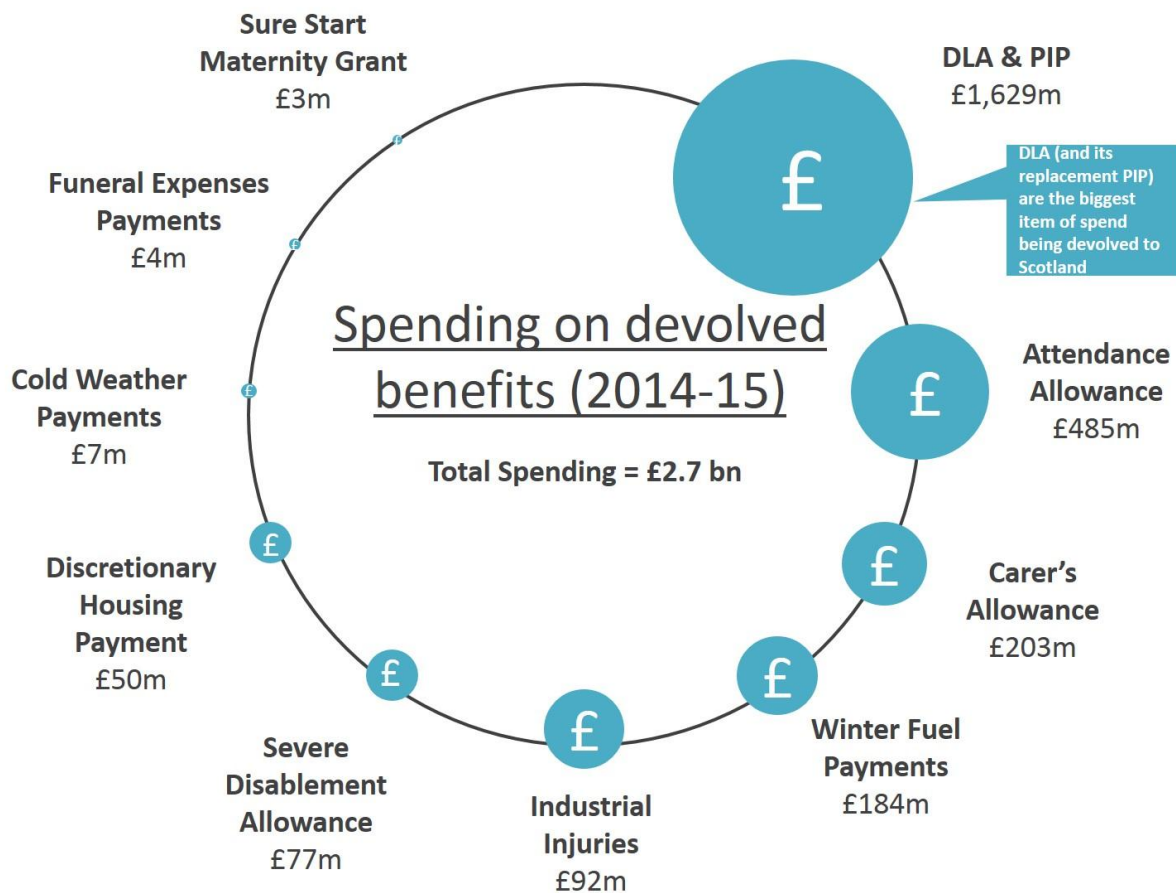
Powers are being devolved over the following benefits:

- **Ill Health and Disability Benefits** which means - Disability Living Allowance (DLA), Personal Independence Payment (PIP), Attendance Allowance (AA), Severe Disablement Allowance (SDA) and Industrial Injuries Disablement Benefit (IIDB)
- **Carer's Allowance**
- Sure Start Maternity Grants (which we propose should be replaced by the **Best Start Grant**)
- **Funeral Payments**
- **Cold Weather Payments and Winter Fuel Payments**
- **Discretionary Housing Payments**
- Some powers in relation to **Universal Credit** (i.e. to split payments between household members)

The Scottish Government also proposes to introduce a new **Job Grant** for young people, who have been unemployed for more than 6 months, and who are entering the labour market.



The UK Government currently spends around £18 billion on social security benefits in Scotland every year. The diagrams below show that the devolved benefits only account for about £2.7 billion or 15% of this spending. The remainder (£17.9 billion or 85%), remains under the control of the UK Government.





As we have made clear in Part 1 of this document, a safe and secure transition of payments is our priority. Around 1.4 million people in Scotland will be entitled to claim one or more of the devolved benefits. These people must not be caught in the middle of a transition from DWP to the Scottish Government and they absolutely must be able to depend on us to get it right and get their benefits paid to them on time, every time.

Our first and guiding priority will be ensuring a smooth transition for people receiving benefits, particularly disabled people and carers. This will be reflected in the approach we take, the changes we make and the timescales we set. In the sections to follow, we will outline how each of the existing schemes currently operates and then we will ask you - as users, practitioners and community representatives – to tell us about the different ways in which we can develop the existing schemes further and make improvements.

We will continue to engage with users in various ways (for example, via user panels, face-to-face events, bi-lateral meetings with representative groups, round table discussions and digital engagement). This will enable us to consider fully the potential impact of policy decisions, in particular how the devolved benefits interact with reserved benefits and the wider Scottish social security landscape and related policies. It will also enable a mature discussion about priorities and what will produce the best outcomes given the tight fiscal environment in which we currently operate.

We hope that you will see the questions in Part 2 as an invitation – to actively take part in designing and shaping Scotland’s new, devolved benefits. As well as publishing this document itself, we are running a series of events, to enable users to meet with us and tell us more about their experiences, their ideas and their ambitions for social security in Scotland. There is more information about these events in the section, “[Responding to the consultation](#)”. We hope that as many of you as possible will be able to join us and we look forward to hearing your views.

**Part 2 may be relevant to anyone with an interest in any of the devolved benefits and we are keen to hear your views on our proposals. Once you have considered this section you may also be interested in Part 3, where we look at the over-arching framework for the Scottish social security system. We would be grateful if you could also take the time to read through and answer the questions in that section as well.**

**Please note that discussion of the equality implications of these benefits is set out in the Partial Equality Impact Assessment (EqIA) that is attached as a separate Annex to the consultation document.**



## **6. Disability Benefits**

### **Summary**

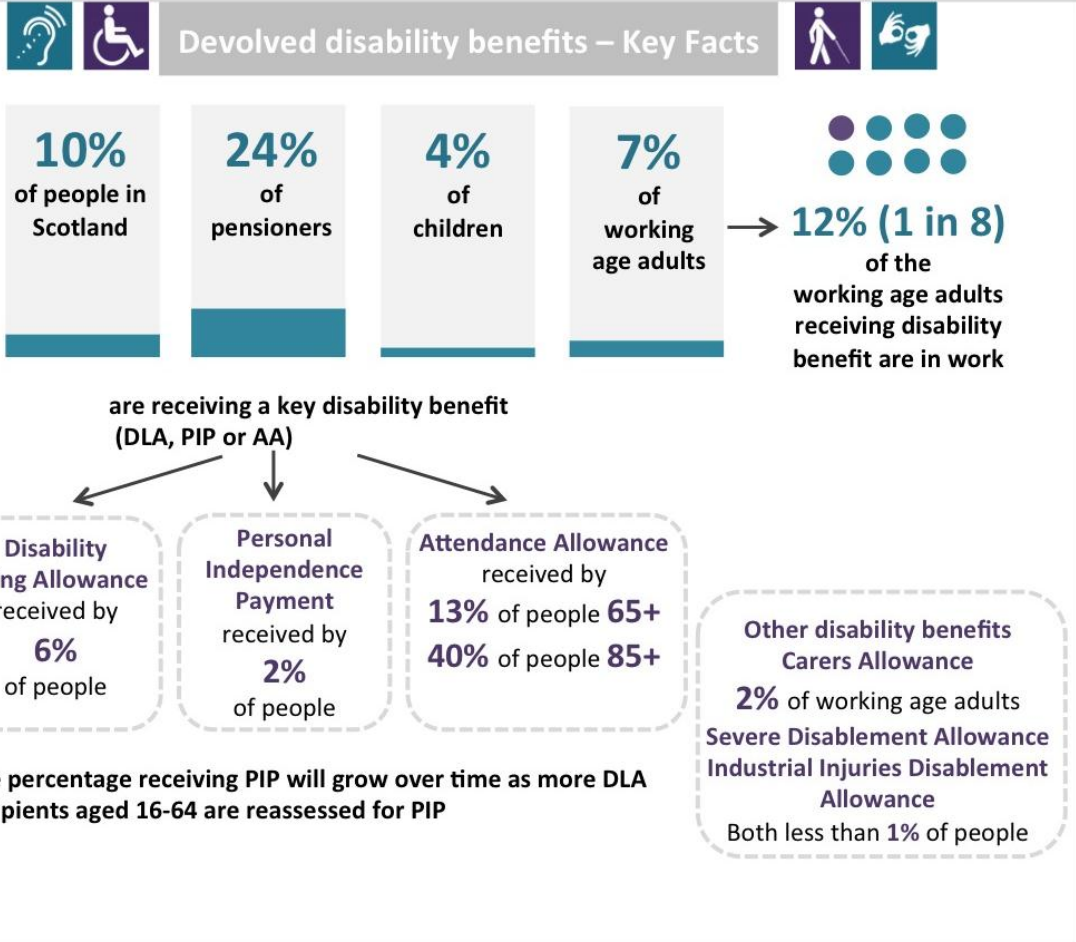
- In this section, we will seek your views on the operation of the existing UK-wide disability benefits and ask you some questions which will help us plan the transfer of powers over these benefits to the Scottish Government.
- The Scottish Government is committed to maintaining the current level of disability benefit payments once the powers have been transferred.
- A secure and smooth transition is our priority, ensuring all recipients continue to receive their benefits. Over the longer term, we will reform aspects of the devolved disability benefits, working in partnership with disabled people and the organisations that support them.

### **Introduction**

The Scottish Government will receive powers to provide cash benefits for people with a disability, impairment or health condition and their carers. These powers are currently delivered in the UK through: Disability Living Allowance (DLA), Personal Independence Payment (PIP), Attendance Allowance (AA), Industrial Injuries Disablement Benefit (IIDB) and Carer's Allowance (CA). We will also take responsibility for Severe Disablement Allowance for those people still receiving it. Although remaining reserved, benefits the Scottish Government will be given the power to top up employment-related benefits or tax credits such as Employment and Support Allowance and Working Tax Credits.

### **Operation of existing benefits**

The diagram below illustrates some key facts about devolved disability benefits. You can find out more information about how these benefits currently operate and who receives them in Scotland at: <http://www.gov.scot/Topics/Statistics/Browse/Social-Welfare/SocialSecurityforScotland>.



**DLA, PIP** and **AA** are paid weekly to disabled people to help meet the additional costs of living with a disability, impairment or long-term health condition. DWP is gradually transferring people aged 16-64 from DLA to PIP. Once this transfer is complete: people aged under 16 will receive DLA, people aged 16-64 will receive PIP and people who become disabled at 65 or over will receive AA. Some people aged 16-64 are still being moved from DLA to PIP.

To be eligible for DLA or PIP, applicants must have personal care needs and/or difficulty with walking because of physical or mental health issues. AA is paid on the basis of personal care needs only.

**IIDB** differs from the other disability benefits because it provides financial support to people who have become ill or disabled due to their work. IIDB is paid on a weekly basis to workers who are injured or who develop certain “prescribed diseases” through work, such as certain asbestos-related cancers. The amount paid varies according to the degree of disablement but it must be above a certain threshold. IIDB can be claimed alongside other disability benefits. **Questions on IIDB are at the end of this section.**

Over the past 12 months, we have gathered a wealth of information, views and

experiences on all aspects of ill health and disability benefits from people who receive the benefits, people who deliver them, and organisations that either represent recipients or have an interest in what the benefits look to achieve. We have also gathered evidence and reports from other bodies such as the [Scottish Parliament's Call for Evidence](#)<sup>26</sup> on the new powers, and reports from organisations such as [Citizens Advice Scotland](#)<sup>27</sup>, [Inclusion Scotland](#)<sup>28</sup> and [Engender](#)<sup>29</sup>.

We will continue to engage, listen and develop policy and practice that places our principles, including the commitment to dignity and respect, at the heart of the process as well as addressing the issues that we've been told about. We welcome insights on any area of our work that relates to disability benefits but especially: benefit coverage and eligibility criteria, the assessment process, awards, benefit administration, advocacy and support, whether disability benefits could be paid 'in kind' as an alternative to cash, and alignment with other policy and delivery areas. We will continue to consult and engage as we develop and refine our policy proposals.

### **Options for devolved disability benefits – DLA, PIP and AA**

The broad purpose of DLA, PIP and AA is to recognise the impact of living with a disability or health condition and the additional costs this can incur. Many people that receive benefits have told us that they want these benefits to continue to have this purpose.

The Scottish Government is committed to maintaining the level of the disability benefits paid to individuals, once the powers are transferred, and to raising them annually by at least the rate of inflation, using the [Consumer Price Index](#)<sup>30</sup> as a starting point.

We will not change current UK disability benefits policy without good reason and where there is a clear consensus and support for the existing arrangements. For example, we will replicate the special rules for people with terminal illnesses which establish an urgent approach to providing benefits without the need for the standard assessment process.

In the short term, a secure and smooth transition to devolved disability benefit payments, which ensures that transfer arrangements are well communicated and every recipient continues to receive their benefits, will be our priority. But we are

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<sup>26</sup> <https://www.parliament.scot/parliamentarybusiness/CurrentCommittees/90832.aspx>

<sup>27</sup> <http://www.cas.org.uk/spotlight/social-security-benefits>

<sup>28</sup> <http://inclusionScotland.org/welfare-reform-impacts-on-disabled-people-the-facts/>

<sup>29</sup> <http://www.engender.org.uk/gendermattersinsocialsecurity/>

<sup>30</sup>

<http://www.ons.gov.uk/economy/inflationandpriceindices/bulletins/consumerpriceinflation/previousReleases>

committed to improvements as soon as practicable. For example, a consistent theme that has emerged from our engagement with people over the past year has been that there should be a transparent and easy-to-access process of application, assessment/consideration<sup>31</sup>, decision-making and award for people claiming the benefits.

We want to make sure that the process from start to finish is clear and accessible, and that people understand how and when their claim will be dealt with. We are also looking at ways in which we can help lower costs for disabled people and carers. One way of doing this could be by looking to learn from the success of the Motability scheme. We would like to offer recipients the option to spend some their award on other services. For example, we have heard how disabled people face higher energy costs and we would like to offer discounted energy tariffs.

Additionally, we would like to explore whether more could be done on adaptations to the home. **These would be wholly voluntary offers and recipients of disability benefits would be free to continue to receive a cash award if they wished.** We envisage these options providing disability benefits recipients with additional choices, rather than replacing access to existing schemes that exist around adaptations and energy measures.

We also have bold aspirations for the longer term. For example, we want to ensure that disability benefits work as effectively as possible with other devolved services such as health and social care and housing, and to explore the potential for a 'whole life' disability benefit that is responsive to people's needs at different stages of their lives.

## Questions

**Thinking of the current benefits, what are your views on what is right and what is wrong with them?**

### **Disability Living Allowance**

What is right with DLA?

What is wrong with DLA?

### **Personal Independence Payment**

What is right with PIP?

What is wrong with PIP?

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<sup>31</sup> Where we use the phrase assessment, we mean some form of appraisal of eligibility, wherever possible this will not be conducted on a face-to-face basis.

## **Attendance Allowance**

What is right with AA?

What is wrong with AA?

**Is there any particular change that could be made to these disability benefits that would significantly improve equality?**

**How should the new Scottish social security system operate in terms of:**

- A person applying for a disability related benefit
- The eligibility criteria set for disability related benefits
- The assessment/consideration of the application and the person's disability and/or health condition
- The provision of entitlements and awards (at present cash payments and the option of the Motability Scheme)
- The review and appeal process where a person isn't content with the outcome

We want to make sure that the process is clear and accessible from start to finish, and that people claiming devolved benefits understand how and when their claim will be dealt with.

**With this in mind, do you think that timescales should be set for assessments and decision making?**

Yes

No

Please explain your answers

## **Evidence**

There will always be a need for medical and other evidence (such as evidence from social care or the education service) to support the application and assessment/consideration process for disability benefits. We recognise that medical evidence, including people's medical records must be protected. In Part 3 of this consultation, we talk more about "[Protecting your personal information](#)" and discuss sharing information, between public sector organisations, to support the delivery of social security services in Scotland.

We are also highlighting this, in this section, because, sharing information between public sector organisations could offer significant advantages to the application process for Scottish disability benefits. These advantages could include: reducing the burden on applicants, as information could be used from other public sources

(such as NHS Scotland) to pre-populate application forms, and developing a more integrated and efficient approach to delivering services.

## Questions

**What evidence and information, if any, should be required to support an application for a Scottish benefit?**

Who should be responsible for requesting this information?

Who should be responsible for providing it?

Please explain why

**Should the individual be asked to give their consent (Note: consent must be freely given, specific and informed) to allow access to their personal information, including medical records, in the interests of simplifying and speeding up the application process and/or reducing the need for appeals due to lack of evidence?**

Yes

No

**If no, please explain why**

**If the individual has given their permission, should a Scottish social security agency be able to request information on their behalf?**

Yes

No

**If no, please explain why**

## Proposals for eligibility

Eligibility for disability benefits, as they are currently structured, is determined by taking the care (or daily living) and mobility needs of an individual as proxies for the impact of their condition and the additional costs they are likely to incur. For DLA and AA, the criteria are based on broad definitions of care, and for DLA mobility, whilst the criteria for PIP have specific descriptors relating to the impact of disability or ill health. Awards for AA are for care/daily living only and there is no mobility component. Awards for DLA and PIP can be made for care/daily living needs arising from the impact of the impairment and/or for mobility needs. IIDB on the other hand, is focused on where a person becomes injured or contracts a condition, in addition to the disability or condition itself.

Entitlement differs across the age range, and those under 16 (DLA), of working age (PIP), and over the state pension age (AA), are entitled to different benefits. There are also other rules for care home stays and hospital stays, which determine how long people can stay in these places before their benefits are suspended. For people who have been certified by a medical professional as having less than six months to live, special rules mean they automatically qualify for some elements of PIP, AA or DLA.

### Questions

**Do you agree that the impact of a person's impairment or disability is the best way to determine entitlement to the benefits?**

Yes

No

If yes, which aspects of an individual's life should the criteria cover and why?

If no, how do you suggest entitlement is determined?

**Currently there are only special rules for the terminally ill but should there be others?**

Please explain why

How could this be determined?

We are considering the feasibility of introducing 'automatic entitlement' for disability-related awards. This means that people with certain conditions, which meet the eligibility criteria because their condition is particularly severe or it will have a significant impact on the individual, would receive benefits without the standard application and assessment. This is a complex matter that would require consideration over the longer term, with specific input from medical professionals and from people with direct experience of conditions.

### Questions

**What do you think are the advantages and disadvantages of automatic entitlement?**

**Would applicants be content for their medical or other publicly-held records, for example prescribing and medicines information or information held by HMRC, to be accessed to support automatic entitlement where a legal basis existed to do this?**

Current DWP practice is to provide a separate and fast-tracked approach to



providing benefits to people with terminal illnesses. The process focuses on speed and simplicity, with commitments within PIP and AA to process cases through a separate and concise application process, to provide benefits to people that are eligible within 14 days of application, and to remove the need for a face-to-face assessment by establishing the necessary information from GPs.

### Questions

**Do you agree that the current UK-wide PIP and AA process for supporting people with terminal illnesses is responsive and appropriate?**

Yes

No

If yes, should this approach be applied to all disability-related benefits for people with a terminal illness?

If no, how could the approach be improved?

**Should there be additional flexibility, for example, an up-front lump sum?**

Yes

No

Please explain your reasons.

### 'Whole of life' approach

In the longer term, we want to make sure that our devolved Scottish social security system is responsive to the different needs that people will have at different times in their lives. We have heard that transitions from one benefit to another (for example, the move from DLA to PIP at age 16) can be challenging, and we are looking at options to improve the process.

Before the introduction of PIP, DLA was available for children and working-age adults, with largely the same criteria in place for both age groups. Also, the eligibility criteria for the lower and higher rates of AA are largely the same as the eligibility criteria for the middle and higher rate care component of DLA.

A single benefit across the age range could remove age-related requirements for people to re-apply for a different benefit. For example, it might not be necessary for everyone to apply for a new or different benefit when they reach a specific age. A whole-of-life approach would allow a more person-centred approach to reassessments and potentially offer a secure and more flexible benefit for disabled people.

### Questions

**In the longer term, do you think that the Scottish Government should explore the potential for a consistent approach to eligibility across all ages, with interventions to meet specific needs at certain life stages or situations?**

Yes

No

Please explain why

**What would the advantages and disadvantages of a single, whole-of-life benefit be?**

### Proposals for assessments

Different benefits have specific criteria in order to address different issues. This is why the current DWP system adopts different approaches, in order to determine whether a person is eligible or not and to make a decision on the level of their award. For example, for DLA and AA, decision makers in DWP make judgements based on the application form and other supporting evidence. For PIP a face-to-face assessment by an independent professional using detailed descriptions and 'points' is the norm.

We intend to design a Scottish assessment process which is robust and person-centred, which treats people with dignity and respect, and which embeds compassion and support into the system and the day to day culture. That is why the Scottish Government will look to reform assessment procedures, minimising the number of face-to-face assessments where possible and ensuring assessments work for service users. As we say elsewhere in this document (For example, in the section on The User Experience in Part 1) - modern IT systems can underpin a more sensitive approach to this, from the potential for existing data to be shared, to online interactions that are designed for ease of use and accessibility for applicants.

### **Questions**

**Could the current assessment processes for disability benefits be improved?**

Yes

No

Please explain how

**For those people that may require a face-to-face assessment, who do you think should deliver the assessments and how?**

For example, private organisation, not-for-profit organisation, public sector body or professional from health or social care.

**What are the advantages and disadvantages of different types of assessments?**

e.g. paper based, face-to-face, telephone

**How could the existing assessment process be improved?**

**Could technology support the assessment process to promote accessibility, communication and convenience?**

**Yes**

**No**

Please explain why

**If yes, please explain what technology would be helpful**

e.g. Skype, video conferencing

### **Proposals for awards**

Scottish Ministers are committed to introducing long-term awards for conditions that are unlikely to change, across all disability benefits. This would remove the need for unnecessary re-assessments, which are often distressing and frustrating for people whose circumstances are unlikely ever to change, and for their families. For such awards we could include the expectation that if there is a change, the claimant has a responsibility to inform the social security system. However, we need to strike the balance between lengthy awards and ensuring we have a flexible system that recognises the role of medical advances and that conditions can fluctuate.

### **Questions**

**If the individual's condition or circumstances are unlikely to change, should they have to be re-assessed?**

**Yes**

**No**

Please explain why

**What evidence do you think would be required to determine that a person should / or should not be reassessed?**

**Who should provide that evidence?**

### **Alternatives to cash**

We know that people receiving disability benefits face higher costs for many daily essentials as a direct result of the impact of their disability. We are considering ways of providing optional alternatives to cash payments which could help meet some of these higher costs. Areas we are exploring include discounted energy tariffs, which could also be appropriate for carers, and adaptations to the home.

Careful consideration would be required as to how any initiatives such as these complemented existing provision. However, we are keen to explore ways of helping people reduce their costs, or access services they may not be able to access at the moment. Key to this would be making use of the Scottish Government's collective purchasing power to create a range of good value options. This is the model used in the Motability Scheme to provide affordable leased cars, scooters and powered wheelchairs to disabled people in exchange for their mobility allowance. The individual's right to choose between cash and any alternatives would be protected at all times.

### Questions

**Do you think people should be offered the choice of some of their benefit being given to provide alternative support, such as reduced energy tariffs or adaptations to their homes?**

**Yes**

**No**

Please explain why

What alternative support do you think we should be considering?

**Would a one-off, lump sum payment be more appropriate than regular payments in some situations?**

**Yes**

**No**

Please explain why

If yes, what are they?

**What would be the advantages and disadvantages of such an approach?**

### Mobility component

Receipt of the mobility component of DLA and PIP can allow recipients to access other services, such as the Blue Badge parking scheme, concessionary travel schemes and Motability. Motability is a [scheme, run by an independent charity](http://www.motability.co.uk/)<sup>32</sup> that enables disabled people to choose to use their higher rate mobility component to lease a car, powered wheelchair or scooter. Currently DWP diverts payments to Motability if requested to do so by a recipient. The scheme is highly regarded by those who use it and can often enable people to access employment and take part in other activities they might not otherwise be able to do.

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<sup>32</sup><http://www.motability.co.uk/>

Those already receiving DLA or PIP with the mobility component will continue to receive it beyond retirement age, but new claimants of retirement age need to apply for AA which does not contain a mobility component. This means that they cannot currently access the Motability scheme. The Scottish Government is currently considering how it might address this issue.

### **Questions**

**Should the new Scottish social security system continue to support the Motability scheme?**

**Yes**

**No**

Please explain why

**How could the new Scottish social security system support older people with mobility problems not eligible for a mobility allowance?**

**How could the new Scottish social security system better support people of all ages with mobility problems who are in receipt of a mobility allowance?**

### **Additional support**

Applying for and being assessed for disability benefits can often be a challenging process for people with particular health conditions and impairments. Even with an open and accessible social security system, featuring clear advice and application processes, some people will need additional support.

### **Questions**

**What kind of additional support should be available for people who need more help with their application and during assessment?**

Please also refer to the section in [Part 3](#) on Advice, Representation and Advocacy in relation to this issue.

### **Alignment with other devolved services**

Representative groups and people who claim disability benefits have said we could get better at joining up with other devolved services to share information already held to support their claims. As we have made clear elsewhere in this document, this can only be done where there is legislation underlying the collection of information, which allows it to be used for the specific purposes it is being requested for - for example, to support a disability benefit application. In the longer term, we also wish to ensure that the social security system works more effectively with other devolved services with the person at the centre.

## Questions

**How could disability benefits work more effectively with other services at national and local level assuming that legislation allows for this** e.g. with health and social care, professionals supporting families with a disabled child.

**How do you think this might be achieved?**

**What are the risks?**

## Industrial Injuries Disablement Benefit (IIDB)

This section focuses on issues which apply specifically to IIDB and its supplementary allowances such as Constant Attendance Allowance and the Reduced Earnings Allowance.

Some of the key legislation underpinning support for people who have suffered ill health and disability as a result of their work – employment, and some areas of health and safety legislation - remains the responsibility of the UK Government. However, there are opportunities to use the powers we do have to make significant improvements.

In our discussions over recent months, recipients and stakeholders have told us about a range of issues and opportunities with the current scheme. This includes:

- People with a range of diseases and disabilities receive IIDB. Some recipients contract life shortening diseases, such as asbestos related cancers. Some people have conditions which improve over time or which have a less severe impact
- Some stakeholders expressed the view that the awards given through the IIDB scheme are inequitable. This is because the benefit is paid on a weekly basis like a pension. Recipients suffering from terminal diseases who only receive the award for a short time may receive less overall than recipients who have less severe injuries or illnesses
- There is potential to better join up IIDB with wider disability benefits and services. Where appropriate, people in receipt of the benefit could be offered support to help them back to work, such as rehabilitation and training
- Questions over the list of 'prescribed diseases' - some people feel it is too restricted and focused on male dominated heavy industries
- Circumstances have changed significantly since the benefit was introduced in 1946 – workplace health and safety has improved, there is greater health and social care provision, and disability and income replacement social security benefits are available

## Questions

**If DLA and PIP help meet the additional costs of disability, what is the role of IIDB and its supplementary allowances (Constant Attendance Allowance, Reduced Earnings Allowance etc) in the benefits system?**

Please explain your answers

In addition to the issues set out above, please tell us:

**What is right with the IIDB scheme?**

**What is wrong with the IIDB scheme?**

Please explain your answers

**Should different approaches be taken for people with life limiting conditions compared to people with less severe conditions?**

Yes  No

What would be the advantages or disadvantages of such an approach?

**Are there situations where a one off lump sum payment would be more appropriate than a regular weekly IIDB benefit payment?**

Yes  No

What are they, and why? What would be the advantages and disadvantages of such an approach?

People have also told us that the scheme should promote safer work places, by linking it to risk based employer contributions and by using data from the scheme to inform health and safety activity. As we said at the start of this section, employment legislation and key parts of health and safety legislation remain the responsibility of the UK Government, so we will need to consider how to best address concerns about the scheme affected by these areas. It is worth noting that the UK Government plan to review IIDB as part of their Green Paper on disability and employment.

## Questions

**Should the Scottish Government seek to work with the UK Government to reform the IIDB scheme?**

Yes  No

If yes, what should be the priorities be? What barriers might there be to this approach?

### **Severe Disablement Allowance**

Severe Disablement Allowance (SDA) was available to people unable to work for at least 28 weeks in a row because of illness or disability. It was closed to new applicants in 2001. The equivalent benefit available now is Employment Support Allowance (ESA) which is not being devolved, and working age recipients of SDA are being transferred onto ESA. It is our understanding that by the time this benefit is devolved there will only be a very small number of pension age recipients of SDA in Scotland. The Scottish Government intends to ensure that this group of people who are still receiving this benefit when the powers are transferred, continue to receive this level of award through Scotland's social security system.

### **Questions**

**Do you agree with the Scottish Governments approach to Severe Disablement Allowance?**

Yes

No

Please explain why





## 7. Carer's Allowance

### Summary

- There are around 759,000<sup>33</sup> unpaid adult carers in Scotland who fulfil a vital role in our society by caring for family, friends and neighbours, including people with multiple and complex needs.
- Caring can be a rewarding and positive experience for both carers and the cared for. However, it is also associated with poor psychological wellbeing and physical health, a higher risk of poverty, and often restricts opportunities to participate fully in society, including work and education.
- The Scottish Government is committed to increasing Carer's Allowance so that it is paid at the same level as Jobseeker's Allowance. That is almost an 18% increase and eligible carers will each get around £600 more a year. We will also consider the introduction of a Young Carer's Allowance to provide extra support for young people with significant caring responsibilities.
- We want to develop a Scottish Carer's Benefit which helps deliver positive experiences and outcomes for carers and is embedded in our wider carer's strategy. This has to be within the resources available and integrate with the wider social security system.

