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SCOTTISH BORDERS COUNCIL THURSDAY, 30 NOVEMBER, 2017

A SPECIAL MEETING of the SCOTTISH BORDERS COUNCIL will be held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST. BOSWELLS on THURSDAY, 30 NOVEMBER, 2017 at 10.00 AM

J. J. WILKINSON,
Clerk to the Council,
23 November 2017

BUSINESS		
1.	Apologies for Absence.	
2.	Order of Business.	
3.	Declarations of Interest.	
4.	Shared Chief Auditor Post between Midlothian Council and Scottish Borders Council (Pages 3 - 10) Consider report by Service Director Regulatory Services. (Copy attached.)	10 mins
5.	Supplementary Guidance & Simplified Planning Zone Scheme: Central Borders Business Park, Tweedbank (Pages 11 - 130) Consider report by Service Director Regulatory Services. (Copy attached.)	20 mins
6.	Any Other Items Previously Circulated	
7.	Any Other Items Which the Convener Decides Are Urgent	
8.	Private Business Before proceeding with the private business, the following motion should be approved:- "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 as defined in the relevant paragraphs of Part 1 of Schedule 7A to the aforementioned Act."	
9.	Central Borders Business Park - Tweedbank (Pages 131 - 144) Consider report by Executive Director. (Copy attached.)	10 mins

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.**

Please direct any enquiries to Louise McGeoch Tel 01835 825005
email lmcgeoch@scotborders.gov.uk



SHARED CHIEF AUDITOR POST BETWEEN MIDLOTHIAN COUNCIL AND SCOTTISH BORDERS COUNCIL

Report by Service Director Regulatory Services

SCOTTISH BORDERS COUNCIL

30 NOVEMBER 2017

1 PURPOSE AND SUMMARY

- 1.1 The purpose of this report is to enable Council to consider the benefits and potential challenges of sharing a Chief Auditor/Audit Manager Post between Midlothian and Scottish Borders Councils and to consider progressing with a pilot arrangement which will also create the opportunity for a wider exploration of joint working activities and benefits.**
- 1.2 The opportunity has arisen to develop joint working to sustain and deliver Internal Audit and Corporate Fraud Services between Midlothian Council and Scottish Borders Council.
- 1.3 Initially this would involve Scottish Borders Council's Chief Officer Audit & Risk leading both the Midlothian and Scottish Borders Internal Audit teams on a strategic level supported operationally and on a day to day basis by Senior Auditors in each Council. It is proposed that this arrangement is piloted over a 12 month period, with a 6 month review of the arrangement.
- 1.4 The shared post will provide a platform for continuous improvement, leadership and direction to both teams. The proposed 12 month pilot will allow information to be gathered to support the analysis of the potential benefits and challenges of further partnership working in these areas.

2 RECOMMENDATIONS

- 2.1 I recommend that Council:**
 - (a) Approves proceeding with an interim appointment of a shared Chief Internal Auditor post between Midlothian and Scottish Borders Council with effect from 1 December 2017.**
 - (b) Agrees to progress with a pilot arrangement to share management resource for a period of 12 months, commencing on 1 December 2017.**
 - (c) Agrees to the development of a wider exploration of joint working activities and benefits on the proposals set out in this report following the appointment of a shared post.**
 - (d) Instructs the Service Director Regulatory Services to develop a detailed programme for developing and implementing the joint arrangements set out in this report including wider staff**

- and trade union consultation, and**
- (e) Agrees to receive a further report from the Service Director Regulatory Services after an initial 6 month period.**

3 BACKGROUND

- 3.1 The Accounts Commission's overview report on Local Government in Scotland: Performance and Challenges 2017 sets out the increasingly demanding environment facing local authorities. In particular an overall reduction of 9.2% in Scottish Government total revenue funding since 2010/11, demographic changes in particular in respect of aging populations plus a broad range of legislative and policy changes including, for example, integration of health and social care, community empowerment provision and education reform.
- 3.2 Councils continue to face significant challenges as a result of constrained funding combined with demographic and other cost pressures associated with current and projected growth. In addition, managing the impact of a number of government policy and legislative changes places additional demands and reinforces the urgent need to change the way Councils operate.
- 3.3 Whilst many Councils have already taken a strategic approach in developing strategies and carrying out fundamental reviews of service delivery models to drive savings, the challenge remains. This continues to present an ever growing need to respond in ways that provide the opportunity to 'future proof' services and to create resilience and sustainability within the context of reducing resources.
- 3.4 It is within this context that this report has been produced as officers in both Midlothian Council and Scottish Borders Council have identified that potential benefits could be realised by moving towards a joint working arrangement for the Internal Audit function across both Councils.
- 3.5 Whilst there will be differences in how each Internal Audit function currently delivers its services, there will also be a number of similarities as the framework and legislation underpinning the Internal Audit function is the same. Under the Local Authority Accounts (Scotland) Regulations 2014, 7(1):
"A local authority must operate a professional and objective internal auditing service in accordance with recognised standards and practices in relation to internal auditing".
- 3.6 Furthermore, development of potential joint working must be designed within the context of the Public Sector Internal Audit Standards (PSIAS) framework which defines Internal Audit as follows:
"Internal auditing is an independent, objective assurance and consulting activity designed to add value and improve an organisation's operations. It helps an organisation accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of risk management, control and governance processes".
Source: PSIAS standard 1010
- 3.7 Internal Audit consists of a relatively small team in both organisations which increases the inherent risk around the dependency and reliance on key individuals within the team. In line with PSIAS, Internal Audit should have appropriate standing within the organisation to allow them to provide robust, independent scrutiny and challenge of Management.

3.8 The delivery of each Council's transformation programme brings a period of significant change as they work to deliver and enhance services for users, while responding to changing demographics and ongoing budgetary and funding constraints. At such times, it is important that Internal Audit has the resilience, capacity and skills to respond to changing demands and provides scrutiny and challenge to Management, not only in respect of the day to day control environment, but also to support the delivery of the transformation programme.

3.9 A recent review of Midlothian Council's Internal Audit Service has resulted in a vacancy at the manager level and it is this that has presented officers with the opportunity to consider a wider partnership working arrangement to fill the role, initially on an interim basis, which could offer the potential to deliver the following benefits across both Councils:

- Continuity of service delivery
- Long term / future service resilience
- Service efficiencies
- Improved service flexibility and quality through sharing specialist expertise

There are also a number of potential challenges of sharing the Chief Auditor/Audit Manager post across both Councils such as:

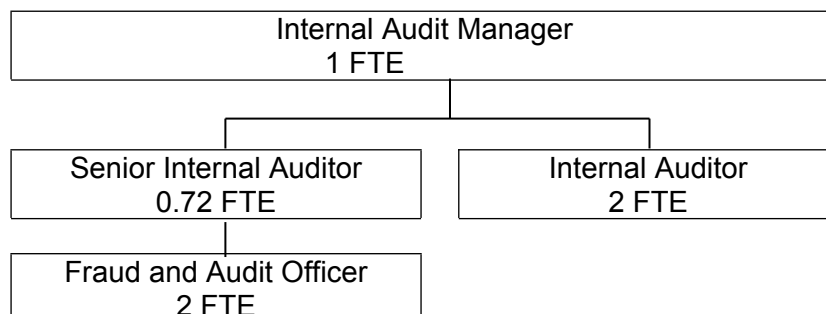
- Reduced capacity for each Council as a result of the shared post (0.5 FTE for each Council)
- Impact of cultural differences between Councils
- Managing expectations from senior management and audit committees as a result of revisions to roles and responsibilities required to deliver the joint arrangement
- Dual reporting lines for the shared post across both Councils
- Reduced capacity of the shared post impacting team management and development
- Additional travel time and costs associated with the need to manage over both Councils

In addition to Midlothian's recent review of the service, a move towards a shared arrangement would also respond to recommendations by Midlothian's External Auditor in their annual report. The recommendations noted that in filling the vacant manager position Management considers the skills and capabilities required from the function to ensure that its position and standing within the organisation is such that it can provide robust independent challenge to senior management.

3.10 This report asks Members to consider the opportunities offered by a shared management post initially but which could offer longer term benefits of the combined skills and capabilities offered by a joint working arrangement and a reshaped Internal Audit service to further support challenge and scrutiny and the drive for improvement across Councils.

4 CURRENT ARRANGEMENTS – MIDLOTHIAN COUNCIL

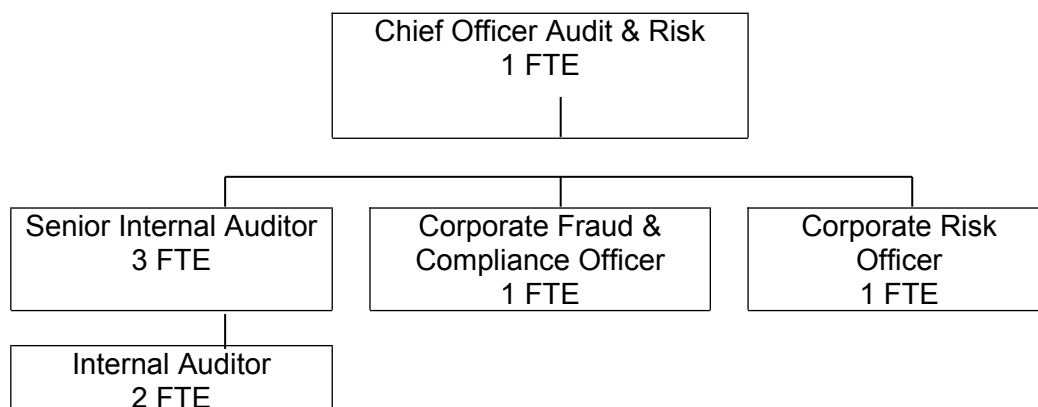
- 4.1 Midlothian Council's Internal Audit function currently provides Audit and Corporate Fraud services and is structured as follows:



- 4.2 The staffing costs for Internal Audit within Midlothian Council are £262,500.
- 4.3 The Internal Audit function in Midlothian provides audit services for both the Council and the Health and Social Care Integration Joint Board.

5 CURRENT ARRANGEMENTS – SCOTTISH BORDERS COUNCIL

- 5.1 Scottish Borders Council's Audit and Risk Service currently provides Internal Audit, Risk Management and Corporate Fraud services and is structured as follows:



- 5.2 The staffing costs for Audit and Risk within Scottish Borders Council are £353,000. Members are asked to note that the risk element of the Chief Officer Audit & Risk post will not be shared and therefore the shared element will be 50% of the total after deduction of the employee costs associated with risk.
- 5.3 The Audit and Risk Service in Scottish Borders Council provides Internal Audit, Risk Management and Corporate Fraud services for the Council, the Health and Social Care Integration Joint Board, SB Cares (ALEO for Adult Care Services), and the Pension Fund.

6 PROPOSAL

- 6.1 It is proposed that a joint working approach is taken forward initially on a 12 month pilot basis with an interim review after 6 months. The basis for the partnership would be:
- Scottish Borders Council's Chief Officer Audit & Risk to provide strategic management across both authorities and explore wider opportunities presented by a joint working arrangement.
 - Senior Internal Auditors to provide support to the Chief Officer and operational management of the local team.
 - Staff teams will continue to work on the terms and conditions of their employing authorities and from their existing office locations.

- 6.2 There are a number of areas to consider for developing through joint working in both the short and longer term across the Councils including:
- Developing common policies and procedures
 - Sharing of best practice across both Councils e.g.
 - Audit methodology, audit report templates, quality assurance
 - Sharing of expertise and a greater pool of knowledge e.g.
 - Use of data matching software (CAATs)
 - Joint training
 - e.g. Fraud Awareness delivered by Fraud Officers
 - Identifying and sharing intelligence and information on significant potential concerns and risks e.g.
 - Business Transformation
 - Cover across specialist areas e.g.
 - IT Audits/Service development initiatives
 - Common service standards
 - Opportunities for staff to work on joint projects / audits

It is anticipated that in addition to the management arrangements, the pilot will provide the opportunity to actively explore future options for joint working.

- 6.3 It is proposed that the time and cost of the shared post should be split 50/50 which, after the removal of the cost of the existing risk role undertaken by the Chief Officer Audit & Risk in Scottish Borders Council, would result in a cost to Midlothian Council of circa £34,425 – £36,450.
- 6.4 Further consideration is required to identify the impact in terms of resource for both Internal Audit functions as a result of the Chief Auditor operating across both Councils on a 50/50 basis. This reduction in capacity of the current full time role in Scottish Borders Council and expected full time appointment to the current vacancy in Midlothian Council will impact on both the capacity and responsibilities of the Senior Internal Auditors in order to accommodate the joint arrangements. The review of capacity and responsibilities will also call for an interim review of the current senior auditor job descriptions in each Council which may result in an interim increase in responsibilities and therefore a requirement to evaluate the role with potential cost implications in addition to those noted for the shared post.
- 6.5 It is proposed to commence partnering arrangements on 1 December 2017 to enable audit planning for 2018/19 to commence timeously.

- 6.6 Following the initial six month exploratory period, a report will be presented to the Council on progress and future options.

7 IMPLICATIONS

7.1 Financial

The financial implications associated with this report are capable of being met from within existing budgets. This intervention is expected to have a positive impact on the resourcing of both Councils, assisting to align demand for resource and supply of resource more closely within both organisations thereby improving both capacity building and sustainability.

7.2 Risk and Mitigations

This proposal aims to further reduce the risk to each organisation through an effective joint working arrangement, providing management and delivery of Internal Audit and Corporate Fraud. IT implications require to be explored further to facilitate joint working and to identify potential for improvement and efficiencies.

7.3 Equalities

The proposals do not have any equalities implications.

7.4 Acting Sustainably

The proposal has the potential to create a more robust and sustainable audit service.

7.5 Carbon Management

The proposals do not have any carbon management implications.

7.6 Rural Proofing

The proposals do not have any rural proofing implications.

7.7 Changes to Scheme of Administration or Scheme of Delegation

No changes to either the Scheme of Administration or the Scheme of Delegation are required as a result of the recommendations in this report.

8 CONSULTATION

- 8.1 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 comments incorporated into this report.
- 8.2 Further consultation is required including with staff and Unions, with continuing consultation as the partnership proposals develop.

Approved by

Brian Frater

Service Director Regulatory Services

Signature

Author(s)

Name	Designation and Contact Number
Brian Frater	Service Director Regulatory Services
Myra Forsyth	Policy and Scrutiny Manager, Midlothian Council

Background Papers: None

Previous Minute Reference: None

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SUPPLEMENTARY GUIDANCE & SIMPLIFIED PLANNING ZONE SCHEME CENTRAL BORDERS BUSINESS PARK, TWEEDBANK

Report by Service Director Regulatory Services

SCOTTISH BORDERS COUNCIL

30 November 2017

1 PURPOSE AND SUMMARY

- 1.1 This report seeks the approval of Supplementary Guidance (SG) and a Simplified Planning Zone (SPZ) Scheme relating to the Central Borders Business Park at Tweedbank (Appendix 1).**
- 1.2 The purpose of the Supplementary Guidance is to provide a framework vision for the future development of the sites which are allocated within the Scottish Borders Local Development Plan 2016. The purpose of the Simplified Planning Zone is to enable development to take place without the need for planning consent, provided the development complies with development parameters and conditions. It will create an employment led redevelopment, providing choice and quick delivery for businesses considering locating in this part of Scotland.
- 1.3 The purpose of this report is to inform Members of the representations received following a 12-week public consultation on both documents.

2 RECOMMENDATIONS

- 2.1 I recommend that the Council:**
 - a) Approves the Supplementary Guidance, as detailed in Appendix 1 (Part I).**
 - b) Approves the Simplified Planning Zone Scheme, as detailed in Appendix 1 (Part II). Note the representations received and responses within Appendix 2. Note that the Simplified Planning Zone Scheme shall cease to have effect at the end of the period of ten years beginning with the date of adoption and that the Council would monitor and review the document periodically as considered necessary.**

3 BACKGROUND

- 3.1 The Borders Railway 'Maximising the Impact: A Blueprint for the Future' states that the "Central Borders Business Park, located in Tweedbank, will be developed to respond to, and capitalise on opportunities brought by the Borders Railway with the provision of new high quality office accommodation, suites and facilities. The current industrial park will be redeveloped with the refurbishment and reconfiguration of existing buildings which will provide modern manufacturing, office and other facilities to meet the needs of current and new businesses" (Scottish Government et al, November 2014).
- 3.2 The Local Development Plan 2016 identifies two Business and Industrial Safeguarding sites at Tweedbank, namely Tweedside Business Park (north of Tweedbank Drive) (zEL59) and Tweedbank Industrial Estate (zEL39). A mixed use site (MTWEE001) lies immediately to the north. All three sites make up the Central Borders Business Park. The arrival of the Borders Railway offers a significant opportunity to create a high quality business park which both capitalises on the railway terminal and provides a supply of high quality business and industrial land for the Central Borders.
- 3.3 Working drafts of the documents were discussed at meetings of the Development Plan Working Group on 24 November 2015 and 29 June 2016.
- 3.4 This report was considered by the Planning and Building Standards Committee on 5 September 2016. It was agreed that consideration of the report be continued until the decision of Council on the final location of the Tapestry Building was known. The Council has since decided the location of the Tapestry Building to be in Galashiels. In any event, the potential Tapestry site at Tweedbank was out with the boundary of the SG and SPZ and therefore reference to it has been removed. The report was therefore later presented to the Planning and Building Standards Committee on 7 November 2016 when it was agreed that it should be approved and referred to Full Council. The report was then considered by the Full Council on 22 December 2016 and was agreed as a draft for public consultation for a period of 12 weeks. Members welcomed this '...innovative Scheme which would, if successful, be a pilot for other areas'.

4 SUPPLEMENTARY GUIDANCE

- 4.1 The Scottish Borders Local Development Plan 2016 takes forward the restructuring of the existing industrial estate, business park and mixed use site. The Draft Supplementary Planning Guidance has been prepared in order to lay down how the sites could be developed, creating a development vision, identifying opportunities the sites offer, highlighting potential constraints and encouraging high quality design and layout.
- 4.2 The Supplementary Guidance (SG) will provide guidance to any developer or any other interested parties and will be a material consideration in the determination of any planning applications. The SG must be read in conjunction with other Local Development Plan policies and guidance that encourage good placemaking and design. The SG has also informed the development of the Simplified Planning Zone Scheme.

- 4.3 Once adopted by the Council, the Supplementary Guidance would be referred to the Scottish Government with the intention that it would achieve elevated status and would formally become part of the Adopted Local Development Plan 2016.

5 SIMPLIFIED PLANNING ZONE

- 5.1 A Simplified Planning Zone (SPZ) effectively grants planning permission in advance for specified types of development within defined areas. Within specified areas of the Central Borders Business Park the permitted uses would include business, general industrial, storage/distribution, hotel(s) and limited retail floor space within specific zones. Any development proposals which fall out with the scope of the SPZ would have to apply for planning permission in the normal way. All proposals will require to go through the Building Standards process although the SPZ confirms that Building Standards procedures allow for fast-tracked building warrant applications relating to inward investment proposals.
- 5.2 The aim of the SPZ is to assist in informing investment decisions as businesses and investors are able to establish with certainty and speed the acceptability of their proposals. The savings in terms of time, money and effort in considering these changes and the certainty offered by the SPZ status will help promote the Central Borders Business Park as a location to invest.
- 5.3 The SPZ offers scope to change the use of premises, build new premises and/or alter and extend existing buildings without the need for a formal planning application subject to their compliance with the detailed parameters and conditions detailed in the document. The Simplified Planning Zone Scheme would take effect on the date of its adoption and shall cease to have effect at the end of the period of ten years beginning with that date.
- 5.4 The procedures for preparing SPZ Schemes, including publicity and public consultations, are set out in the Town and Country Planning (Simplified Planning Zones) (Scotland) Regulations 1995. Scottish Ministers were required to be notified of the intention to progress a SPZ Scheme. The Community Council was consulted as well as the owners of land to be included in the Scheme. Furthermore, agencies such as SEPA and SNH were consulted. These procedures, amongst others, were undertaken at the beginning of the 12 week consultation period of the SG. Once approved by the Council, the SPZ would require be advertised and referred to Scottish Ministers.

6 OUTCOME FROM PUBLIC CONSULTATION

- 6.1 Following the public consultation period, a total of 8 responses were received, two from individuals and six from agencies. None of those were deemed to be formal objections. It is evident that there is support for the documents in principle. Internal comments were received from the Council's Enforcement Officer, Economic Development Officer and the Contaminated Land Officer. Their comments have been taken into account and amendments have been made where necessary.