### Introduction

Carers make an immense contribution to our society by caring for family, friends and neighbours who are disabled or are in poor health. There are around 759,000 unpaid adult carers in Scotland providing care to one or more people – 17% of the adult population – and an estimated 29,000 young carers in Scotland aged under 16<sup>34</sup>.

Between them, carers save the Scottish economy over £10.8 billion per year<sup>35</sup>. However, only a small proportion of them - 67,050 - receive Carer's Allowance to help them look after someone with substantial caring needs. The Scottish Government is on record as having acknowledged the contribution that all of our

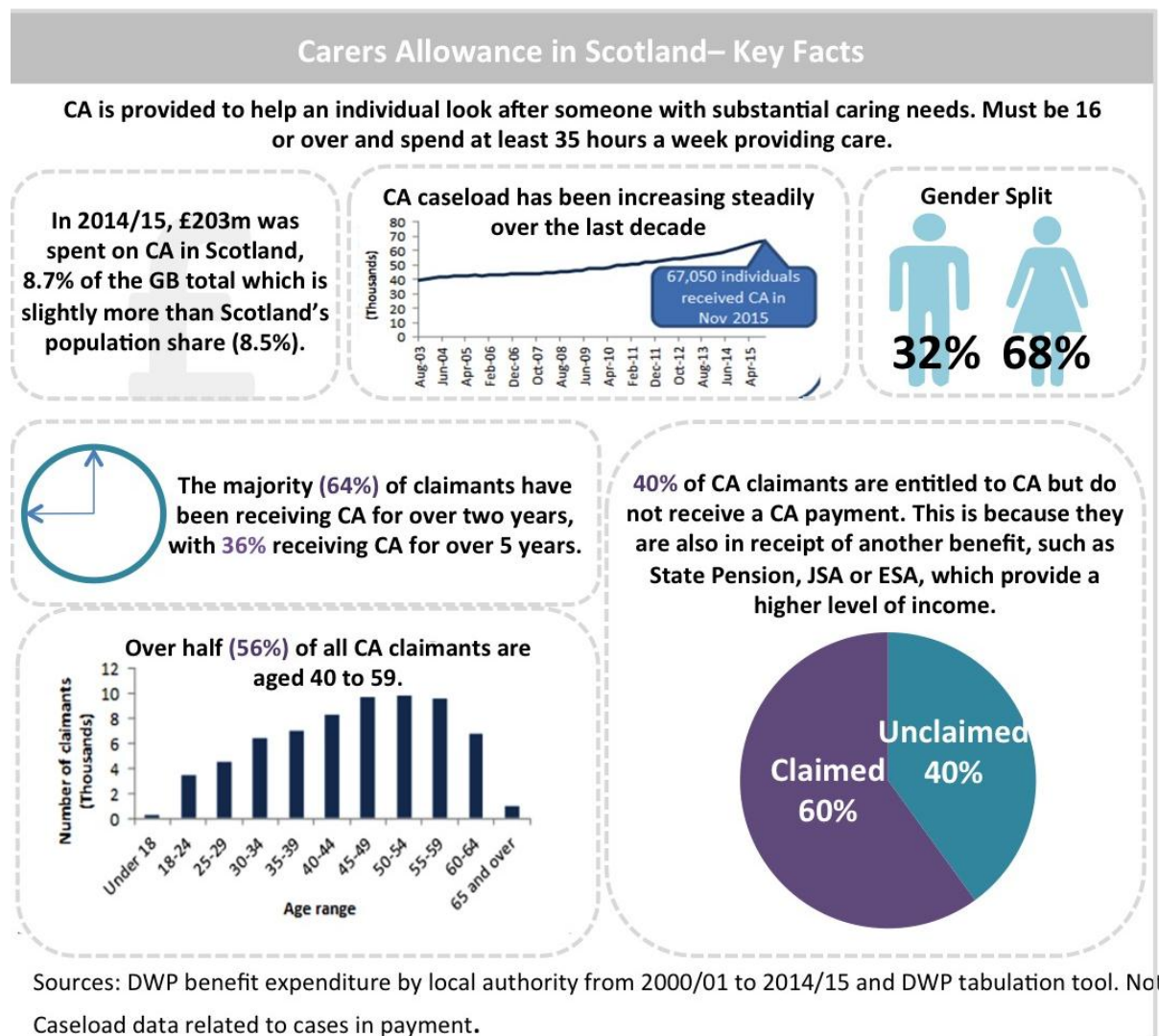
<sup>33</sup> Scotland's Carers - <http://www.gov.scot/Resource/0047/00473691.pdf>

<sup>34</sup> Scotland's Carers - <http://www.gov.scot/Resource/0047/00473691.pdf>

<sup>35</sup> Valuing Carers (2015):Carers UK - <http://www.carersuk.org/for-professionals/training>

carers make and we believe it is essential that they are supported in this role. The devolution of Carer's Allowance provides us with an opportunity to better recognise this through the benefits system and we are seeking your views on how we can ensure that this happens.

### Operation of the existing benefit



The current UK Government eligibility criteria requires a recipient to:

- be aged 16 or over
- spend at least 35 hours a week caring for a person who qualifies for specified disability benefits<sup>36</sup>
- not earn more than £110 per week (after deductions)
- not be in full-time education

<sup>36</sup> Personal Independence Payment - daily living component; Disability Living Allowance - the middle or highest care rate; Attendance Allowance; Constant Attendance Allowance at or above the normal maximum rate with an Industrial Injuries Disablement Benefit; Constant Attendance Allowance at the basic (full day) rate with a War Disablement Pension; Armed Forces Independence Payment

40% of people who are eligible for Carer's Allowance do not receive it because they are also in receipt of another income replacement benefit (known as the 'overlapping benefit rule') such as State Pension, contribution based Jobseeker's Allowance or Contributory Employment and Support Allowance which is paid at an equivalent or higher rate. However, carers on lower incomes with an 'underlying entitlement' to Carer's Allowance may receive an additional amount in the form of a premium or addition. This is extra money included in the calculation of means tested benefits such as Income Support and Pension Credit. People receiving Universal Credit, who are also caring for 35 hours a week, may also qualify for extra money (carer element). These additional payments remain reserved to the UK Government.

Carer's Allowance sits outside Universal Credit which also remains reserved to the UK Government, although the Scottish Parliament will receive new flexibilities for the frequency of Universal Credit payments and over housing costs for people who rent their accommodation.

There are a number of rules relating to the stopping and starting of Carer's Allowance. These include taking a break from caring, travelling abroad, if the person being cared for goes into hospital or residential care, or if the person being cared for dies.

The UK Government has imposed a cap on the total amount of benefit that working-age households can get. However, following a ruling by the High Court in November 2015, all of Carer's Allowance will be exempted from the benefit cap. The UK Government will introduce the exemption by regulations.

### **Proposals for a future Scottish carer benefit**

The UK Government pays Carer's Allowance at a rate of £62.10 per week. We believe that it is unfair that the support carers receive in the form of Carer's Allowance is the lowest of all working age benefits. We are committed to increasing Carer's Allowance for everyone aged 16 and over and in receipt of Carer's Allowance, so that it is paid at the same level as Jobseeker's Allowance (currently £73.10 per week for jobseekers aged 25 and over). That is almost an 18% increase, and eligible carers will each get around £600 more a year. The First Minister announced on 25 May 2016 that we will also consider the introduction of a Young Carers Allowance, to provide extra support for young people with significant caring responsibilities. The Scottish Government is committed to increasing Carer's Allowance to those looking after more than one disabled child.

Our ambition is to develop a Scottish Carer's Benefit which, through the new Scottish social security system, and although not a payment for care, provides some financial support and recognition for those who choose to, or who have had to give up or limit their employment or study because of caring responsibilities. It will be non-means tested. Although Carer's Benefit is, and will continue to be, a vital component of household income, we do not view it as a standalone policy. Our intention is to

embed it in our wider strategy for supporting carers set out in the Carers (Scotland) Act 2016. This twin-track approach will maximise the opportunity to deliver positive experiences and outcomes for carers.

### Questions

**Do you agree with the Scottish Government's overall approach to developing a Scottish Carer's Benefit?**

Yes

No

Please explain why

### Proposals for the short to medium term

To deliver our carer ambitions we propose a comprehensive package of actions covering the short, medium and long term, which recognises that we cannot do everything at once and takes into account existing financial constraints. This has been informed by discussions with representative groups, in particular the Carer Benefit Advisory Group, which includes National Carer Organisations, frontline practitioners and COSLA.

Scottish Ministers have already announced that they will implement the increase in Carer's Allowance as soon as practicable, taking into account financial, legal and delivery issues. There are no exact timescales yet, but we will keep everyone updated. The increase will apply to everyone in receipt of Carer's Allowance. It will not include those who are receiving only a carer premium, addition or element, as this remains reserved to the UK Government.

We have already begun to explore a Young Carer's Allowance. We are mapping financial and non-financial provision for young carers, and considering our evidence on the particular issues for and needs of younger carers. Some young carers are very well supported by young carers' projects and other services. However, others continue to face challenges to their health and well-being. The Carers (Scotland) Act 2016 will open up new possibilities for young carers. Young carers will, for the first time, have the opportunity to have their own Young Carer Statement to identify needs and support. We are determined that young carers can sustain their caring role, if they so wish, while having fulfilling life outside caring and access to opportunities that are the norm for other young people. Being a carer should not be a barrier to education and training, employment or personal development.

In the short to medium term, we will also focus on improving the carer's experience so that people are treated with dignity and respect, can easily access help and advice, and feel that the application process for Carer's Benefit is quick and user-friendly.

We will join up services more effectively so that carers can access a range of carer support and that Carer's Benefit works well with other devolved services such as health and social care, employment support and reserved benefits. This will provide a foundation for our longer term aspiration that services should be person-centred.

The [Carers \(Scotland\) Act 2016](#)<sup>37</sup> already makes provision for each local authority to establish and maintain an information and advice service, including income maximisation and education and training. We want carers to have the same opportunities as everyone else and it is important we support them to remain in work or study, if they choose, or return to work when their caring requirements change or cease and they are ready. Equally, we recognise that some carers are unable to work due to the extreme intensity of their caring responsibilities. Employment can have a positive impact on health and wellbeing and reduce financial pressures. We are already committed to expanding the '[Carer Positive](#)'<sup>38</sup> scheme for employers and employment will be a key issue for consideration in developing a new Scottish Carer's Benefit.

In the short to medium term, we will also look at the potential for alternatives to cash payments for carers to help reduce the costs of caring, for example reduced utility tariffs, complementing existing programmes and policies. These would be offered as a choice, rather than being the only option and would require exchange of some of the carer's allowance in return for an 'in kind' benefit.

## Questions

**Do you agree with our proposed short to medium term priorities for developing a Scottish carer's benefit?**

Yes

No

Please explain why

**How can we improve the user experience for the carer (e.g. the application and assessment process for carer's benefit)?**

**Should the Scottish Government offer the choice of exchanging some (or all) of a cash benefit for alternative support (e.g. reduced energy tariffs)?**

Yes

No

Please explain why

**What alternative support should be considered?**

**How can we achieve a better alignment between a future Scottish carer benefit and other devolved services?**

<sup>37</sup> <http://www.legislation.gov.uk/asp/2016/9/contents/enacted>

<sup>38</sup> <http://www.carerpositive.org/>

## Proposals for the longer term

The [Scotland Act 2016](#)<sup>39</sup> provides flexibility to change the definition of a carer for the purposes of paying a benefit<sup>40</sup>. We propose that any such changes are taken forward over the **longer term**. We are committed to working collaboratively with carers in a measured and considered way, to develop the policy in a manner that ensures the safe and secure transition from the existing UK benefits to new Scottish arrangements. For the reasons set out above, we will also be consulting separately, and in detail, on changing the definition of a carer. This will include the rules relating to the starting and stopping of Carer's Allowance. We have already held a wide variety of conversations, meetings, events and focus groups with users who have told us that:

- Carer's Allowance gives recognition to the important role that carers have in society
- It should continue to be non-means tested and paid directly to the carer
- The assessment process is reasonably clear
- The way that a carer is currently defined, for the purpose of paying a benefit, limits capacity to study or work
- It is unfair that Carer's Allowance is only received for one person even if you are caring for more people
- Many older carers find the replacement of Carer's Allowance with the State Pension when they reach pension age unjust

Through our Carer Benefit Advisory Group, and its short-life working groups, we have already embarked on the process of seeking views on options for changing the definition of a carer and the accompanying rules relating to the stopping and starting of the benefit. We need to consider fully the potential impact of policy decisions and what will produce the best outcomes for carers given the tight fiscal environment in which we currently operate. This programme of work will continue into 2017 and beyond.

### Questions

**Do you agree with our proposed long term plans for developing a Scottish Carer's Benefit?**

Yes

No

Please explain why

<sup>39</sup> <http://www.legislation.gov.uk/ukpga/2016/11/contents/enacted>

<sup>40</sup> Carers (Scotland) Act 2016 contains a definition of a carer, adult carer and young carer. This will remain even if the definition of a carer, for the purposes of paying a benefit, changes.

**Do you have any other comments about the Scottish Governments proposals for a Scottish Carer's Benefit?**



## 8. Winter Fuel and Cold Weather Payments

### Summary

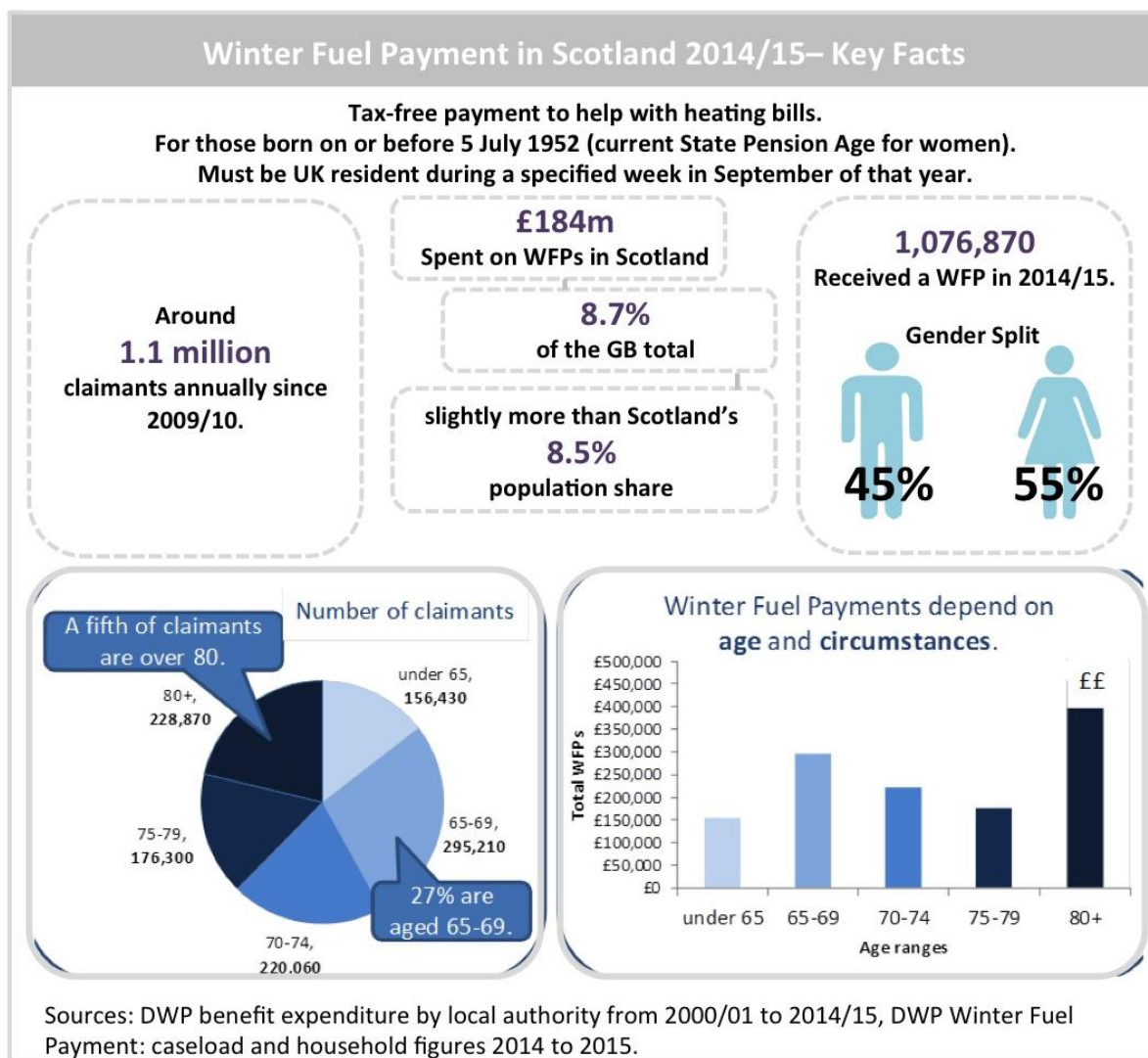
- The Winter Fuel Payment is a universal, annual tax-free payment made to pensioners to help towards their winter heating costs. In 2014-15 (the most recent statistics), over 1 million individuals received a Winter Fuel Payment in Scotland, with a total expenditure of over £180m.
- Cold Weather Payments are means-tested payments designed to help those on low incomes meet additional fuel costs during periods of cold weather. In 2015-16, there were an estimated 415,000 individuals eligible for Cold Weather Payments in Scotland with 119,000 actually receiving a payment and a total expenditure of £3.4m.

In this section, we will seek your views on what, if any, changes could be made to Cold Weather Payments and Winter Fuel Payments in order to tackle fuel poverty in Scotland more effectively. The Scottish Government has always been committed to reducing fuel poverty, which is why we have allocated over half a billion pounds since 2009, to make Scottish homes more energy efficient, and we have provided assistance to over 700,000 of the most vulnerable households in our society have, to help them heat their homes affordably.

Last year, we launched our new flagship national fuel poverty scheme – Warmer Homes Scotland. This new scheme, which is focussed on the installation of a wide range of energy efficiency and heating measures, is expected to help around 28,000 of the poorest and most vulnerable households, including pensioners and fuel poor families, across Scotland during its lifetime. Warmer Homes Scotland has been designed to ensure that customers are not disadvantaged because of where they live, so householders in Orkney and the Highlands and Islands will receive the same high quality service as those in the central belt.



## Current arrangements



41

## Winter Fuel Payment

The Winter Fuel Payment is a universal, annual tax-free payment made to pensioners to help towards their winter heating costs (though it is not tied to bills; recipients can spend it as they choose). People in Scotland born on or before 5 May 1953 are currently eligible for a tax-free payment of between £100 and £300. Most payments are made automatically between November and December. The age at which an individual becomes eligible changes every year and is linked to on-going changes in the State Pension Age.

In 2014-15 (the most recent statistics), over 1 million individuals in Scotland received a Winter Fuel Payment, with a total expenditure of over £180 million. Although the benefit operates as a pensions top-up, rather than being targeted at those in fuel

<sup>41</sup> <http://www.gov.scot/Resource/0049/00494410.pptx>

poverty, the estimated impact on the rate of fuel poverty for this amount of expenditure was about a one percentage point reduction.

Since winter 2012-13, people living in the European Economic Area (EEA) or Switzerland with a link to the UK are potentially eligible to receive a payment. From 2015-16, this was restricted to countries where the average winter temperature is warmer than the warmest region of the UK (South West England, where the average temperature is 5.6 Celsius).

### Cold Weather Payments

**Benefits currently part of the UK Government's Regulated Social Fund 2014/15 – Key Facts**

**Cold Weather Payments** – for those receiving certain benefits, for when the temperature is either recorded as or forecast to be an average of 0°C or below over 7 consecutive days.

**Funeral Expenses Payments** – for those on low income and needing help to pay for a funeral they are arranging.

**Sure Start Maternity Grants** – a one off payment of £500 to help towards the costs of having your first child. For individuals who are in receipt of certain benefits.

2014/15 expenditure (£millions)	GB	Scotland
Cold Weather Payments	11	7
Funeral Expenses Payments	44	4
Sure Start Maternity Grant	34	3

**Annual expenditure on Cold Weather Payments in Great Britain, 2004/05 to 2014/15.**

Sources: DWP Outturn & Forecast: Summer Budget 2015.

42

Cold Weather Payments are means-tested payments designed to help those on low incomes meet additional fuel costs during periods of cold weather. Eligibility is based on receipt of certain benefits (primarily Pension Credit and income-related

<sup>42</sup> <http://www.gov.scot/Resource/0049/00494410.pptx>

benefits where there is a disabled person or a child under five in the household).

Payments are made when local temperature is either recorded as, or forecast to be, an average of zero degrees Celsius or below over seven consecutive days.

Recipients will get a payment of £25 for each seven day period of very cold weather between 1 November and 31 March. Payments are issued within 14 working days of the temperature trigger.

In winter 2015-16, there were an estimated 415,000 individuals eligible for Cold Weather Payments in Scotland with 119,000 actually receiving a payment and a total expenditure of £3.4 million.

### **Options for Winter Fuel and Cold Weather Payments**

The Scottish Government is committed to extending Winter Fuel Payments to families with disabled children on the higher rate of DLA and to making early payments to households who live off the gas grid. Also, because Winter Fuel and Cold Weather Payments are both nominally fuel poverty-related benefits, we want to understand how they can be used to tackle fuel poverty more effectively. Both the independent, short-term Fuel Poverty Strategic Working Group and the Scottish Rural Fuel Poverty Task Force are considering, among other things, how these payments could be used to better tackle fuel poverty in Scotland.

Both of these expert groups are due to report later this year and their recommendations will inform a longer-term strategy for tackling fuel poverty. As well as their recommendations, we would welcome views on what, if any, changes should be made to either Winter Fuel or Cold Weather Payments.

In terms of Cold Weather Payments, we are aware that the current temperature threshold doesn't recognise weather conditions in certain parts of Scotland, for example wind chill factor. We would look to work with rural stakeholders and the Met Office to identify trigger points more suitable to Scottish conditions.

### **Questions**

**Do you have any comments about the Scottish Government's proposals for Winter Fuel and Cold Weather Payments?**

**Could changes be made to the eligibility criteria for Cold Weather Payments?**

For example, what temperature and length should Cold Weather Payments be made on in Scotland?



## 9. Funeral Payments

### Summary

- The DWP funeral payment is a grant for people on certain low income benefits who are responsible for paying for a funeral.
- We see the funeral payment as one of the ways to help tackle funeral poverty.
- We want to reach more people with the funeral payment to reduce the need for borrowing.
- We want to create a more predictable benefit, so that people can make better informed decisions when they are committing to paying for a funeral.
- We are seeking views on how you think this could be achieved.

Funeral payments are for individuals on low incomes who need help to pay for a funeral they are arranging.

There are well documented concerns about the existing funeral payment. More information can be found in our publication on [Creating A Fairer Scotland](#).<sup>43</sup> We propose to set up a new benefit which is more streamlined, predictable and better integrated with Scottish policy and services. We want to make payments faster so that people don't have to delay organising a funeral. The Scottish Government recognises the impact of rising funeral costs on families on low incomes and the long term impact this can have on their finances and how they experience their grief. We want to reach more people with the new funeral payment to reduce this burden.

In response to growing concern about rising funeral costs, the Scottish Government commissioned a review to identify opportunities for preventative work in relation to “funeral poverty” in Scotland and the roles that different organisations should take in this. The [Funeral Poverty Report](#)<sup>44</sup>, by John Birrell, chair of the Scottish Working Group on Funeral Poverty, and Citizens Advice Scotland, and the [Scottish Government response](#)<sup>45</sup> were published on 3 February 2016. The report found that

<sup>43</sup> <http://www.gov.scot/Publications/2015/10/3498/5>

<sup>44</sup> <http://www.cas.org.uk/publications/funeral-poverty>

<sup>45</sup> <http://www.gov.scot/Topics/People/fairerscotland/future-powers/Publications/FuneralPoverty>

the rise in funeral costs means that paying for a funeral can be a significant financial shock for some and there is a substantial shortfall between the cost of a funeral and what people can afford. The funeral payment cannot solve all of these problems. Building on the work in response to the review of funeral poverty, we will publish a funeral costs plan to tackle issues relating to the affordability of funerals. This will include considerations around introducing a funeral bond to help people save for their own funerals. A series of Ministerial round table events and a national conference on funeral poverty will inform the funeral costs plan. We have also set up a reference group to advise on the development of the funeral payment.

### Operation of the existing benefit

Benefits currently part of the UK Government's Regulated Social Fund 2014/15 – Key Facts			
<p><b>Cold Weather Payments</b> – for those receiving certain benefits, for when the temperature is either recorded as or forecast to be an average of 0°C or below over 7 consecutive days.</p> <p><b>Funeral Expenses Payments</b> – for those on low income and needing help to pay for a funeral they are arranging.</p> <p><b>Sure Start Maternity Grants</b> – a one off payment of £500 to help towards the costs of having your first child. For individuals who are in receipt of certain benefits.</p>	2014/15 expenditure (£millions)	GB	Scotland
	Cold Weather Payments	11	7
	Funeral Expenses Payments	44	4
	Sure Start Maternity Grant	34	3
Sources: DWP Outturn & Forecast: Summer Budget 2015.			

The DWP funeral payment covers the costs for the purchase of graves and burial or cremation fees. The amount awarded to meet these fees is uncapped. The payment also covers up to £700 towards other costs associated with a funeral, such as a coffin, a hearse, funeral director fees, minister's fees and flowers.

In order to be eligible for a payment you must be in receipt of one of the low income qualifying benefits and be considered responsible for the funeral. In order to apply you must take responsibility for the funeral and meet the DWP rules on your relationship with the deceased. An application should be submitted within 3 months from the date the death was registered, this needs to include evidence of the costs associated with the funeral including receipts.

The amount awarded can be recovered from the estate of the deceased. Any money put aside by the deceased to cover funeral costs, eg life insurance, pre-paid funeral plans, is deducted from the award. Deductions are also made for contributions, for example from family members.

There is very little data available on the funeral payment and it is difficult to make estimates going forward because, while we have estimates for overall death rates, it is not possible to predict the circumstances of the families who will be bereaved.

In 2014/15 there were 6,300 Scottish applications to the DWP Social Fund for a funeral payment and 4,300 of those resulted in an award. The average DWP funeral payment for the UK was £1,375.

**Proposals for Funeral Payment: What should the benefit cover?**

Depending on what format the benefit takes, we may need to decide which elements of a funeral are covered by the funeral payment. We would also find it useful to have your views on what a standard low cost funeral should include, to inform discussions on funeral costs.

**Questions**

**Which of these elements do you think should be paid for by the Funeral Payment?**

	YES	NO
Professional funeral director fees – advice and administration etc.		
Removal or collection of the deceased		
Care and storage of the deceased before the funeral		
Coffin		
Hearse or transport of the deceased		
Limousines or other car(s) for the family		
Flowers		
Death notice in a paper/local advertising to announce details of funeral (time and location)		
Fees associated with the ceremony e.g. for the minister or other celebrant		
Order of service sheets		
Catering for wake/funeral reception		
Venue hire for a wake/funeral reception		
Memorial headstone or plaque		
Travel expenses to arrange or attend the funeral		

**Are there other elements that you think should be included or explicitly excluded?**

Yes

No

Please explain why

## **Proposals for Funeral Payment: Eligibility**

The Scottish Funeral Payment will be for people on low incomes. The current benefit uses an award of certain benefits to determine that the claimant is on a low income. This means that the claimant does not have to fill in information about their income and administrative staff can easily make the necessary checks. At the moment qualifying benefits are:

- Income Support
- Income-based Jobseeker's Allowance
- Income-related Employment and Support Allowance
- Pension Credit
- Housing Benefit
- The disability or severe disability element of Working Tax Credit
- Child Tax Credit (at more than the family element)
- Universal Credit

In some cases, deciding who is responsible for a funeral among family members is a matter of judgement. The DWP asks questions to find out whether the person who is applying for the funeral is the responsible person and whether there is someone else who could reasonably be expected to pay. We have heard that the questions asked to determine whether someone is estranged from the deceased are intrusive and distressing. The questions also make the application form very long and claimants may not have access to the information asked for, for example the financial status of other family members.

We are looking at ways to make this process less intrusive or to avoid having to make judgements about family relationships.

### **Questions**

**How can we improve the process for identifying whether someone is responsible for the funeral and should receive the funeral payment?**

**In terms of the Scottish Funeral Payment, are there any qualifying benefits (e.g. Pension Credit) that you would add to or take away from the current qualifying benefit list?**

Yes

No

Please explain your answer

## Proposals for Funeral Payment: Application window and process

Claimants must make an application for a funeral payment within 3 months of the date on which the death was registered.

### Questions

**Is the three month application window for a Funeral Payment sufficient time for claimants to apply?**

Yes

No

If no, please explain your answer and suggest an alternative length of time in which a claim could be made

## Proposals for Funeral Payment: Simplification

We have heard that the DWP funeral payment is complex and unpredictable. We are considering ways to simplify and speed up the payment. Recognising that one of the stresses caused in the process is delays in hearing about an award decision, we aim to process applications for the new benefit within ten working days of receipt of a completed application and make payments as soon as practicable thereafter. We believe that this will create more certainty for funeral directors, allowing them to give appropriate advice and potentially eliminating the need to take a deposit from those who make a successful application.

Some ways in which we might make the funeral payment more predictable are:

- Paying a fixed amount to contribute to funeral expenses rather than checking actual expenses with an upper limit. This would not include the costs for disposal of the body by burial or cremation, which would be dealt with separately
- A decision based on certain conditions being met, under which an claimant would be told that they would receive a grant at a later date, once they have submitted evidence e.g. a funeral director's bill
- DWP form DS1500 is used to identify people who have been diagnosed with a terminal illness. It fast-tracks applications for benefit. The form is used where a person is not expected to live longer than six months. We could allow people who have been issued with this form to apply for the funeral payment and receive a decision in principle on their case before they die. This may help them and their families to make plans
- An on-line eligibility checker for claimants, so that claimants can see whether they are likely to be eligible and what they are likely to receive if they get a payment. Eligibility checkers can be misleading if benefits are complicated



## Questions

**What are your views on the options for speeding up and simplifying the payment?**

## Proposals for Funeral Payment: Deductions

DWP makes deductions for contributions to funeral costs, eg. contributions from family members, funeral plans etc. We think that it is right that money that is available for a funeral contributes to the cost. However, we have heard that some claimants have been disadvantaged when contributions from friends and family have been deducted from the payment. We are therefore proposing that contributions from friends and families are not considered in Scotland.

## Questions

**The other funds which are deducted from the DWP funeral payment are listed below. What sorts of funds do you think it is appropriate to deduct from a Scottish FP?**

	YES	NO
Funds in the deceased's bank account		
Funeral plan/insurance policy		
Contributions from charities or employers		
Money from an occupational pension scheme		
Money from a burial club		

**Are there any other funds that you think are appropriate to deduct?**

## Proposals for Improving take up

We know that there is a patchy awareness of the funeral payment and that take up is low. It is important that people are able to access and receive the support that they are entitled to and are aware of the payment before they make decisions. We think that we can improve take up of the funeral payment by ensuring that it is promoted by services that people commonly come in to contact with, for example, registrars and bereavement services.

## Questions

**Which services should promote awareness of the funeral payment to ensure that claimants know about it at the relevant time?**

**Are there any other points that you would like to raise in connection with the new Scottish Funeral Payment?**



## 10. Best Start Grant

### Summary

- This section will discuss the new Best Start Grant, which will replace the existing Sure Start Maternity Grant.
- The support provided through the Best Start Grant will play an important part in reducing inequalities and will help close the gap in educational attainment.
- Our aim is to design a benefit that is easy to access and that provides effective support to families at key transitions in the early years, as part of a wider package of early years support.
- We will use this section to explore the important decisions to be made in designing the new benefit and consider the various options available.

We will replace the current Sure Start Maternity Grant (SSMG) with a new, expanded Best Start Grant (BSG<sup>46</sup>). The new BSG will pay qualifying families £600 on the birth of their first child and £300 on the birth of any second or subsequent children. Qualifying families will also receive £250 when each child begins nursery, and a further £250 when they start school. The support provided is staggered and each payment has a different focus for giving children the best start in life. For a family with two children, the BSG means £1900 worth of support over the period of their early years, compared to £500 that is available to them now from the SSMG.

The Scottish Government recognises that the earliest years of life are crucial to a child's development and affect inequalities in health, education and employment opportunities later in life. We are committed to reducing these inequalities and aim to give every child in Scotland the best start in life by identifying and reducing the factors that cause inequality at an early stage. Our approach will involve a combination of universal support, such as the new baby box, and elements of targeted support for low income families, such as the BSG. The BSG will give families on low incomes some additional money when their children make transitions in the early years, adding to the family budget and avoiding the need for borrowing.

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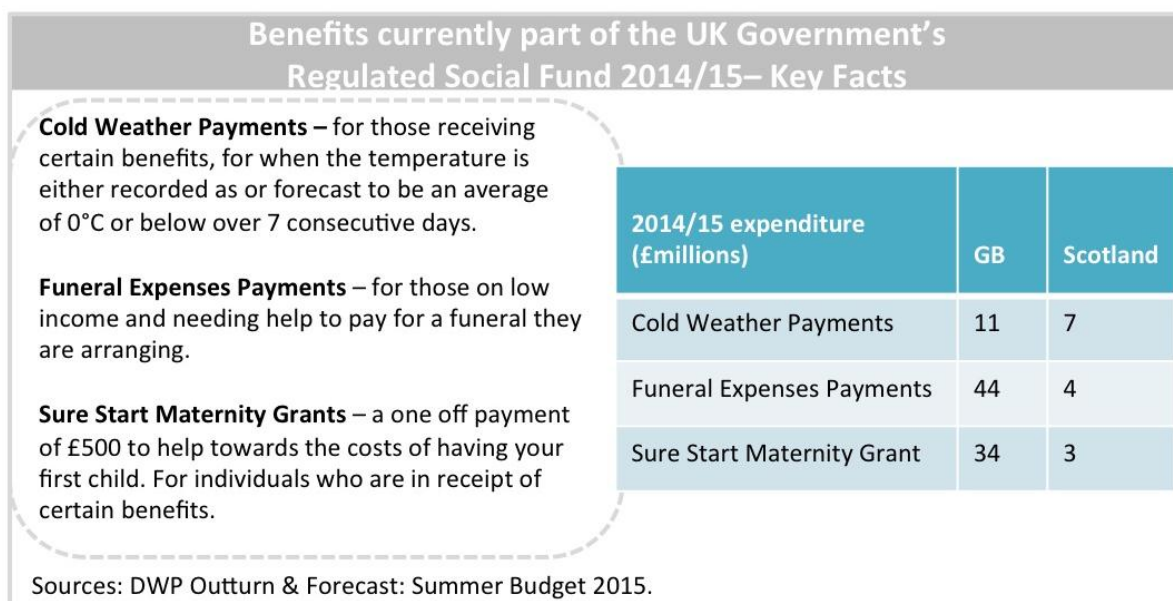
<sup>46</sup> This was previously referred to as the Maternity and Early Years Allowance

We have heard from families living on low incomes about the frustration and hardship they experience because the current grant no longer provides support for second or subsequent children. The reality for low income families is that many of the costs associated with having a child are not ‘one-off’ expenses, but rather recur when they have second or subsequent children. This change to entitlement has particularly affected vulnerable people, who are less likely to be able to plan ahead, and larger families.

We recognise that the disadvantages of poverty affect children, not just at birth, but also at other key stages of their young lives. So we will support them and their parents through early transitions, reducing the need for debt and money related stress, and the consequences these can have for families. By supporting families through the important transitions as children enter the education system, we can help reduce disadvantages facing children from the poorest households and contribute towards closing the attainment gap.

In this consultation, we are considering how the new BSG will work in practice, and how it will fit with other support provided during early years.

### Operation of Existing Sure Start Maternity Grant



The existing SSMG provides £500 to qualifying low income families on the birth of their first child. The SSMG uses an award of certain DWP benefits to determine that someone is on a low income. These are:

- Income Support
- Income-based Job Seekers Allowance
- Income-related ESA

- Pension Credit
- Child Tax Credit, at a rate higher than the family element
- Working Tax Credit that includes a disability or severe disability element
- Universal Credit

There were an estimated 10,500 applications in Scotland in 2014/15, resulting in 6,000 awards, with an estimated expenditure of £3 million for the year.

We have been told by service users and their representatives that the existing benefit is viewed positively in so far as it is relatively straightforward and meets an identified need. However, we have also heard that information about the grant is poor, that narrowing of the entitlement to the first child was unfair, and that the application window is too short. More information can be found in our publication on [Creating A Fairer Scotland](#).<sup>47</sup>

### **Proposals for identifying eligible families**

We are considering whether there are particular groups that the BSG can support and how those groups can best be reached through eligibility criteria. For example, looked after children and young parents. We are also considering the roll out of Universal Credit and the effect that will have on eligibility. Some families who do not work enough hours to qualify for Working Tax Credits will be eligible for Universal Credit, and therefore for the BSG once they transition. However, some families who would currently qualify for the BSG under Tax Credits will not qualify under Universal Credit, because the upper threshold for Universal Credit is lower.

We recognise that social security in Scotland must be delivered in a difficult financial context. This means that we have to allocate our financial resources where the need is greatest, and where they can have greatest impact. That is why we are thinking about which low income families the BSG should be paid to and how best to identify these families. For example, it could be paid to:

- Families on very low incomes – e.g. those entitled to [free early learning and childcare at two years of age](#). This criteria includes approximately 27% of two year olds and would produce a broadly similar result when applied across the three BSG payments. An alternative but similar approach would be to use the [free school meals criteria](#)
- Families who are on slightly higher incomes, eg who are at or below the living wage of £8.25 an hour, which equates to an income of approximately £16000 per year for one adult working full time. This would be around 37% of all children but would be more complicated to administrate, as incomes fluctuate

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<sup>47</sup> <http://www.gov.scot/Publications/2015/10/3498/5>

- Anyone in receipt of any Tax Credit or Universal Credit, which can include families with incomes of over £30,000 in some circumstances. This is closest to the current eligibility for the SSMG, although there are currently limitations on the Tax Credit criteria that this would remove, simplifying eligibility. It would cover around 45% of all children

## Questions

**What are your views on who should receive the Best Start Grant?**

## Proposals on identifying who is responsible for a child

Currently a claimant is considered to be responsible for a child if they receive Child Benefit for that child or, where there is no Child Benefit, if they live with the child.

The SSMG can currently be awarded more than once for the same child in some limited circumstances. The BSG will be a longer term benefit than the current SSMG, and will follow the child as they progress through early years. Children may move nursery and school reasonably often. Because of this difference, we are considering making each of the three payments payable only once per child, although it may be necessary to make exceptions in certain circumstances.

## Questions

**Should we continue to use the same system to determine who is responsible for a child for the purposes of the BSG application?**

Yes

No

Please explain why

**Do you agree that each of the three BSG payments should only be made once for each child?**

Yes

No

If no, what exceptions would you make to this rule?

## Proposals on the maternity payment

The BSG will re-introduce payments for second and subsequent children, but at a lower rate, so we will need to identify whether a child is the first in the household. The SSMG does this by identifying whether there is a child in the household already under the age of 16 rather than looking at family relationships.

Currently, in order to receive the SSMG, a certified health professional must confirm that the mother has received medical advice. There is a clear correlation between poorer pregnancy outcomes, including higher rates of maternal and infant deaths in women who book later for antenatal care, attended infrequently or never attend for care. At present in Scotland, women and babies who are at the greatest risk of poor health outcomes are the least likely to access it. We are keen to reinforce the importance of attending for antenatal care and therefore plan to retain the requirement for mothers to have received medical advice in order to qualify for the BSG maternity payment.

### **Questions**

**Should we continue to use the same method as the SSMG to determine whether a child is the first child in a household?**

Yes

No

Please explain why

**If no, what alternative method should we use?**

**Do you agree that we should retain the requirement to obtain advice from a medical professional before making a maternity payment?**

Yes

No

Please explain your answer

### **Proposals on the nursery payment**

The BSG will pay low income families £250 to support them as their children begin early learning and childcare. We want to provide support when people need it, but the practicalities may be difficult as everyone's situation is different and plans for nursery and childcare can change right up until the last minute. We would like to understand the pressures that families face, when they face them and how the payment can add most value, without becoming too complicated.

There are a range of early learning and childcare options available to parents in Scotland, funded both publicly and privately. There are also a range of childcare settings, such as child minders and informal childcare.

We need to work out what conditions a family would need to meet to qualify for the nursery payment. Every child in Scotland is entitled to Free Early Learning and Childcare from age three onwards, with some children qualifying at age two. One

option is to use entitlement for a funded early learning and childcare place as the trigger for entitlement to the nursery element of the BSG.

### **Questions**

**Are there other points during the first five years of a child's life when families face greater pressure than at the start of nursery (other than birth and the start of school)?**

**What are your views on defining 'the start of nursery' as the point of entitlement to a funded early learning and childcare place, for the purposes of making the second payment?**

**Are there any particular issues related to the nursery payment that you think we should consider?**

### **Proposals on the school payment**

The BSG includes a third payment when children begin school for the first time. For some children this will be at the age of four, while for others it will be at the age of five, depending on the month of their birth. Children will not always follow the same pathway into school, and will not always begin their education at the same age. We want to make sure that the benefit design acknowledges and accommodates these differences.

### **Questions**

**Are there any particular issues related to the school payment that you think we should consider?**

**Should the school payment be payable to all eligible children who begin primary school for the first time in Scotland, or should an upper age limit be included?**

### **Proposals for the application process**

The current SSMG has a single application for a single payment. The BSG will be made up of three payments over a five year period. Some families will not receive the initial maternity payment, but will then meet criteria for later payments, either because of a change of circumstances or because they were eligible but did not apply for the initial payment. We think that the three payments should be treated separately because of the time lapse between them and the likelihood that people's circumstances will change.

For the existing SSMG, the claim must be made within the prescribed timeframe. The grant can be claimed from 29 weeks into the pregnancy until three months after



birth. We have heard concerns that the relatively short application window following birth contributes to difficulty in accessing the grant, particularly for those who qualify through Child Tax Credit which can only be applied for after birth. We propose to extend the application window for the first payment to six months after birth.

There will be some overlap in eligibility between the BSG and Healthy Start vouchers, powers over which are also devolved to Scottish Ministers by the Scotland Act 2016. Healthy Start vouchers are intended to improve nutrition for mothers and children. There is an opportunity to streamline the provision of information about and application processes for the two benefits.

### **Questions**

**What are your views on our proposals in relation to the BSG application process?**

**What are your views on establishing an integrated application process for the BSG and Healthy Start?**

**What are the advantages and disadvantages of this approach?**

### **Proposals for alternative support**

Currently the DWP makes payments to the claimant, via bank details specified in the application form. While we know that providing items rather than money without a choice would be inconsistent with some views on dignity and respect, a choice of alternative provision could add value in some cases. For example, a catalogue of items for people who can't travel to shops, adapted items for disabled people or help in the house rather than a cash payment.

For some families, managing a large lump sum could present a challenge. A catalogue of items could also be useful for a support worker who is helping someone to make choices. The collective purchasing power involved in this approach could also offer value for money if take up were sufficient.

However, we understand the importance of flexible support to service users and that any alternative forms of support should remain optional.

### **Questions**

**Would the option to receive items rather than a cash payment as part of the BSG have benefits?**

Yes

No

Please explain why

### **Proposals for Improving take up**

We know that there is a patchy awareness of the SSMG and that take up is low. It is important that people are able to access and receive the support that they are entitled to. We think that we can improve take up of the BSG by ensuring that it is promoted by services commonly used by people who will need support, for example the family nurse partnership and health visitors. We also think that the new baby box which will be available for all new mothers will be a good opportunity to raise awareness of the BSG.

### **Questions**

**Which services should promote awareness of the BSG to ensure that claimants know about it at the relevant time?**



## 11. Discretionary Housing Payment

### Summary

- Discretionary Housing Payments (DHPs) are currently made by local authorities, with guidance from DWP, and are aimed at helping people who need further financial assistance to meet their housing costs.
- Individuals whose Housing Benefit or Universal Credit has been reduced as a result of welfare reforms such as the 'bedroom tax', the benefit cap or Local Housing Allowance can be awarded a DHP.
- We are proposing that DHPs continue to operate in the same way once the Scottish Parliament has full control over all DHP funding.

### Discretionary Housing Payments in Scotland 2014/15– Key Facts

Help to meet rent payments for Housing Benefit Recipients. Paid at Local Authority Discretion.

**£50.5m** spent

A portion of this was spent to counter the effects of the "bedroom tax".

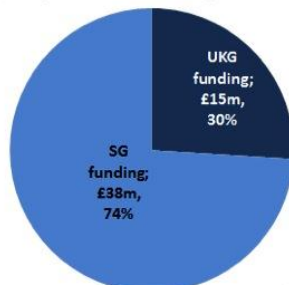
**118,000** DHPs awarded.

Includes cases affected by the RSRs "Bedroom Tax", where Local Authorities make up shortfalls in rent.

The average DHP award was **£429...**

...up from £335 in 2013/14.

The Scottish Government provided the majority of the funding in 2014/15



Local Authorities received **132,000** DHP applications (of which 130,000 were decided)



Sources: DWP benefit expenditure by Local Authority from 2000/01 to 2014/15; Scottish Government Discretionary Housing Payments in Scotland: 1 April 2014 to 31 March 2015.

## Operation of the existing benefit

The Scotland Act 2016 gives the Scottish Parliament legislative competence for DHPs. DHPs are currently made by local authorities, under guidance from DWP, and are aimed at helping people who need further financial assistance to meet their housing costs. Local authorities can award DHPs to individuals who are entitled to Housing Benefit or Universal Credit where it includes a housing element for rent.

DHPs can be awarded to tenants in the private and social rented sectors, or those who have yet to take up a tenancy. In addition to rental costs DHPs can be awarded to cover other housing related costs including rent in advance, deposits and removal costs. Individuals whose Housing Benefit or Universal Credit has been reduced as a result of welfare reforms such as the 'bedroom tax', the benefit cap or Local Housing Allowance can be awarded a DHP. Local authorities have discretion over how they assess claims for DHPs and how much is awarded. Guidance for local authorities is provided by [DWP DHP Guidance 2016](#).<sup>48</sup>

As part of our Fairer Scotland consultation, the Scottish Government asked about people's experience of DHPs and whether they worked well as a form of financial assistance. In general the feedback was positive and we are therefore proposing that DHPs continue to operate in the same way once the Scottish Parliament has full control over DHPs.

## Questions

**Could the way that DHPs are currently used be improved?**

Yes

No

Please explain why

**Could the administration of DHP applications be improved?**

Yes

No

Please explain why

**Does the guidance for local authorities on DHPs need amending?**

Yes

No

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[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/524321/discretionary-housing-payments-guide.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/524321/discretionary-housing-payments-guide.pdf)

Please explain why



## **12. Job Grant**

### **Summary**

- The Scottish Government proposes to introduce a new Job Grant to help young people aged 16-24 who are returning to work after a period of six months unemployment.
- This would be a payment of £100, or £250 for those who have children.
- We plan to supplement this cash payment with free bus travel for a three month period.

The Scottish Government recognises that young people are the future for our economy, and that future economic growth will be dependent on our being able to support as many young people as possible into rewarding, sustainable, long-term careers. That is why we are keen to extend further support to young people returning to work after a period of unemployment, beyond the support that will be offered through new devolved employment services. The Job Grant will supplement new and existing support for young people to enter the workplace.

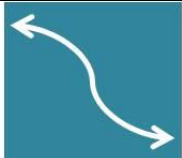
A number of academic studies suggest that unemployment can have a damaging effect on young people's earnings potential for many years afterwards. The longer the period of unemployment, the greater the future wage penalty tends to be.

### **Proposals for the Job Grant**

The Job Grant is intended to help smooth the young person's transition back into work. It would help cover some initial basic costs, particularly with bus travel. We estimate that this will help around 6,500-8,500 young people aged 16-24 to return to work and will have a positive effect on work incentives. It would be a payment of £100, or £250 for those with children, and would be supplemented with free bus travel for a three month period.

### **Questions**

**What should the Scottish Government consider in developing the Job Grant?**



## 13. Universal Credit flexibilities

### Summary

- The Scotland Act 2016 provides Scottish Ministers with some flexibilities over the way Universal Credit (UC) is calculated and paid. These include changing the frequency of payments, splitting payments between members of a household instead of a single payment, and paying landlords direct for housing costs in Scotland. This will enable us to ensure that the implementation of UC will be better suited to our needs.
- We have already committed to enabling people to have the option of the rent element being paid direct to social landlords and the option of the frequency of their UC payments being twice monthly instead of calendar monthly.
- We are now consulting on two other potential options:
  - i.* extending payment of the rent element direct to landlords for tenants in the private rented sector *and*
  - ii.* providing the option to split the household payment between members of a household.

### Introduction

UC is a new single payment for working age people introduced by the UK Government. UC is intended to improve work incentives, simplify the benefit system and reduce fraud and error. UC remains reserved to the UK Government, however the Scottish Government have some administrative powers to change payment arrangements for UC.

### Operation of existing benefits

The main differences between UC and other current welfare benefits are: UC will be available to people who are in work and on a low income, as well as to those who are out of work; most people will apply online and manage their claim through an online account; claimants will usually receive one single monthly payment per household, paid into a bank account; and support with housing costs (rent) will go directly to the claimant as part of their monthly payment.

## Proposals for Universal Credit flexibilities

The Scottish flexibilities are being introduced to make it easier for claimants to manage their UC payments. These changes are intended to give the claimant more choice and control over their UC payments. Draft regulations for the first two flexibilities are being written and a further technical consultation is planned for these. These are:

- Having the option of being paid UC twice a month rather than monthly
- Having the option of the rent element being paid direct to social landlords

We also have the potential to introduce other flexibilities including the opportunity to offer tenants in the private rented sector the same choice of having their rent paid directly to their landlord and the power to vary the existing plans for single household payments of UC. This means that payments could be split between members of a household rather than a single household payment. These are the proposals we want to ask about in this consultation.

DWP are currently able to split payments in certain exceptional cases. This is technically challenging however and requires detailed knowledge about the family situation and who has lead responsibility for family costs and other bills and payments. We do not yet know if DWP would be able to introduce changes of this scale to their current systems. We will use the findings from this consultation to inform our discussions with them.

### Questions

**Should the choice of managed payments of rent be extended to private sector landlords in the future?**

Yes

No

Please explain why

**Should payments of Universal Credit be split between members of a household?**

Yes

No

Please explain why

If Yes, please indicate if you think the default position should be:

a) automatic payments to individuals, with the option to choose a joint payment

Yes

No

b) automatic household payments, with the option to choose individual payments?

Yes

No

**If Yes, how do you think payments should be split? For example 50/50 between members of a couple or weighted towards the person who is the main carer if the claim includes dependent children?**

**Do you have any other comments about how the Scottish Government's powers over Universal Credit administrative flexibilities will be delivered?**





## **13. Universal Credit housing element**

### **Summary**

- The Scotland Act 2016 also provides Scottish Ministers with some flexibility to vary the calculation of the housing element of UC for people in rented accommodation.
- We have already committed to using this power to abolish the bedroom tax for those on UC and will consult separately on the technical aspects of the legislation for this.
- We welcome views on how the Scottish Government could use this power in future to help those who need assistance to meet their housing costs.

### **Questions**

**Do you have any comments about the Scottish Government's powers over the housing element of Universal Credit?**

# **Consultation on Social Security in Scotland**

## **Part 3: Operational policy**

## **Part 3: Operational Policy**

**This section will be relevant to anyone with an interest in social security in Scotland. Even if you have only answered questions in one of the sections in the preceding part, we would be grateful for your views on the questions in Part 3 as well.**

Parts 1 and 2 of this consultation have been about the establishment of a new social security system and the specific benefits it will deliver. Part 3 looks at the strategic functions that the social security system will need to carry out in order to operate competently. This means functions that aren't specific to any individual benefit but could apply to any of the devolved benefits. We refer to these functions as 'operational policy' areas'.

This section asks for your views on the following operational policy areas:

- Advice, representation and advocacy – understanding the impact on advice services
- Getting things right – how we can deal with complaints, reviews and appeals
- Where you live – residency criteria for entitlement to devolved benefits
- Managing overpayments – how we can deal with claimant debt
- Fraud - how we can protect against intentional wrongdoing
- Information assurance – why we need to hold claimants' information, how we will look after it and what we will do with it
- Uprating – how we can maintain the value of benefits, in line with inflation

For each of these areas, we will set out the background, explain our thinking and seek your views.



## **14. Advice, representation and advocacy**

### **Summary**

- The Scottish Government has a proven track record of supporting and funding advice services in Scotland.
- We understand that the transfer of responsibility for the devolved benefits, from DWP to a Scottish social security agency will have an impact on the Scottish advice sector landscape.
- We want to understand whether the transfer of responsibility for the devolved benefits can be harnessed to drive holistic improvements to the provision of publicly funded advice in Scotland – for example, by improving the way advice services and a Scottish social security agency might work together.
- We are gathering evidence on the existing system and seeking people’s views on the scope for improvement.

The Scottish Government would like to ensure that people who need to access services are empowered to do so. There is a clear consensus that the right advice can have a transformative effect on service delivery by guiding people in need to the right support at the right times, assisting with processes such as applications and appeals and increasing take up. The Scottish Government agrees with the Scottish Campaign on Welfare Reform (SCoWR), where they say that, “In any time of change the potential for confusion will increase and therefore measures should be taken to mitigate this risk . . . there must be a well-resourced advice sector to ensure support is accessible to everyone<sup>49</sup>”.

The Scottish Government’s intention is to design a social security system that is person-centred, accessible and supportive and we believe that our track record of supporting and funding advice services supports this. However, it is fair to say that the transfer of responsibility for the devolved benefits, from DWP to a Scottish social security agency is likely to have an impact on the advice sector landscape in Scotland and the way in which the Scottish Government supports advice services. In this section, we will discuss the broad framework within which advice is currently provided in Scotland, and seek your views on the ways in which we should approach the provision of advice and information, in the context of a Scottish social security system.

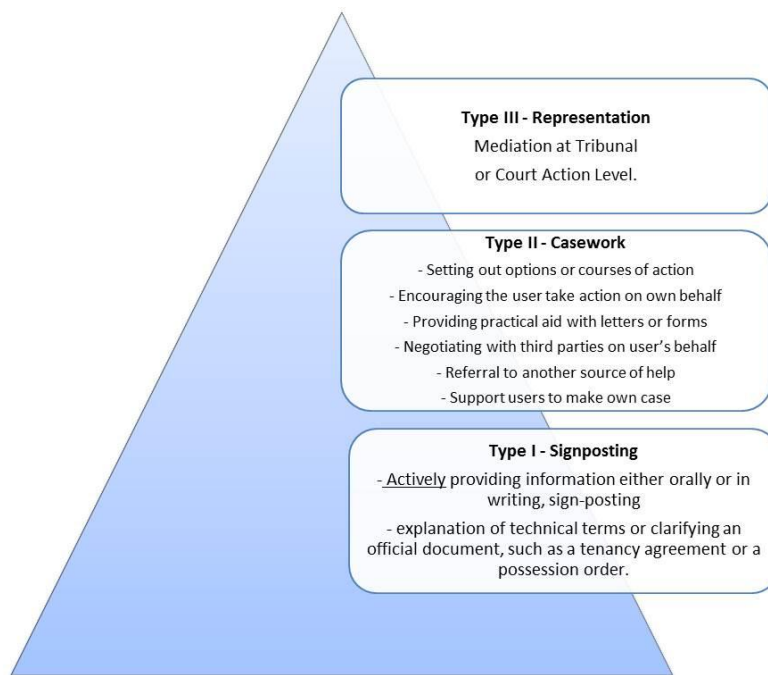
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<sup>49</sup> Please see SCoWR’s supplement to their [Manifesto for Change](#)

## Current arrangements

The 11 devolved benefits span a range of issues, needs and circumstances; they have different eligibility criteria and interrelate with other aspects of the social security system in various ways. Many people, therefore, will access advice services to support them to understand their entitlement and to resolve issues.

There is currently a range of publicly funded, free at point of access information and advice available in Scotland, covering matters which could be relevant to individuals claiming one or more of the devolved benefits. This includes welfare rights, money and financial capability, debt, energy efficiency and health. For each of these topics, different types of advice are offered. The [Scottish National Standards for Information and Advice Providers](#)<sup>50</sup> (SNSIAP) defines these as: signposting, casework and representation. Further details of these three types are shown in the diagram below.



## Type I and II advice - Signposting and Casework

Various organisations in Scotland, such as Shelter and Citizens Advice Scotland, provide Type I and II advice. DWP also provide a range of level 1 information on the devolved benefits and related services via the Gov.uk web platform. This includes:

- Contact information for on-line, telephone and postal enquiries
- An overview of each of the devolved benefits, along with information on eligibility, entitlement and how to claim

<sup>50</sup> <http://www.gov.scot/Topics/Justice/policies/widening-access/standardsforadvisers>

- General advice on entitlement to other government benefits and some local government services, categorised by a person's circumstances e.g. parent, pensioner, etc
- On-line application forms and guidance notes for most of the devolved benefits except for PIP, Severe Disablement Allowance and Cold Weather Payments
- Advice on further support which includes signposting people to local authorities, Citizens Advice, some charities who may be able to help (such as Carers UK and Family Fund Trust) and other government departments (e.g. Jobcentre Plus and HMRC, etc.)
- Free on-line benefit calculators

In addition, local authorities and a wide range of third sector organisations provide casework services in one or more of the different areas covered by the Standards, and may also signpost to other services for enquiries outside their area of specialism. Casework can involve developing a detailed understanding of a particular area of the law.

### **Type III advice – Representation**

Some of these organisations will also provide Type III representation services. This involves applying a detailed knowledge of a particular area of the law in the context of a tribunal, court or medication setting. The role of the representative is often similar to that of a lawyer in court, although advisers may not be legally trained. It is important not to confuse representatives with 'advocates' working for advocacy services, as described later in this section.

### **Impact of the devolved benefits**

The transfer of responsibility for the devolved benefits will place new requirements on the advice sector in Scotland that will need to be understood and managed. We also need to ensure that - once our new Scottish social security system has been established - our approach to the provision of advice and information reflects our overall principles. This means:

- Providing the right advice for individuals' needs and circumstances is an investment in the whole of Scotland and an important tool for tackling poverty and inequality
- Providing the right advice for individuals' needs and circumstances, to help ensure that users of the Scottish social security system are treated with dignity and respect
- Ensuring that the processes and services which are put in place to deliver the right advice are evidence based and designed with the people of Scotland

- Putting the user experience first to ensure continuous improvement of national and local policies, and processes and systems that support delivery of advice, demonstrating that processes and services put in place to deliver the right advice are efficient and offer value for money

The Scottish Government intends to work closely with the publicly funded advice sector to assess its current capacity and capability and identify strengths, weaknesses, opportunities and key risks. This will help us to:

- Understand the key drivers affecting advice services now and in the future
- Identify ways in which organisations and individuals can make the most of new opportunities, and manage any additional complexity resulting from the transfer of responsibility for social security to Scotland

As part of this work, we want to use this consultation to ask for peoples' views on the publicly funded advice that is currently provided. We aim to find out if we can harness the transfer of responsibility for the devolved benefits to drive improvements to the provision of publicly funded advice in Scotland, to better support vulnerable people and help deliver holistic advice services. This will ensure people seeking to access the social security system are not only given the right information, according to their needs and circumstances, but are also offered support in other aspects of their lives that could make a difference - for example, support with housing issues, energy efficiency measures or debt management.

### **Questions**

**What role[s] should publicly funded advice providers to play in the development of a new Scottish social security system?**

**What steps need to be taken, to understand the likely impact of the transfer of the devolved benefits on publicly funded advice in Scotland?**

**How could the transfer of the devolved benefits to Scotland be used to drive improvements in the provision of publicly funded advice?**

### **Advocacy**

The Scottish Government recognises that applying for and being assessed for social security benefits is a challenging process for people, especially for those with long-term health conditions and impairments. We also know that those with particular needs will always need additional support that sometimes goes beyond what can be expected of the advice sector. Advocacy, for those most at risk, has proved to be of significant assistance in providing one-to-one tailored support.