- 6.2 The main elements of each of the consultation responses are detailed in **Appendix 2** along with a response and officer recommendation.
- 6.3 In the event that the Full Council agree to approve the documents, this should be presented to the next Planning and Building Standards Committee for information.

7 IMPLICATIONS

7.1 Financial

There are no substantive cost implications arising for the Council in respect of the Supplementary Guidance. In respect of the SPZ Scheme, the Council would forego the income accrued from planning application fees which would normally be required to be submitted for development within the SPZ zones. The Council would incur costs to implement the works associated with the Landscape Framework and the requirements identified within the Transport Statement. There is budget to cover the necessary consultation elements.

7.2 Risk and Mitigations

Risk of not providing guidance/SPZ Scheme

- a) The lack of guidance would cause uncertainty to developers and the public and be a barrier to effective decision making by the Council. This could result in ad hoc and inconsistent decision making with policies in the Local Development Plan not being taken fully into account.
- b) Failure to produce the Supplementary Guidance would reflect badly on the Council's commitment to improve the design of new development through a place making approach and to promote the Central Borders Business Park as a key strategic and high quality site for businesses to locate.
- c) There may also be resource impacts within the Development Management section potentially resulting in delay in the processing of planning applications. In addition, it may ultimately impact on the quality of development and the thorough assessment of the environmental impact of development.

Risk of providing guidance/SPZ Scheme

- a) There are no perceived additional risks related to the adoption of the guidance/SPZ Scheme by the Council. Adoption of the SPZ Scheme will provide economic benefits to the local economy, and hence the Council, from increased business rates and improved local employment opportunities.

7.3 Equalities

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

7.4 Acting Sustainably

- a) **Economic Growth**

The proposed SG and SPZ Scheme will assist in promoting a strong, stable and sustainable economy which provides prosperity and opportunities for all.

b) **Social Cohesion**

The proposals contained within the proposed SG and SPZ Scheme will help to meet the diverse needs of people in the local communities.

c) **Protection of the Environment**

In accordance with the Environmental Assessment (Scotland) Act 2005 a screening assessment of the Supplementary Guidance has been undertaken in order to identify whether there will be potentially significant environmental effects. The screening exercise was undertaken using the criteria specified in Schedule 2 of the Act and no significant environmental issues were found.

7.5 **Carbon Management**

It is not considered the Report brings any impact on the Council's carbon emissions.

7.6 **Rural Proofing**

It is anticipated there will be a neutral impact on the rural environment from the Supplementary Guidance/SPZ Scheme.

7.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made.

8 CONSULTATION

8.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer HR, the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

8.2 The Chief Officer Economic Development, the Depute Chief Executive Place, the Corporate Transformation and Services Director, and the Service Director Assets and Infrastructure have also been consulted and any comments received have been incorporated into the final report.

Approved by

Brian Frater
Service Director, Regulatory Services

Signature

Author(s)

Name	Designation and Contact Number
Karen Ruthven	Planning Officer (Planning Policy and Access)

Background Papers:

- Full Council Committee Report, 22 December 2016

- Planning and Building Standards Committee Reports, 5 September 2016 and 7 November 2016
- Transport Statement, Central Borders Business Park, Tweedbank Mott McDonald August 2016
- Arboricultural Assessment, Tree Preservation Order at Tweedbank Industrial Estate, Tweedbank
- Arboricultural Assessment, Trees at Tweedside Park, Tweedbank

Previous Minute Reference: This report was considered by the Planning and Building Standards Committee on 5 September 2016. It was agreed that consideration of the report be continued until the decision of Council on the final location of the Tapestry Building was known. In any event, the possible Tapestry site at Tweedbank is outwith the boundary of the SG/SPZ, reference to it has therefore been removed from the documents. The report was therefore later presented to the Planning and Building Standards Committee on 7 November 2016 and it was agreed that it should be approved and referred to Full Council as draft documents to be used as a basis for public consultation. It was agreed that reference should be made within the Draft SPZ to Building Standards procedures which allow for fast-tracked building warrant applications relating to inward investment proposals.

This report was also considered by the Full Council on 22 December 2016. It was agreed to approve the draft Supplementary Guidance and Simplified Planning Zone Scheme as draft documents to be used as a basis for public consultation and to receive a report back following the consultation of both documents.

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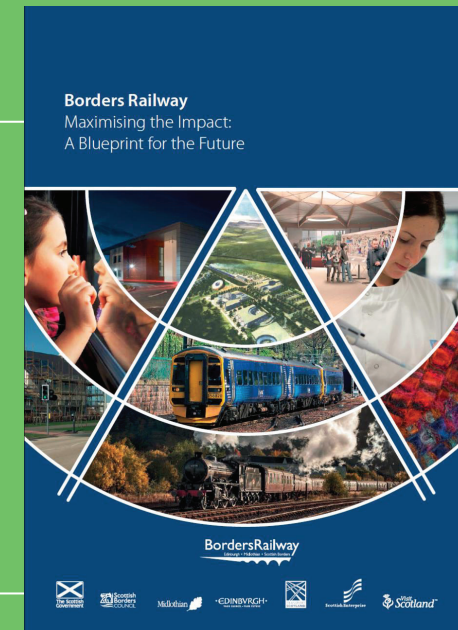


CENTRAL BORDERS BUSINESS PARK TWEEDBANK

PART I: SUPPLEMENTARY GUIDANCE
PART II: SIMPLIFIED PLANNING ZONE SCHEME

CENTRAL BORDERS BUSINESS PARK TWEEDBANK

INTRODUCTION



The Borders Railway 'Maximising the Impact: A Blueprint for the Future' states that the "Central Borders Business Park, located in Tweedbank, will be developed to respond to, and capitalise on, opportunities brought by the Borders Railway with the provision of new high quality office accommodation, suites and facilities. The current industrial park will be redeveloped with the refurbishment and reconfiguration of existing buildings which will provide modern manufacturing, office and other facilities to meet the needs of current and new businesses" (Scottish Government et al, November 2014).

Part I of this document is Supplementary Guidance (SG) which sets out the main opportunities and constraints of the business/industrial and mixed use land allocations at Tweedbank. It provides a framework vision for the future development of the sites which are allocated within the Local Development Plan (LDP).

Alongside the SG is a Simplified Planning Zone (SPZ) Scheme, forming Part II, which enables development to take place without the need for planning consent, provided the development complies with development parameters and conditions. It will create an employment led redevelopment, providing choice and quick delivery for businesses considering locating in this part of Scotland.

Both documents aim to encourage investment and an improved environment within the Business Park at Tweedbank, capitalising on the arrival of the Borders Railway.



CENTRAL BORDERS BUSINESS PARK TWEEDBANK

PART I SUPPLEMENTARY GUIDANCE

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CENTRAL BORDERS BUSINESS PARK, TWEEDBANK

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CENTRAL BORDERS BUSINESS PARK TWEEDBANK

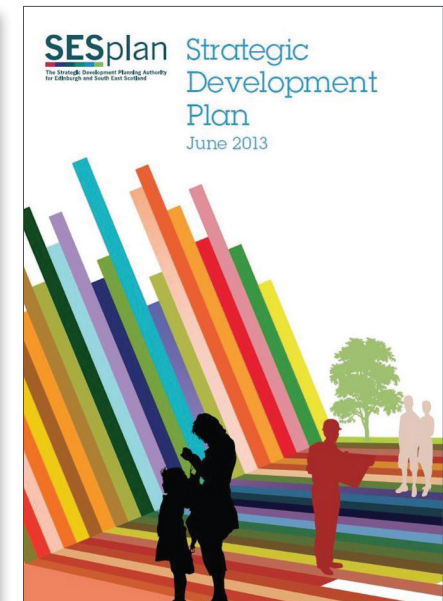
CURRENT PLANNING POLICY & GUIDANCE

SCOTTISH PLANNING POLICY (SPP)

Scottish Planning Policy promotes business and industrial development that increases economic activity while safeguarding and enhancing the natural and built environments as national assets. The planning system should allocate sites that are flexible enough to accommodate changing circumstances and allow the realisation of new opportunities.

STRATEGIC DEVELOPMENT PLAN (SESplan)

SESplan is the Strategic Development Plan (SDP) for South East Scotland, including the Borders. It provides the strategic direction for regional land use policy for the period to 2032. The SESplan identifies a number of Strategic Development Areas (SDA), one of which is the Central Borders SDA, which includes Tweedbank. The SDP provides a means to support job creation through setting a Spatial Strategy for economic development with a focus on growing key sectors in a sustainable manner.



LOCAL DEVELOPMENT PLAN (LDP)

The Local Development Plan incorporates various land allocations in Tweedbank, including business and industrial safeguarding, mixed use, key greenspaces and the Railway Station allocation. The LDP highlights that whilst there is a supply of land for business and industrial land within the Central Borders there is a need to provide an improved product so as to take advantage from the arrival of the Borders Railway. Therefore it is proposed to enhance the quality of the existing supply of industrial and business land at Tweedbank to provide for the anticipated demand. A number of policies included in the Local Development Plan will be applicable to this site including: Policy PMD1—Sustainability, Policy PMD2—Quality Standards, Policy ED1—Protection of Business and Industrial Land and EP13—Trees, Woodlands and Hedgerows.

CREATING PLACES AND DESIGNING STREETS

Creating Places is a policy statement on architecture and place for Scotland. Designing Streets changes the emphasis of guidance on street design towards placemaking and away from a focus on the dominance of motor vehicles. The policy states that street design must consider place before movement and puts an emphasis on the creation of successful places through the creation of good street design.

PLACEMAKING & DESIGN SPG

The aim of the SPG is to ensure that the Scottish Borders will be a quality place in which to live, providing attractive, sustainable towns and villages that are distinct and diverse. The SPG provides guidance in relation to successful placemaking and design principles and the impact this can have on the social and economic wellbeing of communities and the environment at large.



CENTRAL BORDERS BUSINESS PARK TWEEDBANK

SITE CONTEXT AND DESCRIPTION

SITE CONTEXT:

The LDP takes forward the restructuring of the existing industrial estate and mixed use site to the east of the railway terminal. The Central Borders Business Park incorporates Tweedbank Industrial Estate and Tweedside Park which have many advantages and attractive development features. They are well located in terms of roads and footway access and are ideally placed to capitalise on the recent arrival of the Borders Railway. The sites have a good internal road layout, are serviced and benefit from a mature landscaping and screening scheme. The industrial estate is, however, suffering from an ageing and increasingly substandard building stock and the size and layout of both the buildings and external yard areas are not consistent with modern development requirements. There are therefore significant opportunities in the estates to create a high quality business park which capitalises on the railway terminal and provides a supply of high quality business and industrial land for the Central Borders.

Tweedbank village is a residential conurbation that was planned as a new village in 1970, located between Galashiels to the west and Melrose to the east. The settlement was planned to provide for residential expansion in the area as well as a new business and employment opportunity.

SITE DESCRIPTION:

Tweedside Business Park (north of Tweedbank Drive) and the Tweedbank Industrial Estate are located within the eastern edge of the village. These are allocated for Business and Industrial Safeguarding within the LDP and are referred to as zEL59 and zEL39 respectively (see SG Plan 1). The recent completion and opening of the Borders Railway terminating at Tweedbank provides renewed interest and growth opportunity for these business areas along with the Mixed Use allocation (MTWEE001) to the east of the railway terminal (see SG Plan 1).

Tweedside Business Park (zEL59) and Tweedbank Industrial Estate (zEL39) provide important business and industrial land to the wider area. The two adjacent business estates lie to the north of the A6091, with Tweedbank Drive bisecting the sites leading into the settlement centre.

SG PLAN 1—LOCAL DEVELOPMENT PLAN 2016 SETTLEMENT MAP—TWEEDBANK



SITE CONTEXT & DESCRIPTION

Tweedside Business Park was developed in 1989 and lies between Tweedbank Drive and the River Tweed. There are two sites within the Business Park which remain undeveloped, one located to the north west of the site and the other to the north east. The access road serves the various developed sites, including that occupied by the Scottish Public Pensions Agency, and parking provision.

Tweedbank Industrial Estate, built in the mid 1970s, is bordered by the A6091 to the south and Tweedbank Drive to the north. The site comprises a number of industrial units and vacant sites set within a relatively well established landscape setting. A number of components make up the estate, a triangular grouping of buildings and service yards to the north, a rectangular block of units to the south and perimeter developments to the east. Buffer landscaping is present adjacent to the roundabout, A6091 and the western edge of the site adjacent to existing housing and the Tweedbank Sports Complex. A loop road access arrangement serves the various sites from Tweedbank Drive.

The mixed use allocation to the east of the Railway Terminal is the site of a former quarry and is currently undeveloped.



Scottish Public Pensions Agency Building,
Tweedside Park.



View towards Business Park from Railway Terminus.



Borders Railway Terminus.



View from Business Park towards Eildon Hills.



CENTRAL BORDERS BUSINESS PARK TWEEDBANK

SITE OPPORTUNITIES & CONSTRAINTS

OPPORTUNITIES

- The location of the Borders Railway terminus at Tweedbank should act as a catalyst for the rejuvenation of the Business Park at Tweedbank, which is of high strategic importance in the Central Borders.
- The Business Park is highly visible from the A6091 which enhances the marketable profile.
- The site benefits from transport links and connectivity between the railway terminal and major public and private employers within the area and wider community such as the Scottish Public Pensions Agency, Scottish Borders Council, Borders General Hospital, the Agriculture, Food and Rural Communities Directorate and the Animal Health and Veterinary Laboratories Agency.
- Transport links and connectivity to nearby tourist attractions, such as Abbotsford House, Melrose Abbey and Scott's View.
- Tweedbank is located within the Borders Strategic Green Network which consists of a network of green spaces and green corridors through, within and around settlements, linking open spaces within

settlements to the wider countryside. They can assist in enhancing the biodiversity, quality of life and sense of place of an area. Furthermore, the settlement is surrounded by land protected by the Countryside Around Towns policy (EP6) of the LDP which aims to prevent piecemeal development, which would detract from the area's environment, and to avoid coalescence of settlements, thereby retaining their individual character.

- The sites are located within attractive boundaries whereby the structure planting undertaken when the estates were constructed in the 1970s and 1980s is now well established. A survey of all trees has been undertaken to inform possible pockets of land with development potential. These areas are identified within the Development Vision (SG Plan 2). Consent would be required to undertake any works to trees protected by the Tree Preservation Order (see SG Plan 5). The survey can also inform an ongoing future maintenance programme.
- Energy Efficiency—potential for energy generation on the site as well as opportunities for heat network development from waste water.

- The incorporation of a limited level of retail provision at the 'gateway' into the business park to serve both visitors to the area and users of the business park.
- The existing Tweedbank Sports Complex is located adjacent to the south western boundary of the Industrial Estate and includes an astroturf pitch, a 400m running track/athletics field and indoor bowls facility. There is an opportunity to improve access to this facility from both within the village and the business park.
- The implementation of a Simplified Planning Zone (SPZ) Scheme offers flexibility to businesses and encourages investment and rejuvenation of the existing business and industrial sites.
- Improved pedestrian and cycle links within the settlement as well as key linkages between the railway terminus and key existing employment sites such as Borders General Hospital and tourist sites such as Abbotsford House/Visitor Centre.
- Utilities generally follow the existing road network, the retention of the basic infrastructure alignments would avoid costly utility diversions. There is an aspiration to bring the southern part of the estate road, which is currently private, up to an adoptable standard.
- The development of a more integrated approach to public transport by linking buses to the new rail service. This would require coordination between the bus and rail operators.
- The site is visible from the A6091 to the south, for both vehicles and pedestrians/cyclists. Tweedbank is located within a sensitive landscape with the Special Landscape Area abutting the settlement to the south and east and the Eildon Hills feature as a prominent backdrop. The opportunity should be taken to reinforce this edge, which is currently defined by a post and wire fence, with appropriate planting, most likely with hedging.
- The industrial estate is suffering from an ageing and increasingly substandard building stock and the size and layout of both the buildings and external yard areas are not consistent with modern development requirements. This current situation offers an opportunity for the regeneration of the site, to provide a fit for purpose business park with improved architectural design and green infrastructure. There is the potential for higher densities of built form (than existing) on site.

CONSTRAINTS

- The location of significant gas and electrical infrastructure adjacent to the western edge of the Industrial Estate site. These high voltage supply lines are laid below ground and preclude development at this location.
- Careful consideration of potential impacts on the Special Landscape Area adjacent to the Business Park to the south (See SG Plan 4).
- Existing trees within the Industrial Estate are protected by a Tree Preservation Order (see SG Plan 5). These trees have been the subject of a Tree Survey which is available as a background paper. It is intended that the Tree Preservation Order will be reviewed/amended.
- Development must protect the potential future extension of the railway line (See SG Plan 5).
- Since the opening of the Borders Railway in September 2015, passenger numbers have far exceeded those initially expected. As a result the railway terminal car park has regularly operated at capacity, with overflow parking encouraged temporarily in the adjacent Industrial Estate. Whilst it is accepted that passenger numbers may decrease after the initial surge in interest in the new Railway line, the parking levels provided are being assessed by Scotrail. A newly developed Business Park may potentially create more demand in the future. Additional provision may be required.
- The eastern most part of the Business Park is located within the National Inventory Battlefield—Battle of Darnick. This also adjoins the southern boundary of the Business Park (See SG Plan 5).
- Tweedside Park is immediately adjacent to the western most boundary of the Eildon and Leaderfoot National Scenic Area (NSA). The special qualities of the NSA must be given due consideration when assessing development proposals.
- There are limited social amenities within Tweedbank currently. The village offers a primary school, Gun Knowe Loch, a local shop, hairdressers, and bar/restaurant within the village centre but these are located a distance from the Business Park. There is also a Community Centre and an all-weather sports complex which are detached from the other facilities.

- Any future extension of the railway line would impact upon some of the existing access links within the Business Park. This must be considered in respect of layout and access points.
- The Business Park is within varying ownerships which could act as a constraint when seeking to apply an overall scheme to improve the environment.
- The Council's Local Transport Strategy (2007/08) and more recently the Main Issues Report relating to the forthcoming Local Access and Transport Strategy (July 2015) identify a potential new road configuration at Tweedbank which would include the provision of a new road bridge at Lowood, as well as or as a replacement for the existing Melrose Bridge (B6374). This would improve connection between Tweedbank and Melrose Road (B6374) in Galashiels removing pressure on the trunk road network (A6091) and on Abbotsford Road (A7) into Galashiels.

CENTRAL BORDERS BUSINESS PARK TWEEDBANK

DEVELOPMENT VISION FOR THE CENTRAL BORDERS BUSINESS PARK

DEVELOPMENT VISION

The aspiration is to develop a high quality business and industrial development that is not only sympathetic to the sensitive local context but is a flagship development for the Central Borders.