We have purposefully separated this section on advocacy from the sections on advice, signposting, casework and representation. This is because independent

advocacy organisations are usually separate from organisations that provide other types of services, and also provide support in all areas of a person's life. There is usually a sequence of support - individuals with particularly intense or complex needs will be transferred by information and advice workers onto an advocacy service.

For those people most in need of support, it is important to ensure that they are fully supported to engage effectively with the process. For some, levels of anxiety can be such that opening mail when it arrives or making telephone calls to initiate the claim process are intimidating, and attending meetings or interviews completely overwhelming. The resultant anxiety can have the effect of exacerbating mental and physical health conditions. Independent advocates provide the very individualised support required in such situations, taking the time required to get to know the person and build a trusting relationship with them. Advocacy also aims to empower individuals and support increased confidence and knowledge of rights so that, in the longer term, some individuals will no longer require such support.

### Questions

**Do you think that Independent Advocacy services should be available to help people successfully claim appropriate benefits?**

Yes

No

Please explain why

**What next steps would you recommend that would help the Scottish Government better understand the likely impact of the transfer of the devolved benefits on independent advocacy services?**





## 15. Complaints, reviews and appeals

### **Summary**

- We want to provide high quality services and information to all who interact with Scotland's social security system. We recognise, however, that there will be occasions when people's experience falls short of this vision. It's important, therefore, that an effective complaints handling procedure is put in place.
- In this section, we will seek your views about the best way to handle individuals' comments, concerns and complaints.
- We highlight where best practice already exists, through the work of the Scottish Public Services Ombudsman and the Complaints Standards Authority.
- We ask for your views on whether the principles and model for handling comments, concerns and complaints developed by the Complaints Standards Authority should be adopted for use by our agency as part of our Scottish social security system.

### Introduction

We want as many individuals claiming devolved benefits in Scotland to receive the service they expect, to the standards they expect at the first time of asking. However, we recognise that - as with any system providing services to over a million people – there will be disagreement over some decisions and we will need a further opportunity to ensure that we get things right. The Scottish Government entirely supports the user's right to comment on, or complain about our conduct, processes and to appeal decisions. That is why one of our underlying principles is that, **“we will strive for continuous improvement in all our policies, processes and systems, putting the user experience first”**.

We recognise the value of users comments and complaints, and we want to ensure that the lessons learned in handling complaints are used to improve overall delivery of our services. By handling comments and complaints in the right way, we hope to be able to show improvement, from the point at which the issue is first identified, to be the point at which it is resolved. This is why we will develop a Complaints Handling Procedure (CHP) for our new agency. The CHP will help to address

dissatisfaction by providing clear, fair and reasoned responses in a timely manner. The CHP will be owned by our new social security agency, which will be responsible for keeping it up to date and fit for purpose.

### **Current arrangements**

There is already a great deal of valuable practice in complaints handling, available across the Scottish public sector including a dedicated public body, the Complaints Standards Authority, which has been set up to act as a centre for excellence<sup>51</sup>. This organisation publishes model complaints handling procedures, guidance, best practice and training resources.

In line with this, we believe that there will always be at least two opportunities to resolve complaints promptly through internal action by our officers: '**frontline resolution**' (aiming to resolve complaints at first contact through apology, explanation or action) and '**investigation**' (for complex or serious issues requiring further investigation). This is already the practice in other areas of the Scottish public sector – for example, local authorities have a two-stage process for complaint handling.

In developing our CHP, we propose following the Scottish Public Services Ombudsman's 'Statement of Complaints Handling Principles'. This states an effective procedure should be:

- **User-Focused:** it puts the person who is complaining at the heart of the process
- **Accessible:** it is appropriately and clearly communicated, easily understood and available to all
- **Simple and timely:** it has as few steps as necessary within an agreed and transparent timeframe
- **Thorough, proportionate and consistent:** it should provide quality outcomes in all complaints through robust and proportionate investigation and the use of clear quality standards
- **Objective, impartial and fair:** it should be objective, evidence-based and driven by the facts and established circumstances, not assumptions and this should be clearly demonstrated

We believe that an effective CHP should also:

**Seek early resolution:** it aims to resolve complaints at the earliest opportunity, to the service user's satisfaction wherever possible and appropriate.

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<sup>51</sup> For more information about the work of the CSA, you can go to - [Complaints Standards Authority – Valuing Complaints](#)

**Deliver improvement:** it is driven by the search for improvement, using analysis of outcomes and support service delivery and drive service quality improvements.

Where complaints cannot be resolved internally, we would encourage complainants to take the matter to the Scottish Public Services Ombudsman. This is the final stage for complaints about public bodies in Scotland, is independent and provides its services free of charge.

### Questions

**Do you agree that we should base our CHP on the Scottish Public Services Ombudsman's 'Statement of Complaints Handling Principles'?**

Yes

No

Please explain why

### Internal Reviews

Internal reviews of decisions are normal practice across government and the wider public sector. Local authorities, NHS Scotland, the Scottish Government, the Scottish Parliament, HMRC and the Student Awards Agency for Scotland are all examples of bodies that carry out an internal review before allowing an onward appeal. When the right processes, and the necessary checks and balances are in place to ensure that they are carried out appropriately, internal reviews can provide an efficient, affordable way for an organisation to correct mistakes.

DWP carries out internal reviews of decisions. When an individual disagrees with a decision made by DWP, and before that person can appeal the decision at a tribunal, they must ask DWP to carry out an internal review. This process is known as a 'mandatory reconsideration'<sup>52</sup>. We recognise that there are differences of opinion on how well these existing arrangements work. That is why we are consulting on ways in which we can make an internal review process work for Scotland, rather than on adopting the existing arrangements.

We believe that internal reviews would present an opportunity to improve decision making, by allowing the agency to scrutinise the initial decision. We recognise that there are other ways to allow decisions to be reconsidered - for example, under the arrangements that are still in place for Housing Benefit decisions, the decision maker has the power to reverse a decision at the point at which the applicant requests an appeal. However, we believe that making it absolutely clear that individuals can request an internal review without making an appeal, would be an accessible, efficient and cost-effective route to the resolution of disagreements, and would enable the agency to identify and address issues at an early stage.

<sup>52</sup> You can find out more about the way DWP currently operate mandatory reconsideration here - [Appeal to the Social Security and Child Support Tribunal - GOV.UK](https://www.gov.uk/apply-for-a-tribunal-appeal)

However, internal reviews could also place an additional administrative requirement on service users, by placing the burden of obtaining the reconsideration within strict time limits (for example within one month of the date of the decision) onto the individual who is making the claim. Internal reviews could also contribute to delays in getting a decision right, if there is a lack of monitoring or oversight of the amount of time it takes the agency to review their decision. There is currently no official time limit for the mandatory reconsideration of DWP decisions, although a UK Government Minister has stated that, “if no further information is needed and the case is straightforward, the mandatory reconsideration process... could be completed relatively quickly. We would usually expect this to take around 14 days”<sup>53</sup>.

## Questions

**How should a Scottish internal review process work?**

**What would be a reasonable timescale for the review to be carried out?**

## Appeals

If an individual still disagrees with a decision, after it has been reviewed internally by the organisation that made the decision, then the individual should have the right to appeal. At the moment, if an individual still disagrees with DWP’s position following mandatory reconsideration, they can then appeal to a tribunal. We recognise that there are other examples in the Scottish public sector, of ways in which decisions can be challenged – for example, if an individual disagrees with a decision made by a local authority in relation to the existing Scottish Welfare Fund, then they have the right to an independent review by the Scottish Public Sector Ombudsman – and we think that this is the right approach for a discretionary scheme like the Scottish Welfare Fund.

The Scottish Government proposes to proceed on the basis that it would be appropriate for appeals against decisions made in relation to the devolved benefits to be decided by a tribunal. This is because we believe this will support a safe and secure transition, and will be a fair and proportionate approach because the decision could be about the individual’s long-term entitlement to a benefit, rather than their need for a one-off payment

In Scotland, appeals against decisions by DWP are heard by the Social Security and Child Support Tribunal which is currently part of Her Majesty’s UK Courts and Tribunals Services, which means it is operated by the UK Government. However,

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<sup>53</sup> This is a quote from November 2013, from Esther McVey MP, then Minister for Employment. It can be found, in full, in Hansard here - [House of Commons Hansard Written Answers for 25 Nov 2013 \(pt 0005\)](#)

control over the administration and management of the tribunal is being transferred to the Scottish Government – although the underlying legislation on which appeals to the tribunal are based will mostly remain reserved. This is happening under the same legislation (The Scotland Act 2016) which allows for the devolution of some social security benefits and the establishment of a Scottish social security system.

In thinking about the design of an appeals process for social security in Scotland, therefore, we also have to bear in mind that responsibility for the administration of tribunals is being devolved at the same time. This raises particular issues and challenges for our work to ensure that individuals claiming devolved benefits have a transparent and accessible appeals process with adequate access to independent representation, to support them in the event that they want to challenge a decision.

### **Current arrangements for appeals**

The default position following devolution is that existing appeal mechanisms will be retained, unless alternative processes are put in place. This means that there would be an internal review and then, potentially, an appeal to the Social Security and Child Support Tribunal. However, establishing a Scottish social security agency presents an opportunity to consider and evaluate the design of the appeals process.

The existing Social Security and Child Support Tribunal currently hears appeals in Scotland from a multitude of benefits, all of which are currently reserved. Some are due to be devolved, but others will remain reserved. Once the tribunal has transferred into the Scottish Courts and Tribunals Service, it will continue to hear appeals on reserved benefits. There is a decision to make about whether the tribunal should also hear appeals from the devolved benefits, and how this should be done.

### **Questions**

**Should a tribunal be used as the forum for dispute resolution for the Scottish social security system?**

Yes

No

Please explain why

**If no, are there any alternative methods of dispute resolution that you think would be preferable to a tribunal?**

### **An appeal process based on values**

In earlier sections of this consultation paper, we have talked about the key principles which will guide the decisions we will make about social security in Scotland. We believe that these key principles mean that we should ensure that our appeals process embodies the following values:

- **Right first time** – a strong focus is placed on initial decision making to minimise erroneous decisions
- **Access to independent scrutiny** – when a service user has concerns which are not resolved after an internal review, then they should be able to appeal
- **Learning from experience** – lessons are learned from experience to ensure continuous improvement
- **Transparency** – service users fully understand and are kept informed at each stage of the process
- **Certainty of timescale** – service users can predict with a degree of certainty the likely timescale for resolution
- **Accessibility** – the needs of the service user are central and the administrative burden placed on them is minimised
- **Minimising the burden on the user** - the process of challenging and appealing decisions does not place an excessive administrative burden on applicants

### Questions

**How can we ensure that our values underpin the appeals process for a Scottish Social Security agency?**

**Are there any other values that you feel should be reflected in the design of the appeals process?**

### Timescales

We believe that there should be clear and understandable timescales for appeals to be resolved. A key part of avoiding undue delay in resolving appeals is ensuring that the tribunal (or other body) hearing appeals has sufficient capacity to deal with the volume of appeals. The number of appeals (for all benefits) in Scotland fell significantly between 2012-13 and 2015-16, though this is expected to rise again in 2016-17.

There is an inherent tension between improving access to the appeals process for service users and resolving appeals without delay. The latter requires sufficient capacity to hear appeals, which means accurately predicting the volume of appeals in advance. We are seeking views on the best way to balance these requirements.

### Questions

**What do you consider would be reasonable timescales to hear an appeal in relation a decision on a devolved benefit?**

**In order to ensure a transparent appeals process, what steps could be taken to ensure that those appealing fully understand and are kept informed at each**

**stage of the appeals process?**

**How could the existing appeals process be improved?**



## **16. Residency and cross-border issues**

### **Summary**

- The Scottish Government will need to set out who is entitled to the benefits it will deliver. This includes setting eligibility criteria about residency.
- This means:
  - residency status for those who have come to the UK
  - residency status within Scotland and how we define that someone receives devolved Scottish benefits rather than reserved UK benefits where appropriate
- The Scottish Government expects that a residence test will be based on “habitual residence”, rather than where a person happens to be living on a particular day.
- Cross border issues will occur when Scotland begins delivering devolved benefits. We will need to manage new administrative borders between the different social security systems in the UK - between the social security systems in Scotland and England and Wales and between Scotland and Northern Ireland.

### **Residency and ‘habitual residence’**

When we start to operate our Scottish social security system, it will be important to be able to identify where a person is resident at the time they make their claim. This cannot be something that an individual can choose. It should be assessed based on where a person is residing, and the reasons why they are residing there. The Scottish Government expects that all devolved benefits will include residency status criteria, amongst the eligibility criteria which will determine entitlement to each benefit.

In most circumstances, this will be straightforward, but rules will be needed for people who, for example, live on one side of the Scotland-England border, but work on the other, or who have moved across the border to study or for medical treatment. Consideration will also need to be given to how we ensure that a Scottish social security system treats people from outside the UK fairly and in a way that reflects our principles. We will need to clearly define who qualifies for Scottish benefits and who qualifies for UK Government benefits— while making sure that no-one falls between the gaps or is able to benefit unfairly from both systems.



The Scottish Government expects that a residence test will be based on “habitual residence”, rather than where a person happens to be living on a particular day. Determining this will take into account things like their family situation, the reasons why they have moved across the border, and how long they appear likely to remain where they currently are living. A final definition of a ‘Scottish Claimant’, i.e. a person who qualifies for Scottish benefits will also need to be discussed and agreed with the UK Government.

There are already habitual residency tests which are used in the UK which could be adopted for use in a Scottish social security system. For example, DWP carries out a habitual residence test to determine whether someone can access benefits. Factors which are currently taken into account by DWP, in determining if an individual is habitually resident may include:

- The length and continuity of residence
- The person’s future intentions
- Their employment prospects
- Their reasons for coming to the UK
- Where the person’s ‘centre of interest’ lies

### Questions

**Should Scottish benefits only be payable to individuals who are resident in Scotland?**

Yes

No

Please explain why

**What are your views on the ‘habitual’ residence test currently used in the UK by DWP?**

**Are there other issues that the Scottish Government should take into account when it comes to residency rules?**

### Cross border issues

At present, benefits are paid on the same basis throughout the UK. In certain cases, some benefits can be paid to people who live outside the UK.

With the devolution of some social security responsibilities to the Scottish Parliament, we will need to manage new administrative borders between the different social security regimes within the UK- that is between the social security systems in Scotland and England and Wales and between Scotland and Northern Ireland. There is also a need to consider whether social security benefits for which the Scottish Government is responsible should be paid to persons who are not resident in Scotland.

With devolution of some social security responsibilities to the Scottish Parliament, the principles of free movement, while ensuring no-one either falls through the cracks or is able to make a 'double-claim', will need to work within the UK. Where identical benefits are provided by the administering bodies in Scotland, England and Wales, and Northern Ireland, it will be important to ensure that people who meet qualifying rules receive their benefit from one of these administering bodies, and only one of them. This means ensuring that people receive their benefit from the right body – that is, the administering body operating the scheme for which they properly qualify. Deciding which is the right body is likely to depend on which of the areas is the one with which the person has the strongest link at the time of their claim.

Cross-border issues will be easier to manage in instances where the qualifying criteria operated by each Government are identical. The situation becomes more complex in instances where the rate at which a benefit is paid on one side of the border is higher than on the other, or if a benefit is paid in Scotland that has no equivalent in the rest of the UK. It is not our intention to standardise social security provision in Scotland by simply matching what is provided elsewhere in the UK – and the Scottish Government has already indicated areas in which it wants to set different rates for certain benefits. For example, the Scottish Government has already proposed to increase in the rate at which [Carer's Allowance](#) is paid in Scotland, so that will match the rate of Jobseeker's Allowance and, consequently, will be higher than the rate of Carers Allowance paid in England and Wales. We are also proposing to introduce a [Best Start Grant](#) which will have elements that are not currently paid under the UK Sure Start Maternity Grant scheme.

Having different rates for certain benefits on either side of the border will present challenges – for example, where people move from Scotland to England or Wales (or *vice-versa*) during an application or when they are receiving payments. The Scottish Government is aware of these challenges and intends to work with users and other partners, including DWP, to ensure that its services are fair and that decisions made on whether or not an individual is entitled to a particular benefit or a particular amount of benefit are in line with our principles.

Our social security systems (both Scotland's and those in other UK administrations) will need to coordinate. Coordination will ensure that if, for example, a person who is receiving a benefit in Scotland moves to reside in England and Wales, the transition is smooth. There will also need to be coordination between the benefit system that the UK Government will continue to operate, and the new benefit system in Scotland.

There are also some benefit specific issues to consider. For example, payment of Carer's Allowance is dependent on the cared for person receiving a disability benefit. We will need to develop an approach to deal with the situation where the disabled person and their carer live on different sides of the border.

## Questions

**What factors should Scottish Government consider in seeking to coordinate its social security system with other social security systems in the UK?**

**How can the Scottish Government ensure that no-one either falls through the cracks or is able to make a 'double-claim'?**



## 17. Managing overpayments and debt

### Summary

- Errors which result in overpayments reduce the amount of public money available to be spent on those who need it. Therefore, there must be controls in the system, to spot errors and put them right.
- We are clear that, when talking about overpayments, we are talking about circumstances in which an error has been made which has led to an individual being paid more than the amount of benefit to which they are actually entitled.
- We recognise that overpayments made by the social security system are often made as a result of error, either by public sector officials or by individuals themselves. Overpayments of devolved benefits which are not the result of an error by the individual making the claim should not be recovered.
- If we seek to recover an overpayment, this does not mean that the individual is being sanctioned and it does not mean that we think the individual has attempted to commit fraud.
- Nothing in this section should be taken to mean that the Scottish Government will necessarily seek to replicate current DWP arrangements and processes for dealing with overpayments, only that we wish to gather users' views on the current arrangements so that we can make an assessment as to what might be appropriate for Scotland.

In other parts of this consultation document, we have talked about the first of our guiding principles, that social security is an investment in the people of Scotland. We have said that this investment will eventually be worth around £2.7 billion in payments and support and that it must be protected so that public money can be spent on people who need it.

One of the ways in which we can protect this investment is by recovering overpayments, as DWP currently do. **This is not the same as applying a sanction.**<sup>54</sup>

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<sup>54</sup> The Scottish Government has made its position on sanctions clear. In June 2014, the [2<sup>nd</sup> Report of our Expert Working Group on Welfare](#) said that: "We recommend that the current system of sanctions is abolished and instead replaced with a system that is more proportionate, personal and positive" (para. 27).

In this section, we will discuss the recovery of overpayments. **This does not mean fraud.** (Fraud is discussed in a later section of this document.) Overpayments refer to circumstances in which an error has been made which has led to an individual being paid more than the amount of benefit to which they are actually entitled. This can occur as a result of an error by the individual themselves or someone else, including those operating the benefit system. We accept that, however well the system and processes are designed and, however careful people are, there will always be scope for human or system error.

### Reducing errors

The challenge, at this stage, is to develop an approach to dealing with error which reflects our principles, specifically that, at every step of our engagement with individuals, we will treat people with dignity and respect. We want to balance the rights and responsibilities of the individual with the responsibilities of the agency. This means, for example, being clear that we expect individuals applying for benefits to only provide information that they know to be true.

If an individual provides information which is later shown not to be true, then we will need to decide what further action needs to be taken. Making these kind of decisions is normal practice across government and the wider public sector. For example, local authorities, HMRC, DWP and the Student Awards Agency for Scotland make decisions as to whether or not money has been paid out in error and who is responsible for the error. When we begin to operate our Scottish social security system, we will design our services based on the best practice available, to ensure that our decisions are fair and transparent and that they reflect our principles.

### Current arrangements for overpayments

No matter how careful people are, it is a fact of life that everyone makes mistakes sometimes. In terms of a social security system, this means that amounts of money are sometimes overpaid in error. Currently, when an overpayment has been made, DWP will decide whether it can be recovered or not. This will usually only happen when the overpayment has been made as a result of an error by the individual making the claim – for example, if the individual has not provided all of the right information at the right time. People can appeal if they disagree with this. DWP will then seek to recover the overpayment and will notify the individual of the amount to be recovered and the reasons for the overpayment decision. If the individual has any further queries, they will be directed to contact DWP's [debt management information service](#)<sup>55</sup>.

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<sup>55</sup> <https://www.gov.uk/benefit-overpayments/how-to-make-a-repayment>

Where the individual's circumstances are deemed suitable for recovery directly from their benefit payments, they are notified about the amount they have to repay and how to repay the overpayment and that a deduction from their benefit can be applied. (The overpayment does not have to be recovered from the individual's benefit payments - other recovery methods, such as payment by Direct Debit are also available.) Recovery from benefits will normally commence after 1 month, unless an appeal is lodged. If the customer is receiving Universal Credit, then recovery can commence immediately.

### Questions

**Could the existing arrangements for recovering social security overpayments be improved in the new Scottish social security system?**

**Yes**

**No**

**If yes, please explain your answer**

### Financial advice

We recognise that people receiving benefits may be at risk of financial hardship and that this risk may be exacerbated during a period when their benefit payments are reduced to recover an overpayment. We understand that even a relatively small reduction in benefit has the potential to negatively impact an individual's financial wellbeing. For this reason, we are considering the role that financial advice might play in supporting individuals who are being asked to repay overpayments from their benefits.

### Questions

**What are your views on the role that financial advice can play in the recovery of overpayments?**



## 18. Fraud

### **Summary**

- We believe that social security is an investment in the people of Scotland and we will take a zero-tolerance approach to fraud in order to protect that investment.
- We want to raise awareness of the individual's responsibilities in relation to social security fraud whilst, at the same time, designing processes which will be accessible and simple to use.
- In order to protect against fraud, we propose that officials working for the Scottish Government or its agency, should investigate fraud in the same way as "Authorised Officers" currently investigate fraud for DWP – and we are seeking views on the powers that should be granted to these officers and the code of practice which should govern their work.
- We are clear that people who have knowingly committed fraud should be punished – and we are seeking views on the appropriate penalties for fraud offences.

The first of the key principles which we set out in our paper, "A New Future for Social Security in Scotland", was that social security is an investment in the people of Scotland. An investment which will eventually be worth roughly £2.7 billion in payments and support. This investment must be protected so that public money can be spent on people who need it. One of the ways in which we will protect this investment is by guarding against attempts to knowingly commit fraud, either by individuals or by organised groups.

In this section, we will talk about the Scottish Government's counter-fraud strategy, which already applies across all of the areas where the Scottish Government makes payments. We will then go on to look at the ways in which DWP, specifically, investigate and protect against fraud. This is because DWP's current approach is an example of how fraud investigations are carried out in relation to social security benefits.

## Scottish Government counter-fraud strategy

The Scottish Government already has a [counter-fraud strategy](#)<sup>56</sup>. We have a zero-tolerance attitude to individuals who knowingly commit fraud and we believe that there is no acceptable level of intentional or organised fraud. Our approach to countering fraud has five objectives. These are:

- **Awareness:** to prevent fraud by raising awareness of fraud and its safeguards
- **Prevention:** to prevent fraud through improving our systems and controls
- **Teamwork:** to prevent fraud by working together across the public sector
- **Investigation:** to handle fraud by being proactive in analysing data to identify areas at risk of fraud
- **Enforcement:** to handle fraud by being tough on fraudsters by punishing them effectively

We propose to either adopt or adapt this existing Scottish Government counter-fraud strategy for use in social security. This means that we will:

- Commit to clear ethical standards
- Communicate our attitude to fraud
- Support all of our staff in their responsibilities in preventing and detecting fraud
- Provide managers with specialist support
- Maintain comprehensive procedures for preventing and detecting fraud
- Put in place robust processes for reporting suspicions of fraud
- Respond to fraud effectively through a comprehensive fraud response plan
- Use data and technology efficiently to combat fraud
- Sharing knowledge of vulnerabilities and lessons learned

### Questions

**Should the existing Scottish Government approach to fraud be adopted for use in our social security system?**

Yes

No

If no, what else should be used instead?

**If yes, should our existing counter-fraud strategy be adapted in any way?**

Yes

No

Please explain your answer

<sup>56</sup> <http://www.gov.scot/Topics/Government/Finance/spfm/fraud/fraudannexa>



**How could the new Scottish social security system ‘design out’ errors and reduce the potential for fraud at the application stage?**

**Investigations**

Under [section 109A – 109C of the Social Security Administration Act 1992](#)<sup>57</sup>, the UK Secretary of State has granted a range of powers to officers working for DWP. These investigators are referred to as “Authorised Officers” because they must have specific authorisation, conferred by the Secretary of State, to use their powers and are given appropriate training.

Authorised Officers are governed by a statutory code of practice on obtaining information<sup>58</sup>, which is published by DWP and laid before the UK Parliament. This code of practice sets out how Authorised Officers should exercise their powers. We propose to publish a Scottish code of practice, which will set out how investigators in Scotland should use the powers granted to them, to protect against fraud.

The powers allow for enquiries to be made by authorised officers in order to:

- a) Establish whether benefit has been paid in accordance with the legislation
- b) Prevent or detect the social security offences

Authorised Officers can also:

- c) Require information to be provided
- d) Enter premises
- e) Require persons keeping electronic records to give authorised officers access to those records

It is currently the practice, as part of an investigation, for individuals to be interviewed under caution. This practice provides important protection for individuals. The individual is not legally bound to provide evidence that could incriminate them - and this would be made clear at the start of the interview. An interview is also an opportunity for the investigator to gather information, to help them fully understand the circumstances of a case.

We propose that the practice of conducting interviews under caution should continue as part of investigations into social security fraud in Scotland. However, we also understand that a formal interview can be stressful and we want to make sure that the practice respects the individual’s rights and that they are treated with dignity and respect.

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<sup>57</sup> <http://www.legislation.gov.uk/ukpga/1992/5/section/109/enacted>

<sup>58</sup> An electronic version of the current code of practice can be found here - [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/509652/code-of-practice-on-obtaining-information-social-security-fraud-act-2001.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/509652/code-of-practice-on-obtaining-information-social-security-fraud-act-2001.pdf)

## Questions

**Should the Scottish social security system adopt DWP's existing code of practice for investigators?**

Yes

No

Please explain your answer

**What are your views on the existing range of powers granted to investigators?**

**What are your views on conducting interviews under caution?**

**What improvements could be made around conducting interviews under caution?**

## Penalties

Fraud is an offence which carries serious penalties, which can have a long-term impact on an individual's personal circumstances. So, it is important to ensure that no-one is penalised unjustly. That is why the standard of proof required to prove that an individual has committed fraud is the criminal standard. This means proving beyond reasonable doubt that a person had knowledge (which means that they knew that what they were doing was fraudulent) and intent (which means that they deliberately intended to mislead someone, by doing something that they knew was fraudulent).

[Sections 112\(1\)\(a\) and 112\(1\)\(b\) of the Social Security Administration Act 1992](#)<sup>59</sup> specifies that - if it is proved that a person had the knowledge and intent to commit fraud – they may be found guilty of certain specific offences. These are:

- Making a statement which the person knows to be false
- Producing information which the person knows to be false in a material particular
- Failing to notify a change in circumstances, when the person is aware that the change affects their benefit entitlement
- Failing to notify a change in a person's circumstances, when the person is aware that the change affects another person's entitlement

Social security payments and support are an investment which must be protected so that public money can be spent on people who need it. One of the ways in which we can protect this investment is by deterring people from committing fraud. We can do this by having systems and controls which will identify attempts to commit fraud and

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<sup>59</sup> <http://www.legislation.gov.uk/ukpga/1992/5/section/112/enacted>

also by setting appropriate penalties, which will make it clear that attempting to commit fraud could have serious consequences. This is in line with the Scottish Government's existing counter-fraud strategy, which is clear that we should be tough on people who have committed fraud.

[Section 112\(2\) of the Social Security Administration Act 1992](#)<sup>60</sup> also provides that the penalty for committing benefit fraud will be a fine of not more than £5,000, imprisonment for a term not exceeding three months, or both. Proceeds of benefit fraud may be made subject to a confiscation order in Scotland under part 3 of the 2002 Proceeds of Crime Act.

### Questions

**Should the Scottish Government retain the same list of offences which people can be found guilty of in terms of social security fraud?**

Yes

No

Please explain your answer

**Should the Scottish Government impose the same level of penalties for social security fraud as are currently imposed?**

Yes

No

Please explain your answer

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<sup>60</sup> <http://www.legislation.gov.uk/ukpga/1992/5/section/112/enacted>



## 19. Safeguarding your information

### Summary

- The Scottish Government believes that every individual has the right to privacy and that personal information should be protected.
- We propose to take a 'Privacy by Design' approach to information handling to promote privacy, security, and compliance with Data Protection Act 1998 (DPA) - from the initial stages of setting up the agency and registering with the Information Commissioner's Office, through to service delivery.
- We want to take advantage of advances in technology, to store and share personal information safely and securely, in order to better support claimant applications by putting the user experience first.
- We will securely source the minimum amount of personal information we need from other public sector organisations where there is a legal basis to do so and the appropriate Data Sharing Agreements are in place, to support and assess applications, instead of collecting and storing large amounts of information in a 'data warehouse'.
- We will be open and transparent in our approach to information sharing.

In this section, we will discuss our approach to ensuring that individuals' privacy is protected and that the personal information, which we will need in order to operate a social security system, is transferred and held securely.

Our approach to protecting individuals' personal information builds on the key principles which we set out in our paper, "A New Future for Social Security in Scotland". In particular, our principles **respect for the dignity of individuals is at the heart of everything we do; we will strive for continuous improvement in all our policies, processes and systems, putting the user experience first; and we will demonstrate that our services are efficient and value for money.**

Our overriding priority will be to ensure a smooth transition from the existing UK benefits to our new Scottish arrangements, so that people continue to receive the support to which they are entitled. This means sharing information, when there is a legal basis to do so, between DWP, the Scottish Government, other public sector organisations in Scotland and our new social security agency. It is important to note that, given the relationship between devolved and reserved benefits, controlled by

the Scottish and UK Government's respectively, we will still be reliant on some of DWP's existing information, at least in the early years. This may place practical limits on the pace at which change can happen.

It is clear that our Scottish approach needs to build a new foundation of trust and our approach to protecting individual's personal information will be key to this. In the long term, our ambition is to have a Scottish social security system that is fully aligned with other devolved services, to provide an holistic approach that best supports the outcomes for individuals and wider Scottish society. We believe that our approach to information assurance will help to build a solid foundation upon which we can achieve this ambition.

Our systems will evolve and respond to the way that Scotland and its people change over time. We will listen to users' feedback, to ensure that our systems remain fit for purpose and we will take a transparent approach to monitoring and review which is fully compliant with the Data Protection Act, and the Information Commissioners Office code of practice on data sharing.

### **Identity Management and Privacy Principles**

DWP publish a Personal Information Charter that outlines the standards that welfare claimants can expect when asked for their personal information. It includes what DWP can ask claimants to do to help keep their information up to date, how claimants can make a subject access request under the Data Protection Act, (i.e. ask for a copy of the information held about the individual by DWP) and how DWP may share information with certain other organisations.

The Scottish Government has published "Identity Management and Privacy Principles" for Scottish Public Services. These were developed to support public service organisations to comply with data protection and human rights legislation and enable them to build on these requirements to deliver services that are secure, efficient and value for money. There are six principles for handling personal information. These are:

- **Proving identity or entitlement:** to minimise information sharing and identification of individuals while ensuring authentication is effective and reliable
- **Governance and accountability:** to ensure that privacy and security policies and procedures are proportionate and transparent and that persons responsible at each stage within a process can be held to account
- **Risk management:** to undertake and publish Privacy Impact Assessments and audit existing initiatives

- **Data and data sharing:** to minimise the collection and holding of personal information and avoiding the creation of and risks associated with a centralised database
- **Data use for research and statistics:** to recognise that appropriate protection of privacy (for example anonymising information), efficient use of information, and scientifically sound and ethically robust research and statistics are all in the public interest, and that information should be held securely with projects being open and accountable to the public
- **Education and engagement:** to inform and consult with the public on identity management and privacy issues, and provide easy access to those wishing to view the information held on them and make any necessary changes

We propose to either adopt or adapt these existing Scottish Government Identity Management and Privacy Principles for use in social security delivery. This means that we will:

- Ask for the minimum amount of information necessary to assess a claim
- Ensure (that information used to assess a claim is up-to-date and accurate
- Present a [Privacy Impact Assessment](#) to the Scottish Parliament and publish this to ensure transparency in our approach to information assurance
- Avoid creating a single, centralised database of personal information, instead using information held across the public sector to support applications and ensuring personal and transactional information is held separately
- Establish strict access policies to limit the number of people assessing personal information
- Apply identity management and security principles to any third party contracts and ensure there is a written data controller/ data processor contact
- Support subject access requests and have supportive policies in place should information need to be repaired or redressed
- Staff training and awareness – to foster a culture that values and protects information

Responses to this consultation will help to inform the Privacy Impact Assessment, as will planned consultations with users.

### Questions

**Should the existing Scottish Government approach to Identity Management and Privacy Principles be adopted for use in our social security system?**

Yes

No

Please explain your answer

**If yes, should our existing Identity Management and Privacy Principles be**

**adapted in any way?**

Yes

No

Please explain how

**Who do you consider should be consulted in regard to the Privacy Impact Assessment and what form would this take?**

**What are your views on privacy issues that may affect the new agency?**

**Do you perceive any risks to the individual?**

What solutions might be considered to mitigate against these?

**Better information sharing**

Scotland has a wealth of publicly-held personal information that is already collected and held by a number of public sector organisations as part of their statutory functions. For example:

- the National Records of Scotland records births, deaths and marriages
- National Services Scotland (part of NHS Scotland) collects information on hospital admissions, maternity and births, and prescribing and medicines information
- Scottish local authorities hold information on housing benefit and social work services

The Scottish Government believes that this publically-held personal information could support a decentralised network for delivering social security across Scotland. This would not only remove the need to store information in one single data 'warehouse', reducing risks to individuals' privacy if the 'warehouse' was compromised, it would also support a more integrated and efficient approach to service delivery, demonstrating value for money by using information which has already been collected, when there is a legal basis to do so. This would build additional security check-points into the process, to help minimise the potential risks to individuals' privacy that are associated with large data 'warehouses'. It would mean that there would be multiple people responsible and accountable for the different information they hold across a number of organisations rather than one person in one organisation with overall control.

No system is risk-free, including paper-based systems. The main risk to a decentralised approach lies in the transfer of information between organisations and the new agency. However, there are a number of ways in which we could reduce this risk. For example, we would only share the minimum amount of information needed to assess an application; outgoing information, sent from one organisation to another, could be digitally signed and encrypted; incoming information could be authenticated and logged; strict rules could be put in place to control who could

access information, preventing unrestricted access by any single person; and personal and transactional information could be stored separately.

### Questions

**Would you support strictly controlled sharing of information between public sector bodies and the agency, where legislation allowed, to make the application process easier for claimants?** For example, this information could be used to prepopulate application forms or to support applications, reducing the burden on applicants.

Yes

No

Please explain your answer

**Would you support strictly controlled sharing of information between a Scottish social security agency and other public sector organisations (for example local authorities) to support service improvements and deliver value for money?**

Yes

No

Please explain your answer

### Digital First

Advances in information communications technology (ICT), including the internet and the use of mobile devices such as tablets and smartphones mean that systems which would once have been paper-based may now be accessed securely online. This technology could provide the best available and most cost-effective way for a new Scottish social security agency to ensure that individuals' personal information is protected. The digitalisation of public services and use of distributed publicly-held information sources offers great potential to save costs, time and effort for users and service providers alike.

The systems required to process social security transactions in Scotland could be operated in a convenient, online environment, in order to make the application process easier for claimants and reduce government infrastructure costs. For example, claimants could make applications safely and securely online, from the comfort of their own home.

Using the right technology and systems could also enable forms to be pre-populated with the claimants' information, reducing the amount of form-filling required. The process would be quick, convenient and based on the most up-to-date information. It would allow for digital authentication and could reduce the need to provide paper copies of evidence in support of applications.



This reduction in bureaucracy would mean that application turnaround times could be reduced, communications could be sent electronically to avoid delays and claimants could receive their benefits sooner. A digital approach could also benefit people with restricted mobility, people who suffer from depression or anxiety disorders and people living in remote locations.

There is no doubt that alternatives to online applications and communications must be made for those who are unable to use or access a computer or mobile device. However, the benefits of a 'digital first' approach cannot be underestimated for many claimants, those supporting claimants and efficiency savings for the agency.

### **Questions**

**What are your views on having the option to complete social security application forms online? Can you foresee any disadvantages?**

**What are your views on the new agency providing a secure email account or other electronic access to check and correct information for the purposes of assessing applications (noting that any such provision would need to be audited and regulated so that the security and accuracy of the information would not be compromised)?**



## 20. Uprating

### **Summary**

- We discuss the annual process by which the value of some of the benefits which people currently receive is increased. This process is referred to as 'uprating'.
- We make it clear that we will maintain spending on disability benefits, uprating them in line with inflation.
- We ask if there should be a general, Scottish uprating policy for devolved benefits and payments which could simplify the system overall and make it easier to understand.

Six devolved benefits – Attendance Allowance (AA), Carer's Allowance (CA), Disability Living Allowance (DLA), Personal Independence Payment (PIP), Severe Disablement Allowance (SDA), and Industrial Injuries Disablement Benefit (IIDB) - are currently uprated. This means that the values of these six benefits are all directly linked by legislation to the rate of inflation.

### **Current arrangements**

Uprating does not apply to all of the devolved benefits. It does not apply to Sure Start Maternity Grants, Funeral Payments and the amounts of Cold Weather Payments and Winter Fuel Allowance, as these are only uprated at irregular intervals. The amounts provided to local authorities for Discretionary Housing Payments are non-statutory, so uprating is not relevant to them. The UK Government has decided that benefits which are not linked to inflation should be frozen for four years from April 2016.

At present, the UK Government uprates benefits by measuring the rate of inflation using the Consumer Price Index, which tracks the changing cost of a fixed 'basket' of goods and services over time. In practice, this means that the amount paid out for each of these benefits is increased in April based on the Consumer Price Index in the previous September, if there has been an increase in prices. However, if the Consumer Price Index falls, the uprating mechanism does not operate to increase the value of benefits. This happened in April 2016 – the Consumer Price Index fell by 0.1% over the 12 months to September 2015, no indexed-linked increase was applied in April for the year 2016-17.

The amounts paid out in AA, CA, SDA and IIDB can only be altered either through the uprating link with the rate of inflation, which operates through legislation. The amounts paid out for DLA and PIP can be altered either through the uprating link with the rate of inflation or by legislation.

For these six benefits, the Secretary of State for Work and Pensions must uprate the amounts whenever inflation is positive. He is not required to uprate by only the value of inflation, and can set any higher percentage increase he likes provided there has been some increase in prices. He is obliged to uprate annually where there has been inflation, unless he considers that the increase would be “inconsiderable” (he is also allowed to round figures up and down “as he thinks appropriate”).

The block grant adjustment methodology detailed in the “[Agreement between the Scottish government and the UK Government on the Scottish Government’s fiscal framework](#)” published on 23 February 2016<sup>61</sup>, continues to link adjustments to the Scottish block grant in respect of welfare to spending on equivalent policy areas in England and Wales. This means the Scottish Government is funded to provide the same level of benefits as in England and Wales. At the moment the UK Government uses the Consumer Price Index to link benefit payments to the general cost of living. If Scotland was to use a more generous measure then the extra funding would need to be found from within existing Scottish resources, limiting the amount which could be spent on other policies.

The Scottish Government has committed to maintain spending on disability benefits, uprating them in line with inflation, and ensuring they are not means-tested when they are devolved. As long as inflation increases, the current legal arrangements will allow the Scottish Government to set amounts for the indexed linked benefits, provided the amounts it sets are higher than the amounts currently paid out. The Scottish Government could also set the amounts for DLA, PIP and the non-indexed payments through regulations.

A general, Scottish uprating policy for devolved benefits and payments which is linked to the rate of inflation could simplify the system overall and make it easier to understand. However, it could be that other policy requirements are more important – for example, the ability to respond to changes which impact on people claiming devolved benefits flexibly and quickly. Also, automatic uprating might not be the best way to address issues such as families living in poverty because it may be that the gap between families in poverty and better off families will only be closed by targeted increases, rather than uprating across the board.

## Questions

**What are your views on the best way to ensure that devolved benefits keep pace with the cost of living?**

<sup>61</sup> <http://www.gov.scot/Resource/0049/00494765.pdf>

**Are there any devolved benefits in particular where uprating based on a measure of inflation would not be effective?**  
If so, please explain which benefits and why.

# **Consultation on Social Security in Scotland**

## **Annex A: Partial Equality Impact Assessment (EQIA)**

## Partial Equality Impact Assessment

### Introduction

This is a partial equality impact assessment (EqIA) for the social security bill consultation. It is 'partial' in the sense that it reflects our thinking to date. We now need your help and advice to produce a full and final EqIA to accompany the social security bill.

After providing background information for context, the EqIA provides detail on the Scottish Government's engagement so far to understand the equality implications of the new social security powers. It then sets out general barriers people might face, many of which have equality implications before discussing the equality implications of the new social security agency, followed by the individual benefits, including where we are proposing changes to existing UK benefits. There is also brief discussion of appeals and tribunals.

To improve the EqIA, we have developed a set of prompts to help you with your feedback. We will develop a full EqIA, based on your feedback and advice, once the consultation is complete.

We recognise that this partial EqIA only makes limited or no references to ethnicity, religion, sexual orientation, and transgender. We therefore particularly welcome your feedback on these issues and will seek active engagement with representative groups and others over the consultation period.

**How can the Scottish Government improve its partial EqIA so as to produce a full EqIA to support the bill?** These prompts could be helpful in framing your answer:

- What does the Scottish Government need to do, as it develops a Scottish social security system, to ensure that equality implications are fully taken into account?
- What does the Scottish Government need to do, as it develops a Scottish social security system, to ensure that any implications for those on low incomes are fully taken into account?
- Are there equality considerations for individual benefits that you would like to draw to our attention?
- Are there considerations about individual benefits for those on low incomes that you would like to draw to our attention?
- What are your views on how we can best gather equality information for the new Scottish benefits?
- What does the Scottish Government need to do to ensure that its social security legislation (including secondary legislation and guidance) aligns its

vision and principles with equality for all those who need assistance through social security support?

- What does the Scottish Government need to do to ensure that a Scottish social security system provides the right level of support for those who need it, and what are the possible equality impacts of this?

## **Background**

The public sector equality duty requires the Scottish Government to assess the impact of applying a proposed new or revised policy or practice. It is a legislative requirement. The duty helps us consider how policy can respond to the ways in which people are different from one another, in relation to particular 'protected characteristics': age, disability, gender reassignment, gender including pregnancy and maternity, race, religion and belief, and sexual orientation. This consideration helps ensure that, where possible, policy is shaped appropriately to advance equality on these grounds and meet people's varying needs as effectively as possible.

The public sector equality duty requires the Scottish Government to consider, as appropriate, the need to:

- Eliminate discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a relevant protected characteristic.

An EqIA is key to these considerations. It aims to consider how a policy (a policy can cover: activities, functions, strategies, programmes, and services or processes) may impact either positively or negatively on the protected characteristics.

Meeting the requirements of the public sector equality duty is important across government policy, but it is arguably particularly important in relation to social security, with many of the benefits being devolved to Scotland being crucial to disabled people. The new powers also raise questions about women's financial independence, about support for children and young people, and about helping those on low incomes more generally.

Because of this last point, this EqIA also looks at impacts on poverty from the new benefits. This reflects the Scottish Government's commitment to introduce a socio-economic duty that enables consideration of socio-economic disadvantage in strategic decision-making.

## Engagement to date

We have already begun to seek views on the equality implications of introducing existing and new benefits through a Scottish social security agency. A range of engagement activities have been underway, including:

- **Fairer Scotland** conversations - Our new social security powers were one of the major areas for discussion in the Fairer Scotland consultation work. In June 2015, Scottish Government hosted an event attended by over 50 stakeholders. Through our engagement process since then, we have consulted widely with a range of stakeholders
- We have put in place a range of opportunities to allow people and stakeholders to have their say, **including digital surveys and workshops** with key sectors including local government, third sector, anti-poverty groups, older people organisations and ethnic minority groups. Officials have also attended and set out our position at a number of events organised by stakeholders
- We commissioned Poverty Alliance and Engender to take forward work on our behalf to ensure that we capture the voice of those who have experience of benefits. We also set out a range of questions on new powers that around 40 organisations have replied to, which will help to inform our thinking on plans for new powers. The themes that emerged have informed the vision and principles outlined by the Scottish Government
- We have also worked with Scottish Government policy colleagues working in areas where there are potential synergies with the areas to be devolved. This includes areas such as self-directed support, health and social care, carers, fuel poverty and maternal health. This has helped us to map out the connections between the areas that are already devolved and identify the scope for aligning these with new powers. There are also some clear links with other powers to be devolved in the Scotland Bill, most notably those over the employment programmes

The formal consultation (to which this EqIA is an annex) is a next stage in this broader consultation process. It asks a range of questions about the new powers, including about this particular document, which will be central to further development of equality considerations.

However, we have further plans to consult and engage as we move towards delivery.

- There is relatively little or no discussion of some of the protected characteristics in this partial EqIA: religion and belief, race, sexual orientation, and gender re-assignment. We will hold engagement meetings with relevant



representative organisations so we can include a wider discussion within the full EqIA

- Including disabled people and Disabled People's Organisations (known as DPOs) such as Inclusion Scotland, Independent Living in Scotland and others in the structure and governance of the social security agency and associated delivery bodies
- Including organisations such as Woman's Aid to explore potential negative unintended consequences for women disadvantaged in terms of any system which pays benefits to the 'household' or experiencing domestic abuse
- Establishment of an independent body, providing reviews and promoting continuous improvement in partnership with disabled people and the organisations that support them
- The establishment of a stakeholder reference group, and the use of panels and disabled people focus groups to help co-produce policies and processes will ensure that we foster good relations with equality groups - we are particularly committed to taking forward a range of mechanisms to ensure people in receipt of benefits have their voice heard
- A Disability Benefits Assessment Commission is also planned. This should help ensure that opportunities to advance equality through the disability benefits are identified and maximised as far as possible
- We will also take forward work with minority groups, women groups and disability groups through existing forums we've established

In due course, we will publish a full EqIA for the social security bill on the Scottish Government website. This will take account of your feedback on this partial EqIA and on the consultation more broadly. The final EqIA will consider how we can improve our understanding of potential impacts, both positive and negative; enhance actions to reduce poverty and inequality; avoid discrimination; take action to progress towards equality; and realise human rights.

### **General barriers**

In establishing a Scottish social security system, which has a positive impact on equality, we want to address the various barriers that people can face when they share particular protected characteristics. These are barriers which can prevent people from accessing social security services and receiving the right kind of support. The main barriers people can face are:

**Attitudinal barriers** often have their roots in unquestioned assumptions and inaccurate stereotypes. Prejudice can prevent people from accessing social security services or receiving appropriate support. A range of barriers affect, for example, how disabled people are treated within the system, and how gender issues are considered to ensure equality.

**Communication barriers** affect people requiring communication support such as British Sign Language and people with visual impairment. They can affect people with dyslexia or learning disabilities and people who are finding the situation stressful or confusing. They can also be caused by the use of complex language and jargon.

**Organisational barriers** can arise because of the ways in which services are organised, the timing of events or appointments, or the inflexibility of officials' working patterns. This may be particularly relevant for people with caring responsibilities and disabled people.

**Physical barriers** are created by physically inaccessible buildings, raised kerbs or uneven pathways. These barriers impact particularly on disabled people and older people, and on people with prams and buggies.

**Transport barriers** are created by inaccessible or unavailable public transport and lack of parking spaces. Concern about personal safety while using public transport can be a significant barrier for some people.

**Financial barriers** affect people who have restricted access to earned income and those who have extra costs. We know that disabled people and minority ethnic groups are more likely to live in poverty. There may also be issues, particularly because of UK welfare reform, which disproportionately affected women.

**Environmental barriers** can result from unfamiliar or crowded places, poor signage, or poor lighting. For some people, the environment can also affect their sense of personal safety and this may be a particular concern for both women and men, disabled people, lesbian, gay, bisexual, transgender and intersex (LGBTI) people, and minority ethnic groups.

**As we develop the new social security system for Scotland, we want to hear your views about how we best address these and other barriers going forward.**

### **Summary of key equality considerations**

This partial EqlA is organised by benefit. We decided to take this approach because each of the benefits being devolved is different, with its own equality concerns.

When published, the full EqlA will also include an overview by protected characteristic. **You are very welcome to send us suggestions for issues we should consider in terms of such an overview.**

In addition to the discussion of each benefit, we also consider the introduction of the new social security agency appeals and tribunals issues, here. **If there are other issues/topics you would like us to consider in the full EqIA, please let us know.**

A summary of the main benefits to be devolved to Scotland is provided on the next page. These reflect the benefits as they are at present and do not refer to any planned changes to be made by the Scottish Government. Changes that have already been proposed are, however, discussed in the main section of this EqIA.

We already know that the information recorded by DWP for benefits to be devolved is not sufficient to make an informed assessment of equality impacts. In developing the data specification for new Scottish benefits, we will seek to gather more information so that we understand impacts better in the future. Gathering more information will need to be carefully balanced with the length of form and ensuring the dignity and respect of the applicant.

Please note that Severe Disablement Allowance is not discussed in this EqIA. That is because this benefit is closed to new entrants and no changes will be made to it, except that it will be administered by the new Scottish social security agency.

## Benefit to be devolved to Scotland

Group	Benefit	Primary Purpose
For carers, disabled people & those who are ill	Attendance allowance	To help with personal care for individuals aged 65 or over with a physical or mental disability.
	Carer's Allowance	To help an individual look after someone with substantial caring needs. To be eligible the individual must be 16 or over and spend at least 35 hours a week caring for them.
	Disability Living Allowance	Help if your disability or health condition means one or both of the following are true: <ul style="list-style-type: none"> <li>• You need help looking after yourself</li> <li>• You have walking difficulties</li> </ul> DLA is closed to new working age claimants and being replaced by PIP.
	Personal Independence Payment	Helps with some of the extra costs caused by long-term ill-health or disability for individuals aged 16 to 64. Replacement for DLA for working age individuals.
	Industrial Injuries Disablement Benefit	For individuals who are ill or disabled as a result of an accident or disease caused by work or while you were on an approved employment training scheme or course.
	Severe Disablement Allowance	For working age individuals who are unable to work due to illness or disability. SDA is closed to new entrants
Currently part of the Regulated Social Fund	Cold Weather Payment	A payment for individuals on certain benefits when the temperature is either recorded as, or forecast to be, an average of zero degrees Celsius or below over 7 consecutive days.
	Funeral Payment	For individuals on low income and needing help to pay for a funeral they are arranging.
	Sure Start Maternity Grant	A one off payment of £500 to help towards the costs of having your first child for individuals who are in receipt of certain benefits.
	Winter Fuel Payment	A tax-free payment to help pay for heating bills if you were born on or before 5 July 1952 (Current SPA for women).
Other	Discretionary Housing Payments	Additional help for those in receipt of Housing Benefit and having difficulty meeting their rent payments. Paid at the discretion of the LA.

## A. A NEW SOCIAL SECURITY AGENCY

A new Scottish social security agency was announced as being under development in March 2016. The configuration of the agency is currently under consideration. A key element of the new system will be to establish a new agency to administer social security payments. Although the decision to establish an agency should not in itself have a direct impact on equality, how the agency is set up – including how engaged representative groups are in the process - and the operation of the agency have the potential for considerable equality impact.

We have therefore taken advice from Scottish Government's own Public Bodies Unit and have become members of the New Public Bodies Network. This engagement will ensure that we are kept apprised of any and all requirements and benefit from experience and best practice. We are also engaging with equality leads within government to gain their insight and build links with other organisations out with the Scottish Government. And, as stated at the outset of this EqlA, we are already engaging with equality representative groups and will continue to do so as the agency is established.

The agency will, of course, be required to meet all public equality requirements but we will go further. Ministers are already reflecting that this agency must be an exemplar of equality for the Scottish public sector, both in terms of the support provided to all people across the protected characteristics and in terms of employment opportunities offered. This is in line, again, with published commitments of the Government in "A New Future for Social Security in Scotland"<sup>62</sup>.

A Scottish agency being established will not necessarily lead to more benefit payments being made to individuals and cannot, by itself, resolve long-standing equality concerns. However, our commitment to establish a Disability Benefits Assessment Commission is evidence of an ambition to advance equality. The Commission will make recommendations and develop guidance on how often assessments should take place, what conditions should be given an automatic and/or a lifetime award, and what eligibility criteria should be. The agency will operate in accordance with the vision and principles already established for social security in Scotland. This will help provide better support for those in receipt of benefits, treating them with dignity and respect and enabling more accessible systems, which in turn could have positive impacts on benefit uptake – for both devolved and reserved benefits.

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<sup>62</sup> <http://www.gov.scot/Resource/0049/00496621.pdf>

There will be employment opportunities created in the establishing and running of the Agency, and the delivery of social security in Scotland will add to the public sector landscape in Scotland.

## B. THE MAIN DISABILITY BENEFITS - DLA, PIP, AND AA

Benefits that support disabled people with the additional costs of their impairment or health condition are being devolved to Scotland. The main benefits are Disability Living Allowance, (DLA), Personal Independence Payment (PIP) and Attendance Allowance (AA). These benefits serve to recognise that impairments and long-term health conditions require additional costs - cash benefits help address some of this inequality and are also intended to support health, wellbeing and social inclusion.

In November 2015, 309,540 individuals were in receipt of DLA, while 128,800 individuals received AA in Scotland. DWP has published more recent statistics for PIP: in January 2016, 73,219 individuals were in receipt of PIP. Women are more likely to be in receipt of AA (65% - 35%) and PIP (55% - 45%), but DLA levels are broadly similar (51% - 49%). (see Table).

Recipients of DLA, PIP and AA in Scotland by age and sex

	DLA	PIP*	AA
Age			
Female	51%	55%	65%
Male	49%	45%	35%
Sex			
0-15	11%	--	--
16-34	11%	20%	--
35-49	15%	29%	--
50-64	29%	46%	--
65-74	22%	5%	17%
75-84	10%		47%
85+	1%		36%
Total	100%	100%	100%

\* An age breakdown is not available for PIP recipients aged 65 and over

DLA, PIP and AA are benefits paid weekly to disabled people to help meet the additional costs of living with a disability, impairment or long-term health condition. DLA is for people under 16, PIP is for people aged 16-64, and AA is for people who become disabled at 65 or over. Some people aged 16-64 are still getting DLA, but this is gradually being replaced by PIP. Depending on when they became disabled, people aged 65 and over could receive DLA, PIP or AA.

Much of the move of working age DLA recipients to PIP has yet to happen and in November 2015 only 11% of DLA claimants were aged under 16, 56% were aged 16-64 and 33% were aged 65 or over. Almost all PIP claimants were aged between 16 and 64. Almost half of AA claimants (47%) were aged 75-84 and over a third (36%) were aged 85 or over. (see Table)

To be eligible for DLA or PIP, applicants must have personal care needs and/or difficulty with walking because of physical or mental health issues. AA is paid on the basis of personal care needs only.

DLA and PIP have two components with levels within them for care and mobility needs. AA has one component paid at two levels. The table overleaf shows the components and rates.

These benefits are received by over 500,000 people in Scotland with an annual expenditure of over £2.1 billion.

Children (aged under 16) in receipt of DLA are more likely to be boys (70%) than girls (30%).

For working age adults the situation is more complex. Between the ages of 16 and 39 men are more likely than women to receive DLA and from 40 up women are more likely than men. Overall around 52% of working age DLA recipients are women. For PIP the picture is a little different – women make up a larger proportion than men for all ages from 25 up. Overall around 45% of working age PIP recipients are men.

The majority of pensioners receiving these benefits are women – related to the higher female life expectancy.

The current structure of the benefits means that people over 65 who become eligible for support can only qualify for care and living support and not mobility. The lack of mobility component for people who start to claim a disability benefit over the age of 65 is a negative impact and one which we are considering as part of the consultation and wider policy development process.

<b>Benefit</b>	<b>Weekly Award</b>
<b>DLA</b>	
<b>Care Component</b>	
Highest	£82.30
Middle	£55.10
Lowest	£21.80
<b>Mobility Component</b>	

Higher	£57.45
Lower	£21.80
<b>PIP</b>	
<b>Daily living component</b>	
Enhanced	£82.30
Standard	£55.10
<b>Mobility Component</b>	
Enhanced	£57.45
Standard	£21.80
<b>Attendance Allowance</b>	
Higher Rate	£82.30
Lower Rate	£55.10

Rates correct as at June 2016, Source DWP

Scottish Ministers are committed to maintaining the level of the disability benefits for individuals and raising them by at least the rate of inflation, using the Consumer Price Index as a starting point, once the powers are transferred. We have also committed to ensure that no child currently claiming DLA will have to be reassessed for PIP until they turn 18.

In the short term, a secure and smooth transition to devolved disability benefits payments, ensuring that transfer arrangements are well communicated and every recipient continues to receive their benefits, will be our absolute priority. But we are still committed to making improvements as soon as practicable, for example – a consistent theme from engaging with people over the past year has been that there should be a transparent and easy-to-access process of application, assessment/consideration<sup>63</sup>, decision-making and award for people claiming the benefits. We want to make sure that the process from start to finish is clear and accessible, and that people understand how and when their claim will be dealt with.

We also have bold aspirations for the longer term. For example, we want to ensure that disability benefits work as effectively as possible with other devolved services such as health and social care and housing, and to explore the potential for a ‘whole-of-life’ disability benefit that is responsive to people’s needs at different stages of their lives. A single benefit across the age range could remove arbitrary age-related requirements for people to re-apply for a different benefit – for example, it might not be necessary for everyone to apply for a new benefit when they reach a specific age. A whole-of-life approach would allow a more person-centred approach to

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<sup>63</sup> Where we use the phrase assessment, we mean some form of appraisal of eligibility, wherever possible this will not be conducted on a face-to-face basis.



reassessments and potentially offer a secure and more flexible benefit for disabled people.

At this stage of our policy development we are not aware of any impacts on gender reassignment, pregnancy and maternity, race, religion or belief, sex or sexual orientation from introducing these benefits into Scotland. Our proposals to smooth age-related transitions should have a positive impact in relation to age and disability; however it is too early to assess the overall impacts of the policy decisions we may make in the future.

Engaging with people affected by the benefits and the organisations that support them has been and will continue to be a critical part of policy development creating options for how the system can be improved. Key organisations are Inclusion Scotland, Glasgow Disability Alliance, Lothian Centre for Inclusive Living, the Health and Social Care Alliance and Age Scotland.

These benefits are not income replacements and are not means tested but they provide a vital level of support for additional costs for such as additional heating, transport, therapies, clothing, diet and promoting independent living and social inclusion. It is a stable weekly cash benefit that can contribute to family and household costs. We know that there are significant proportions of disabled people living in poverty and while these benefits are not designed to tackle poverty, they will provide an important contribution to some of the additional living costs that disabled people may incur. The weekly cash benefits range from £21 to £139.75 dependent on the award, and are associated with financial premiums attached to Housing Benefit, Employment and Support Allowance, Tax Credits and also services like the Blue Badge Scheme and local concessions.

These benefits have a positive impact on disabled people and families with a disabled child by adding to their weekly income. Ministers are committed to maintaining the level of the benefits.

We are also consulting on how we might enable recipients of the benefits to reduce their outgoings in areas where disabled people may have additional costs. Specific areas we are considering are transport, where we plan to continue to support the current Motability scheme, and the potential to offer reduced energy tariffs for recipients of disability and carer benefits.

## **C. INDUSTRIAL INJURIES DISABLEMENT BENEFIT**

Industrial Injuries Disablement Benefit (IIDB) provides financial support to people who have become ill or disabled through the course of work. IIDB is paid weekly to workers who are injured or who contract certain “prescribed diseases” through work,

such as asbestosis. The amount payable varies according to the degree of disablement, but must be above a certain threshold. IIDB can be claimed alongside other disability benefits.