The Development Vision should:

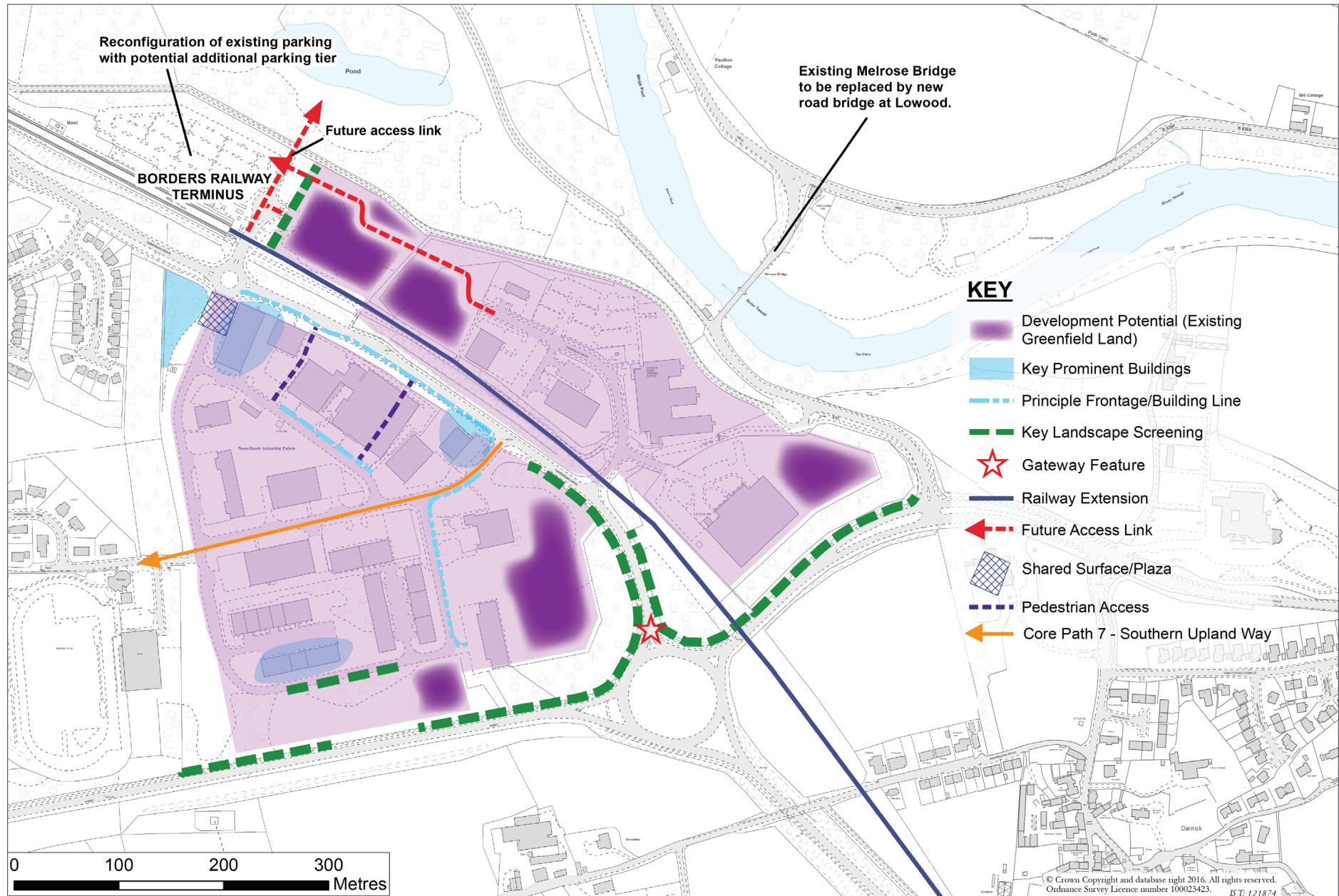
- Optimise the opportunity for investment
- Take advantage of the new investment of the railway
- Create a setting that will encourage investment
- Be sensitive to the landscape setting
- Benefit Tweedbank as a whole as well as the individual land uses
- Be low carbon

KEY PRINCIPLES

- A Focus initial development linked around the railway terminal/adjacent entrance to the Business Park to create a clear high quality gateway when accessing the Business Park from the railway terminal

- B Create a people focused public space around this gateway to allow a safe pedestrian environment which is not car focused
- C Development to follow a clear perimeter urban block arrangement with frontages placed onto defined building lines facing onto pedestrian friendly streets with internal parking courts behind
- D Place individual 'signature' buildings at key locations to mark entrances and key routes
- E Develop a suite of sensitively designed and located office buildings along the southern edge of the site, visible from the A6091 to mark and promote the business location to passing traffic but with a high quality landscaped edge
- F The need for an overspill car park for the railway terminus to be monitored. This could be accommodated within the existing boundaries of the railway terminus, partly through the restructuring of the existing layout and/or the provision of a further tier
- G Create a low carbon built environment and infrastructure that will reduce carbon emissions
- H Maintain a high quality landscape framework, improving upon and maintaining, where appropriate, the existing structure planting taking into account the sensitive landscape context

SG PLAN 2—DEVELOPMENT VISION FOR CENTRAL BORDERS BUSINESS PARK



CENTRAL BORDERS BUSINESS PARK TWEEDBANK SITE CONSIDERATIONS

LDP SITE REQUIREMENTS

The LDP 2016 sets out the following in relation to the site allocations:

TWEEDBANK INDUSTRIAL ESTATE (zEL39):

- This is a strategic safeguarded business and industrial site as defined in Policy ED1.
- Development on land immediately adjacent to the A6091 should be of high quality and design within the Use Class 4 use. Careful consideration would require to be given to landscaping, particularly along the southern edge of the site, in order to ensure an attractive edge to the business and industrial site.

TWEEDSIDE BUSINESS PARK (zEL59):

- This is a strategic high amenity safeguarded business and industrial site as defined in Policy ED1.

SITE EAST OF RAILWAY TERMINAL (MTWEE001):

- Access via existing Tweedside Park (zEL59) to the east and from zRS1 to the west.
- Appropriate planting required on mutual western boundary with railway station.
- New site to be formed for mixed use purposes along with the restructuring of the existing landholdings within Tweedbank Industrial Estate.
- It is expected that the site would be developed for commercial mixed use. Housing would not be appropriate on this site, given it's proximity to the Railway Station (zRS1) and the business and industrial land to the east (zEL59).

LANDSCAPE CONSIDERATIONS

- Existing trees within the boundaries and on the perimeter of zEL39 are protected by a Tree Preservation Order. These trees were planted when the estate was first established and provide screening from Tweedbank Drive and the adjacent A6091 road as well as from the Melrose roundabout to the east. Further, trees to the north west and south west edges of the estate screen it from existing residential development and community facilities to the west.
- A survey of the trees has been undertaken and identifies potential areas for development, subject to the need for consent to undertake any work to the protected trees.

ENERGY EFFICIENCY

- In respect of the overall Central Borders Business Park, good, careful design at the outset will minimise the total energy demand for the lifetime of the development and encourage better standards of energy efficiency. Design considerations for the development will help to increase the efficiency of energy and water use. Siting of developments, their orientation and design should be considered to help reduce the energy demand of new buildings in addition to the building standards energy requirements. Opportunities for including an element of on-site renewable energy generation and water recycling will be encouraged, where it will be in accordance with the development parameters set out in the SPZ Scheme (See Part II).
- There is capacity for a local energy network by way of a district heating system. Buildings and open spaces should have renewables generation capacity. Heat recovery technologies would be key (water and air source) as well as photovoltaic and solar thermal. The potential for heat recovery from waste water should be explored.

VILLAGE CONNECTIVITY

- The main vehicular route through the village providing access to the sites is Tweedbank Drive, linking with the A6091 at either end of the village.
- Pedestrian connectivity within and through Tweedbank varies in definition and quality. A number of core paths and promoted paths lead through the village.
- 'Core Path 189: National Cycle Network—Route 1' runs adjacent to Tweedbank Drive and provides a key link between the railway terminus and beyond.
- Core and promoted paths within and adjacent to the sites must be maintained and enhanced where possible.
- The potential for new walking and cycling routes should also be considered where applicable.



SG PLAN 3—VILLAGE CONNECTIVITY



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EXISTING UTILITIES

- Utilities generally follow adopted or road network routes. In order to avoid costly utility diversions, it is expected the existing basic infrastructure alignments will be retained. Of particular note in relation to considering future development, is the location of significant gas and electrical infrastructure adjacent to the western edge of the Industrial Estate. These high voltage supply lines are laid below ground and preclude development of buildings at this location.

TRANSPORT & ACCESS

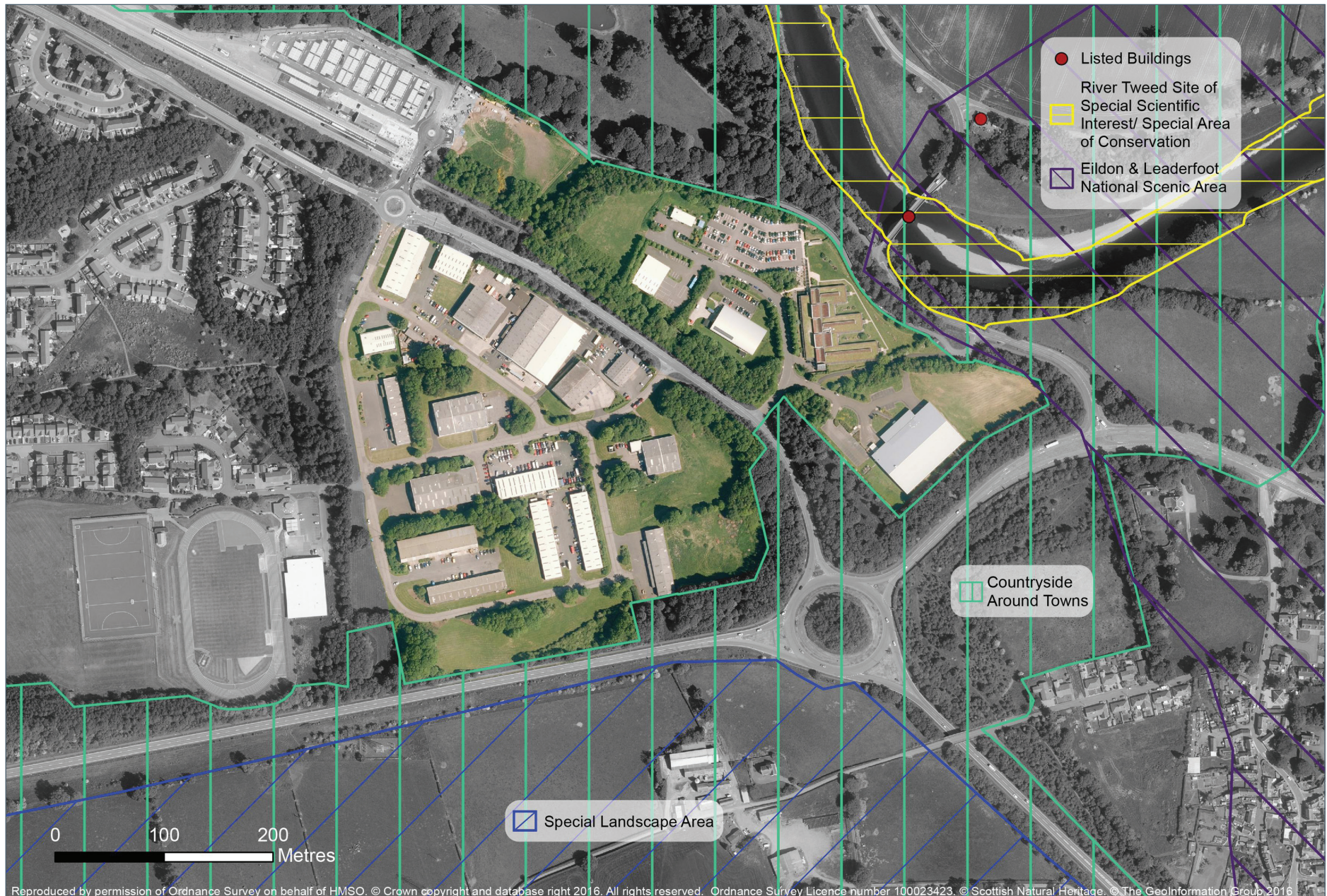
- The potential future extension of the railway beyond its current terminus at Tweedbank must be considered. This would require the exclusion of development along the potential line as well as the reconfiguration of the entrance into the existing railway station car park. A Rail Route Protection Study (2015) undertaken by Mott MacDonald on behalf of Scottish Enterprise found that the extended railway line could extend under the existing road network at Tweedbank Drive/Tweedside Park which would suitably maintain access at this location.
- A sympathetically designed footbridge would be required at the railway terminal to link with Tweedbank Drive in order to maintain a suitable access to the Business Park and beyond. An alternative access from the existing railway terminus into the Business Park to the east would require to be provided.
- A Transport Statement, undertaken by Mott MacDonald in August 2016, recommends that a holistic approach be applied to development of the area, including consideration and implementation of transport measures to facilitate sustainable access, which in turn will support the framework vision of this SG and Simplified Planning Zone Scheme. A summary of the key recommendations is contained within Appendix 3 of Part II of this document.
- Road and footpath connections to the adjacent road and path network are essential to encourage onward journeys to/from the railway terminus as well as important links within the business and industrial sites.

- The Border Weaver 'hop-on hop-off' bus service provides a useful link between the Borders Railway Terminal, local communities and visitor attractions. There appears to be an opportunity for a car/bike hire facility within the vicinity of the terminal to provide further opportunity for onwards journeys, particularly in view of the National Cycle Network which runs through Tweedbank.

OTHER CONSIDERATIONS

- Tweedbank is located within the Borders Strategic Green Network which supports economic growth, tourism, recreation, the creation of an environment that promotes a healthier-living lifestyle, and the protection and enhancement of biodiversity, and will have the potential to improve the quality of the water environment, promote flood protection and reduce pollution.
- The eastern most part of the Business Park, off Tweedside Park, is within the National Inventory Battlefield of the Battle of Darnick. There would potentially be requirement for archaeological work within this area. The existing woodland defining the south eastern corner of the Industrial Estate is also within the National Inventory Battlefield. Whilst it is not considered that development within this area would be appropriate, any restructuring of the woodland would require to take this matter into account.
- Any issues relating to surface water flooding would require to be considered and addressed.
- Development must allow for the collection of waste, in line with the principles of Scotland's Zero Waste Plan and the Council's Waste Management Supplementary Guidance.
- Views into the Business Park must be considered, both in terms of the visual prominence of buildings and uses as well as any potential impact upon the sensitive landscape setting. Careful consideration must be given to the fleeting views into the southern part of the Business Park from the A6091.
- Sympathetic design is required in view of the location of the Business Park adjacent to the Special Landscape Area (SLA) and National Scenic Area (NSA).

SG PLAN 4—EXISTING EXTERNAL SITE FEATURES & CONSIDERATIONS



SG PLAN 5—EXISTING INTERNAL SITE FEATURES & CONSIDERATIONS



CENTRAL BORDERS BUSINESS PARK TWEEDBANK

SUBMISSION REQUIREMENTS

Part II of this document sets out certain instances in which development is permitted under the Simplified Planning Zone (SPZ) Scheme without the need for planning consent, subject to conditions and parameters.

WHERE THE SUBMISSION OF A PLANNING APPLICATION IS REQUIRED, THE FOLLOWING DOCUMENTS MAY REQUIRE TO BE SUBMITTED:

- Context study demonstrating an understanding of the local context
- Site photos: highlighting key views and how the design will respond to these
- 3D visualisation material: sketches or computer generated visualisations showing the development in context
- Design statement
- Energy statement
- Landscape plan
- Planting and landscape management scheme
- Drainage Impact Assessment - looking at impact on the catchment area and waste and surface water drainage solutions
- SUDS scheme for treatment of surface water run-off
- Transport assessment/statement
- Ecology assessment plus species management plan, where necessary
- Archaeological evaluation and appropriate mitigation measures where necessary
- Developer contributions

CENTRAL BORDERS BUSINESS PARK TWEEDBANK

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CENTRAL BORDERS BUSINESS PARK TWEEDBANK

PART II SIMPLIFIED PLANNING ZONE SCHEME

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CENTRAL BORDERS BUSINESS PARK, TWEEDBANK

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CENTRAL BORDERS BUSINESS PARK TWEEDBANK

INTRODUCTION

WHAT IS A SIMPLIFIED PLANNING ZONE (SPZ)?

A Simplified Planning Zone (SPZ) is a defined area where the need to apply for planning permission is removed for certain types of development so long as the development complies with the details, conditions and guidance set out in the SPZ Scheme.

The SPZ Scheme offers flexibility to help businesses and industries grow and adapt as well as encourages new opportunities to locate within the Central Borders, whilst maintaining high standards of development, care for the built environment and for the sensitive landscape setting.

Under the Town and Country Planning (Use Classes) (Scotland) Order 1997 changes of use can occur without the need for planning permission. Under

the Central Borders Business Park SPZ Scheme there is increased flexibility to change the use of properties. There is also scope to build new premises and/or alter and extend existing buildings without the need for a formal planning application subject to their compliance with the development parameters and conditions detailed in this document. The types of new/ additional uses and new development that are approved within the SPZ area are set out in Stage 1 (pages 34-40).

It is highlighted that if you propose to alter an existing building, erect a building or convert a building it is likely that the submission of an application for a Building Warrant will be required. This is a separate process which is not permitted by the SPZ Scheme.

It should be noted that the provisions of the SPZ Scheme do not affect existing businesses/users currently operating within the Business Park.

The aim of the SPZ is to assist in informing investment decisions as businesses and investors are able to establish with certainty and speed the acceptability of their proposals. The savings in terms of time, money and effort in considering these changes and the certainty offered by the SPZ status will help promote the Central Borders Business Park as a location to invest.

SPZ BOUNDARY

The provisions of this SPZ Scheme apply only to the area identified on the following plan (SPZ Plan 1). Areas outside of this boundary are subject to standard planning controls.

SPZ PLAN 1—SPZ AREA



CENTRAL BORDERS BUSINESS PARK TWEEDBANK SIMPLIFIED PLANNING ZONE SCHEME

SPZ DURATION

The provisions of this SPZ Scheme are valid for a period of ten years from the date of its commencement on X. Scottish Borders Council has the right to propose alterations to the Scheme including to add to, remove or otherwise alter the planning controls (see page 50).

HOW TO USE THE SCHEME

In using this SPZ Scheme there are three stages that require to be followed when proceeding with your development proposals within the Central Borders Business Park (see SPZ Figure 1).

Development is approved by this SPZ Scheme where it is in accordance with the development parameters (Stage 1), and complies with the conditions attached to the Scheme (Stage 2).

SPZ FIGURE 1—OPERATION OF THE CENTRAL BORDERS BUSINESS PARK SPZ**STAGE 1
WHAT TYPE OF DEVELOPMENTS ARE PERMITTED?**

The types of development and uses that are allowed by the Scheme and what still requires consent are set out in pages 34-40.

**STAGE 2
CONDITIONS AND INFORMATIVES**

A number of standard planning conditions apply to the development proposals eligible under the Scheme along with additional information required by conditions.

There may be other matters you need to consider, such as the submission of an application for a building warrant or advertisement consent.

**STAGE 3
NOTIFICATIONS**

Notify Planning Authority of development proposal in line with SPZ Scheme.
Notify Planning Authority of commencement and completion of development.

PLEASE NOTE THE SPZ SCHEME DOES NOT SEEK TO DISCOURAGE THE SUBMISSION OF FORMAL PLANNING APPLICATIONS FOR ANY OTHER USE UNDER NORMAL DEVELOPMENT MANAGEMENT PROCEDURES WHICH DO NOT FALL WITHIN THE REMITS OF THE SPZ SCHEME. THE PROVISIONS OF THE SPZ SCHEME DO NOT AFFECT EXISTING BUSINESSES/USERS CURRENTLY OPERATING WITHIN THE BUSINESS PARK.

STAGE 1

WHAT TYPES OF DEVELOPMENT ARE PERMITTED?

SPZ ZONES

The SPZ has five zones:

ZONE A: Mixed Use Zone—Zone A covers a mixed use site to the immediate east of the Railway Terminal. The Local Development Plan expects that the site will be developed for commercial mixed use purposes (housing would not be acceptable). Appropriate planting would be required along the mutual western boundary with the railway terminal, whilst allowing for pedestrian/vehicular permeability.

ZONE B: Core Business Zone—Zone B covers Tweedside Park which is currently dominated by existing business uses. This zone will remain focused towards this type of use.

ZONE C: Gateway Mixed Use Zone—Zone C is focused on the gateway into the Business Park from the railway terminal. This zone has a wider mix of uses, albeit some are restricted to a limited floorspace namely two units, each with a maximum floor area of 70m² (gross internal area) offering the opportunity for shop uses. Building heights in this area are less uniform and there is potential to reinforce the gateway character through the use of taller, landmark buildings. A shared surface / plaza is required at the access into the business park at the railways terminus roundabout in order to provide a setting for the key prominent buildings at this location and an attractive entrance feature.

ZONE D: Tweedbank Industrial Estate—Zone D is a more traditional business and industrial site and the SPZ Scheme continues to safeguard this area for Class 4 (business), 5 (general industrial) and 6 (storage or distribution) uses to maintain its established function and protect it from inappropriate development that could undermine its existing and future operational capabilities.

Zone E: Tweedbank Industrial Estate Business Zone—Zone E will become a business focused zone with its more prominent location in respect of visibility from the Class A road to the south and on the entrance into the Business Park. The SPZ seeks to ensure high quality development at this location and gives careful consideration to planting along the southern boundary of the site in order to secure a degree of visibility but also an appropriate screen in view of the sensitive location of the site adjacent to the Special Landscape Area.

WHAT TYPES OF DEVELOPMENT ARE APPROVED BY THE SPZ SCHEME?