In the third quarter of 2015, 26,780 individuals were in receipt of IIDB. The majority of recipients were men. In Scotland, 81% of new claimants were men, 19% were women. In terms of age breakdown, around 58% of people receiving the benefit across Great Britain are 65+.

IIDB can be claimed on top of DLA, PIP and AA, contribution based benefits and the State Pension. Income is not taken into account for eligibility, but IIDB is counted as income against means tested benefit such as Income Support, Housing Benefit and Working Tax Credits. So, the benefit will provide additional income for many recipients. For some people on low income who are reliant on income replacement benefits, financial support gained by IIDB will not translate into increased income. Income related benefits are reserved to the UK Government.

Our IIDB Advisory Group includes the Child Poverty Action Group and Clydeside Action on Asbestos which represents the interests of people made ill and disabled by contact with asbestos. The Disability Benefits Reference Group, which includes numerous organisations representing disabled people including Inclusion Scotland, has provided feedback on the IIDB questions within the consultation. We have spoken to recipients of IIDB in developing our approach and will expand this through the Social Security User Panels.

We intend to gather data on all the protected characteristics, and other groups who may find it challenging to access the benefit - for example, people in prison or people with no fixed address. Where evidence suggests particularly groups are unfairly underrepresented, we will consider whether action is appropriate to redress the balance.

#### **D. CARER'S ALLOWANCE**

Carer's Allowance provides financial support and recognition for those who have had to give up or limit their employment or study because of caring responsibilities. It is currently £62.10 per week and can be paid every 13 weeks, every 4 weeks or weekly. There are certain eligibility criteria - a recipient has to be 16 or over, spend at least 35 hours a week caring for a person who qualifies for specified disability benefits<sup>64</sup>, not be in full-time education or earn more than £110 per week (after deductions). It can be paid alongside other benefits although certain rules apply.

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<sup>64</sup> Personal Independence Payment - daily living component; Disability Living Allowance - the middle or highest care rate; Attendance Allowance; Constant Attendance Allowance at or above the normal

Evidence shows that 49% of carers left work to care with a further 23% reducing their hours and 17% accepting a less highly qualified job or turning down promotion.

In November 2015, 67,050 people were in receipt of Carer's Allowance to help them look after someone with substantial caring needs. Of those, 68% were women and 32% men. Over half of claimants were aged 40 to 59. 250 claimants were young people under 18. Any changes to Carer's Allowance will likely, therefore, affect women and older working age people most.

The Scottish Government has already committed to increase Carer's Allowance to the rate of Jobseeker's Allowance – currently £73.10 p/week - and to consider the introduction of a Young Carer's Allowance for those with significant caring responsibilities. This should help those on low incomes. A survey by Carers UK (2016) found that 48% of carers are struggling to make ends meet, and of those, 41% are cutting back on essentials like food and heating and 10% are falling into arrears with housing and utility bills. The increase in the benefit should also impact positively on women, who are the majority of carers, and potentially young people, depending on the outcome of the policy development. It may also foster improved relationships between young carers and the people they care for, who tend to be older.

There is also a commitment to increase Carer's Allowance for people who care for more than one disabled child to recognise higher costs. Again, because the majority of carers are women, this should advance equality for women, but also improve equality of opportunity for those disabled children affected.

The above assessment considers claimants. However, there are around 745,000 unpaid adult carers in Scotland providing care to one or more people – 17% of the adult population – and an estimated 44,000 young carers in Scotland aged 4 to 17. Overall 9% of carers are white Scottish / British / Irish population, compared to 5% of other ethnicities.

In order to improve uptake of Carer's Allowance, we intend to gather evidence against the protected equality characteristics, where possible, and on particular groups who may find it challenging to access the benefit. We have also established a Carer Benefit Advisory Group. The group includes MECOPP (Supporting Black and Ethnic Minority Carers) and Carers Scotland representing young carers. Our Expert Members Panel, which supplements the Advisory Group, includes the Child Poverty Action Group and NUS Scotland. Discussions on Fairer Scotland included Carers Scotland facilitating, on our behalf, a carer benefit specific session with the

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maximum rate with an Industrial Injuries Disablement Benefit; Constant Attendance Allowance at the basic (full day) rate with a War Disablement Pension; Armed Forces Independence Payment

women's organisation Engender. As part of the consultation on the Social Security Bill we will focus on specific groups, including young carers.

## **E. WINTER FUEL PAYMENT**

Winter Fuel Payment (WFP) is a benefit that is paid to people who are over the current female state pension age (regardless of gender) to cover the costs of heating their home over the winter months. In 2014/15, 1,076,870 people in Scotland received a WFP.

The rate for WFPs is currently set at a maximum of £200 a year for recipients who are younger than 80 and at £300 for those who are 80 or older. Recipients who live with their partner usually receive half of that amount each, ie £100 if younger than 80 and £150 if 80 or older. People aged 80 or over receive £200 if their partner is younger than 80, thus their household entitlement still amounts to £300. People in care homes receive the reduced allowance of either £100 or £150 depending on their age.

The eligibility criteria for WFPs, as they currently stand, mean that clearly, they are of particular benefit to older people. Within this group, as they comprise a higher proportion (55%:45%) of the population, women receive a higher proportion of the benefit of WFPs, compared to men.

However, the 2016 SNP manifesto contained the following commitment on WFPs:

“We'll extend eligibility for Winter Fuel Payment to families with children in receipt of the highest care component of the Disability Living Allowance. We'll also make payment early for those who are off grid, so they can take advantage of lower prices”.

Implementing the first of the two manifesto commitments noted above would be of particular benefit to families with children in receipt of the highest care component of DLA<sup>65</sup>. As it is a condition of eligibility for the higher rate of DLA that the child must be in need of help or supervision through both the day and night, or be terminally ill, it is likely that in such households, the main carer and child would be in the home more of the time, and/or require the home to be heated to a higher temperature. This leads to higher fuel bills, and higher risk of fuel poverty.

In March 2011, the Scottish Government published a report, [Experiences of Muslims Living in Scotland](#)<sup>66</sup>, which noted: “research has suggested that South Asian families

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<sup>65</sup> In November 2015, 13,920 children qualified for the highest care component of DLA was 13,920. Of these, 9,820 (71%) were boys and 4,050 (29%) were girls.

<sup>66</sup> <http://www.gov.scot/resource/doc/344206/0114485.pdf>

with disabled children experience discrimination and disadvantage in accessing the health and care services needed (Bywaters et al 2003). A report from the Disability Rights Commission, citing statistics assembled by the General Registrar's Office for Scotland, noted that the proportion of children aged 10-15 years with limiting long-term illnesses, was higher among Pakistani, Bangladeshi and other South Asian households, and within Afro-Caribbean communities, compared to white households. This suggests that extending eligibility of WFPs has the potential to be of particular benefit to certain minority ethnic communities.

Implementing the commitment to make earlier payments to eligible households who are off-grid, could be of particular benefit to low income households in rural areas, where the cost of fuels such as heating oil, coal etc is a significant contributory factor in the higher levels of fuel poverty found in these areas.

As with other universal benefits, under current eligibility criteria, people on lower incomes gain more from WFPs in relation to their income, than do higher income households.

## **F. COLD WEATHER PAYMENTS**

Cold Weather Payments (CWPs) are paid to households in receipt of certain benefits, when the temperature is either recorded as or forecast to be an average of 0°C or below over seven consecutive days. In 2014-15 136,000 payments were made to 119,000 recipients. Just under half (47%) of the recipients were older people in receipt of Pension Credit. The Scottish Government has no current proposals for change in respect of CWPs.

As CWPs are restricted to households on certain benefits, they are of particular benefit to lower income households. There has been some criticism that the "trigger" for the payments to be made, slightly favours households in the east of Scotland, compared to the west, due to weather patterns (with winters in the west of Scotland being in general slightly more wet and windy, while the east is colder but drier).

Given the higher prevalence of lower income and deprivation in the west, it may be that Ministers will wish to review the formula set out above.

## **G. BEST START GRANT**

The Best Start Grant (BSG) is a new benefit that provides support at key transitions throughout early years, replacing the Sure Start Maternity Grant, which is a less generous maternity grant.

Availability of the Sure Start Maternity Grant is not limited to the mother, as family members of the mother can apply for and receive the grant. While we have no data from DWP about the makeup of the claimant group, we expect that in the majority of cases the claimant is the mother.

Throughout the policy development process, we have consulted a wide range of stakeholders including those with specific equality and poverty perspectives such as Engender, One Parent Families Scotland, Inclusion Scotland and the Child Poverty Action Group.

The benefit supports a particularly high proportion of pregnant woman and new mothers. We do not consider that replacing the Sure Start Maternity Grant with the BSG will have any negative impact on people who share protected characteristics. Indeed, by re-introducing a payment to second and subsequent children, the allowance will provide increased support for larger families who are more likely to be in poverty and to have minority ethnic origins.

Young children more generally are also likely to benefit, as the allowance may be used to buy basic, essential items through the early years. Disadvantage begins before birth and continues in a child's earliest years, and can have lifelong negative effects on their health and wellbeing. By providing increased financial support to low income families, the BSG will mitigate the effects of child poverty, helping to improve outcomes for children including reducing health inequalities and closing the attainment gap.

We are exploring opportunities to use the contact with pregnant women and new mothers through BSG to signpost to other relevant support. For example, there is evidence that pregnant women are more likely to face discrimination from employers, according to [research carried out by the Equality and Human Rights Commission](https://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-and-maternity-discrimination-research-findings).<sup>67</sup> There is also an opportunity to consider the way in which the grant is provided - for example, provision of adapted items instead of cash might benefit some disabled people. Accessible application systems and better integration with relevant services such as the family nurse partnership should improve take up for younger parents.

## **H. FUNERAL PAYMENTS**

Funeral Payments are designed to help those on qualifying low income benefits pay for a funeral and reduce the need to borrow money through high cost loans, credit cards, or through informal routes. Reaching more people with the payment should result in reduced unsustainable debt and reduced stress for families, allowing for a

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<sup>67</sup> <https://www.equalityhumanrights.com/en/managing-pregnancy-and-maternity-workplace/pregnancy-and-maternity-discrimination-research-findings>

natural grieving process. We are also progressing a range of other activity intended to help people plan ahead for funeral costs and address rising funeral costs.

There is limited data from the DWP about who receives Funeral Payments at present. Published information shows that in 2015, 37.9% of awards were made due to receipt of Pension Credit, suggesting that, perhaps not surprisingly, older people are frequent users. Within this group, it is likely that more women will receive this benefit, as they make up higher proportion (55%:45%) of the older population compared to men.

We know that some faith groups provide for their own funerals and are less likely to use the benefit. The speed of processing may be an element in this. The way that burial costs are calculated may also disadvantage faith groups that have a limited choice of burial grounds.

We are committed to reaching more people with the Funeral Payment and to speeding up and simplifying the process to make it more predictable. Designing the new process will give us an opportunity to ensure that it is properly promoted by relevant services and to reflect the needs of equality groups. We have therefore engaged with a range of stakeholders and have established a Reference Group to advise on the development of the Funeral Payment. Membership includes representatives from: Citizens Advice Scotland, CPAG, bereavement organisations, money advice organisations, financial services providers, local authorities, the NHS, Scottish Older People's Alliance and faith groups.

## **I. UNIVERSAL CREDIT FLEXIBILITIES**

This consultation contains questions on two further flexibilities re Universal Credit (UC) in Scotland: managed payment of rent to private sector landlords and split payments.

### **Managed Payment of rent in the private sector.**

This policy aims to give UC claimants, who are tenants in the private rented sector, the option of having the rent element of their UC paid direct to their landlord. This option will be available to all claimants and will mean tenants in the private sector will have the same option as tenants in the social sector.

When UC is fully rolled out in Scotland, it is estimated there will be up to 700,000 claimants, though not all those will be householders.

Our initial assessment has identified no negative impacts for equality from managed payments of this kind. We are not aware of opportunities to deliver managed payments in any other way that would further progress equality.

Both UC flexibilities will help those on low incomes. Although they do not increase the amount of income coming into a household, they will help people to manage the household budget and avoid rent arrears, protecting tenants from eviction.

### **Split Payments for UC**

UC is designed to be paid in one monthly payment per household. This payment includes all the elements that make up UC, including for dependent children. A couple claiming will need to nominate who is to receive the payment and what bank account it is to be paid into. This means that the main carer, often the mother, may not receive any of the UC directly.

This is a change from the current system where the main carer often received the child tax credits. It could be seen as a retrograde step for women, because in some cases it will essentially remove women's independent income. Single payments could also have negative impacts on children and other people who receive care from one member of the family, e.g. a disabled relative, if the main carer does not receive their own independent income.

Some stakeholders argue that all UC payments should be split between members of a household by default.

The consultation document itself asks if UC should be split between members of a household in all cases or if claimants should have a choice. Either of these policies could have a positive impact for women, although there may be issues for some women in households where they do not feel able to press for a choice – for example, because of the threat or experience of domestic abuse.

### **J. UNIVERSAL CREDIT HOUSING ELEMENT**

This consultation asks for views on the Scottish Government's powers over the calculation of the housing element of UC. In Scotland, of the 23,300 households on UC, 8,800 (38%) have a housing [element](#).<sup>68</sup>

We expect that using the UC powers to abolish the bedroom tax will have a positive impact for people on low incomes and we would want to ensure that any further

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<sup>68</sup> <https://www.gov.uk/government/publications/universal-credit-data-on-alternative-payment-arrangements>



changes by the Scottish Government to the housing element of UC did not have any negative impacts for equality.

## **K. DISCRETIONARY HOUSING PAYMENTS**

Discretionary Housing Payments (DHPs) provide support to people on Housing Benefit or the housing element of Universal Credit who need help to meet their housing costs. DHPs are often used to help people affected by aspects of welfare reform including the bedroom tax, which disproportionately affects disabled people, and the benefit cap, which mostly impacts families.

As we propose that DHPs continue to operate in the same way once they are devolved, we do not expect this to have an impact on the protected characteristics for equality.

The Scottish Government will have full control over the allocation of DHP funding, providing the opportunity to distribute funds according to need and in line with its priorities. The SG will continue to use DHPs to fully mitigate the bedroom tax for affected households in Scotland.

DHPs help those on low incomes by providing them with support to help meet their housing costs, such as funding to cover a shortfall in rent or to help with a deposit. They can be used to help those whose income has been further reduced by the impacts of welfare reforms. Support is awarded at the discretion of the local authority and can be short-term or long-term depending on the circumstances of the individual.

We expect that following the devolution of DHPs, they will continue to have a positive impact in helping people on low incomes who are experiencing difficulty meeting their housing costs.

## **L. JOB GRANT**

The job grant is a new benefit, aimed at young people aged 16-24. The grant will help young people who have been unemployed for over six months but who are now starting work. The grant is a one off payment of £100, or £250 if the person has children, plus a three-month bus pass. We estimate that it will help between 6,500-8,500 young people per year.

Because this is a new benefit, we do not have a clear sense of how it might impact on protected characteristics. However, its focus on 16-24s reflects the idea that it is important to support young people as they start out on, or resume, their working

lives, particularly because the early effects of spells of unemployment can be damaging for younger workers over the longer term.

We expect that a greater number of men than women would receive job grant awards and the breakdown to be in the region of 70% to 30%. This is because a greater proportion of those who are unemployed and those who claim Jobseeker's Allowance are men and this is also true for the 16-24 age group. However, the larger payment for a person with children is likely to be helpful for younger women in particular, as women tend to be primary carers for children. This might be expected to be particularly helpful for lone parents.

The job grant does not provide help to older workers, some of whom may find it difficult to get back into work after a period of unemployment. However, it is our view that younger workers are particularly disadvantaged by long spells of unemployment, not least because they may not already have suitable clothes for work; and that focusing on this group is not unreasonable when resources are limited.

Disabled people under 25 may feel they need still more assistance to meet their needs than that being offered, and bus travel may be of limited help to some disabled people. We recognise the above concerns, but DLA/PIP and Motability should provide support for disabled people for the additional costs of living with disability and, for some, for transport to work. However, we will keep the scheme under review, once implemented, and will be able to make changes to it to accommodate other needs, as these emerge.

This new benefit will be of particular help to those on low incomes. When young people start work after 6 months unemployment, the initial weeks can be difficult as they wait for first wages and have to find travelling expenses: this is obviously particularly the case for those on low incomes and/or with no or few savings. This policy is designed to help young people over that period.

## **M. APPEALS AND TRIBUNALS**

Equality considerations for the administration of devolved social security also includes the appeals system, and so is not restricted to the Scottish social security agency itself.

The appeals system for devolved benefits must be accessible to all, and must take account of all the protected characteristics when being developed and monitored. It will need to reflect and accommodate the needs of people receiving devolved benefits, who will include some of the most disadvantaged and vulnerable people in our society. It must also be able to protect rights across the protected characteristics, ensuring that particular groups are not being discriminated against in the initial decision making process.

## NEXT STEPS

We recognise that there are currently some gaps in our evidence and understanding about potential impacts of some of the legislative proposals for some equality groups. Within the Bill consultation respondent information form, and below, we have asked a number of specific questions about this partial EqIA and would welcome your views and comments. These views and comments will be used to help us develop the final EqIA.

### Questions

**How can the Scottish Government improve its partial EqIA so as to produce a full EqIA to support the Bill?** These prompts could be helpful in framing your answer:

- Are there any issues regarding the protected characteristics for equality that we need to consider in relation to our new social security powers or the new Agency?
- What does the Scottish Government need to do, as it develops a Scottish social security system, to ensure that equality implications are fully taken into account?
- What does the Scottish Government need to do, as it develops a Scottish social security system, to ensure that any implications for those on low incomes are fully taken into account?
- Are there equality considerations for individual benefits that you would like to draw to our attention?
- Are there considerations about individual benefits for those on low incomes that you would like to draw to our attention?
- What are your views on how we can best gather equality information for the new Scottish benefits?
- What does the Scottish Government need to do to ensure that its social security legislation (including secondary legislation and guidance) aligns its vision and principles with equality for all those who need assistance through social security support?
- What does the Scottish Government need to do to ensure that a Scottish social security system provides the right level of support for those who need it, and what are the possible equality impacts of this?

# **Consultation on Social Security in Scotland**

## **Annex B: Respondent Information Form**



## ANNEX B

### CONSULTATION ON SOCIAL SECURITY IN SCOTLAND

### RESPONDENT INFORMATION FORM

**Please Note** this form **must** be returned with your response.

Are you responding as an individual or an organisation?

- Individual  
 Organisation

Full name or organisation's name

Phone number

Address

Postcode

Email

The Scottish Government would like your permission to publish your consultation response.

Please indicate your publishing preference:

- Publish response with name  
 Publish response only (anonymous)  
 Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes  
 No

## **THIS IS THE END OF THE CONSULTATION DOCUMENT**

**Please send your response to the consultation questionnaire with the completed Respondent Information Form, available separately on the Scottish Government website to:**

[Socialsecurityconsultation@gov.scot](mailto:Socialsecurityconsultation@gov.scot)

or

Social Security Consultation  
5<sup>th</sup> Floor  
5 Atlantic Quay  
150 Broomielaw  
Glasgow  
G2 8LU.

**THANK YOU FOR TAKING THE TIME TO RESPOND**



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gov.scot

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[www.gov.scot](http://www.gov.scot)

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## **REPORT ON THE RESPONSE TO THE CONSULTATION BY BRITISH TELECOM ON THE PROPOSED REMOVAL OF PUBLIC PAYPHONES IN THE SCOTTISH BORDERS**

**Report by Chief Executive**

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### **SCOTTISH BORDERS COUNCIL**

**10 November 2016**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 The purpose of this report is to agree the response to the consultation by British Telecom on public payphone removals in the Scottish Borders.**
- 1.2 Scottish Borders Council received details in mid-August 2016 from British Telecom of a consultation on the proposed removal of 104 payphones in the Scottish Borders (see Appendix 1). This is part of wider consultation taking place across Scotland by BT about payphone removals. The consultation has been driven according to BT by the decline in the overall use of payphones. Local authorities have the responsibility from Ofcom the telecommunications regulator to gather views from local communities and to provide a reasoned response either objecting or agreeing to the removal of payphones. The deadline for responses is 29 November 2016.
- 1.3 The Council has carried out a consultation with local communities by contacting community councils and community resilience co-ordinators. A judgement has then been made on retaining or removing payphones based on the views of communities; the quality of mobile phone coverage; the use for 101/999 calls; proximity to main roads; and usage and access by local communities (see Appendix 2). It is considered that payphones need to be seen as a key part of the resilience and emergency infrastructure of local communities linking to the Scottish and UK Government's national resilience structure.

#### **2 RECOMMENDATIONS**

##### **2.1 It is recommended that:**

- (a) The Council agrees the response as set out in Appendix 2 to British Telecom's consultation on the removal of public payphones**
- (b) The Council makes the case to the Scottish and UK Governments that public payphones should be recognised as a key part of the resilience and emergency infrastructure of local communities.**

### **3 BACKGROUND**

- 3.1 British Telecom (BT) is undertaking a consultation on a programme of public payphone removals. In the Scottish Borders they have proposed 104 public payphones for removal. This consultation is part of a Scotland wide consultation with around 1500 public payphones proposed for removal. The closing date for responses is 29 November 2016. Local authorities have been given the responsibility by the communications Regulator OFCOM to respond to such consultations.
- 3.2 In identifying payphones for removal BT have indicated and they have prioritised those payphones located:
- In a suicide hotspot.
  - In an accident blackspot.
  - In an area without any mobile coverage.
  - Within 400 metres of the coast.

In addition BT has said that they will not remove payphones where there is a reasonable need. For this assessment they have stated the following criteria has been used and where all three apply they propose retention:

- The only payphone within 800 metres.
- Had at least 12 calls of any type within a 12 month period.
- The local population is not fewer than 500 households within 1 km of the phone box.

### **4 RESPONDING TO THE CONSULTATION**

- 4.1 In responding to the consultation the Council needs to take a reasoned approach. In developing the response the Council has sought views from Community Councils and Community Resilience Coordinators. The public payphones proposed by BT for removal have been assessed on the basis of the views of communities, the quality of mobile phone coverage, the use for 101/999 calls, proximity to main roads, and the usage and access by local communities.
- 4.2 The results of the assessment are shown in Appendix 2 and a case is made for the retention of almost all the public payphones in the Scottish Borders.
- 4.3 The approach being taken by BT to the removal of payphones is based solely on costs and it is evident that the savings from the closure of these payphones will be marginal in terms of the overall costs of their business. It is considered that the assessment by the Council clearly shows that there is a need for public payphones to be recognised as a key part of resilience and emergency infrastructure of local communities that links to the Scottish and UK Governments' national resilience structures.
- 4.4 During the storms of late 2015 and early 2016 BT public payphones were the sole method of communication in some of the more rural communities to report issues of trees down and road blockages due to the insufficient mobile phone coverage that currently exists within the Scottish Borders. The BT landline telephone infrastructure offers the best resilience in any emergency.

- 4.5 Public payphones should:
- Be a key point of contact for Emergency Services in providing access to a telephone for 101/999 calls in their local communities.
  - Provide a backup telephone line available to all in the case of electrical power blackouts when mobile phone masts can be out of action;
  - Be used more innovatively, for example 'wifi' for access to emails etc.; community wifi, charging up mobile phones etc.

This approach would lead to a new and more positive role for public payphones. This type of initiative would need the support of both the UK and Scottish Governments.

- 4.6 It is considered that as part of this approach BT should also be encouraged to work much more closely with communities on the use of payphones. This might lead to communities supporting the cleaning and painting of them and public payphones being better promoted and valued.
- 4.7 As part of consultation BT mentions the opportunity for communities to adopt a traditional red 'heritage' phone box (with no pay phone service) to use as an asset for the local community at the cost of £1. The problem with the 'adopt a box' scheme is that the telephony is removed which means that the public payphones are taken out of use. It is recognised that some communities use adopted box for uses such defibrillators. However it is considered that public payphones could also be used for this purpose in partnership with BT.

## **5 IMPLICATIONS**

### **5.1 Financial**

There are no financial implications for the Council arising from this report.

### **5.2 Risk and Mitigations**

It is considered that there are increased safety risks to the resilience of communities in the Scottish resulting from the removal of payphones.

### **5.3 Equalities**

There are potential equality impacts arising from the removal of payphones as lower income groups, migrant workers and families, vulnerable people in emergency situations may be more likely to make use of this facility.

### **5.4 Acting Sustainably**

No decision is required that will have economic, social, or environmental implications.

### **5.5 Carbon Management**

There are no effects on carbon emissions.

### **5.6 Rural Proofing**

Many of the payphones are located in rural areas where there is no or limited mobile phone coverage.

## 5.7 Changes to Scheme of Administration or Scheme of Delegation

There are no changes to be made.

## 6 CONSULTATION

- 6.1 The Corporate Management Team, Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR and the Clerk to the Council are to be consulted on this report and any comments received have been incorporated into the final report.

### Approved by

**Tracey Logan**  
**Chief Executive**

**Signature .....**

### Author(s)

Name	Designation and Contact Number
Douglas Scott	Senior Policy Adviser
Jim Fraser	Emergency Planning Officer

**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. Douglas Scott can also give information on other language translations as well as providing additional copies.

Contact us at: Douglas Scott [dscott@scotborders.gov.uk](mailto:dscott@scotborders.gov.uk) tel: 01835 825155

The Chief Planning Officer  
Scottish Borders Council  
Council Headquarters  
Newtown St Boswells  
Melrose  
TD6 OSA

RECEIVED  
22 AUG 2016



18<sup>th</sup> August 2016

TIME SENSITIVE - 90 Day Consultation period end date: 16<sup>th</sup> November 2016

Dear Chief Planner

Further to our previous letter, we are writing to you as part of a formal consultation process regarding our current programme of intended public payphone removals. This letter formally starts our consultation with you and the local community.

There are currently 104 public payphones in your area which have been identified and proposed for removal by BT under the 90-day consultation process and details of these payphones are shown below.

To ensure that the local community are fully informed, we have placed consultation notices on the relevant payphones, and a sample notice is enclosed. We have also included the date we posted these notices on the payphones. The consultation period will close on 16<sup>th</sup> November 2016. Unless you contact us to agree otherwise, responses received after this date will not be accepted.

This consultation process gives your local communities the opportunity to adopt a traditional red 'heritage' phone box and make them an asset that local people can enjoy. It's really simple to do and it costs just £1 - <http://business.bt.com/phone-services/payphone-services/adopt-a-kiosk/>

Overall use of payphones has declined by over 90 per cent in the last decade and the need to provide payphones for use in emergency situations is diminishing all the time, with at least 98 per cent of the UK having either 3G or 4G coverage. This is important because as long as there is network coverage, it's now possible to call the emergency services, even when there is no credit or no coverage from your own mobile provider.

You may also want to consider the recent Ofcom affordability report which found that most people do not view payphones as essential for most consumers in most circumstances - [http://stakeholders.ofcom.org.uk/binaries/research/affordability/affordability\\_report.pdf](http://stakeholders.ofcom.org.uk/binaries/research/affordability/affordability_report.pdf)

On the 14<sup>th</sup> March 2006 the Office of Communications (Ofcom) published a statement following their 2005 review of universal service in the Telecommunications market, which includes a requirement for payphone provision to meet reasonable needs. Part of that statement amended our obligations with regard to the removal of payphone service - [http://stakeholders.ofcom.org.uk/consultations/uso/uso\\_statement/](http://stakeholders.ofcom.org.uk/consultations/uso/uso_statement/)

As stated in Ofcom's 2005 review, it is the responsibility of the local authority to initiate its own consultation process to canvas the views of the local community. They would normally expect these consultations to involve other public organisations such as the Parish or Community councils and work within the terms of the Communications Act 2003. This means that you must be able to objectively justify your decisions.

Full guidance on the removal process can be viewed at:

<http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removals.pdf>

and a summary is available at:

[http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removing\\_callboxes.pdf](http://stakeholders.ofcom.org.uk/binaries/consultations/uso/statement/removing_callboxes.pdf)

The guidance also details the appeals process we must follow in case of unreasonable objections.

#### What you need to do next

Please complete and return the attached annex with your decision on each payphone.

If the decision is that the local community wish to 'adopt', please provide their contact details and we'll do the rest.

If you wish to 'object', you'll need to complete the last column with your reasons, having reviewed all of the factors set out in Annex 1 of Ofcom's guidance (see link above), and the information sent to you in our previous letter.

If the information is incomplete for any payphone in the list, then we'll assume you have no objection to its removal and also that you do not wish to adopt it.

The best way to respond to us is by email at [bt.authorisation.team@bt.com](mailto:bt.authorisation.team@bt.com). Please retain proof that the email was sent or apply a read receipt. If you would prefer to respond by post please use the following address and allow at least two days for postal delivery:

**BT Payphones**  
pp 4<sup>th</sup> Floor Monument TE  
11 - 13 Great Tower Street  
London  
EC3R 5AQ

You will need to obtain proof of postage from your local post office and be aware that we are unable to receive mail that requires a signature.

If you've got any questions then please get in touch with us by emailing [bt.authorisation.team@bt.com](mailto:bt.authorisation.team@bt.com).