Development is approved within the SPZ area subject to the development parameters set out in SPZ Table 2 and the text on pages 37-40. This allows for certain changes of use, new buildings, external alterations and other minor works within the Central Borders Business Park. All development must also comply with the conditions attached to the Scheme (SPZ Table 3), the Design and Landscape Framework (Appendix 1), the Transport Design Guidance (Appendix 2) and Transport Statement (Appendix 3). Together, the development parameters and zoning of the Park will control the quantum of development and its location to ensure the main focus of the Park continues to be for business and industrial uses in accordance with Local Development Plan policies. SPZ Table 1 details the types of uses that are approved under this SPZ scheme, broken down into five zones and Plan 2 defines the boundaries of the zones. Pages 39-40 details the types of new development, such as new buildings and extensions approved under this SPZ Scheme. A proposal for any other use or development type will not be permitted by this Scheme. If you propose to alter an existing building, erect a building or convert a building it is likely this will require a Building Warrant application. Priority is given to building warrant applications involving inward investment and job creation.

SPZ TABLE 1—TYPES OF USES AND DEVELOPMENTS PERMITTED BY SPZ SCHEME

ZONE	USES AND DEVELOPMENTS PERMITTED
A	<p>Use Class 4—Business (e.g. Offices other than that specified under Class 2, research and development of products or processes, light industry*)</p> <p>Use Class 7—Hotels & Hostels (e.g. Hotel, boarding and guest house, hostel)</p>
B	<p>Use Class 4—Business (e.g. Offices other than that specified under Class 2, research and development of products or processes, light industry*)</p>
C	<p>Use Class 1—Shops (two units each with a maximum floor area of 70m²)</p> <p>Use Class 4—Business (e.g. Offices other than that specified under Class 2, research and development of products or processes, light industry*)</p>
D	<p>Use Class 4—Business (e.g. Offices other than that specified under Class 2, research and development of products or processes, light industry*)</p> <p>Use Class 5—General Industry (use for the carrying out of an industrial process other than one falling within the Class 4 (Business) definition)</p> <p>Use Class 6—Storage or Distribution</p>
E	<p>Use Class 4—Business (e.g. Offices other than that specified under Class 2, research and development of products or processes, light industry*)</p>

*Examples only, for a full list of uses please see The Town & Country Planning (Use Classes) (Scotland) Order 1997

SPZ PLAN 2—SPZ ZONES



SPZ TABLE 2—DEVELOPMENT PARAMETERS

	USE CLASS	PARAMETER	RESTRICTIONS	REASON
DP1	Non classified (sui generis) - Sale and display of motor vehicles	Not permitted by the SPZ Scheme	Zones A, B, C, D & E—No development in Non-classified (sui generis): Sale and display of motor vehicles.	Non-classified (sui-generis): Sale and display of motor vehicles is not permitted by the SPZ scheme in the interests of protecting the strategic safeguarded and strategic high amenity safeguarded business and industrial sites.
DP2	Class 1 Shops	2 units each with a maximum floor area of 70m ² permitted in Zone C only	Zones A, B, D & E—No development in Class 1 permitted by the SPZ scheme. Zone C—Class 1 permitted by the SPZ scheme. No more than 2 contiguous Class 1 units are permitted by the SPZ scheme in Zone C.	Complementary uses that can support the viability and sustainability of the Business Park but are subject to specific controls to safeguard the main industrial and business function, and to avoid a scale of retailing that would normally be directed to town centres.
DP3	Class 2 Financial, Professional and Other Services	Not permitted by the SPZ Scheme	Zones A, B, C, D & E—No development in Class 2 permitted by the SPZ scheme.	Class 2 is not permitted by the SPZ scheme in the interests of protecting the strategic safeguarded and strategic high amenity safeguarded business and industrial sites.
DP4	Class 3 Food & Drink and hot food takeaway (sui generis)	Not permitted by the SPZ Scheme	Zones A, B, C, D & E—No development in Class 3 permitted by the SPZ scheme.	Class 3 is not permitted by the SPZ scheme in the interests of protecting the strategic safeguarded and strategic high amenity safeguarded business and industrial sites.
DP5	Class 4—Business	Permitted by the SPZ Scheme.	Zones A, B, C, D & E—Class 4 permitted by the SPZ Scheme.	To provide business floorspace as part of the Business and Industrial Land allocation in accordance with Local Development Plan policies.

	USE CLASS	PARAMETER	RESTRICTIONS	REASON
DP6	Class 5—General Industrial and Class 6—Storage and Distribution	Permitted by the SPZ Scheme.	Zones A, B, C & E—No development in Class 5 and/or Class 6. Use Classes 5 and 6 are permitted by the SPZ Scheme in Zone D.	To provide a maximum quantum of general industrial and storage/distribution floorspace as part of the overall Business Park.
DP7	Class 7 Hotels and Hostels	Permitted in Zone A only	Zones B, C, D & E—No development in Class 7 permitted by the SPZ scheme. Zone A—Class 7 permitted by the SPZ scheme.	To direct this type of complementary use to Zone A to support users of the Railway terminal and the viability and sustainability of the Business Park.
DP8	Class 8 Residential Institutions Class 9 Houses Class 11 Assembly and leisure and theatre , motor vehicle or firearm sport (sui generis)	Not permitted by the SPZ Scheme.	Zones A, B, C, D & E—No development Classes 8, 9, and/or 11 and non-classified (sui generis): theatre , motor vehicle or firearm sport	Classes 8, 9 and 11 and non-classified (sui-generis) theatre , motor vehicle or firearm sport is not permitted by the SPZ scheme in the interests of protecting the strategic safeguarded and strategic high amenity safeguarded business and industrial sites.
DP9	Class 10 Non-residential institutions	Not permitted by the SPZ Scheme.	Zones A, B, C, D & E—No development in Class 10 permitted by the SPZ scheme.	Class 10 is not permitted by the SPZ scheme in the interests of protecting the strategic safeguarded and strategic high amenity safeguarded business and industrial sites.
DP10	N/A	Not permitted by the SPZ Scheme.	Temporary buildings are not permitted within the SPZ boundary, unless with separate planning permission.	Temporary buildings are not permitted by the SPZ Scheme in the interests of amenity.

NOTES

1. All measurements are in square metres (gross internal area) unless otherwise stated.
2. Units cannot be merged to form a larger planning unit where the resultant unit would be larger than the maximum permitted unit size identified for each zone, without separate planning permission.
3. Where existing floorspace is redeveloped the floorspace lost can be re-provided elsewhere within the SPZ area subject to compliance with the SPZ parameters.
4. The boundaries of the SPZ zones are shown in SPZ Plan 2.
5. Development activity and the parameter floorspace will be monitored throughout the Scheme and the Council will endeavour to publish an annual monitoring report of approved development. Developers are required to notify the Council of the commencement and completion of development using the forms in Appendix 4.

CHANGE OF USE

Change of use development is permitted provided that the proposed use and level of floorspace is within the provisions of the SPZ Scheme and is in accordance with the planning conditions.

CONSTRUCTION

New build and extensions development is permitted provided the proposed use and level of floorspace is within the provisions of the SPZ Scheme and is in accordance with the planning conditions, the Design and Landscape Framework (Appendix 1), Transport Design Guidance (Appendix 2) and Transport Statement (Appendix 3).

INFRASTRUCTURE

Development of infrastructure to support the functioning of the Business Park is permitted subject to compliance with the planning conditions, the Design and Landscape Framework (Appendix 1), the Transport Design Guidance (Appendix 2) and Transport Statement (Appendix 3). For the purposes of this SPZ Scheme, infrastructure proposals includes:

- New roads and pathways/cycleways and alterations to existing roads and pathways/cycleways, in both the private and public realms.
- New external lighting in both the private and public realm, and alterations to existing lighting.
- Infrastructure associated with the delivery of sustainable transport measures (examples include but are not limited to cycle parking, cycle docking stations, electric charging points, inductive charging points and bus stops/shelters).
- New waste storage and collection facilities, where these are strictly ancillary to the main use, or for the purpose of collecting waste in the public realm.

MINOR OPERATIONAL DEVELOPMENT

Minor operational development is permitted subject to compliance with the planning conditions and Design and Landscape Framework. For the purposes of the SPZ Scheme, minor operational development includes:

- Changes to the external appearance of buildings, including recladding, alterations to access, doors and windows
- Installation of plant to serve the existing or proposed building(s)
- Landscaping (including hard and soft materials) of individual plots
- Landscaping (including hard and soft materials, street furniture and public art)

DESIGN AND LANDSCAPE FRAMEWORK

The SPZ Scheme does not remove the requirement for good design or consideration of the built and natural environment. The Design and Landscape Framework (Appendix 1) for the SPZ is appended to this Scheme and must be considered in all development proposals, in accordance with the planning conditions.

WHAT STILL REQUIRES CONSENT?

PROPOSALS NOT PERMITTED BY THE SCHEME

Proposals falling outside of the SPZ Scheme that require planning consent will be considered by way of a planning application and determined by the Council. Scottish Borders Council continues to welcome such submissions.

PERMITTED DEVELOPMENT RIGHTS

This Scheme does not affect existing permitted development rights afforded under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). The amended order, subject to specified criteria, allows for certain alterations and extensions to commercial properties and minor developments such as access ramps and the installation of vehicle recharging electrical outlets.

Any alterations or extensions to permitted development rights which may subsequently emerge through future regulatory change would also be available.

OTHER CONSENTS

The SPZ Scheme relates only to planning permission. It is the developer's responsibility to ensure compliance with all other relevant legislation and requisite fees. **For example, separate approval will be required from the Local Authority for, if applicable, Building Warrants. Refer to pages 46-47 for further guidance.**

ADVERTISEMENT CONSENT

Proposals for signs and advertisements, unless having deemed consent, will require approval under the terms of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) or its replacement.

Certain types of advertisement do not need permission under the regulations. As a guide you will normally need to apply for permission for most illuminated signs, advertisements using special structures for display such as poster hoardings and large signs or those positioned high up on buildings.

For a full list of advertisements which can be displayed without consent please see Schedule 4 of the Advertisement Regulations. The Advertisement Regulations are complex and it is always advisable to check the position with the Council's Development Management Section before proceeding.

STAGE 2

CONDITIONS AND INFORMATIVES

PLANNING CONDITIONS AND INFORMATIVES

Development permitted by this SPZ Scheme is subject to planning conditions as shown in SPZ Table 3. Developers should note that some of the conditions are pre-commencement conditions, requiring details to be approved prior to development starting.

Where conditions require further details to be submitted to the Local Authority, Scottish Borders Council will endeavour to provide a response regarding the acceptability of the submitted information within 21 days of receipt.

It is the developer's responsibility to ensure that development is fully in compliance with these conditions and informatives.

VARIATION OR REMOVAL OF PLANNING CONDITIONS

Development carried out under the provisions of the SPZ must adhere to any relevant, applicable condition contained within the SPZ Scheme. There is no scope to vary or remove planning conditions attached to the SPZ Scheme other than in the circumstances when the Council choose to alter the Scheme.

Where developers wish to carry out development not complying with a condition contained within the SPZ Scheme, an application for planning permission must be submitted for consideration by the Council.

SPZ TABLE 3—SPZ CONDITIONS & INFORMATIVES

		REASON
1	All development shall comply with the parameters of the SPZ Scheme as set out in SPZ Table 2.	To ensure the development accords with the provisions of this Scheme.
2	All development shall accord with the terms of the SPZ Design and Landscape Framework, the Transport Design Guidance and Transport Statement as set out in Appendices 1, 2 and 3.	To ensure that all development accords with the terms of this Scheme.
3	<p>Prior to the commencement of development a scheme detailing how waste and recycling arising from the development shall be stored and screened, shall first have been submitted to and approved in writing by the LPA. The scheme hereby approved shall be implemented prior to the occupation of the development.</p> <p>Informative: Waste and recycling storage areas must be located away from principal frontages (as defined by SG Plan 2) and be screened from the road (in line with the requirements set out in Appendix 1: Design and Landscape Framework). All new development must include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations. Site Waste Management Plans shall be submitted to and approved by the Local Planning Authority before development is commenced and shall be implemented in full and in the approved manner.</p>	To maintain and enhance the visual amenity of the area.
	CAR AND CYCLE PARKING	REASON
4	<p>No development shall commence until a scheme for car parking and the surface treatment of the car park area within the development site, shall first have been submitted to and approved in writing by the LPA. The scheme hereby approved shall be implemented in full prior to the occupation of the development.</p> <p>Informative: Car parking shall be provided in accordance with non-car accessibility Level D in the SEStran Parking Standards publication, as detailed in Appendix 2: Transport Design Guidance. Car parking spaces (each measuring 2.5 x 5.0 metres) and aisles (6 metres wide) shall be clearly delineated on the ground. No works shall be undertaken in respect of the car parking until a scheme of details, including timescales for implementation, which shall first have been submitted to and approved in writing by the Local Planning Authority. The car parking must be available for use before the development is occupied and thereafter retained. Car parking area(s) shall be permeable hardstanding with water attenuation, or other SUDS treatment as promoted in the SUDS For Roads Guide by SCOTS and SUDS Working Party. Loose material is not acceptable for any car park surface.</p>	<p>To ensure that adequate parking provision is made whilst encouraging the use of public transport.</p> <p>To attenuate drainage from the site in the interest of flood control; to keep the road free of loose material in the interests of pedestrian and vehicular safety.</p>

5	<p>Prior to the commencement of development a scheme detailing the provision for the parking of cycles within the development site, shall first have been submitted to and approved in writing by the LPA. The scheme hereby approved shall be implemented in full prior to the occupation of the development.</p> <p>Informative: Provision shall be made for in the design of the development for the parking of cycles. This provision shall be safe, sheltered and secure in accordance with guidance document 'Cycling by Design 2010' published by Transport Scotland. The cycle parking shall be available for use before the development is occupied and thereafter retained.</p>	To ensure that cycle parking is available for the users of the development and to reduce reliance on the private car.
CONTAMINATION		REASON
6	<p>No development shall commence within Zone A until a scheme which will have identified, assess and provided remediation of any identified contaminants on site has been submitted to and agreed in writing by the LPA. The scheme hereby approved shall be implemented in full prior to the commencement of the development.</p> <p>Informative: No development shall commence within Zone A until a detailed scheme to identify and assess potential contamination on site has been submitted to and agreed in writing by the Local Planning Authority and thereafter implemented in accordance with the approved scheme. The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-</p> <ol style="list-style-type: none"> A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council prior to addressing parts b, c, d, and, e of this condition. and thereafter Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents. Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan). Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council. Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council. <p>Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, shall be required by the Developer before any development hereby approved commences. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.</p>	To ensure that the potential risks to human health, the water environment, property and ecological systems arising from any identified contamination have been adequately addressed.

	ROADS AND ACCESS	REASON
7	No development shall commence in relation to the formation, alteration, reconfiguration of a junction until a scheme of details, first shall have been submitted to and approved in writing by the LPA. The scheme hereby approved shall be implemented in full prior to the commencement of development on site.	To ensure that the standard of junction layout complies with the current standards and to minimise interference with the safety and free flow of traffic on the road network.
8	No fences, wall, planting or other obstructions to visibility shall be placed within a vehicular access or junction visibility splay.	To ensure that the access complies with approved standards in the interests of pedestrian and vehicular safety.
9	<p>No development shall commence until a scheme detailing the provision of pedestrian and cycling access through the development site has been submitted. The scheme hereby approved shall be implemented in full prior to development commencing on the site.</p> <p>Informative: Provision shall be made within the site for pedestrians and cyclists, in accordance with the Transport Statement (Appendix 3) of the Simplified Planning Zone Scheme and in agreement with the Local Planning Authority. No works shall be undertaken in respect of the pedestrian and cyclist provisions until a scheme of details, including timescales for implementation, which shall first have been submitted to and approved in writing by the Local Planning Authority. The scheme thereafter agreed shall be implemented in full and in the approved manner.</p>	To ensure a satisfactory level of provision for pedestrians and cyclists.
10	<p>No development shall be undertaken which would prejudice the future provision of the extension of the Borders Railway from Tweedbank through to Hawick as defined on SG Plan 2, page 17, of the Supplementary Guidance.</p> <p>Informative: No development is permitted which might prejudice the future provision of the extension of the Borders Railway from Tweedbank through to Hawick as defined on SG Plan 2, page 17, of the Supplementary Guidance. This is in line with Policy IS4: Transport Development and Infrastructure of the Local Development Plan 2016.</p>	To ensure that any development does not prejudice any future extension of the Borders Railway from Tweedbank to Hawick and beyond.
	ENVIRONMENT	REASON
11	All development shall comply with the Design and Landscape Framework as set out in Appendix 1.	In the interests of the visual amenity of the area.
12	External lighting to be installed within the development site should accord with BS 5489-1977 and Scottish Government Guidance Note entitled 'Controlling Light Pollution and Reducing Light Energy Consumption – March 2007. The lighting shall be installed and operational before the development is occupied and maintained thereafter.	In order to help make the site more secure.

13	The trees on this site which are covered by the Tree Preservation Order (SPZ Plan 3), shall be protected at all times during construction and building operations, by the erection of substantial timber fences around the trees, together with such other measures as are necessary to protect the trees and their roots from damage in line with British Standard 5837:2005. Details of the methods it is proposed to use shall be submitted by the applicant to the Local Planning Authority and be approved by them in writing. The approved protective measures shall be undertaken before any works commence on the site and must, thereafter be observed at all times until the development is completed.	To ensure that adequate precautions are taken to protect trees during building operations.
	DRAINAGE AND FLOODING	REASON
14	No development shall commence within Zones D and E until a scheme of flood risk detailing the assessment and mitigation have first been submitted to and approved in writing by the LPA. The scheme hereby approved shall be implemented in full prior to the occupation of the development.	To ensure adequate drainage within the SPZ area and to ensure suitable mitigation of potential future flooding events.
15	No development shall commence until a scheme of surface water disposal in accordance with Sustainable Urban Drainage principles have first been submitted to and approved in writing by the LPA. The scheme hereby approved shall be implemented in full prior to the occupation of the development.	To ensure that adequate and appropriate means are used in the disposal of surface water.
	ARCHAEOLOGY	REASON
16	No development shall take place within the National Inventory Battlefield—Battle of Darnick (part of Zone B and Zone E) until the applicant has secured a programme of archaeological work in accordance with a Written Scheme of Investigation outlining a Watching Brief. This will be formulated by a contracted archaeologist and approved in writing by the Planning Authority. Access should be afforded to allow investigation by a contracted archaeologist(s) nominated by the developer and agreed to by the Planning Authority. The developer shall allow the archaeologist(s) to observe relevant below ground excavation during development, investigate and record features of interest and recover finds and samples if necessary. Results will be submitted to the Planning Authority for review in the form of a Data Structure Report. If significant archaeology is discovered below ground excavation should cease pending further consultation with the Planning Authority. The developer will ensure that any significant data and finds undergo post-excavation analysis, the results of which will be submitted to the Planning Authority.	The site is within an area where ground works may interfere with, or result in the destruction of, archaeological remains, and it is therefore desirable to afford a reasonable opportunity to record the history of the site.
	NOISE	REASON
17	Any noise emitted by plant and machinery used on the premises will not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR 30 at all other times when measured within the nearest noise sensitive dwelling (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernible tonal component. Tonality shall be determined with reference to BS 7445-2. All plant and machinery shall be maintained and serviced in accordance with the manufacturer's instructions so as to stay in compliance with the aforementioned noise limits.	To protect the residential amenity of nearby properties.

	ODOUR / AIR QUALITY / PEST CONTROL	REASON
18	No development shall commence until a plan for the management and control of potential nuisances (including odour, air quality, flies and other pests) that would be liable to arise at the development site as a consequence of and/or in relation to the operation or maintenance of plant, has first been submitted to, and approved in writing by the Planning Authority. Thereafter the approved nuisance control management plan shall be implemented as part of the development.	To ensure that the operation of the plant hereby approved has no unacceptable impacts upon the amenity of the surrounding area or upon the amenity of any neighbouring residential properties, by ensuring that all potential sources of nuisance are appropriately managed and controlled.

INFORMATIVES

Developers must note that compliance with the conditions does not remove the requirement to obtain all other statutory consents. Informatives detailed below are a reminder for developers of some of the issues that they may need to consider.

SEPA

The applicant must consult the Scottish Environment Protection Agency concerning the proposed development, in respect of legislation administered by that organisation which is likely to affect proposed development.

Developers must be aware that early contact should be made with SEPA in order to ascertain whether the proposed development would be consentable under SEPA's regulatory regime, this is particularly the case for Class 5—General Industrial activities. Phone: 03000 99 66 99 (Customer Enquiries)

LICENSING

If you would like advice or help in making a new application for the grant of a license, or you would like to know whether you need a license for a particular purpose, please contact Scottish Borders Council's Licensing section:
Phone: 01835 826662

BUILDING STANDARDS

If you propose to alter an existing building, erect a building or convert a building it is likely that you will require a Building Warrant. A warrant will be granted if the proposals meet the requirements of the Building (Scotland) Act 2003. Application forms for a Building Warrant as well as guidance is available on Scottish Borders Council's website. For larger or more complex work, Building Standards will also provide preliminary advice in relation to the regulations.

Priority is given to building warrant applications involving inward investment and job creation which are fast-tracked.

Building Standards cover all aspects of construction as detailed within the Regulations and Technical Handbooks to:

- Secure the health, safety, welfare and convenience of persons in or about buildings and of others who may be affected by buildings or matters connected with buildings;
- Further the conservation of fuel and power; and
- Further the achievement of sustainable development.

Some work however, where it complies with the regulations and on certain building types, can be carried out without Building Warrant approval.

For further information please contact Building Standards:
Phone: 0300 100 1800

DRAINAGE

The developer should consult Scottish Water in respect of legislation administered by that organisation which is likely to affect development.
Phone: 0800 077 8778 (Customer Helpline)

ROAD CONSTRUCTION CONSENT

Anyone who needs to build a new road or extend an existing road would require Road Construction Consent (RCC) from Scottish Borders Council. Please contact Scottish Borders Council's Roads Planning Service:
Phone: 01835 826641

ASBESTOS

There is a risk that existing buildings may contain asbestos. If asbestos is present, it should be disposed of by a licensed person(s) and the necessary precautions should be undertaken.

TREE PRESERVATION ORDER

Trees within the existing Industrial Estate are protected by a Tree Preservation Order (SPZ Plan 3). Consent would be required from the Tree Officer of Scottish Borders Council to undertake work to or fell a protected tree. Please contact Scottish Borders Council's Tree Officer:
Phone: 0300 100 1800

ECOLOGY

Developers are reminded of their obligations under the provisions of the Wildlife and Countryside Act 1981 (as amended) and The Conservation (Natural Habitats) Regulations 1994 (as amended). This includes the requirement to undertake bat surveys prior to works that would affect trees and buildings, to undertake a breeding bird survey prior to any works that could affect vegetation during the bird breeding season, and to implement appropriate measures to control invasive species.

SCOTTISH NATURAL HERITAGE

The developer should consult Scottish Natural Heritage in respect of potential licensing requirements for protected species.
Phone: 01463 725364
Email: licensing@snh.gov.uk

ADVERTISEMENTS

Any advertisement, other than that deemed within the terms of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984, will require an application for advertisement consent (See page 40).

LAND OWNERSHIP

The applicant is advised that the granting of planning permission through this SPZ Scheme does not remove the requirement to obtain consent from the owner to undertake the development and adjacent landowners in respect of any access required. Such consent should be obtained prior to the commencement of works on site.

STAGE 3 NOTIFICATIONS

NOTIFICATION REQUIREMENTS

PRE-DEVELOPMENT NOTIFICATION

Prior to the commencement of development under the provisions of the SPZ Scheme, it is the developer's responsibility to notify the Local Planning Authority using the Pre-development Notification Form attached in Appendix 4.

On receipt of a duly completed Pre-development Notification Form, the Local Planning Authority will respond in writing within 21 days to acknowledge the development proposal. Failure to respond in writing within this period, or to request further information (with specified reasons) will be deemed to mean that the pre-notification requirement has been fulfilled.

It is important that accurate information is provided on this form to allow the Council to monitor development activity and ensure that development is in accordance with the SPZ development parameters. Failure to provide accurate information may lead to enforcement action being taken by the Council.

COMMENCEMENT AND COMPLETION NOTIFICATION

In addition to the Pre-development Notification Form developers are required to complete and return notification forms on commencement and completion of a development being carried out under the provisions of this SPZ Scheme (Appendix 4).

SPZ FIGURE 2—NOTIFICATIONS AND SUBMISSION OF INFORMATION

1 Submit Pre-Development Notification Form and any additional information required by conditions to SBC—SBC will acknowledge notification and respond regarding suitability or need for additional information within 21 working days.

Should you require SBC's formal confirmation that a proposed use or development is approved by the SPZ Scheme, an application for a Certificate of Lawfulness is required – SBC will respond as early as possible, but within a maximum period of 2 months.

2 Submit Development Commencement Form to SBC.

3 Submit Development Completion Form to SBC.

CENTRAL BORDERS BUSINESS PARK TWEEDBANK

MISCELLANEOUS INFORMATION

SCHEME COMPLIANCE AND RIGHTS OF APPEAL

Should prospective developers require SBC's formal confirmation that a proposed use or development is approved by the SPZ Scheme, an application for a Certificate of Lawfulness is required together with the requisite planning fee (Section 151 of the 1997 Act). SBC will endeavour to determine applications for a Certificate of Lawfulness in respect of the SPZ Scheme as early as possible, but within a maximum period of 2 months.

If the application is refused, the applicant will have the normal rights of appeal.

ENVIRONMENTAL IMPACT ASSESSMENT

As set out in Circular 3/2011, any EIA development is explicitly excluded from SPZ Schemes.

ENFORCEMENT

If SBC considers that a development is in breach of the provisions of the SPZ Scheme, or other planning permission, the Council may take enforcement action. This action is undertaken at the discretion of the Council in accordance with SBC's Planning Enforcement Charter March 2014.

MONITORING ARRANGEMENTS

For the SPZ Scheme to work efficiently, for outcomes to be measured and for it to achieve its primary objective of encouraging sustainable economic development, it is important that SBC are able to monitor the development activity by using the information received through the pre-development notification process and the commencement and completion of development forms (Appendix 4).

ALTERATION OF THE SPZ SCHEME

SBC intends that the SPZ Scheme will remain unaltered for the entirety of its period of operation (10 years). Under the provisions of Section 53 of the 1997 Act, however, the Council has the right to propose alterations to the Scheme including to add to, remove or otherwise alter the planning controls. In accordance with the regulations, alterations will be subject to further public consultation and will only come into effect 12 months from the date of adoption of the changes.

APPENDIX 1

DESIGN AND LANDSCAPE FRAMEWORK

The Design and Landscape Framework for the Central Borders Business Park sets out criteria, parameters and guidance to deliver a successful place, that is locally distinctive, well designed, interconnected, accessible, a place of diversity, opportunity and a place to invest.

This Framework is designed as a working tool for developers to achieve a high quality built environment that integrates well with the area in terms of pedestrian and transport links. The Design and Landscape Framework sets standards on landscaping, layout and design to foster a dynamic business and commercially attractive environment that can offer opportunities for economic growth.

This framework should be read alongside the SPZ Scheme, with particular attention to its planning conditions.

HOW TO USE THE DESIGN AND LANDSCAPE FRAMEWORK

All developments must be considered against the guidance set out in this Design and Landscape Framework to ensure that the vision for the SPZ Scheme can be realised and maintained.

The Design and Landscape Framework is divided into the following sections:

- Sustainability
- Placemaking & Design
- Landscape Framework

SUSTAINABILITY

- Siting of developments, their orientation and design should be considered to help reduce the energy demand of new buildings in addition to the Building Standards energy requirements.
- Opportunities for including an element of on-site renewable energy generation and water recycling is encouraged, where it will be in accordance with the conditions.
- There is capacity for a local energy network by way of a district heating system, this would be addressed further via the Building Standards process.
- Buildings and open spaces should have renewables generation capacity. Heat recovery technologies would be key (water and air source) as well as photovoltaic and solar thermal. The potential for heat recovery from waste water should be explored.

PLACEMAKING & DESIGN

LAYOUT

- The position of new or extended buildings should respect existing building lines or establish new strongly defined building lines as set out in the Development Vision (SG Plan 2 page 17).
- The layout and positioning of new or extended buildings should allow for future development and be compatible with existing uses so as not to cause any unacceptable environmental impacts including loss of amenity or adverse effects on neighbouring properties in terms of the use, scale, noise, smell, traffic, hours of operation, vibration, lighting, dust or other general disturbance.

- Provision will be made for landscaping, screening and servicing in line with the Landscape Framework.
- Service yards, parking, refuse and storage space will be, where possible, located out of sight of surrounding roads or screened from view.
- Parking provision must meet the standards as set out within Appendix 2, para 8.0.
- Car parking areas will be designed to ensure that they are softened by landscaping but are also visible from the buildings to ensure security and safety.
- Developments should maximise the amount of permeable surfaces with suitable water attenuation measures to minimise surface water run-off.
- New developments will ensure access to or connect to walking, cycling and public transport routes.

BUILDING DESIGN

- The use of distinctive building designs, roofscapes, exemplar quality materials with at least 50% of the frontage glazed is encouraged on the buildings located within the areas identified as 'Key Prominent Buildings', as identified within the Development Vision (SG Plan 2 page 17).
- Buildings will be designed to face the street with main entrances to the buildings visible from the road and adjoining footways.
- All building/structure heights (other than boundary treatments which will comply with the layout criteria) will not exceed two storeys, up to a maximum of 7 metres in height. This is with the exception of the 'key prominent buildings' at the entrances into the industrial estate as identified within the Development Vision of the Supplementary Guidance which could be up to three storeys, up to a maximum of 10 metres in height.
- Roofscapes should be of simple design to ensure consistency of ridge lines and heights throughout.
- The position of chimneys, flues or other external plant and equipment should be located at the least visible locations/positions, screened from view and should not protrude any more than one metre above the roofline.
- All developments will, wherever feasible, consider incorporating renewable or low carbon technology into the building design or layout.

- Elements such as street lighting, paving, landscaping and street furniture should have a unifying theme throughout the SPZ area.
- Boundary walls and fencing along the frontage of developments must not exceed 1.2 metres in height (subject to compliance with condition 10) and should be of a material and design appropriate to the area.
- Plaza /shared surface arrangement between the key prominent building site to the south of the Railway Terminus in order to provide setting to the buildings.
- It is possible that parking for the key prominent building to the north west of zEL39 will need to be incorporated within Zone C.
- The public realm outside the key prominent building to the north west of zEL39 should extend across the road to create a large, clear, open and safe high quality public space making a clear connection between the building and it's parking area.
- The roof materials for new buildings should be of a visually recessive colour in order to reduce landscape and visual impact from elevated areas within the National Scenic Area.

APPENDIX 1

DESIGN AND LANDSCAPE FRAMEWORK

LANDSCAPE FRAMEWORK

The Landscape Framework will be considered in conjunction with the Design Framework.

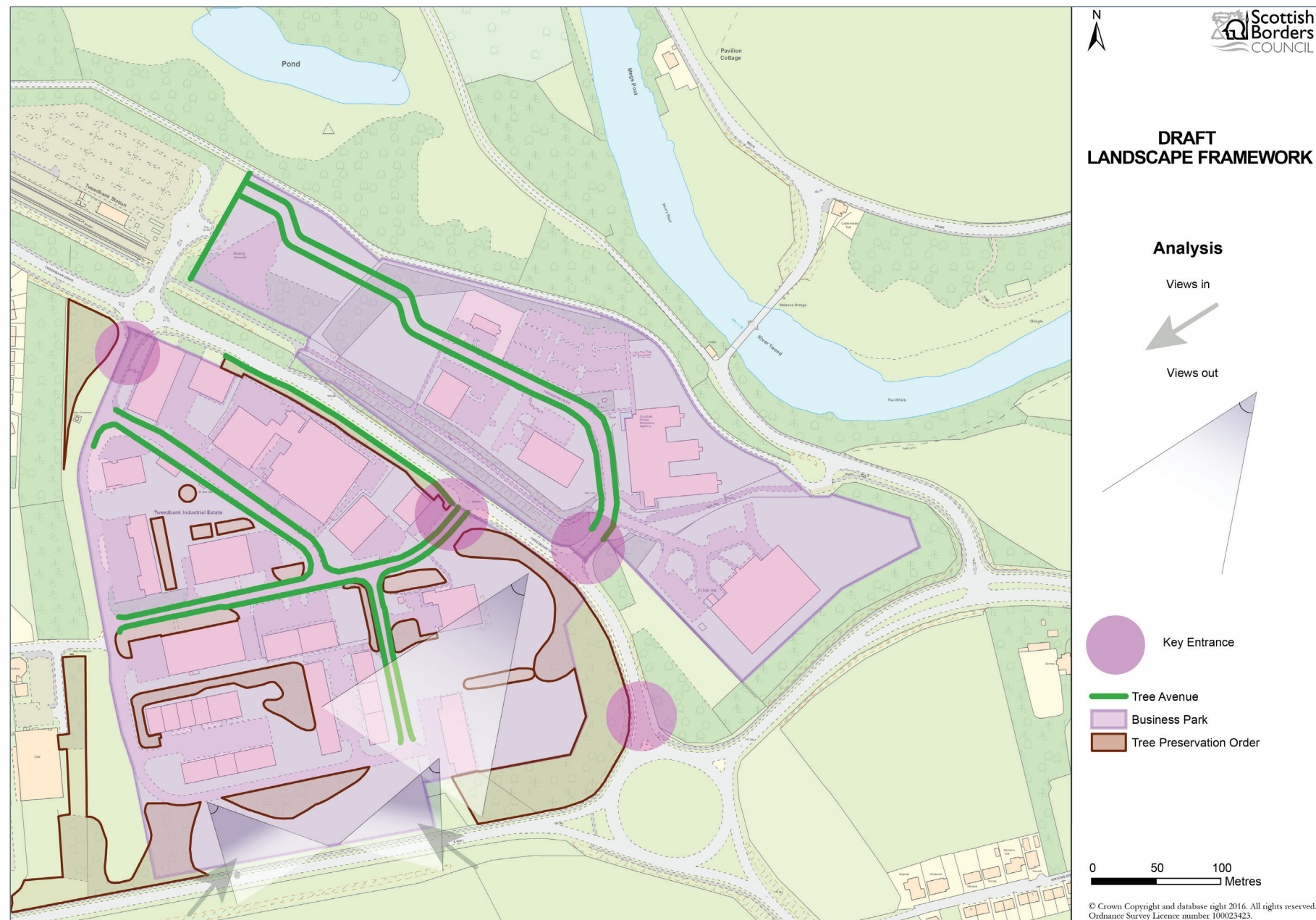
The landscape framework includes the following, these will be considered in relation to all developments within the SPZ area:

- Trees covered by the Tree Preservation Order (TPO) — consent will be required to undertake any works to the protected trees as detailed in SPZ Plan 3.
- A single entrance feature at the easterly entrance to Tweedbank to raise the profile and prominence of the Central Borders Business Park, as set out within the Development Vision (SG Plan 2 of the Supplementary Guidance, page 17).
- Improved and co-ordinated entrance gateways at the three entrances off Tweedbank Drive as set out in SG Plan 2 of the Supplementary Guidance, page 17.
- In respect of the existing woodland structure, the Tweedbank Industrial Estate and adjacent Tweedside Park benefit hugely from a well-developed woodland structure, much of which is protected by a TPO, which it will be essential to maintain. It should remain a key part of the landscape framework along the edges of the Central Borders Business Park but internally, with the consent of SBC's Tree Officer, there may be scope to undertake works to existing trees.
- A new layer of avenue tree planting along the internal access roads will add another structural landscape element to this Business Park landscape. The value of avenue tree planting is the relatively limited land take associated with trees, their visual permeability (into site), while still

providing a vertical element in the landscape when viewed moving through the landscape. The tree avenues, as set out in SPZ Plan 3, will, where appropriate take into account existing structural tree planting and build on it rather than replace it e.g. avenue tree planting and beech hedging along both sides of Tweedside Park.

- A subordinate, but no less important, layer of ground cover planting adding a low level horizontal element to the landscape. This groundcover planting will be a simplified version of what has been in place and is now seen as tired and over mature. Beech planted as a single species groundcover will establish through annual maintenance into a block which offers simplicity of form and colour, alternating between a delicate green foliage from May to October and a rich bronze foliage throughout the winter period. The beech block planting can be used strategically, where this is desirable, to limit views and screen at a low level.

SPZ PLAN 3—LANDSCAPE FRAMEWORK



APPENDIX 2

TRANSPORT DESIGN GUIDANCE

1. INTRODUCTION

- 1.1 The layout of the existing Business Park is focused primarily on the movement of vehicles. Following the restructuring of the Business Park it is expected there will be a more equal balance between placemaking and movement, where placemaking provides an environment for social interaction and an improved pedestrian setting. Whilst the existing road layout is satisfactory for the most part, there is an opportunity to improve pedestrian/cycle links within the sites.
- 1.2 This guide has been produced to provide advice to prospective developers and occupiers. It does not require a standards based approach to design. Rather it provides a framework which is a guide to development. It refers to Key Reference Documents where necessary. Designers are encouraged to consider a design led approach in the context of the ethos for the sites including ensuring the correct balance between place and movement.
- 1.3 Any development which accords with the minimum guidance as set out in this Appendix is acceptable and does not need to be approved by the Local Planning Authority (LPA). If any development departs from this guidance but is in accordance with other local adopted guidance at that time then this does not need to be approved by the LPA. However, if the developer cannot achieve the minimum standards then they will be required to seek specific approval from the LPA.

- 1.4 The Simplified Planning Zone (SPZ) allows permission for the principle of new accesses across the Business Park, where they are required, but the detailed design of the access will need approval under Section 56 of the Roads (Scotland) Act 1984. Vehicular access from a public road or prospective public road should generally be taken via a dropped kerb footway crossing.

KEY REFERENCE DOCUMENTS

- 1.5 **Established guidance is contained within the following:**
 - Designing Streets, or its most recent successor
 - The National Roads Development Guide (SCOTS), or its most recent successor
 - Manual for Streets (1 and 2), or the most recent successor of these documents
 - SEStran Parking Standards
 - Cycling by Design 2010 (Transport Scotland)
 - SUDS for Roads and the SUDS Working Party (SCOTS)
 - Roads for All: Good Practice Guide for Roads (Transport Scotland)
- 1.6 The advice set out in this Appendix clarifies the way in which the aforesaid guidance is applied to the land within the SPZ area.

2. PLACE AND MOVEMENT HIERARCHY

PLACE HIERARCHY

- 2.1 The balance between place and movement changes with location, as described within the SPZ Zones on Page 34 of the SPZ.

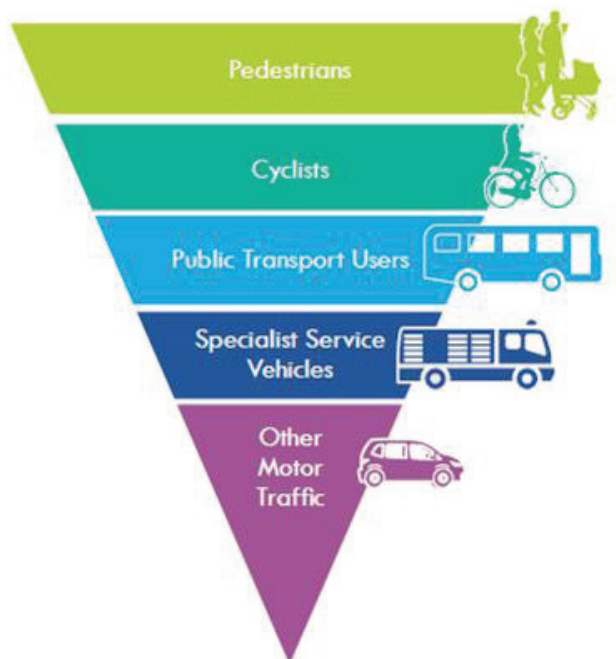
USER HIERARCHY

- 2.2 The balance between place and movement changes with location however the user hierarchy remains the same and at all times within the Central Borders Business Park pedestrians and cyclists should be a primary consideration in the design of the park. Across the site all streets will be designed according to the user hierarchy shown below.