Yours sincerely

**Rick Thompson**  
Payphone Planning Officer

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Telephone Number	Address	Post Code	Number of calls in the last 12 months	Posting Completed Date	Agree/Adopt/Object	Comments/Reasons
01289382391	O/S POST OFFICE LADYKIRK BERWICK UPON TWEED	TD15 1XL	11	08/08/2016	Object	This payphone is relatively well used for a small village
01289386231	O/S THE CROSS INN PCO PAXTON BERWICK UPON TWEED	TD15 1TE	4	08/08/2016	Object	<p>Comments from Hutton and Paxton Community Council.</p> <p>Both Hutton and Paxton are:</p> <ul style="list-style-type: none"> <li>Rural locations and as such have poor mobile signals making the retention of a payphone all the more significant.</li> <li>Areas with a population that includes many older residents who find the knowledge of a local payphone to be reassuring and particularly in the event of an emergency when their own landline might be dysfunctional. There should not be the assumption that they all have access to a mobile phone.</li> <li>Subject to icy, snowy and windy conditions that could have the potential to effect mobile phones and/or landline connections.</li> </ul>

						<ul style="list-style-type: none"> <li>• On circular cycling and walking routes thereby it would be advantageous for a payphone to be available to both local residents and visitors in the event of an emergency. Again there should not be the assumption that a mobile phone is available or fully functional.</li> <li>• Both villages will soon have defibrillators (Paxton has one already in service) and although it is appreciated that anyone wishing attention from a defibrillator would be attended by the Scottish Ambulance Service, a payphone would offer reassurance to those helping to contact a Doctor-in the first instance and following that, to contact relatives – again should a mobile not be available/fully functional.</li> </ul>
01289386377	PCO PCO HUTTON BERWICK UPON TWEED	TD15 1LK	2	08/08/2016	Object	<p>Comments from Hutton and Paxton Community Council.</p> <p>Both Hutton and Paxton are:</p> <ul style="list-style-type: none"> <li>• Rural locations and as such have poor mobile signals making the retention of a payphone all the more significant.</li> <li>• Areas with a population that includes many older residents who find the knowledge of a local payphone to be reassuring and particularly in the</li> </ul>



						<p>event of an emergency when their own landline might be dysfunctional. There should not be the assumption that they all have access to a mobile phone.</p> <ul style="list-style-type: none"> <li>• Subject to icy, snowy and windy conditions that could have the potential to effect mobile phones and/or landline connections.</li> <li>• On circular cycling and walking routes thereby it would be advantageous for a payphone to be available to both local residents and visitors in the event of an emergency. Again there should not be the assumption that a mobile phone is available or fully functional.</li> <li>• Both villages will soon have defibrillators (Paxton has one already in service) and although it is appreciated that anyone wishing attention from a defibrillator would be attended by the Scottish Ambulance Service, a payphone would offer reassurance to those helping to contact a Doctor-in the first instance and following that, to contact relatives – again should a mobile not be available/fully functional.</li> </ul>
01289386392	A6105 FOULDON BERWICK UPON TWEED	TD15 1UH	2	08/08/2016	Object	Comments from Foulden, Mordington & Lamberton Community Council.

- These are ageing communities and many do not have mobile phones.
- Foulden in particular has a **very poor** mobile phone reception with some companies' signals not reaching the parish at all.
- In times of emergency these payphones could be crucial.
- The BT landline infrastructure offers the best telephone service in an emergency.
- The council sees the payphones as local assets.
- The traditional red box at Lamberton is a landmark.
- Both our payphone boxes are crucially well-placed, noticeable, and known in an emergency.
- Both our payphones are at least 3 miles each from any other.
- The Lamberton box is within 400 metres from the cliffs (part of the coastal walk) on the North Sea.
- The Foulden box is on the edge of the A6105, a particularly busy main road where accidents have occurred in the past within 1 km.
- The Lamberton box sits on the old A1 and is now a short distance from the new A1 bypass.

01361850226	PCO PCO GRANTSHOUSE DUNS	TD11 3RW	5	05/08/2016	Object	<p>Comments from Grantshouse Community Council.</p> <ul style="list-style-type: none"> <li>• The phone box is the closet phone box within at least 5 miles from any other area that has a phone box.</li> <li>• The community feel that the phone box is a necessity as we live in such a rural area, albeit right next to the A1 but that makes it even more crucial that the phone box remains.</li> <li>• In a period of only 3 weeks there were 2 main vehicle crashes which shut the A1 (unfortunately one was a fatality) and to anyone stranded who either doesn't have signal on mobiles or their mobile is damaged only have the option of using the phone box and if the phone is removed how can anyone be expected to contact the emergency services.</li> <li>• Grantshouse at the moment in its entirety for the past few months have been experiencing problems with their landline in which we are unable to use our landline and the mobile reception is not the best so it is even more important to keep the phone box and payphone.</li> <li>• We live more than 800m from the nearest phone box and in the past 12 months there has been at least one</li> </ul>
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						<p>suicide in the area (which involved a railway bridge and train). There have been several road collisions especially the 2 I mentioned within 3 weeks of which the accidents were only about 200-250 yards apart.</p> <p>This payphone has been used for 101/999 calls in the past year.</p>
01361882205	MAIN ST PCO GAVINTON DUNS	TD11 3QT	2	08/08/2016	Object	This payphone is a village settlement and is required for emergencies.
01361882290	PCO WINTERFIELD GARDENS DUNS	TD11 3EZ	1	08/08/2016	Object	<p>Comments from Duns Community Council.</p> <ul style="list-style-type: none"> <li>Duns do not have complete mobile phone coverage.</li> </ul>
01361882821	OPPOSITE VILLAGE HALL PCO PRESTON DUNS	TD11 3TQ	3	05/08/2016	Object	<p>Comments from Abby St Bathans, Bonkyl and Preston Community Council</p> <ul style="list-style-type: none"> <li>The payphone is important in an emergency ; of bad weather, power cuts, the mobile phone mast often goes down &amp; doesn't work at all when we get power cuts, which is several times a year.</li> </ul>
01361883685	PCO SOUTH STREET DUNS	TD11 3AJ	36	08/08/2016	Object	<p>Comments from Duns Community Council.</p> <ul style="list-style-type: none"> <li>Duns do not have complete mobile phone coverage.</li> </ul> <p>This payphone has been used for 101/999 calls</p>

						in the past year.
01361890220	LONGFORMACUS VILLAGE PCO LONGFORMACUS DUNS	TD11 3PE	10	05/08/2016	Object	<p>Comments from Lammermuir Community Council.</p> <p>The payphone is in a remote-rural area:</p> <ul style="list-style-type: none"> <li>• Notably far from emergency help even when called.</li> <li>• With negligible mobile coverage, liable to severe weather when fixed lines can be a robust communications link.</li> <li>• Is effectively (with our other payphone) the emergency line for two adjacent village halls, two are on the Southern Upland Way and all close to significant recreational resources where visitors are often caught unaware and surprised not to have access to mobile and broadband.</li> <li>• Located close to Defibrillators.</li> </ul> <p>This payphone has been used for 101/999 calls in the past year.</p>
01361890270	ELLEMFORF LONGFORMACUS PCO DUNS	TD11 3SG	8	05/08/2016	Object	<p>Comments from Lammermuir Community Council.</p> <p>The payphone is in a remote-rural area:</p> <ul style="list-style-type: none"> <li>• Notably far from emergency help even when called.</li> <li>• With negligible mobile coverage, liable</li> </ul>

						<p>to severe weather when fixed lines can be a robust communications link.</p> <ul style="list-style-type: none"> <li>• Is effectively (with our other payphone) the emergency line for two adjacent village halls, two are on the Southern Upland Way and all close to significant recreational resources where visitors are often caught unaware and surprised not to have access to mobile and broadband.</li> <li>• Located close to Defibrillators.</li> </ul> <p>This payphone has been used for 101/999 calls in the past year.</p>
01368830216	PCO PCO COCKBURNSPATH	TD13 5YR	39	05/08/2016	Object	<p>Comments from Cockburnspath &amp; Cove Community Council.</p> <ul style="list-style-type: none"> <li>• The Payphone has been used 39 times in the last year, which we consider to be a higher than expected level and therefore this justifies its retention.</li> <li>• Cockburnspath has poor mobile coverage and during adverse weather, mobile signals are adversely affected, as was the case over the previous winter, when those without landlines may have to rely on the local phone box to report emergencies or issues or just to let people know they were ok.</li> <li>• We are close to the A1 where there are accidents and close to the coast also.</li> <li>• We also have walkers completing the</li> </ul>

						<p>Southern Upland Way who use the phone box to arrange onward travel, as their mobile batteries are long since dead during the walk.</p> <ul style="list-style-type: none"> <li>• If the phone box at Old Cambus is to be removed, the local community including more outlying areas comprises in excess of 500 people.</li> <li>• We are a Resilient Community and wish to retain this vital lifeline for people without phones and when weather affects the mobile signal, which is quite often.</li> <li>• We have a lot of high winds and mobile masts are affected at least once every year plunging us back into the dark ages!</li> <li>• It doesn't seem unreasonable to us to retain it given our relative isolation and vulnerability in this area.</li> </ul>
01573410237	PCO MAIN STREET GORDON	TD3 6JN	0	08/08/2016	Object	<p>Westruther and Gordon Community Council has indicated wish to retain this payphone as it is used at least once and month and near to a cross roads, which the villagers recognise as an accident blackspot.</p> <p>This payphone has been used for 101/999 calls in the past year.</p>
01573410252	PCO PCO MELLERSTAIN GORDON	TD3 6LG	0	08/08/2016	Object	<p>This payphone is in a community with limited mobile phone coverage and is important for use in emergency situations and community resilience.</p>
01578740220	PCO TELEPHONE EXCHANGE	TD3 6JT	2	08/08/2016	Object	<p>This payphone is in a community with limited</p>

	WESTRUTHER GORDON					mobile phone coverage and is important for use in emergency situations and community resilience.  This payphone has been used for 101/999 calls in the past year.
01573410234	PCO FANS FARM EARLSTON	TD4 6BD	0	08/08/2016	Object	This payphone has been used for 101/999 calls in the past year.
01890750262	PCO THE AVENUE BROAD STREET EYEMOUTH	TD14 5DT	7	08/08/2016	Object	This is a coastal community and the payphone is important for use in emergency situations and to support community resilience.  This payphone has been used for 101/999 calls in the past year.
01890750782	PCO BENNISON SQUARE EYEMOUTH	TD14 5SB	0	08/08/2016	Object	This is a coastal community and the payphone is important for use in emergency situations and to support community resilience.  This payphone has been used for 101/999 calls in the past year.
01890781228	PCO UPPER BURNMOUTH BURNMOUTH EYEMOUTH	TD14 5SL	5	05/08/2016	Object	Comments from Burnmouth Community Council.  <ul style="list-style-type: none"> <li>We would like to point out that the box is within 400 m of the coastline (which was one of BT's criteria for retaining phone boxes).</li> <li>It is also situated on the Berwickshire coastal path which is a popular walking route with hundreds</li> </ul>



						<p>of walkers using the path throughout the year.</p> <ul style="list-style-type: none"> <li>• Burnmouth has a significant number of holiday properties, attracting tourists throughout the year. It is considered that tourists may have a greater need for the phone box than locals if any problems arise with mobile phones and/or power cuts.</li> </ul> <p>This payphone has been used for 101/999 calls in the past year.</p>
01890781390	NEAR AYTON LAMBERTON BERWICK UPON TWEED	TD15 1XB	2	08/08/2016	Object	<p>Comments from Foul登, Mordington &amp; Lamberton Community Council.</p> <ul style="list-style-type: none"> <li>• These are ageing communities and many do not have mobile phones.</li> <li>• Foul登 in particular has a <b>very poor</b> mobile phone reception with some companies' signals not reaching the parish at all.</li> <li>• In times of emergency these payphones could be crucial.</li> <li>• The BT landline infrastructure offers the best telephone service in an emergency.</li> <li>• The council sees the payphones as local assets.</li> <li>• The traditional red box at Lamberton is a landmark.</li> <li>• Both our payphone boxes are</li> </ul>

						<p>crucially well-placed, noticeable, and known in an emergency.</p> <ul style="list-style-type: none"> <li>• Both our payphones are at least 3 miles each from any other.</li> <li>• The Lamberton box is within 400 metres from the cliffs (part of the coastal walk) on the North Sea.</li> <li>• The Foulden box is on the edge of the A6105, a particularly busy main road where accidents have occurred in the past within 1 km.</li> <li>• The Lamberton box sits on the old A1 and is now a short distance from the new A1 bypass.</li> </ul> <p>This payphone has been used for 101/999 calls in the past year.</p>
01890781399	PCO THE CROFTS AYTON EYEMOUTH	TD14 5QT	0	08/08/2016	Object	<p>Comments from Ayton Community Council.</p> <ul style="list-style-type: none"> <li>• It is considered that the (BT) criteria fail to take into account the demographics of the area in which the telephone is located and the potential for safety and security needs.</li> <li>• Ayton is a predominantly economic inactive area and as such is likely to be an area reliant on landline communication rather than mobile communication. It is a geographically isolated area with a population of around 500 persons. In adverse</li> </ul>

						<p>weather the landline is often the only means of communication with localities outside the village.</p> <ul style="list-style-type: none"> <li>• Ayton operates a resilient community scheme and whilst this means the villagers will help each other in an emergency, there is a reliance on the necessary infrastructure being available when necessary. Without that infrastructure the resilience becomes much less effective. Communications is a vital part of the resource. A landline available where and when needed is essential (whether or not it has been used in recent times).</li> <li>• It is considered that the limited cost in maintaining the availability of the kiosk is far outweighed by the potential for maintaining safety and security of the lives and property of the village.</li> </ul> <p>This payphone has been used for 101/999 calls in the past year.</p>
01890818311	PCO MAIN STREET EAST END CHIRNSIDE DUNS	TD11 3XX	4	08/08/2016	Object	This payphone has been used for 101/999 calls in the past year.
01890818327	PCO LAMMERVIEW CHIRNSIDE DUNS	TD11 3UN	0	08/08/2016	Object	This payphone has been used for 101/999 calls in the past year.

01890830616	PCO PCO BIRGHAM COLDSTREAM	TD12 4NE	9	08/08/2016	Object	<p>Leitholm, Birgham and Eccles Community Council has indicated that they wish to retain this payphone for emergency calls and local use.</p> <p>For a small village there has been some use made of this payphone, and Birgham is on a main road</p>
01890840200	PCO MAIN STREET LEITHOLM COLDSTREAM	TD12 4JN	3	08/08/2016	Object	<p>Leitholm, Birgham and Eccles Community Council has indicated that they wish to retain this payphone for emergency calls and local use.</p> <p>This payphone has been used for 101/999 calls in the past year.</p>
01890840328	FOGO VILLAGE PCO DUNS	TD11 3PP	0	08/08/2016	Object	<p>This payphone has been used for 101/999 calls in the past year.</p>
01890860240	PCO PCO (SIMPRIM) COLDSTREAM	TD12 4HG	0	08/08/2016	Agree	<p>There are no objections noted for removal of this payphone.</p>
01578722319	LAY-BY O/S NO 6 EDINBURGH ROAD LAUDER	TD2 6TW	18	08/08/2016	Object	<p>There has been some use made from this payphone. This payphone has also been used for 101/999 calls in the past year.</p>
01890840232	PCO MAIN STREET ECCLES KELSO	TD5 7QP	3	09/08/2016	Object	<p>Leitholm, Birgham and Eccles Community Council has indicated that they wish to retain this payphone for emergency calls and local use.</p>

						This payphone has been used for 101/999 calls in the past year.
01890818263	PCO 1PCO EDROM VILLAGE TANNAGE BRAE DUNS	TD11 3EA	0	08/08/2016	Object	<p>Comments from Edrom, Allanton &amp; Whitsome Community Council</p> <ul style="list-style-type: none"> <li>• The payphone is a remote area with poor mobile phone and internet coverage.</li> <li>• The nearest phone is over a kilometre away.</li> </ul>
01368830264	STEELE RD A.T.E NEWCASTLETON	TD9 0SQ	10	09/08/2016	Object	<p>Comments from Upper Liddesdale and Hermitage Community Council and Steele Road area residents.</p> <ul style="list-style-type: none"> <li>• This is a vital lifeline, not only for our community but also for people passing through such as tourists, HGV drivers etc. If, for whatever reason the A7 road between Longtown and Langholm is closed the traffic tends to be diverted along the B6399 and the B6357 making our rural roads busier, and when narrow, winding roads such as these get busier, accidents do tend to happen from time to time and with no mobile phone reception a telephone kiosk is the vital help that people need when stranded. We are at least 35 miles away from any such help so a telephone kiosk is a vital connection where the mobile phone</li> </ul>

						<p>reception is non-existent.</p> <ul style="list-style-type: none"><li>• Our area is remote enough with no mobile phone reception and if this kiosk is to be removed this would deprive our community of a vital communication lifeline, especially if anything were to happen to our own telephone landlines.</li><li>• The lack of usage should not be reason enough for removal. Our community feels reassured that, if our home landline telephones are not working for whatever reason and as we have previously stated the mobile phone signal is non-existent, these telephone kiosk's remain in place so that we are not completely cut off from communication to the wider area, whether it be an emergency or that we are snowed in or have simply broken down or had an accident.</li><li>• This is the only public land line phone for miles (nearest others being past Larriston on the B6357 and at Netheraw on the B6399).</li><li>• There is no mobile phone signal in our area, and this box has been a lifeline for forestry workers, holidaymakers, motorists, hillwalkers and cyclists.</li><li>• There have been a plethora of motorbike accidents on the B6357.</li></ul>
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						<ul style="list-style-type: none"> <li>In the event of any emergency (either for the Community's own need), or for use by an attending ambulance or fire service, the nearest and most crucial back up land line for all of us is the Steele Road phone box.</li> <li>There are forestry operations at present, and will be in the future, carried out in this area. The phone box is vital should there be an accident or breakdown in the forest. This phone box will be known to any forestry workers working in the area should there be an emergency and no phone signal available.</li> </ul> <p>This payphone has been used for 101/999 calls in the past year.</p>
01387376273	ON THE B6357 NR LARRISTON NEWCASTLETON	TD9 0SQ	3	09/08/2016	Object	<p>Comments from Upper Liddesdale and Hermitage Community Council and Steele Road area residents.</p> <ul style="list-style-type: none"> <li>This is a vital lifeline, not only for our community but also for people passing through such as tourists, HGV drivers etc. If, for whatever reason the A7 road between Longtown and Langholm is closed the traffic tends to be diverted along the B6399 and the B6357 making our rural roads busier, and when narrow, winding roads such</li> </ul>

						<p>as these get busier, accidents do tend to happen from time to time and with no mobile phone reception a telephone kiosk is the vital help that people need when stranded. We are at least 35 miles away from any such help so a telephone kiosk is a vital connection where the mobile phone reception is non-existent.</p> <ul style="list-style-type: none"><li>• Our area is remote enough with no mobile phone reception and if this kiosk's were to be removed this would deprive our community of a vital communication lifeline, especially if anything were to happen to our own telephone landlines.</li><li>• The lack of usage should not be reason enough for removal. Our community feels reassured that, if our home landline telephones are not working for whatever reason and as we have previously stated the mobile phone signal is non-existent, these telephone kiosk's remain in place so that we are not completely cut off from communication to the wider area, whether it be an emergency or that we are snowed in or have simply broken down or had an accident.</li></ul> <p>This payphone has been used for 101/999 calls</p>
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						in the past year.
01450370414	NO.1 SILVERBUTHALL ROAD HAWICK	TD9 7BH	7	09/08/2016	Object	This payphone has been used for 101/999 calls in the past year.
01450370823	PCO 1PCO ROSEBANK ROAD HAWICK	TD9 0DG	31	09/08/2016	Object	This payphone has been used for 101/999 calls in the past year.
01450370850	NR OLIVER PARK WEENSLAND ROAD HAWICK	TD9 9NW	16	09/08/2016	Object	This payphone has been used for 101/999 calls in the past year.
01450370886	OLIVER PLACE NORTH BRIDGE STREET HAWICK	TD9 9BD	129	09/08/2016	Object	This payphone has been used for 101/999 calls in the past year. This payphone is also on route used by many taxis etc.
01450370889	PCO HAWICK	TD9 8PW	1	09/08/2016	Object	This payphone has been used for 101/999 calls in the past year.
014503710969	PCO 1PCO COGSMILL HAWICK	TD9 9SF	0	09/08/2016	Object	This payphone is on a road with no mobile phone coverage.
01450850209	GRID NT44/4510 CARTERS COTT PCO NEWMILL ON TEVIOT HAWICK	TD9 0JU	0	09/08/2016	Object	This payphone is next to the A7 road. It has been used for 101/999 calls in the past year.
01450850220	PCO TELEPHONE EXCHANGE HAWICK	TD9 0LE	0	09/08/2016	Object	Local Scottish Borders Councillors have indicated that this box should be retained because of its importance for emergency 999 and 101 calls.
01450860379	PCO PCO CHESTERS/SOUTHDEAN CHESTERS HAWICK	TD9 8TH	0	09/08/2016	Object	There is poor mobile phone coverage in this area.
01450860380	NR JCN HAWICK-NEWCASTLETON RD	TD9 8JN	1	09/08/2016	Object	There is poor mobile phone coverage in this

	PCO BONCHESTER BRIDGE HAWICK					area.  This payphone has been used for 101/999 calls in the past year.
01450860381	NEAR CLEUCHHEAD SOUTH THE FORKINS HAWICK	TD9 9TE	0	09/08/2016	Object	There is poor mobile phone coverage in this area.  This payphone has been used for 101/999 calls in the past year.
01450870211	PCO BEDRULE FARM HAWICK	TD9 8TE	0	09/08/2016	Object	There is poor mobile phone coverage in this area.  This payphone has been used for 101/999 calls in the past year.
01450880232	PCO PCO1 CRAIK HAWICK	TD9 7PS	0	09/08/2016	Object	Upper Teviotdale & Borthwick Water Community Council want this payphone to be retained as there is virtually zero mobile phone coverage by any of the networks. Most of the houses close to the payphone have had lorry drivers and other travellers calling at their doors in emergency situations asking to use the phone, not all carry cash or even offer to pay for the call.  There is poor mobile phone coverage in this area. This payphone has been used for 101/999 calls in the past year.
01573224194	PCO POYNDER PLACE KELSO	TD5 7EH	0	08/08/2016	Object	This has been used in the last year for 101/999 calls

01573224375	PCO PCO1 SPROUSTON KELSO	TD5 8HP	0	10/08/2016	Object	This is a small settlement with a main road route passing through it.
01573224414	PCO THE LINN KELSO	TD5 8EX	0	10/08/2016	Object	This has been used in the last year for 101/999 calls
01573224476	O/S THE SMITHY EDNAM KELSO	TD5 7QL	0	08/08/2016	Object	This is a small settlement with a main road route passing through it.
01573430220	PCO PCO LEMPITLAW KELSO	TD5 8BN	0	10/08/2016	Object	This has been used in the last year for 101/999 calls
01573440216	PCO PCO CESSFORD KELSO	TD5 8EG	3	09/08/2016	<b>Object</b>	Kalewater Community Council has indicated unanimous support for retaining this payphone due to limited mobile phone coverage and because of the need for this payphone to use in emergency situations.
01573440221	PCO PCO MOREBATTLE KELSO	TD5 8QU	3	10/08/2016	Object	Kalewater Community Council has indicated unanimous support for retaining this payphone due to limited mobile phone coverage and because of the need for this payphone to use in emergency situations.  This payphone has been used for 101/999 calls in the past year.
01573450236	PCO PCO HEITON KELSO	TD5 8LA	0	09/08/2016	Object	This payphone is next to a main road through the village.
01573460241	PCO MAKERSTOUN KELSO	TD5 7PA	0	08/08/2016	Agree	There are no objections noted for removal of this payphone.

01896822625	PCO MAIN STREET NEWSTEAD MELROSE	TD6 9RR	4	10/08/2016	Object	This has been used in the last year for 101/999 calls.
01896822268	PCO PCO GATTONSIDE MELROSE	TD6 9LY	1	10/08/2016	Object	This payphone has been used for 101/999 calls in the past year.
01896822073	PCO SMITHS ROAD DARNICK MELROSE	TD6 9AL	0	10/08/2016	Object	This payphone has been used for 101/999 calls in the past year.
01835863666	PCO HOWDEN ROAD JEDBURGH	TD8 6JR	52	09/08/2016	Object	This payphone is well used and there have been a number of 101/999 calls from it over the last year.
01835863479	PCO 1PCO BONGATE JEDBURGH	TD8 6DT	88	09/08/2016	Object	This payphone is well used and there have been a number of 101/999 calls from it over the last year.
01835863360	PCO OXNAM MAINS JEDBURGH	TD8 6LZ	2	09/08/2016	Object	<p>Comments from Oxnam Community Council.</p> <ul style="list-style-type: none"> <li>Oxnam village has no mobile phone reception, as has most of the Oxnam Community Council Area. In the event of any emergency in Oxnam we would be dependent on the BT Payphone to call for assistance.</li> <li>During the storms of recent years we have had trees down and power cuts and have been dependent on the BT landline service to report such incidents.</li> <li>In addition we have installed a defibrillator, a vital piece of life saving equipment in the village, at Oxnam</li> </ul>

						Village Hall for the benefit of the community due to the distance from the nearest ambulance station. This was to give our residents the potential to administer critical lifesaving treatment whilst waiting for the ambulance service to arrive. Without the BT payphone we would have no means of calling for an ambulance, without someone driving some distance to get a mobile signal, as the Village Hall has no phone line.
01835862205	PCO THE BOUNTREES JEDBURGH	TD8 6EY	78	09/08/2016	Object	This has been used in the last year for 101/999 calls
01835840242	PCO PCO MOSSBURNFORD JEDBURGH	TD8 6QS	2	09/08/2016	Object	This payphone is next to the main A68 route and with limited mobile coverage.
01835840200	O/S CAMPTOWN EXCHANGE 1PCO JEDBURGH	TD8 6PN	0	09/08/2016	Object	The payphone is next to the main A68 route and with limited mobile coverage.
01835863369	O/S THE CROFT 1PCO LANTON JEDBURGH	TD8 6SX	0	09/08/2016	Agree	<p>Comments from Lanton Community Council.</p> <ul style="list-style-type: none"> <li>No objections raised by Community Council in connection to this box.</li> </ul>
01835830362	PCO ANCRUM JEDBURGH	TD8 6UP	0	10/08/2016	Object	<p>Comments from Ancrum Community Council.</p> <ul style="list-style-type: none"> <li>Councillors would not like this box to be removed as it has been used and its situation next to the bus stop is ideal for communication for those alighting</li> </ul>

						<p>from buses.</p> <ul style="list-style-type: none"> <li>• There are also some problems with mobile reception in this area.</li> <li>• This is a rural area with a high elderly population and where a telephone box is most certainly an asset.</li> </ul> <p>This payphone has been used for 101/999 calls in the past year.</p>
01835830220	PCO ANCRUM JEDBURGH	TD8 6XH	22	09/08/2016	Object	<p>Comments from Ancrum Community Council.</p> <ul style="list-style-type: none"> <li>• Councillors would not like this box to be removed as it has been used and its situation next to the bus stop is ideal for communication for those alighting from buses.</li> <li>• There are also some problems with mobile reception in this area.</li> </ul> <p>This is a rural area with a high elderly population and where a telephone box is most certainly an asset.</p>
01835822399	PCO 1PCO NR PO MAXTON MAXTON MELROSE	TD6 ORL	0	10/08/2016	Object	<p>This payphone is on the main route to Kelso and is therefore required for emergency purposes as there are no other payphones in the vicinity.</p>
01835822390	OUTSIDE POST OFFICE PCO BOWDEN MELROSE	TD6 OSS	2	10/08/2016	Object	<p>The payphone is next the St Cuthberts' Way</p> <p>This has been used in the last year for 101/999 calls</p>

01835822299	PCO 1PCO LONGNEWTON VILLAGE NEWTOWN ST BOSWELLS MELROSE	TD6 0PL	0	10/08/2016	Agree	There are no objections noted for removal of this payphone.
01721720302	PCO HORSBURGH FORD PEBBLES	EH45 8NE	0	10/08/2016	Object	This has been used in the last year for 101/999 calls
01721730200	PCO PCO EDDLESTON PEBBLES	EH45 8QP	6	05/08/2016	Object	This has been used in the last year for 101/999 calls
01721760210	NEAR STOBO SCHOOLHOUSE PCO PEBBLES	EH45 8NA	1	10/08/2016	Object	<p>Comments from Manor, Lyne and Stobo Community Council.</p> <ul style="list-style-type: none"> <li>• Mobile coverage in the valley is poor; the need for a box for emergencies when the electricity is off is seen as critically important.</li> <li>• When the valley is flooded-in the electricity can also be down so there is no way to access the outside world for telecommunication. The telephone box is the only reliable source, and being close to the exchange is more reliable than other land lines, which are also frequently down in the Valley in times of emergency.</li> <li>• In 1994 the electricity was cut off for 5days. There have been frequent power cuts since then, admittedly for not so long duration, but we are in unstable electrical environment with very frequent small cuts.'</li> </ul>

01721740223	PCO POST OFFICE KIRKTON MANOR PEEBLES	EH45 9JH	2	05/08/2016	Object	<p>Comments from Manor, Lyne and Stobo Community Council.</p> <ul style="list-style-type: none"> <li>• Mobile coverage in the valley is poor; the need for a box for emergencies when the electricity is off is seen as critically important.</li> <li>• When the valley is flooded-in the electricity can also be down so there is no way to access the outside world for telecommunication. The telephone box is the only reliable source, and being close to the exchange is more reliable than other land lines, which are also frequently down in the Valley in times of emergency.</li> <li>• In 1994 the electricity was cut off for 5 days. There have been frequent power cuts since then, admittedly for not so long duration, but we are in unstable electrical environment with very frequent small cuts.</li> </ul>
01721752248	PCO BLYTH BRIDGE FARM ROAD BLYTH BRIDGE WEST LINTON	EH46 7DG	8	05/08/2016	Object	<p>Comments from Lamancha, Newlands and Kirkurd Community Council.</p> <ul style="list-style-type: none"> <li>• Mobile phone reception in the village is at best extremely patchy and we have experience of our mobile phones being rendered useless when a storm damaged the masts.</li> </ul>



						<ul style="list-style-type: none"> <li>Since the Old Mill Inn closed, there are now no public buildings in Blyth Bridge where someone could access a phone. The nearest is West Linton which is almost 6 miles away which isn't really feasible in bad weather. The phone box could provide a vital link to emergency services and I am therefore asking for it to remain in the village.</li> </ul>
01968660279	PCO BRAESIDE ROMANNO BRIDGE WEST LINTON	EH46 7BZ	0	05/08/2016	Object	This has been used in the last year for 101/999 calls
01899860220	PCO SKIRLING BIGGAR	ML12 6HD	0	10/08/2016	Object	This payphone is in a village settlement and is required for emergency calls.
01899830270	BROUGHTON CENTRAL BROUGHTON BIGGAR	ML12 6HQ	44	10/08/2016	Object	<p>Comments from Upper Tweed Community Council.</p> <ul style="list-style-type: none"> <li>The payphone outside of the School is a necessary safety feature both for school children (both primary and secondary) being dropped off there, and for drivers on the A701.</li> <li>Mobile phones do not always work in our area and high winds can damage masts.</li> </ul>
01899830257	PCO DREVA RD BROUGHTON BIGGAR	ML12 6HG	0	10/08/2016	Object	There is limited mobile phone coverage in this area.