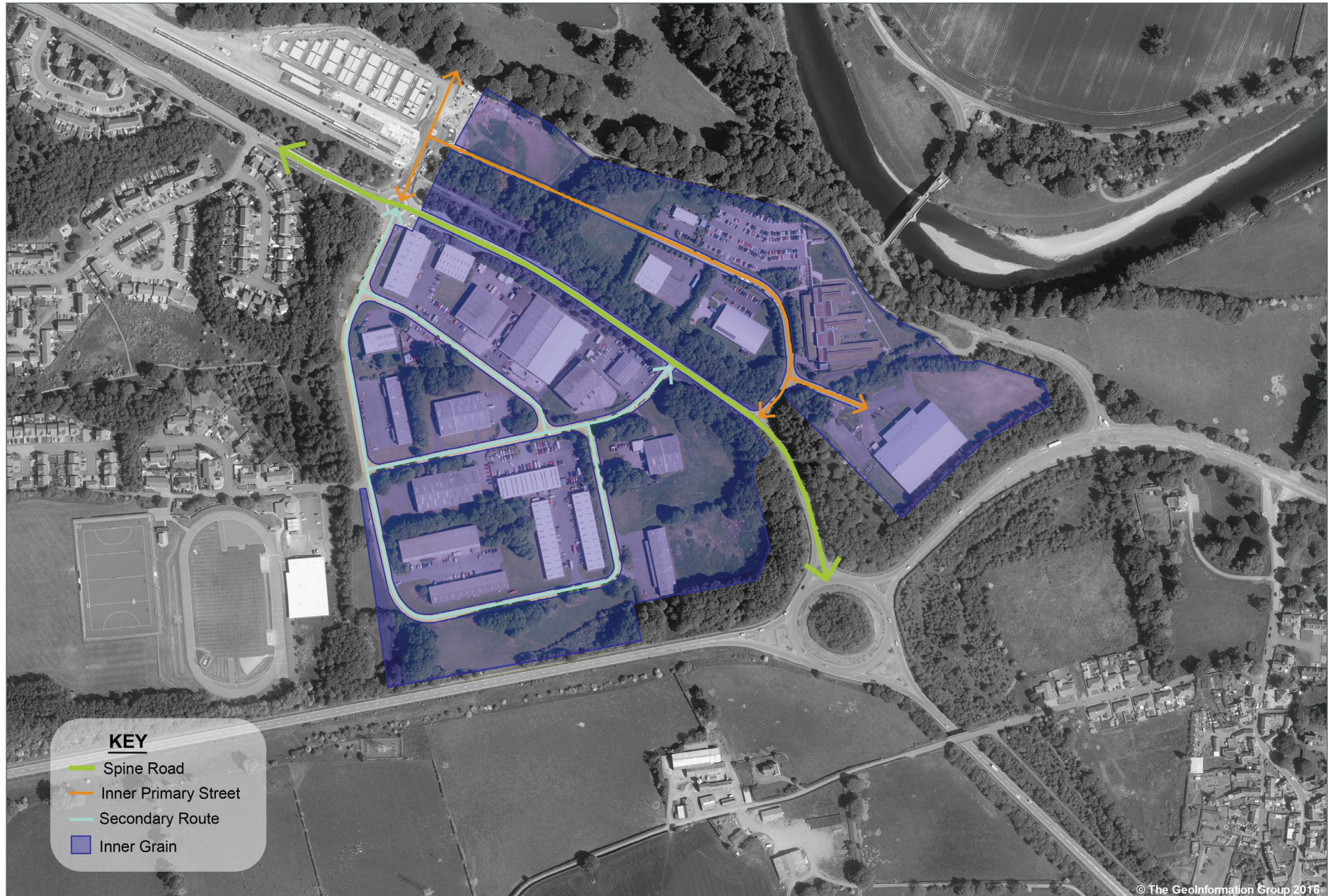
MOVEMENT HIERARCHY

- 2.3 SPZ Plan 4 shows the types of street within the Central Borders Business Park and these are described in SPZ Table 4.

SPZ FIGURE 3—DESIGN HIERARCHY



SPZ PLAN 4—HIERARCHY OF STREETS



SPZ TABLE 4—DESCRIPTION OF STREET HIERARCHY

ROAD TYPE	NAME	DESCRIPTION
Spine Road	Tweedbank Drive	Main road though the Central Borders Business Park, providing the key access to the Railway Terminal from the A6091 and the Business Park itself. Provides access from the main external roads for movement of all modes including Heavy Goods Vehicles and Public Transport.
Inner Primary Street	Railway Station Access Road Tweedside Park	The streets are key routes within the Business Park which provide access to/from key development plots. The inner routes have high levels of pedestrian activity and should be designed at a pedestrian scale to prioritise non-vehicular movement and increase safety within the park.
Secondary Routes	All other streets	These streets are access routes to individual plots but are likely to be used by larger vehicles and are to be designed to prioritise pedestrians and cyclists.

3. STREET WIDTHS

- 3.1 The aim is to minimise carriageway width where there will be a significant pedestrian movement. Minimising width will minimise intimidation and contribute to a pedestrian scale. However, roads also need to be functional and serve the industrial and business movements. SPZ Table 5 sets out guidance on minimum carriageway widths for road types for the general areas within the SPZ.

SPZ TABLE 5—STREET WIDTHS

ROAD TYPE	MINIMUM STREET WIDTHS
Spine Road (Tweedbank Drive)	Existing width (no change)
Railway Station Access Road	Existing width (no change)
Tweedside Park	Existing width (no change). The future road linking Tweedside Park with the Railway terminal would be 7.3m wide as per the existing width of the carriageway.
Secondary routes	All other existing roads are 7.3m wide (carriageway) and there is scope to reduce this width to 6.3m on straight lengths of road and further to 5.5m for identified pedestrian crossing areas. Full detailed drawings of such carriageway narrowing shall be submitted to Scottish Borders Council for prior written approval. Thereafter the Scheme shall be implemented in full in the approved manner.

3.2 There will be exceptions to the minimum carriageway widths as shown in SPZ Table 6 below.

SPZ TABLE 6—STREET WIDTH EXCEPTIONS

	EXCEPTIONS
1	Minimum widths are appropriate but when plots are developed the nature of development should be considered.
2	At all junctions and turning areas road widths should be checked using swept path analysis to ensure vehicles do not overrun the footways/cycleways. In areas where overruns are possible then design solutions should be provided.
3	On roads with dedicated on street cycle lanes the carriageway should be wider than the minimums identified above.

4. SPEED LIMITS

4.1 SPZ Plan 5 shows the speed limits that are proposed to apply within the SPZ, and on which road design and forward visibility are based.

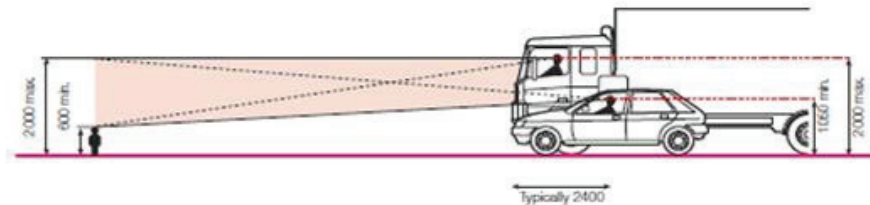
SPZ PLAN 5—PROPOSED SPEED LIMITS WITHIN TWEEDBANK INDUSTRIAL ESTATE AND
TWEEDSIDE BUSINESS PARK



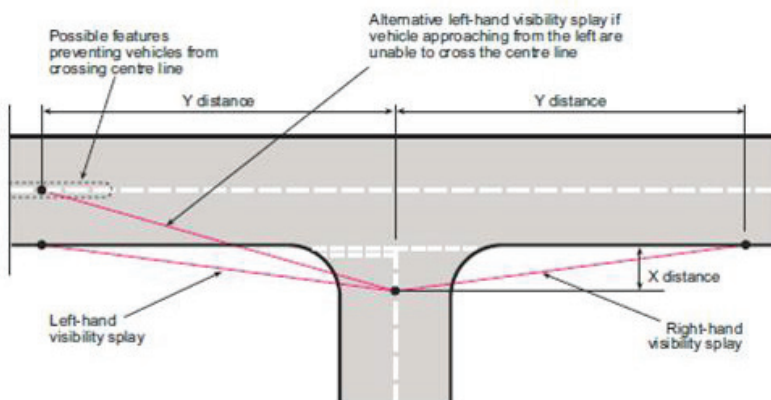
5. HIGHWAY VISIBILITY

- 5.1 Vertical visibility, forward visibility and visibility at junctions, will be in accordance with SPZ Plans 6, 7 and 8 respectively. The forward visibility distance for bends in the road and Y distance for junction visibility splays will be to the stopping sight distance (SSD) values adjusted for bonnet length in SPZ Table 7. The X distance required for junction visibility splays is 2.4m.

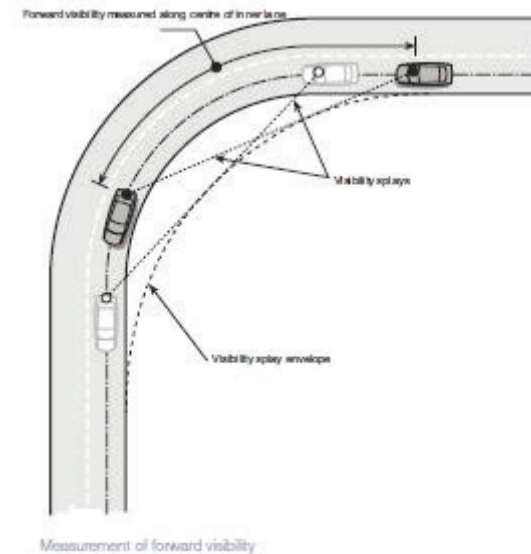
SPZ Plan 6—Cross Section of Vertical Visibility Envelope



SPZ Plan 7—Visibility Splays



SPZ Plan 8—Forward Visibility



SPZ Table 7—Stopping Sight Distance (SSD)

Speed	Kilometres per hour	16	20	24	25	30	32	40	45	48	50	60
	Miles per hour	10	12	15	16	19	20	25	28	30	31	37
	SSD (metres)	9	12	15	16	20	22	31	36	40	43	56
	SSD adjusted for bonnet length	11	14	17	18	23	25	33	39	43	45	59

6. JUNCTION SPACING

- 6.1 On Tweedbank Drive the number of junctions will be limited in the interests of prioritising movement. Away from this street, there is less restriction on the number of junctions, or junction spacing.
- 6.2 The need for junctions will need to consider a range of factors such as need for access, impact of that access, interaction between junctions and the effect on road safety and user delay.
- 6.3 In relation to any new accesses, the SPZ allows permission for the principle of new accesses across the Central Borders Business Park, where new accesses are required, but the detailed design of the access will need approval under Section 56 of the Roads (Scotland) Act 1984.
- 6.4 SPZ Table 8 provides guidance on junction access spacing per area and is based on the visibility splays shown at SPZ Plan 7.

SPZ TABLE 8—JUNCTION SPACING

ROAD TYPE	MINIMUM STREET WIDTHS
Tweedbank Drive and the Railway Terminal access road	New junctions will only be allowed through consultation with the Local Roads Authority
Tweedside Park	Minimum 43m
All other streets	Minimum 25m

- 6.5 It should be noted that any departures from the minimum junction spacing in SPZ Table 8 above will be allowed as long as the developer accords with the guidance in the Key Reference Documents. If the developer is not able to accord with either the guidance in SPZ Table 8 or the Key Reference Documents then they will be required to reach agreement with the LPA.

7. PEDESTRIANS AND CYCLISTS PROVISION

- 7.1 'Roads for All: Good Practice Guide for Roads' by Transport Scotland details requirements for inclusive design in the construction and operation of road infrastructure. This guidance will apply for the road infrastructure in the Central Borders Business Park.
- 7.2 Cyclists should be able to share both road carriageways and pedestrian routes.
- 7.3 New routes for pedestrians and cyclists will be a minimum of 2.5m in a bound surface. Such provision must be made in/adjacent to the road boundary adjacent to the site frontage.
- 7.4 All new buildings should provide secure and weather protected cycle parking at least in accord with the guidance document—Cycling by Design 2010 by Transport Scotland.
- 7.5 The occupants of new buildings should provide for showering facilities for cyclists and pedestrians and storage facilities for cycle equipment. These facilities do not need to be within the occupied building but they do need to be within reasonable reach by foot from the building.

8. CAR PARKING

- 8.1 Car parking shall be provided on the basis of Non-car Accessibility Level D in the SEStran Parking Standards publication. Although these are maximum standards of provision they will generally be the expected level of provision with the maximum provision numbers for Level C acting as an absolute minimum provision.

APPENDIX 3

TRANSPORT STATEMENT

A Transport Statement has been undertaken by Mott MacDonald on behalf of Scottish Borders Council to provide traffic and transport related information that will complement and support the SG and SPZ for the Central Borders Business Park.

A detailed review of existing conditions has been carried out in the vicinity of the proposed development and traffic analysis undertaken to predict potential future traffic levels in line with indicative phasing provided by SBC. This has informed the following key recommendations:

NON-MOTORISED USERS

- Facilities for pedestrians and cyclists within the Business Park are limited and improvements to infrastructure and facilities will be required as part of the proposed development to better accommodate access for these users.
- Within the industrial estate (south of Tweedbank Drive) it is recommended that where development takes place on both sides of an internal access road, a 2m wide footway should be provided on both sides of the road. Where development is on one side of an internal access road, a 2m wide footway should be provided on that side of the road.
- To improve access for both cyclists and pedestrians using Core Path 7 it is recommended that a 3m wide shared use footway be provided.
- To assist cyclists and pedestrians at the eastern end of Core Path 7 to cross Tweedbank Drive, it is recommended that a controlled crossing be considered on Tweedbank Drive between the priority access on the south side of the road and the Tweedbank Drive/Tweedside Park priority junction.

- As there is no footway on the north side of Tweedbank Drive, a new link should be provided between the proposed new crossing point and the path that runs along the solumn of the former railway line, thus providing a connection to Core Path 189/NCN 1 and the proposed development area on the north side of Tweedbank Drive.
- Should the railway line be extended south of Tweedbank the section of path utilising the solumn of the former railway line could if necessary be replaced by a new section of footway along the northern verge of Tweedbank Drive between the controlled crossing point and the Tweedside Park priority junction. Preliminary investigation suggests that there is sufficient width for this to be accommodated.
- It is recommended that improved pedestrian linkage be provided from Tweedbank Drive into the proposed development area on the south side of Tweedbank Drive at locations between the existing east and west accesses. This will aid permeability for pedestrians along the northern boundary of the site between the two existing vehicular accesses.
- It is recommended that a shared use footway be provided between the Tweedbank Drive/Station Access roundabout and Tweedbank View on the west side of the internal access road. This will also provide enhanced connectivity to Core Path 7 that runs through the site.
- It is recommended that a raised shared use surface area be provided between the Tweedbank Drive/Station Access roundabout and the first priority junction within the site approximately 65m south of the roundabout. This will act as a traffic calming feature and will also assist in discouraging inappropriate vehicular use of this access.

PUBLIC TRANSPORT

- Should the railway line be extended south of Tweedbank, it is recommended that buses continue to serve the station, albeit via Tweedside Park, as access via the Tweedbank Drive/Station Access roundabout would be severed. In this event, bus stop infrastructure including bus stops, shelters and passenger information should be provided along Tweedside Park between its junction with Tweedbank Drive and the existing stop at the railway station.

VEHICULAR ACCESS

- Should the railway line be extended south towards Hawick, the existing access into the station via the Tweedbank Drive/Station Access roundabout would be severed by the railway and access to the station would be taken via Tweedside Park.
- The existing access into the Industrial Estate from the north east from Tweedbank Drive should become the priority access to the proposed development for use by business and industrial related traffic and the access via the Tweedbank Drive/Station Access roundabout be used to access the key prominent buildings to the south of the Railway Terminus and the Tweedbank Sports Complex. Assessment of the trunkroad network, specifically the A9061(T)/B6360/Tweedbank Drive roundabout as well as the local roads junction.

JUNCTION ASSESSMENT

- Full junction capacity analysis at each of the three junctions that currently provide access to the Business Park should be undertaken.

PARKING ARRANGEMENTS

- Designated spaces for cycle parking should be provided which should be dispersed across the proposed development area. Good visibility and lighting is necessary in these areas to ensure appropriate security.

ROAD SIGNAGE

- It is recommended that the signing strategy be extended to cover traffic travelling to the proposed Central Borders Business Park and that signing on both the A6091 roundabouts, as well as on Tweedbank Drive be amended to reflect this.
- It is further recommended that signing be provided on Tweedbank Drive to indicate to drivers that general access to the proposed development on the south side of Tweedbank Drive be taken via the priority access, whilst access to the key prominent buildings to the south of the Railway Terminus and the Tweedbank Sports Complex be taken via the Tweedbank Drive/Station Access roundabout.

SPEED LIMITS

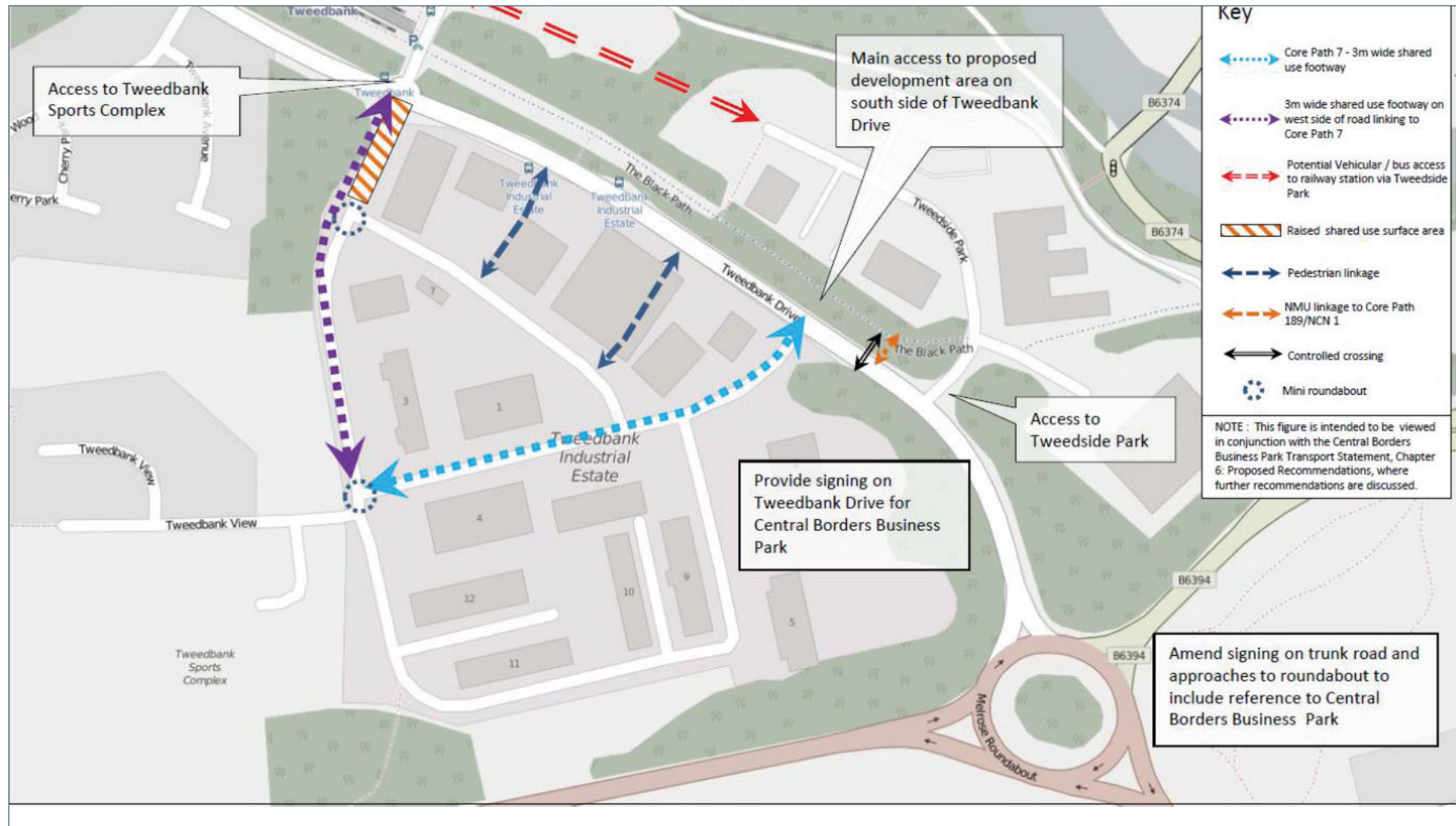
- The strategy should be kept under review and speeds along Tweedbank Drive should continue to be monitored.