01899830214	DRUMELZIER SUB POST OFFICE PCO BROUGHTON BIGGAR	ML12 6JD	0	10/08/2016	Object	<p>Comments from Upper Tweed Community Council.</p> <ul style="list-style-type: none"> <li>• The payphone outside of the School is a necessary safety feature both for school children (both primary and secondary) being dropped off there, and for drivers on the A701.</li> <li>• Mobile phones do not always work in our area and high winds can damage masts.</li> </ul>
01896870215	PCO GALASHIELS ROAD WALKERBURN	EH43 6AG	39	10/08/2016	Object	<p>Comments from Walkerburn &amp; District Community Council.</p> <ul style="list-style-type: none"> <li>• This payphone is the only one on the A72 between Galashiels and Peebles that is sited on the roadside.</li> <li>• Walkerburn is in a blackspot for mobile reception.</li> <li>• In the event of a heavy snowfall or storm, our mobile reception is often cut off, making it imperative that we have the use of a payphone for emergencies. Similarly, the area suffers from frequent power cuts, which can result in communication difficulties.</li> <li>• We also have a number of elderly residents who rely on this kind of communication.</li> </ul>

						This has been used in the last year for 101/999 calls
01896830501	PCO HALL STREET INNERLEITHEN	EH44 6QT	20	10/08/2016	Object	<p>Comments from Innerleithen &amp; District Community Council.</p> <ul style="list-style-type: none"> <li>The local community can be at risk of being cut off from communication. At one point earlier this year Innerleithen became an 'island' when all roads in and out of Innerleithen were closed due to the flooding.</li> <li>In the event that mobile phone coverage breaks down, the BT payphones would be invaluable in being able to maintain contact.</li> </ul> <p>This has been used in the last year for 101/999 calls</p>
01896830329	PCO BALLANTYNE STREET INNERLEITHEN	EH44 6LN	14	10/08/2016	Object	<p>Comments from Innerleithen &amp; District Community Council.</p> <ul style="list-style-type: none"> <li>The local community can be at risk of being cut off from communication. At one point earlier this year Innerleithen became an 'island' when all roads in and out of Innerleithen were closed due to the flooding.</li> <li>In the event that mobile phone coverage breaks down, the BT payphones would be invaluable in</li> </ul>

						being able to maintain contact. This has been used in the last year for 101/999 calls
0175020771	JCN A7 PCO GALASHIELS	TD1 3PB	6	10/08/2016	Object	This payphone is next to the main A7 route
0175021260	JNC RAEBURN MEADOW BLEACHFIELD ROAD SELKIRK	TD7 4NN	6	09/08/2016	Object	This payphone is in built up area and its use is important for emergency calls
0175021345	PCO SCOTTS PLACE SELKIRK	TD7 4LN	36	09/08/2016	Object	This payphone is relatively well used. It has been used in the last year for 101/999 calls
01578730657	ADJ TO BUS SHELTER GALASHIELS ROAD STOW GALASHIELS	TD1 2RE	20	05/08/2016	Object	This payphone is relatively well used. It has been used in the last year for 101/999 calls
01578760220	O/S TELEPHONE EXCHANGE PCO FOUNTAINHALL GALASHIELS	TD1 2SY	14	05/08/2016	Object	This payphone is relatively well used for a small village. It has been used in the last year for 101/999 calls
0175032220	LAY BY ON A7 PCO CRANSFIELD DRIVE ASHKIRK SELKIRK	TD7 4NN	6	09/08/2016	Object	This payphone is next to the main A7 route  It has been used in the last year for 101/999 calls
0175042200	O/S CAFÉ AND BISTRO PCO 42200 SELKIRK	TD7 5LH	35	10/08/2016	Object	Comments from Ettrick and Yarrow Community Council  We would particularly emphasise the importance of retaining the payphone at the Glen Café. Especially at weekend this is a hub for road cyclists, mountain bikers, walkers, motor bikes and water sports enthusiasts. Its value in emergencies has been proved on

						several occasions, and it is a key part of the St Mary's Loch Sailing Club's emergency procedures.
0175052200	O/S TELEPHONE EXCHANGE PCO ETTRICKBRIDGE SELKIRK	TD7 5JL	80	09/08/2016	Object	<p>Comments from Ettrick And Yarrow Community Council and residents.</p> <ul style="list-style-type: none"> <li>• The reason for advocating retention of these payphones is that large swathes of both valleys are still without mobile telephone coverage and, even where there are mobile telephone masts, these are so widely spaced that there are extensive and unpredictable gaps in the coverage. The coverage, where it does exist, is also limited to certain networks and therefore effectively unusable except for calls to the emergency services.</li> <li>• Furthermore, the electricity supply network in the valleys is vulnerable to extended power cuts. In these circumstances, when communications are of vital importance, the mobile telephone service can only remain active for a limited length of time before its back-up batteries are depleted.</li> <li>• The Ettrick and Yarrow Valleys are, as I'm sure you are well aware, wild and remote. This attracts thousands of visitors every year, some to simply</li> </ul>

						<p>admire the scenery but many to experience the challenge of adventurous activities - walking, mountain biking, water sports, paragliding. The narrow valley roads, although scenic, can become extremely busy with cars, motor bikes, road cyclists and horse riders - as well as the day to day business and agricultural traffic. A lot of employment in the valleys comes from agriculture - particularly sheep farming on remote uplands - and forestry. These are all risk factors that make it imperative to retain a reliable, resilient and comprehensive communication network - and the landline network is a fundamental and vital component of this.</p>
0175062200	ETTRICK/SELKIRK RD SELKIRK	TD7 5HU	437	10/08/2016	Object	<p>Comments from Ettrick and Yarrow Community Council and residents.</p> <ul style="list-style-type: none"> <li>• Mobile phone coverage is very limited.</li> <li>• If this phone box was removed we it could mean businesses and people relying on tourism for a living leaving the area.</li> <li>• In this area we suffer from severe weather and the resulting regularly occurring inconveniences of power cuts (hundreds in my short time of 6</li> </ul>

						years here) and flooding (dozens of very severe situations, resulting in roads completely closed, houses cut off, etc.) This is mostly a winter situation but the last power cut was August this year and the last severe (road closed) flood was also in August this year. With a power cut the land line and the internet becomes unusable, with a road closed you can't go anywhere, so these public phones are a lifeline. If you are travelling to / from home / work /shopping, etc. and need the phone, possibly emergency services, then the only possibility sometimes is then the Public Box.
0175062235	O/S VILLAGE HALL/ETTRICK PCO SELKIRK	TD7 5JA	32	10/08/2016	Object	<p>Comments from Ettrick And Yarrow Community Council.</p> <ul style="list-style-type: none"> <li>• The reason for advocating retention of these payphones is that large swathes of both valleys are still without mobile telephone coverage and, even where there are mobile telephone masts, these are so widely spaced that there are extensive and unpredictable gaps in the coverage. The coverage, where it does exist, is also limited to certain networks and therefore effectively unusable except for calls to the emergency services.</li> <li>• Furthermore, the electricity supply network in the valleys is vulnerable to</li> </ul>

						<p>extended power cuts. In these circumstances, when communications are of vital importance, the mobile telephone service can only remain active for a limited length of time before its back-up batteries are depleted.</p> <ul style="list-style-type: none"><li>• The Ettrick and Yarrow Valleys are, as I'm sure you are well aware, wild and remote. This attracts thousands of visitors every year, some to simply admire the scenery but many to experience the challenge of adventurous activities - walking, mountain biking, water sports, paragliding. The narrow valley roads, although scenic, can become extremely busy with cars, motor bikes, road cyclists and horse riders - as well as the day to day business and agricultural traffic. A lot of employment in the valleys comes from agriculture - particularly sheep farming on remote uplands - and forestry. These are all risk factors that make it imperative to retain a reliable, resilient and comprehensive communication network - and the landline network is a fundamental and vital component of this.</li><li>• No mobile signal at the top of Ettrick and Tima. And although the phone box</li></ul>
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						at Honey Cottage is 6 miles from Nether Dalgleish, it is the nearest payphone.
0175076200	PCO YARROWFORD SELKIRK	TD7 5NA	8	09/08/2016	Object	<p>Comments from Ettrick And Yarrow Community Council.</p> <ul style="list-style-type: none"> <li>• The reason for advocating retention of these payphones is that large swathes of both valleys are still without mobile telephone coverage and, even where there are mobile telephone masts, these are so widely spaced that there are extensive and unpredictable gaps in the coverage. The coverage, where it does exist, is also limited to certain networks and therefore effectively unusable except for calls to the emergency services.</li> <li>• Furthermore, the electricity supply network in the valleys is vulnerable to extended power cuts. In these circumstances, when communications are of vital importance, the mobile telephone service can only remain active for a limited length of time before its back-up batteries are depleted.</li> <li>• The Ettrick and Yarrow Valleys are, as I'm sure you are well aware, wild and remote. This attracts thousands of visitors every year, some to simply</li> </ul>

						<p>admire the scenery but many to experience the challenge of adventurous activities - walking, mountain biking, water sports, paragliding. The narrow valley roads, although scenic, can become extremely busy with cars, motor bikes, road cyclists and horse riders - as well as the day to day business and agricultural traffic. A lot of employment in the valleys comes from agriculture - particularly sheep farming on remote uplands - and forestry. These are all risk factors that make it imperative to retain a reliable, resilient and comprehensive communication network - and the landline network is a fundamental and vital component of this.</p>
01896752191	PCO MAGDALA TERRACE GALASHIELS	TD1 2HS	25	10/08/2016	Object	This payphone is relatively well used. It has been used in the last year for 101/999 calls
01896752195	CORNER OF TWEED ROAD ABBOTSFORD ROAD GALASHIELS	TD1 3DP	0	10/08/2016	Object	The payphone has been used in the last year for 101/999 calls
01896752259	PCO BALMORAL ROAD GALASHIELS	TD1 1JL	7	10/08/2016	Object	The payphone has been used in the last year for 101/999 calls
01896752873	PCO HUDDERSFIELD STREET GALASHIELS	TD1 3AU	83	10/08/2016	Object	This payphone is well used. It has been used in the last year for 101/999 calls

01896752973	PCO LARCHBANK STREET GALASHIELS	TD1 3EN	7	10/08/2016	Object	This is a town location that has been used for making calls and provides a location for 101/99 calls to be made.
01896850211	PCO GALASHIELS	TD1 3PW	0	10/08/2016	Object	This payphone is located where there is limited mobile phone coverage and is close to a main road.
01896850231	BUS LAY-BY JNC A72 MEIGLE ROW CLOVENFORDS GALASHIELS	TD1 3LX	0	10/08/2016	Object	The payphone has been used in the last year for 101/999 calls and is adjacent to a main road.

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## **SCOTTISH GOVERNMENT FORESTRY CONSULTATION – COUNCIL RESPONSE**

**Report by Corporate Transformation and Services Director**

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### **SCOTTISH BORDERS COUNCIL**

**10 November 2016**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report proposes a Scottish Borders Council response to the Scottish Government’s consultation paper “The Future of Forestry in Scotland”.**
- 1.2 The Scottish Government has invited responses to a consultation on the governance of Forestry in Scotland. The focus of the consultation paper is on the continuing devolution of the UK Forestry Commission’s responsibilities to Scottish Government Ministers.
- 1.3 The Scottish Government proposes a two-tier governance solution, reflecting the current separation of policy and regulatory functions (at Commission level) from the management of the forestry estate (currently Forest Enterprise Scotland). The proposed Council response is set out in Appendix 1.

#### **2 RECOMMENDATIONS**

- 2.1 I recommend that the Council agrees the response to the Scottish Government’s consultation on ‘The Future of Forestry in Scotland’ as set out in Appendix 1.**

### **3 BACKGROUND**

- 3.1 The Scottish National Forest Estate covers 640,000 hectares, equivalent to 8.2% of Scotland's land area. In the Scottish Borders the National Forest Estate is around 26,000 hectares, with private forestry covering about 66,000 hectares. The total forestry area of 92,000 hectares equates to about 19% of the land area (5% National Forest Estate, 14% private sector). Extrapolating from national statistics forestry related activity in the Scottish Borders equates to a GVA of around £57m.
- 3.2 Forestry in the UK is broadly devolved, with policy set by Scottish Ministers. However, management of the National Forest Estate (NFE) has remained with the UK Forestry Commissioners. Since August 2015 a Forestry Governance Project Board has been working across the UK to consider future legislation, financial arrangements and cross-border functions.
- 3.3 The Scottish Government's intention is to complete the devolution of forestry, and the current consultation will inform the preparation of a Bill to be considered by the Scottish Parliament, and secondary legislation in the UK and Scottish Parliaments. The new arrangements in Scotland are likely to include (1) the establishment of a Forestry Division of the Scottish Government's Environment and Forestry Directorate (as the strategic body and policy maker), and (2) a new forestry and land management agency, 'Forestry and Land Scotland' to manage the national forest estate and to develop a wider land management remit in the future.
- 3.4 Consultation papers are at <https://beta.gov.scot/publications/future-forestry-scotland-consultation/> Responses to the consultation have been requested by Wednesday 9 November 2016. The Scottish Government has agreed that the Council can submit a late response in order to allow this Council meeting to consider and agree the response.
- 3.5 The consultation covers three broad areas: (1) the new organisational and governance proposals; (2) the development of effective cross-border arrangements within the new structures; and (3) the regulatory and legislative framework.

### **4 RESPONSE TO CONSULTATION**

- 4.1 The proposed response to consultation, set out in Appendix 1, has been prepared by officers from the Economic Development and Natural Heritage teams. Input and advice has also been gleaned from the Community Planning Partnership's 'A Working Countryside' rural stakeholder group.
- 4.2 The proposed response is broadly in favour of the consultation's organisational and governance proposals. However, the suggested response stresses the importance of the new agency having a remit to support economic development and wider social and environmental outcomes from the national forest estate, as well as the basic forest and timber production focus proposed.

- 4.3 The response favours strong cross-border links to support a range of UK wide functions, including research, tree health, forestry standards and technical issues.
- 4.4 The response recommends that while the Forestry Directorate should continue to promote forestry, this should be as part of a wider commitment to sustainable land use. In particular, the development and maintenance of outdoor recreational and commercial facilities on forestry land is an essential use of the national forest estate, creating economic, environmental and social benefits for local communities. The consultation did not give emphasis to this issue, but officers consider that it is an equally important role alongside that of timber production. Recent experience has shown that the agencies in charge of the national forest estate need to have more focus on local economic and community impacts, not less.

## **5 IMPLICATIONS**

### **5.1 Financial**

There are no costs attached to any of the recommendations contained in this report.

### **5.2 Risk and Mitigations**

It is important that the Council takes the opportunity to respond to national consultations that may affect it or the community it serves directly or indirectly, as proposed in this report regarding forestry.

### **5.3 Equalities**

It is anticipated that there are no adverse impact due to race, disability, gender, age, sexual orientation or religion/belief arising from the proposals in this report.

### **5.4 Acting Sustainably**

There are no significant impacts on the economy, community or environment arising from the proposals contained in this report.

### **5.5 Carbon Management**

There are no significant effects on carbon emissions arising from the proposals contained in this report.

### **5.6 Rural Proofing**

This report does not relate to new or amended policy or strategy and as a result rural proofing is not an applicable consideration.

### **5.7 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made to either the Scheme of Administration or the Scheme of Delegation as a result of the proposals contained in this report.

## **6 CONSULTATION**

- 6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR, and the Clerk to the Council have been consulted and their comments have been incorporated into the report.

**Approved by**

**Rob Dickson  
Corporate Transformation  
and Services Director**

**Signature .....**

**Author(s)**

Name	Designation and Contact Number
Bryan McGrath	Chief Officer Economic Development, Chief Executives – Tel 01835 826525

**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. Bryan McGrath can also give information on other language translations as well as providing additional copies.

Contact us at Bryan McGrath, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA Tel: 01835 826525, email [bmcgrath@scotborders.gov.uk](mailto:bmcgrath@scotborders.gov.uk)



# The Future of Forestry in Scotland

## Draft response to consultation by Scottish Government

<b>1.</b>	<b><u>New organisational arrangements in Scotland</u></b>
<b>Q 1.1</b>	<b>Our proposals are for a dedicated Forestry Division in the Scottish Government (SG) and Executive Agency to manage the NFE. Do you agree with this approach? Please explain your answer.</b>
	<p>Yes</p> <p>The proposed approach aligns with SG policy, and should improve accountability on forestry matters in Scotland. Retaining the split between the strategic and regulatory functions and the management functions, as in current governance, may ease implementation and avoid confusion. It is important to ensure that local agencies are able to input to national policy.</p>
<b>Q 1.2</b>	<b>In bringing the functions of FCS formally into the SG, how best can we ensure that the benefits of greater integration are delivered within the wider SG structure? What additional benefits should we be looking to achieve?</b>
	<p>There should be opportunities to improve the coordination and integration of forestry with other land uses, particularly agriculture, to obtain a more coherent balance of land use in line with SG Land Use Strategy. This may be reinforced through the review of the Scottish Forestry Strategy (A Land Use Strategy for Scotland 2016-2021, Policy 4)</p> <p>There is a risk of splitting responsibilities to different Directorates that may not always work closely together, with Agriculture, Food and Rural Communities being separate from Environment and Forestry.</p>
<b>Q 1.3</b>	<b>How should we ensure that professional skills and knowledge of forestry are maintained within the proposed new forestry structures?</b>
	<p>Forestry is a distinct profession and there may be some concerns that professional expertise might be diluted under the new arrangements. Since its inception almost 100 years ago, the Forestry Commission has led the establishment of forestry as a national industry and care needs to be taken to avoid losing the expertise that has built up.</p> <p>There should be continued joint working or job transfer / secondment opportunities within the forestry public agencies, and in and out of the private sector. This will sustain the broader professional ethic, with foresters continuing to move between the regulatory and managerial agencies from time to time as they do now. This will also help to retain broader perspectives amongst forestry professionals.</p>

<b>Q 1.4</b>	<b>What do you think a future land agency for Scotland could and should manage and how might that best be achieved?</b>
	<p>The land agency is to be charged with assuring the timber supply and therefore should retain most of the current productive national forest estate (NFE). There may also be opportunities to add further land areas into the national estate where there are clear economic, social and environmental reasons. Examples include:</p> <ul style="list-style-type: none"> <li>• Areas in public ownership that are protected as national assets for recreation or conservation reasons and should be managed in the national interest.</li> <li>• The agency should have a remit which recognises the importance of community woodland in and around towns.</li> <li>• The land agency could be tasked with purchasing land parcels to split up into lease opportunities for start-up farmers.</li> </ul> <p>Forestry and Land Scotland should have a wide remit to support economic development and wider social and environmental outcomes. It should have strong links with other public bodies including VisitScotland, Scottish Natural Heritage, Local Authorities and Community Planning Partnerships.</p> <p>The agency should have a role in supporting sustainable local development and local value added, including for example encouraging local timber processing facilities. As the felling rate increases over the next twenty years there is a significant risk of increasing adverse impacts of timber traffic on country roads as timber is transported to large, distant processing facilities.</p>
<b>2.</b>	<b><u>Effective cross-border arrangements</u></b>
<b>Q 2.1</b>	<b>Do you agree with the priorities for cross –border co-operation set out above, i.e. forestry research and science, plant health and common codes such as UK Forestry Standard? Y/N</b>
	Yes. It makes sense to retain a 'cross border' approach in these areas.
<b>Q 2.2</b>	<b>If no, what alternatives priorities would you prefer? Why?</b>
<b>Q 2.3</b>	<b>Do you have views on the means by which cross-border arrangements might be delivered effectively to reflect Scottish needs? E.g. memorandum of Understanding between countries? Scotland taking the lead on certain arrangements?</b>
	Cross-border working groups or Technical Advisory Groups should be set up, as appropriate, for different functions.

<b>3.</b>	<b><u>Legislation and Regulation</u></b>
<b>Q 3.1</b>	<b>Should the Scottish Ministers be placed under a duty to promote forestry? Y/N</b>
	Yes.
<b>Q 3.2</b>	<b>What specifically should be included in such a general duty?</b>
	<p>Forestry should be promoted as part of the wider Government commitment to sustainable land use. The general duty should encompass the need for sustainable management of the forest estate, but should not lose sight of the fact that forestry is one land use amongst many. In particular there are economic, social and environmental benefits to be gained from diverse uses of the land.</p> <p>When the Forestry Commission was set up in 1919, forest cover in the UK was a very small proportion of land area. A century later, forest cover is still recovering and remains a long way short of comparable European countries and is below the national target. The new body should continue to promote the interests of forestry as set out in the 1967 Act.</p> <p>In accordance with Scottish Planning Policy, Woodland Strategies will continue to guide woodland expansion and management at a regional level. These strategies remain part of Local Development Plans as adopted by Local Authorities. It is important that the role of the Local Authority as a statutory consultee should be recognised and protected.</p>
<b>Q 3.3</b>	<b>Recognising the need to balance economic, environmental and social benefits of forestry, what are your views of the principals set out in chapter 3?</b>
	<p>Forests can and should provide multiple benefits, and the existing obligation to achieve a reasonable balance between timber production and other benefits should be strengthened. A specific focus is required on creating and maintaining forests as set out in the UK Forestry Standard and as envisaged in the national and regional forestry strategies.</p> <p>Obligations in relation to felling and re-stocking must also be retained – again with more focus on the UK Forestry Standard to ensure that re-stocking sustains other forest related environmental benefits such as water quality, natural flood management, biodiversity.</p> <p>This approach is already reflected in the Scottish Borders Woodland Strategy update under the Technical Advice Note (2012) which incorporated many of the Woodland Expansion Advisory Group recommendations.</p>

	<p>It is crucial that a provision for flexibility to use NFE land for a variety of purposes should be incorporated within the legislation. The development and maintenance of outdoor recreation and commercial facilities on forestry land is an essential use of the forest estate, creating economic, environmental and social benefits for local communities in rural Scotland. Encouraging and developing public access for recreational activities should be a core activity of the Forestry and Land Scotland agency.</p> <p>The success of the 7stanes project in the South of Scotland demonstrates the benefits that can accrue to rural communities through attracting day visitors and holidaymakers. Open access for multiple uses is required, together with closed / controlled access for particular events. The new agency should work in partnership with other local stakeholders to develop events and activities, trails for walkers and cyclists, and a range of commercial opportunities within the NFE. Economic development opportunities within the forest are essential to creating and sustaining rural businesses, rural employment and rural communities.</p>
<b>4.</b>	<b><u>Assessing Impact</u></b>
<b>Q 4.1</b>	<b>Equality</b> <b>Are there any likely impacts the proposals contained in this consultation may have on particular groups of people, with reference to the 'protected characteristics' listed in chapter 4? Please be as specific as possible.</b>
	The proposed arrangements are unlikely to have any adverse effects on people with the 'protected characteristics' listed. As a general resource for public recreation, forests should have net beneficial effects on public health and wellbeing.
<b>Q 4.2</b>	<b>Business and Regulation</b> <b>Do you think the proposals contained in this consultation are likely to increase or reduce the costs and burdens placed on any sector? Please be as specific as possible.</b>
	There is no reason why the proposed changes should increase costs or burdens on other stakeholders.
<b>Q 4.3</b>	<b>Privacy</b> <b>Are there any likely impacts that the proposals contained in this consultation may have upon the privacy of individuals? Please be as specific as possible.</b>
	No impacts on privacy are envisaged.
<b>Q 4.4</b>	<b>Environmental</b> <b>Are there any likely impacts the proposals contained in this consultation may have upon the environment? Please be as specific as possible.</b>

	<p>The proposed changes are largely administrative. Although forestry can have significant environmental effects, the proposed new arrangements do not suggest any direct effects on the environment, assuming that all the existing environmental commitments contained in the current set up are effectively transferred over.</p>
<p><b>Q 4.5</b></p>	<p><b>Conclusion</b>  <b>Do you have any other comments that you would like to make, relevant to the subject of this consultation that you have not covered in your answers to other questions?</b></p>
	<p>In relation to future land acquisition by the new 'Forestry and Land Scotland' Agency, it will be important that a clear land acquisition policy is developed, with stakeholder input, to allow the new Agency to openly and transparently engage in future land purchases and transactions.</p>

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## **EARLY RETIREMENT/VOLUNTARY SEVERANCE**

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### **Report by Chief Executive**

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## **SCOTTISH BORDERS COUNCIL**

**10 November 2016**

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### **1 PURPOSE AND SUMMARY**

- 1.1 **This report seeks approval for 2 applications for staff who have requested to leave the Council through the early retirement/voluntary severance programme. These volunteers have the support of the Chief Executive, Depute Chief Executives and Service Directors.**
- 1.2 Council agreed a revised policy for both compulsory redundancy and early retirement/voluntary severance schemes in August 2010. The scheme was open to all staff, except teachers. It was extended to teachers for the period between January and March 2015. As part of the Council's Financial and People plans the early retirement/voluntary severance scheme is being operated with a focused approach to seeking applications from staff in areas where specific budget reductions have been identified.
- 1.3 In November 2016, 2 applications have been received which are supported by the relevant Depute Chief Executive or Service Director. Should both applications be agreed, total one-off costs of £ 72,151 will be incurred and total direct recurring employee cost savings of £ 56,231 will be delivered each full year, providing an average payback period of 1.3 years which is an attractive proposition for the Council.

### **2 RECOMMENDATIONS**

- 2.1 **I recommend that the Council approves both applications as detailed in table 1 within the report, with the associated costs being met from the early retirement/voluntary severance budget for 2016/17 of £72,151.**

### 3 EARLY RETIREMENTS AND VOLUNTEERS FOR SEVERANCE

3.1 At its meeting of 19 August 2010, Scottish Borders Council agreed a revised policy for both compulsory redundancy and early retirement/voluntary severance schemes, including the creation of a budget provision to fund such applications in future years. Following this, the Executive agreed that in order to enable the Council to deliver an affordable balanced financial plan for 2012/13 and beyond, this revised policy would be open to all staff indefinitely and teachers as required, which would allow the organisation to reduce its overall staff numbers. From January 2016, applications are only being considered from staff in certain areas who have been invited to apply.

#### 3.2 Definitions

(a) Early Retirement:

Voluntary retirements in the interests of efficiency for staff over the age of 50 who can access pension

(b) Voluntary Severance:

Where staff are allowed to volunteer to leave the organisation with a compensation payment. This payment is based on age and length of service and may be paid alongside early retirement.

### 4 PROPOSALS

4.1 A summary of the approved applications by department, costs and FTE equivalent is summarised below in Table 1 with proposed leaving dates.

Table 1 – Application Summary

Dept	Post title	Annual Saving	Severance Cost	Strain on Fund	Payback	FTE reduction or replacement	Proposed leaving Date
Place	Senior Roads Planning Officer	£25,889	£23,587	£28,110	2	1 fte indirect replacement with Modern Apprentice	30/11/2016
Chief Executives	Insurance Officer	£30,342	£20,454	0	0.67	0.8 fte reduction	23/12/2016
<b>Total</b>		<b>£56,231</b>	<b>£44,041</b>	<b>£28,110</b>			

### 5 IMPLICATIONS

#### 5.1 Financial

(a) The purpose of this exercise is to facilitate the reduction in overall employment costs to the Council. As detailed above, an assessment has been made of potential savings in each Department and considered against the estimated costs incurred and overall efficiency in terms of non-financial benefits. There is sufficient



funding available within the 2016/17 Early Retirement / Voluntary Severance budget to meet the cost of these applications.

- (b) In total, £ 56,231 of direct recurring employee cost savings will be delivered in each full year with partial savings in year 1 2016/17, should both of the above applications be accepted. A breakdown of the expected net annual staffing savings by department is detailed in Table 2 below.

Table 2 – Expected full year employee cost savings

Department	Employee cost savings nearest £
Place	25,889
Chief Executives	30,342
<b>Total</b>	<b>56,231</b>

- (c) The financial payback associated with each of the proposals above varies however; the average payback period for both staff is 1.3 years, which is an attractive proposition for the Council. The associated costs of £72,151 will be met by the 2016/17 Early Retirement/Voluntary Severance provision.

## 5.2 Risk and Mitigations

- (a) The risks to service output and performance arising from the proposed resource reductions has been considered, evaluated and managed as part of the relevant Services' people planning process to enable the relevant Depute Chief Executive or Service Director to support the early retirement / voluntary severance applications.
- (b) If approval to proceed with the voluntary severance is not given, the savings will not start to be realised in the financial year 2016/17.
- (c) As part of the monitoring of Early Retirement/Voluntary Severance decisions it is important that members are aware of the impact on the composition of pension scheme membership, arising through people granted Early Retirement/Voluntary Severance leaving the service of the Council.
- (d) Should the balance of pension fund membership change substantially due to Early Retirement/Voluntary Severance decisions there may be a need to change the funding strategy of the pension fund towards more income generating investments.
- (e) The Local Government pension fund continues to keep the composition of membership under review to ensure that the future funding strategy is optimised with respect to the relative number of active scheme members to pensioners drawing benefits.

## 5.3 Equalities

An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications.

## 5.4 Acting Sustainably

There are no economic, environmental or social effects.

## 5.5 Carbon Management

There are no effects on the Council's carbon emissions.

**5.6 Rural Proofing**

Not applicable

**5.7 Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made to the Scheme of Administration or the Scheme of Delegation arising from the recommendations in this report.

**6 CONSULTATION**

6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR, and the Clerk to the Council have been consulted and their comments have been incorporated into the final report.

**Approved by**

**Tracey Logan  
Chief Executive**

**Signature .....**

**Author(s)**

Name	Designation and Contact Number
Clair Hepburn	Chief Officer HR

**Background Papers:** Nil

**Previous Minute Reference:** Council August 2010

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

Contact Clair Hepburn, Chief Officer HR, Human Resources, Council Headquarters, Newtown St Boswells, TD6 0SA. 01835 826600