TRAFFIC CALMING

- It is recommended that ongoing monitoring of traffic volumes and speeds be undertaken and for the situation to be kept under review in consultation with the local community.
- Implementation of mini-roundabouts would act as traffic calming/speed reducing features on what is the longest straight length of road within the proposed development area. At mini roundabout at the most southerly of the above two referred junction locations would require the approach arm from Tweedbank View to be realigned in order for the mini-roundabout to be accommodated, within Tweedbank Industrial Estate, the provision of mini-roundabouts between Tweedbank Drive and Tweedbank View should be considered, to help provide traffic calming facilities in the vicinity of the key prominent buildings at this location.

The aforesaid recommendations are reflected in SPZ Plan 6.

SPZ PLAN 6—PROPOSED INDICATIVE TRANSPORT MEASURES



APPENDIX 4

PRE-DEVELOPMENT NOTIFICATION FORM

NOTES FOR DEVELOPERS

By submitting this form you are notifying the Local Planning Authority (LPA), Scottish Borders Council, that you intend to carry out works that are permitted under the Central Borders Business Park Simplified Planning Zone (SPZ) Scheme.

Completion of this form is a mandatory requirement if development is undertaken under the provisions of the SPZ Scheme. It is essential that the LPA maintains an accurate record of the development activity so that the terms of the SPZ are not exceeded.

On receipt of this form, the LPA will acknowledge within 21 days to the agent or developer (if no agent is specified).

Acknowledgement of the form does not constitute the local planning authority's confirmation that the proposal is compliant with the SPZ. Developers requiring a formal decision from the LPA about the proposal's compliance with the SPZ must apply for a Certificate of Lawfulness of proposed use or development under section 151 of the Town and Country Planning (Scotland) Act 1997.

Please complete this form and return to the LPA together with the following minimum information:

- Site plan (scale 1:1250 or 1:2500)
- Block Plan (1:500 or 1:200)

All measurements should be provided in metric units and floor areas specified as gross internal area (GIA).

The completed form and plans should be sent by post / email to:

REGULATORY SERVICES
 Scottish Borders Council | Council Headquarters | Newtown St Boswells
 MELROSE TD6 0SA
onlineapplications@scotborders.gov.uk

Pre-development Notification Form

Part A: Developer Details

Applicant

Name	
Company/Organisation	
Address	
Postcode	
Telephone Number	
Email	

Agent

Name	
Company/Organisation	
Address	
Postcode	
Telephone Number	
Email	

Part B: Location of Proposed Development

Address/location of proposed development:

Part C: Details of the Proposed Development

Description of development or change of use (and Use Classes):

With reference to SPZ Plan X, which zone (or zones) is the proposed development (please tick):

Zone A ☐ Zone B ☐ Zone C ☐ Zone D ☐ Zone E ☐

Gross floor area and use of existing development (GIA):

Gross floor area and use of proposed development (GIA):

With reference to the Building Heights plan (Plan X), what is the height (metres) of the proposed development at its highest point (excluding plant)?

Does the proposal involve demolition of existing floorspace or other existing development?

Yes ☐ No ☐

Estimated date of the commencement of works:

Part D: Developer Declaration

I/we hereby give notice of the intention to carry out the above development under the provisions of the Central Borders Business Park SPZ. I/we shall carry out the proposed works in accordance with the details included on this form and the associated scaled plans. I/we confirm that the development will be undertaken in accordance with the conditions and advisory notes of the SPZ. I/we understand that any material variation from the details I/we have provided will require a revised pre-development notification to be made. I/we also understand that the Local Planning Authority may take enforcement action if it considers that the proposed development is not permitted by the SPZ, or is not in accordance with the details that have been provided herewith.

Name:

Signature:.....

Date:.....

Submitted Information

I/we submit the following information (please tick):

- Site location plan (scale 1:1250 or 1:2500) ☐
- Block plan (1:500 or 1:200) ☐

Development Commencement Form

A person who has commenced development for which notification has been given under the terms of the SPZ, must, as soon as practicable after starting works, give notice to Scottish Borders Council by returning this completed Notice to: Chief Planning Officer, Regulatory Services, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, onlineapplications@scotborders.gov.uk

Address	
Reference Number	
Proposal	
Applicant	
Previous notification date	
Full name and address of person(s), company or body carrying out the development (if different from applicant)	
Full name and address of all owner(s) of the land to be developed (if different from applicant)	
Full name, address and contact details of person(s), company or body appointed to oversee the carrying out of the development	
START DATE	

Signed Date

Central Border Business Park, Tweedbank
Development Completion Form

A person who completes development for which notification has been given under the SPZ, should, as soon as practicable after completion, give notice of completion to Scottish Borders Council by returning this completed form to: Chief Planning Officer, Regulatory Services, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, onlineapplications@scotborders.gov.uk

Address	
Reference Number	
Proposal	
Applicant	
Notification Date	
COMPLETION DATE FOR DEVELOPMENT	

If the development is to be carried out in phases then this Notice must, as soon as practicable after each phase is completed, be returned to the address above.

Phase 1 completion date	
Phase 1 completion date	
Phase 1 completion date	
Phase 1 completion date	

Signed Date

You can get this document on audio CD, in large print, and various other formats by contacting us at the address below. In addition, contact the address below for information on language translations, additional copies, or to arrange for an officer to meet with you to explain any areas of the publication that you would like clarified.

PLANNING POLICY & ACCESS TEAM

Regulatory Services | Scottish Borders Council | Council Headquarters | Newtown St Boswells | MELROSE TD6 0SA
tel: 0300 100 1800 | email: onlineapplications@scotborders.gov.uk | www.scotborders.gov.uk



APPENDIX 2 – REPRESENTATIONS RECEIVED DURING PUBLIC CONSULTATION PERIOD AND PROPOSED RESPONSES/RECOMMENDATIONS

CONTRIBUTOR	COMMENT TYPE	SUMMARY OF REPRESENTATION	PROPOSED RESPONSE	RECOMMENDATION
Transport Scotland	Comments	In relation to the SPZ and the transport implications of any future development, we consider the Transport Statement accompanying the SPZ should include reference to the assessment of the trunk road network, specifically the A9061(T)/B6360/Tweedbank Drive roundabout as well as the local road junctions mentioned on page 64. For any SPZ considered adjacent to or near a trunk road junction, we require to understand the potential transport implications of the development sites that would be permitted under the SPZ. This can either been undertaken cumulatively or individually as developments come forward.	<p>Comments noted.</p> <p>The document will be updated to include reference to the assessment of the trunk network, specifically the A9061(T)/B6360/Tweedbank Drive roundabout as well as the local road junctions mentioned on page 64.</p> <p>Transport Scotland require to be made aware of any development that would have potential transport implications for any development adjacent or near a trunk road junction. The Council would ensure that Transport Scotland is informed of development which is permitted under the SPZ on a rolling basis.</p>	It is recommended that the SPZ is updated to include these requirements and that Transport Scotland is routinely notified of development permitted under the SPZ.
Scottish Environment Protection Agency	Comments	<p><u>(1) SEPA's regulatory regimes:</u></p> <p>If any development within this zone was likely to be any type of process/activity that would require an authorisation from SEPA</p>	<p><u>(1) SEPA's regulatory regimes:</u> The requirement for authorisation from SEPA is a separate process not linked to the planning application process. There is therefore no requirement</p>	(1) No changes proposed.

APPENDIX 2 – REPRESENTATIONS RECEIVED DURING PUBLIC CONSULTATION PERIOD AND PROPOSED RESPONSES/RECOMMENDATIONS

		<p>(e.g. class 5 -General industry activities) then we would need an opportunity to find out about this and comment accordingly to ensure that a regulatory remit is followed. It is unclear how this could be accommodated under a simplified planning zone scheme as the number of proposed uses under the use classes outlined in this SPG are wide ranging. We note there is reference to the need for applicants to contact SEPA if they plan to do anything that would require our permission, however there is no guarantee that this would happen.</p> <p>SEPA's issue with the simplified planning approach would be for something that would clearly be unconsentable under one of SEPA's regulatory regimes to get planning permission. SEPA would not want these types of developments to be agreed by planning through</p>	<p>for the Council to notify SEPA of such proposals. It is made clear within the SPZ that the applicant must consult SEPA concerning proposed development and it is recommended that this is undertaken at an early stage.</p>	
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APPENDIX 2 – REPRESENTATIONS RECEIVED DURING PUBLIC CONSULTATION PERIOD AND PROPOSED RESPONSES/RECOMMENDATIONS

		<p>this process only for there to be problems in addressing the relevant regulatory regimes. It should be noted that it would be the applicant's commercial risk if this outcome were to happen.</p> <p>SEPA recommends that further consideration needs to be given to how this potential scenario is prevented.</p> <p><u>(2) Flood Risk:</u> Latest SEPA Flood Maps indicate that zEL39 and MTWEE001 are located within the 1:200 year surface water flood map. The risk identified at these sites is from surface water flooding only. Review of the Draft Supplementary guidance, SPZ Conditions, states that surface water flood risk must be assessed before any development takes place. We agree with this and also recommend that contact is made with the Flood Prevention Officers within</p>	<p><u>(2) Flood Risk:</u> The Council's Flood Protection Officer would be consulted on any pre-development notification for development within Zones D and E in line with the requirements of Condition no 15 which requires that surface water flood risk is assessed and precise details of surface water disposal have been submitted to and approved by the Planning Authority.</p>	<p>(2) No changes proposed.</p>
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APPENDIX 2 – REPRESENTATIONS RECEIVED DURING PUBLIC CONSULTATION PERIOD AND PROPOSED RESPONSES/RECOMMENDATIONS

		<p>Scottish Borders Council to glean any information/local knowledge that they may possess.</p> <p>The Draft Supplementary Guidance notes that “Any issues relating to surface water flooding would require to be considered and addressed”. Hence, we are satisfied with the requirements included within this guidance.</p> <p><u>(3) Site drainage:</u> If the development sites are likely to be office/retail type units then we would require appropriate levels of SUDs for surface water and connection to the public foul sewer for the foul drainage. This would depend on the proposed use type. Provided that this would be the case we are satisfied that they could be covered by a simplified planning zone scheme.</p> <p><u>(4) Sustainable waste management:</u> Scottish Planning Policy</p>	<p><u>(3) Site drainage:</u> Comments noted. Condition no 16 of the SPZ requires that surface water disposal is in accordance with Sustainable Urban Drainage principles.</p> <p><u>(4) Sustainable waste management:</u> Comments agreed. It is considered that</p>	<p>(3)No changes proposed.</p> <p>(4)It is recommended that condition no 4 detailed on page 42 shall be amended to</p>
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APPENDIX 2 – REPRESENTATIONS RECEIVED DURING PUBLIC CONSULTATION PERIOD AND PROPOSED RESPONSES/RECOMMENDATIONS

		<p>Paragraph 190 states that “All new development including residential, commercial and industrial properties should include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations.” In accordance with this policy, the relevant Local Development Plan and the Scottish Government Planning and Waste Management Advice, space should be designated within the planning application site layout to allow for the separation and collection of waste, consistent with the type of development proposed. This includes provision to separate and store different types of waste, kerbside collection and centralised facilities for the public to deposit waste for recycling or recovery ("bring systems"). It is recommended that the Council's waste management team is</p>	<p>condition no 4 on page 42 of the SPZ should be amended to read: <i>‘All new development must include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations. Site Waste Management Plans shall be submitted to and approved by the Local Planning Authority before development is commenced and shall be implemented in full and in the approved manner’.</i></p>	<p>read: <i>‘All new development must include provision for waste separation and collection to meet the requirements of the Waste (Scotland) Regulations. Site Waste Management Plans shall be submitted to and approved by the Local Planning Authority before development is commenced and shall be implemented in full and in the approved manner’.</i></p>
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APPENDIX 2 – REPRESENTATIONS RECEIVED DURING PUBLIC CONSULTATION PERIOD AND PROPOSED RESPONSES/RECOMMENDATIONS

		<p>consulted to determine what space requirements are required within the application site layout. Scottish Planning Policy (Paragraph 192) states that planning authorities should consider requiring the preparation of sites management plans for construction sites. In the interests of seeking best practice and meeting the requirements of Scottish Planning Policy, we recommend that a site waste management plan (SWMP) is submitted, showing which waste materials are going to be generated and how they are going to be treated and disposed.</p> <p><u>(5) Energy Statement:</u> We support the intention to introduce a district heating system (as stated in page 19 of the SG).</p> <p>The development must enable connection to a heat network or heat producer, unless it can be</p>	<p><u>(5) Energy Statement:</u> Support noted. The matters referred to would require to be addressed via the Building Standards procedures. This has been added to bullet point no 3 of the 'Sustainability' section of Appendix 1 (Design and Landscape Framework) on</p>	<p>(5) It is recommended that bullet point no 3 of the 'Sustainability' section of Appendix 1 (Design and Landscape Framework) on page 51 also states the following: <i>'this would be addressed further via the Building Standards process.'</i></p>
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APPENDIX 2 – REPRESENTATIONS RECEIVED DURING PUBLIC CONSULTATION PERIOD AND PROPOSED RESPONSES/RECOMMENDATIONS

		<p>demonstrated to your authority that this would not be feasible. An Energy Statement informed by a Feasibility Study should be provided for assessment by your authority demonstrating how the proposal will meet the requirements for providing district heating onsite. This should be prepared in line with the <u>Scottish Government's online planning advice Planning and Heat</u> and assess the technical feasibility and financial viability of heat network/district heating for this site, identifying any available existing or proposed sources of heat (within or outwith the site) and other factors such as where land will be safeguarded for future district heating infrastructure.</p> <p>Please note that we will not audit Energy Statements or Feasibility Studies as the responsibility for this lies</p>	<p>page 51, as follows: <i>'this would be addressed further via the Building Standards process.'</i></p>	
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APPENDIX 2 – REPRESENTATIONS RECEIVED DURING PUBLIC CONSULTATION PERIOD AND PROPOSED RESPONSES/RECOMMENDATIONS

		<p>with your authority.</p> <p>However we expect them to be undertaken to demonstrate full consideration of how the proposed development can contribute towards Scotland's climate change targets in line with our Public Body Duties under the Climate Change (Scotland) Act 2009 to act "in the way best calculated to help deliver the emissions reduction targets and the statutory Adaptation Programme" and" in a way we consider is most sustainable."</p> <p>Applicants should provide evidence of how the national heat map and/or relevant local authority heat maps (where available) have been used to maximise potential connections / co-location between heat providers and high heat demand users when considering site selection for developments involving heat/power.</p>		
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APPENDIX 2 – REPRESENTATIONS RECEIVED DURING PUBLIC CONSULTATION PERIOD AND PROPOSED RESPONSES/RECOMMENDATIONS

		<p>Consideration of heat mapping should maximise opportunities for the co-location of ‘high heat demand’ developments with heat supply sources, like energy from waste facilities, to maximise the provision of energy efficient and low carbon heat networks and district heating installations.</p> <p>Heat Maps clearly show where there are areas of heat use and heat generation, and can therefore be used as locational criteria for new heat providers, or for new development sites which could utilise the heat being generated. Heat maps are intended for a number of uses, including in planning new developments, and identifying heat network feasibility. They also identify existing heat providers, particularly those that produce heat as “excess” or “waste” who can connect to heat networks, utilising heat that was previously</p>		
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		<p>“wasted”.</p> <p>A Design and Access statement which demonstrates how the findings of the Energy Statement have been incorporated into the design and layout of the proposed development should be provided. Where new developments are located adjacent to existing heat networks or district heating, the connection should be an integral part of the design to enable connection to take place at time of construction, unless it would not be viable or feasible to do so (the burden of proof is placed on the developer). Ensuring users can be connected to district heating networks is an essential part of delivering the Government’s targets towards renewable and low-carbon heat. There are also significant opportunities within Scotland to make use of heat that is currently waste or excess, in particular</p>		
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		<p>from industrial facilities.</p> <p>Where connections are intended to be made to proposed heat sources in the future, the design of new developments should incorporate space to 'safeguard' the future provision of pipework, energy hubs or other associated heat infrastructure to ensure that the subsequent connection to a proposed district heating network can be undertaken (if not already proposed within the original design) without causing disturbance to buildings or infrastructure. This applies to all new significant/anchor development (i.e. developments with a significant heat load or demand). Consideration should be given to potential barriers or restrictions on making district heating connections, for example when planning new key infrastructure such as bypass roads which may interrupt</p>		
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		<p>the route of district heating pipeworks.</p> <p>Creating links between heat producers and heat users is essential to create heat networks and accords with guidance in SPP. In order to deliver the Scottish Government's targets for 40,000 homes to be heated through heat networks, new developments need to be designed to incorporate district heating. Where substantial new developments are planned, the opportunity arises for providing a heat network within the site and for this to be required and designed in at the earliest stages.</p> <p><u>(6) Contaminated Land:</u> Advice on land contamination issues should be sought from the local authority contaminated land specialists because the local authority is the lead authority on these matters under Part IIA of the Environmental Protection</p>	<p><u>(6) Contaminated Land:</u> The Council's Contaminated Land Officer has been involved in the preparation of the documents. Condition no. 8 requires that any potential</p>	<p>(6) No changes proposed.</p>
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		Act 1990 except for matters relating to radioactively contaminated land or special sites.	risk to human health/water contamination is adequately addressed. The Contamination Officer would be consulted on any pre-development notification for development where necessary.	
Historic Environment Scotland	Comment	HES has considered these documents for historic environment interests, and welcome that they recognise the historic environment assets in the vicinity and have made appropriate provision for their protection.	Support noted.	No changes proposed.
Network Rail	Comments	(1) Crucially, the document recognises the potential extension to Carlisle, should the Government decide this is something it wishes to proceed with. The brief recognises the route and makes specific mention to this. Having considered it in greater detail as to the actual logistics of development within the Proposed Simplified Planning Zone I thought it would be helpful for it to advise the SPZ designation does not	(1) Comments noted. It is suggested that a condition be added to the Schedule of conditions requiring that no development impinges upon the line of any future railway extension to highlight that this area is safeguarded in line with Policy IS4 of the Scottish Borders Local Development Plan 2016. SG Plan 2 shows an indicative line of any future railway extension at this location which is considered to be sufficient.	(1) It is recommended that a further condition be added to the Schedule of Conditions requiring that no development impinges upon the line of any future railway extension.

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		<p>apply for development on the protected line and it would be helpful if Plan 2 was revised to highlight this visually. Really, all we are seeking to do is to ensure anyone respects this future proofing, given it wouldn't be controlled through a planning application.</p> <p>(2) In terms of the comments and drawing in relation to the possible need to 'reconfigure parking and potential additional parking tier' it is to highlight that Network Rail has no programme or budget for any future work. Therefore, if there was a demand, new funding would be required for this. It would not be provided through any current funding streams and would need to be found from outside sources. As part of the SPG it mentions Developer Contributions. Developer Contributions is a way to fund future infrastructure works and has been clearly set out within</p>	<p>(2) The Council would not seek developer contributions for development within Classes 4, 5 and/or 6. Network Rail would be required to provide additional parking in the future if there was found to be a need.</p>	<p>(2) No changes proposed.</p>
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		<p>SESplan to group contributions and also East Lothian Council now has a LDP Developer Contributions Framework, which requires developers to provide funding for future rail projects, based on location and a formula. The Council has the opportunity to seek funding to future proof any possible requirements for the car park at the station.</p> <p>(3)The SPZ appears to have dropped the mention of car/bike hire form the terminal. This is a retrograde step and is a use which should be encouraged in a spatial and tourism context. Likewise we had requested the SPG further on the tourism front to allow flexibility in business and tourism use to see if the area around the present station couldn't be focused for more tourist facilities with café, gallery or other uses which compliment, but clearly aren't a duplication to the tapestry building. It's not</p>	<p>(3) The opportunity for a car/bike hire facility within the vicinity of the railway terminus is referred to within the Transport and Access section of the Draft Supplementary Guidance (page 21). The SPZ does allow for the provision of shop uses (Use Class 1) of a limited floorspace within Zone C which would potentially allow for a car/bike hire facility.</p>	<p>(3)No changes proposed.</p>
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		one we have any firm view on but good to see as many business and employment opportunities as possible.		
Scottish Enterprise	Comments	<p><u>Part 1: Draft SPG:</u></p> <p>a. The report does not provide market commentary on CBBP.</p> <p>b. The references to substandard business stock link to legislation introduced in September 2016 requiring owners of non-domestic buildings to assess and improve energy efficiency and reduce greenhouse gas emissions associated with their buildings. The Section 63 regulation applies to the sale or let of buildings which are larger than 1000m². SME's can be assisted through this process by Zero Waste Scotland.</p> <p>c. As a predominantly industrial development adjacent to Lowood</p>	<p>a. Market commentary on the CBBP is not appropriate to Supplementary Guidance/SPZ.</p> <p>b. Comments noted. These matters are procedures outwith the remit of the SG/SPZ.</p> <p>c. It is expected that the Council will produce a Masterplan/Supplemen</p>	<p>a. No changes proposed.</p> <p>b. No changes proposed.</p> <p>c. No changes proposed.</p>

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		<p>Estate, an area which may be developed for housing, it would be helpful if further information on the wider development context is available as part of the SPG, providing greater certainty on anticipated locations of specific land uses, infrastructure, pedestrian and vehicular access routes, and identification of an indicative location for the proposed Road Bridge to Lowood. This would enable developers to make a more informed assessment of the development potential of options at CBBP, and proceed with greater certainty, particularly in relation to mixed use proposals which may be supported by adjoining residential development.</p>	<p>tary Guidance relating to the Lowood site in 2018. This would refer to the relationship between the Central Borders Business Park and Lowood itself and include a full public consultation procedure.</p>	
		<p>d. To exploit the economic opportunities offered by</p>	<p>d. Whilst these issues will require to be addressed</p>	<p>d. No changes proposed.</p>

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		<p>SBR and Tweedbank Station, recognising the multiplicity of ownerships within the site and to complement the SG and SPZ, CBBP will require investment in site infrastructure, servicing and public realm, potentially supported by an associated land requisition programme. It would be of assistance if the anticipated scope of public investment proposals is identified, together with those elements to be delivered by property owners and developers.</p>	<p>via other procedures, it is not considered appropriate to include this within the SG/SPZ.</p>	
		<p>e. Reference to the 'Gateway' into the business park; is this referring to the shared surface/plaza area, rather than the Gateway feature on SG plan 2?</p>	<p>e. This relates to the gateway feature from the roundabout into Tweedbank Drive which will be the main entrance into the CBBP.</p>	<p>e. No changes proposed.</p>
		<p>f. It would be useful to identify the southern part of the estate road,</p>	<p>f. It would be the Council's aspiration to adopt the southern part</p>	<p>f. No changes proposed.</p>

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		<p>to be brought up to adoptable standard.</p> <p>g. Where does the future access link indicated on SG Plan 2 link to?</p> <p>h. A future extension of the railway would impact on access links within and outwith the business park, and may involve evaluation of a wide range of options, including the Mott McDonald scheme.</p> <p><u>Part 2: Draft SPZ Scheme:</u></p> <p>i. SPZ PLAN 1 – SPZ Area differs from SG PLAN 2 – Development vision for the Central Borders Business Park, in that it omits the former tapestry site, which is indicated outwith the SPZ boundary.</p>	<p>of the estate road referred to though it is not considered necessary to illustrate this within the SG/SPZ.</p> <p>g. Potential future development within Lowood Estate.</p> <p>h. Comments noted, these matters will be addressed as circumstances develop.</p> <p>i. SPZ Plan 1 excludes the former tapestry site as this is outwith the site boundaries of the business and industrial allocation at Tweedbank. The site is effectively 'white land' which cannot be incorporated into the SPZ. The site is, however, shown as an opportunity within the SG.</p>	<p>g. No changes proposed.</p> <p>h. No changes proposed.</p> <p>i. No changes proposed.</p>
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		<p>j. STAGE 1 – Zone C; should this include the former Tapestry site?</p> <p>k. Under SPZ Table 2 – Development Parameters, DPG9 Class 10 Non-residential institutions, should a crèche be considered as a permissible use, or is there existing provision within the local area?</p>	<p>j. See above.</p> <p>k. It is accepted that a crèche may be an appropriate ancillary use within the Business Park. However, in permitting Use Class 10 uses there would be the danger that other uses, which would not be appropriate to the function of the overall business park would be permitted. It is therefore considered that Class 10 uses are excluded from the SPZ but there would be an opportunity</p>	<p>j. No changes proposed.</p> <p>k. No changes proposed.</p>
Contaminated Land Officer	Comments	<p>Page 43</p> <ul style="list-style-type: none"> The presented condition appears to contain a typographical error in the opening sentence as underlined here“.....<i>potential contamination on site has been submitted to and <u>environment</u>, <u>property and ecological systems arising from</u></i> 	Comments noted. Condition no. 8 on page 43 amended as required.	It is recommended that condition no 8 is amended in accordance with the suggestion.

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		<p><i>any identified land agreed in writing by the Local Planning Authority and".</i></p> <p>The above additional text appears to have been cut from the 'Reason' section -</p> <ul style="list-style-type: none"> Reason states <i>"To Ensure that the potential risk to human health, the water contamination have been adequately addressed."</i> It would be recommended revised wording was employed e.g. To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed." 		
Scottish Natural Heritage	Comments	<p><u>Part I – Draft SG</u></p> <p><u>(1) Site Opportunities and Constraints</u></p> <p>Pages 13 to 15 provide a comprehensive overview of the site's context and how</p>	<p>(1) It is not proposed that the suggested changes are made to the document. The Lowood site requires further work to develop the</p>	<p>(1) No changes proposed.</p>

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		<p>the assets on and around the site will influence its development. However, we consider that it would be beneficial to accompany this detailed information with annotated maps and photographs of the site, for example, by showing key viewpoints as described in this section.</p> <p>(2) Welcome the inclusion of the Borders Strategic Green Network and the proposals to improve pedestrian and cycling routes, as set out in the site opportunities. The constraints note that increased demand through redevelopment of the Business Park may lead to further demand at the already over-subscribed parking at the railway terminus. Pedestrian and cycling links would help to mitigate these effects if direct, clearly legible routes are provided. This would also align with the aim to create a sustainable, low carbon place related to the</p>	<p>Masterplan to be put out for public consultation, comments from SNH would be welcomed as part of this process.</p> <p>(2) Support noted.</p>	<p>(2) Support noted.</p>
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		<p>rail transport opportunities, as discussed elsewhere in the draft supplementary guidance. In general, and acknowledging the favourable density of paths in the area, we advise that a planned network hierarchy of paths that are clearly waymarked, including from local centres and the rail station, should be the objective for the site and its wider environs.</p> <p>(3) The inclusion of the adjacent regionally important Special Landscape Area (SLA) and the nationally important Eildon and Leaderfoot National Scenic Area (NSA) provides a clear direction on likely requirements for assessment of proposals. We suggest that it should be made clear that appropriate design responses will also be required to ensure that the special qualities of these sites are to be unaffected by development at this site. For example while key</p>	<p>(3) Add a further bullet point to 'Other Considerations' on page 21 of the SG to highlight the need for sympathetic design adjacent to the SLA and NSA.</p> <p>It is reaffirmed that the Lowood site requires further work to develop the Masterplan to be put out for public consultation, comments from SNH would be welcomed as part of this process.</p>	<p>(3) It is recommended that a further bullet point is added to 'Other Considerations' on page 21 of the SG.</p>
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		<p>prominent 3 storey buildings could be successfully accommodated adjacent to the NSA, it will be useful to emphasise, the need for appropriate design responses to this important context.</p> <p>(4) In terms of guidance, we advise that along with tree protection, boundary treatment, landscaping and general aspects of building height and design the control and co-ordination of signage and advertising associated with such buildings will be necessary.</p> <p>(5) Furthermore, in relation to all site development we would suggest that the SPZ brief should emphasise control of light pollution in line with Scottish Government guidance.</p>	<p>(4)As stated on page 40 of the SPZ, proposals for signs and advertisements, unless having deemed consent, would require approval under the terms of the Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended) or its replacement.</p> <p>(5)Comments agreed. It is considered that the second bullet point under 'Layout' on page 51 should be amended to include lighting. It is also considered that condition no 13 on page 44 should read: 'External lighting shall be provided in accordance with BS.5489,1977 and in accordance with Scottish</p>	<p>(4) No changes proposed.</p> <p>(5) It is recommended that the second bullet point under 'Layout' on page 51 should be amended to include lighting. It is also recommended that condition no 13 on page 44 should read: 'External lighting shall be provided in accordance with BS.5489,1977 and in accordance with Scottish</p>
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		<p>(6) SNH also advise that the roof materials for new buildings should be of a visually recessive colour in order to reduce landscape and visual impacts from elevated areas within the NSA.</p> <p><u>(7) Development Vision for the Central Borders Business Park:</u> Note that key principle F includes the option of provision of a further tier at the existing Tweedbank rail terminus car parking. This particular solution is likely to have landscape and visual impacts that will require assessment. This principle is also in conflict with key</p>	<p>Government Guidance Note entitled 'Controlling Light Pollution and Reducing Light Energy Consumption '(March 2007)'. (6) Comments noted. The Design Framework will require to be adhered to. It is considered that a further bullet point should be added to the 'Building Design' section on page 52 stating: 'The roof materials for new buildings should be of a visually recessive colour in order to reduce landscape and visual impacts from elevated areas within the National Scenic Area'.</p> <p>(7) This is outwith the remit of the SPZ and would require to be the subject of a planning application.</p>	<p>Government Guidance Note entitled 'Controlling Light Pollution and Reducing Light Energy Consumption '(March 2007)'. (6) It is recommended that a bullet point be added to the 'Building Design' section on page 52 stating: 'The roof materials for new buildings should be of a visually recessive colour in order to reduce landscape and visual impacts from elevated areas within the National Scenic Area'.</p> <p>(7) No changes proposed.</p>
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		<p>principle B which aims to <i>“create a people focused public space ... which is not car focused.”</i></p> <p>(8) SNH welcome key principle H, that a high quality landscape framework is to be maintained. In relation to securing the long term success of the existing landscape framework, we suggest that management intervention, in the form of tree thinning and selective replanting, is likely to be necessary. In this regard an up to date management plan for the site, which clarifies developer or rental contributions, would be of clear benefit.</p> <p>(9) Submission Requirements: In general we agree with the submission requirements for those instances where planning consent will be required. However, we suggest that <i>“ecology assessment”</i> is expanded to require <i>“ecology assessment</i></p>	<p>(8) It is certainly an aspiration to see the landscape framework maintained. It would, however, be inappropriate to charge a developer contribution for existing planting to be maintained which is under varying ownerships.</p> <p>(9) Comments noted. The submission requirements have been amended in line with this suggestion.</p>	<p>(8) No changes proposed.</p> <p>(9) It is recommended that <i>“ecology assessment”</i> on page 24 is expanded with <i>“ecology assessment plus species management plan where necessary.</i></p>
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		<p><i>plus species management plan where necessary". This would provide greater clarity to developers and should contribute towards fewer delays in the planning process.</i></p> <p><u>Part II – Draft SPZ Scheme</u></p> <p><u>Stage 1 – What types of development are permitted?</u></p> <p>(10) Stage 1 (page 34) discusses the need for appropriate screening along the southern boundary of Zone E due to proximity to the adjacent Special Landscape Area. We recommend that similar requirements are set out for Zone B due to the proximity of the eastern part of the site to the Eildon & Leaderfoot Hills National Scenic Area.</p> <p>(11) SNH welcome the inclusion of pathways/cycleways and cycle parking as infrastructure that supports the functioning of the</p>	<p>(10) It is considered that the existing vegetation along the southern boundary of Zone B this boundary is significant without the need for further screening.</p> <p>(11) Comments noted.</p>	<p>(10) No changes proposed.</p> <p>(11) Comments noted.</p>
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		<p>Business Park (page 39).</p> <p><u>Stage 2 – Conditions and informatives</u></p> <p>(12) The informatives clearly set out the requirement for developer obligations with regards to protected species. We welcome this addition to the guidance.</p> <p><u>Appendix 1 – Design and Landscape Framework</u></p> <p>(13) The Placemaking & Design principles for Layout (page 52) state that new developments will “<i>where possible</i>” connect with sustainable and active travel routes. Given the overarching sustainability principles set out in the guidance and the general presumption that roads will be delivered, we recommend that ‘where possible’ is removed. This would also align more clearly with policy set out at paragraphs 273 and 287 of Scottish Planning Policy and with the Design Hierarchy set out on page 56 of the</p>	<p>(12) Comments noted.</p> <p>(13) Comments noted. It is agreed that ‘where possible’ should be removed.</p>	<p>(12) Comments noted.</p> <p>(13) It is recommended that ‘where possible’ be removed from the aforementioned bullet point on page 52.</p>
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		<p>supplementary guidance.</p> <p>(14) The principle that “<i>key prominent buildings</i>” at the entrances to the industrial estate (page 52, Building Design) “<i>could be up to three storeys, up to a maximum of 10 metres in height</i>” represents a potentially significant change in character. At present, buildings at or near these locations are one to two storeys in height and therefore well-contained by landform and existing woodland. Given the site’s proximity to landscapes designated for their national, regional and local importance, we recommend that allowances for ‘key prominent buildings’ are reviewed.</p> <p><u>Appendix 2 – Design and Landscape Framework</u></p> <p>(15) The Landscape Framework on page 53 recognises the role of the existing trees and woodland in establishing the area’s</p>	<p>(14) It is considered that 3-storey buildings at this location would be well concealed from view. There are existing properties within Tweedbank which are up to 3-storeys in height which are not visually intrusive. It is considered that this text should remain within the document unchanged.</p> <p>(15) There is the danger that this would encourage vehicles to use the west end of Zone A as the main route into the Business Park, as</p>	<p>(14) No changes proposed.</p> <p>(15) No changes proposed.</p>
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		<p>current and potential character. There is also recognition of the need to establish and reinforce gateways at the site entrances. We note, however, that these gateways are largely aligned around road junctions and recommend that a gateway entrance is also established at the west end of Zone A where the site abuts the Tweedbank railway station terminus. There is further opportunity to establish a gateway at the north-eastern boundary of Zone B where a number of strategic and long-distance pedestrian and cycle routes enter and run alongside the site.</p> <p><u>Appendix 2 – Transport Design Guidance</u></p> <p>(16) SHN welcome the principles set out in the User Hierarchy on page 56. However, SPZ Plan 4 (Hierarchy of Streets, page 57) omits several of the user groups. We recommend that this plan is reviewed to show</p>	<p>opposed to the quickest and safest route along the trunk road. It is therefore considered that this text should remain within the document unchanged.</p> <p>(16) It is considered that the hierarchy is clear and covers the necessary user groups and it is not considered necessary to reinforce this on the plan which involves some subjectivity.</p>	<p>(16) No changes proposed.</p>
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		<p>the overarching principles of the hierarchy more clearly. The information on street widths on page 58 is focused on the roadway rather than the full width of the carriageway, which would include provisions for pedestrians and cyclists. We recommend that clearer requirements on widths for pathways and cycleways are included. This should either be replicated as a summary of paragraphs 7.1 to 7.5 (page 62) or as a reference to those paragraphs.</p> <p><u>Appendix 3 – Transport Statement</u></p> <p>(17) The key recommendations in this Appendix are set out in line with the recommended transport hierarchy, setting clear requirements that will secure and enhance sense of place and character at the Business Park. There are likely to be benefits to long-distance recreational routes that run through this area as a result of these</p>	(17) Comments noted.	(17) Comments noted.
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		requirements and we welcome the overall approach.		
Phil Pritchett on behalf of Manor Place Developments Ltd	Comments	(1) Manor Place Developments Ltd (MPDL) has purchased the land which was owned by B&Q PLC at Tweedbank which extends to 5.7 acres. The land is situated in the eastern section of the Central Borders Business Park and is bounded to the south by the A6091 and to the east by Tweedbank Drive. The purchase of the land is part of a long established focus of business in concentrating on land with untapped potential for development and job creation. MPDL has purchased the land at Tweedbank with a view to creating new development which will complement both the existing business park and to help maximise the economic impact of the recently opened Borders railway. MPDL wishes to work with the Council and other stakeholders to bring	(1) Comments noted.	(1) No changes proposed.

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		<p>the vacant land in this strategic location back into productive use which will be to the wider benefit of the Business Park and community as a whole.</p> <p>{MPDL requested further time to provide full comments on the documents and whilst this was agreed, no further submissions have been received}. Their initial general comments are as follows:</p> <p><u>Opportunities/Constraints:</u></p> <p>(2) The market analysis undertaken by both B&Q and MPDL has indicated that a major drawback of the business/industrial park is its overall lack of visibility from the main through road network. The draft guidance suggests that the business park is highly visible from the A6091 enhancing the marketable profile of the site.</p>	<p>(2) The Central Borders Business park provides important business and industrial land to the wider area. The location is sensitive, however, due to its location adjacent to the Special Landscape Area and National Scenic Area. The site is prominent from the A6091 in that there are views into the site. It is, however, considered that the existing boundary planting is important to</p>	<p>(2) No proposed changes.</p>
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		<p>(3) It is pleasing to note that the Council recognises that there are transport links to nearby tourist attractions. It is considered that the guidance should expand on why such links provide site opportunities. There should be more emphasis on the tourism potential created through the opening of the new railway and its potential enhanced relationship with places of interest.</p> <p>(4) Market investigations undertaken by the landowner suggests that the structure planting is considered to be a significant constraint of the site. There should be a positive aim to seek to enhance views from the main road network towards the railway and through the site encouraging</p>	<p>retain existing screening. It is suggested that gateway features at the entrance to the park would be a positive way of raising awareness of the park.</p> <p>(3) Comments noted. This is not considered necessary given the focus of this document is on business and industrial land provision.</p> <p>(4) This is not considered appropriate given the sensitive location of the site adjacent to the Special Landscape Area and National Scenic Area. It is not considered that the peripheral planting should be reduced in a way that the existing screening of the business park is</p>	<p>(3) No proposed changes.</p> <p>(4) No proposed changes.</p>
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		<p>visible and physical connections from the A6091 towards Tweedbank station.</p> <p>It is welcomed that the Tree Preservation Order will be reviewed and/or amended. This is crucial to provide a new impetus to development in the area. It will be important to consider a possible revised vehicular access strategy which will help to make the estate more marketable and accessible from the surrounding road network. MDPL would wish to liaise with relevant officers to assess all available options for enhancing the marketability of the area. It will be imperative to agree reduced peripheral planting within an overall new approach to landscaped setting to bolster the chances of encouraging new occupiers and businesses to locate in the area and to take full advantage of the new and existing transport infrastructure.</p>	<p>compromised. It is considered that there may be scope in some areas to remove existing trees but this will be established by a review of the existing TPO.</p>	
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		<p>(5) It is noted that more car parking for the railway may be required and as such the land around the railway should be safeguarded for such purposes rather than suggesting other forms of commercial use immediately adjacent to the station.</p>	<p>(5) Network Rail would be required to provide additional parking in the future if there was found to be a need. It is not considered that the need for additional parking should compromise the development of the mixed use site.</p>	<p>(5) No proposed changes.</p>
		<p>(6) Tweedbank village offers a limited range of facilities but these are located some distance from the business park. MPDL have been considering other older industrial and business parks throughout Scotland to assess the types of new uses and support services that can enhance the overall amenity of the business park environment. This is ongoing and further information on this issue will be provided. Such development can act as a catalyst for future investment as the overall impression of the park is enhanced.</p>	<p>(6) Comments noted. No further information has been submitted. The Supplementary Guidance and Simplified Planning Zone Scheme support ancillary uses within the park.</p>	<p>(6) No proposed changes.</p>

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		<p>(7) Acknowledge concern that the business park is in a variety of different ownerships, but MPDL are in a unique position of being a significant land owner with development aspirations. MPDL are therefore willing to work with the Council to bring together all major tenants and owners to agree a long term vision for the park which would be to the benefit of all. This could include rebranding, advertising and working together to provide general physical and economic enhancements throughout the area.</p> <p><u>Development Vision:</u></p> <p>(8) The vision is too narrowly focused on the railway terminus. Market analysis suggests that for new development and uses to be attracted to this area there must be a strong physical and visual link to the main road network as well as improved links to the railway</p>	<p>(7) Comments noted. The Council is content to discuss any such matters with land owners with a view to improving the image and function of the Business Park.</p> <p>(8) It is considered that the visual link can be improved with gateway features at the eastern entrance. The site is located within a sensitive landscape setting which is highly important to safeguard. The business park is important to the wider area in terms of</p>	<p>(7) No proposed changes.</p> <p>(8) No proposed changes.</p>
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		<p>terminus. The vision should be focused on providing renewed development opportunities throughout the area which help to link the railway terminus to the strategic road network and to provide not just a gateway feature on the roundabout entrance at the Tweedbank Road/A6091 junction, but new gateway development and uses which will have a positive impact on railway use. The vision should be more flexible and enabling rather than prescriptive in defining certain uses for defined areas within the site.</p> <p>(9) MPDL welcome the introduction of the SG/SPZ and is focused on delivery of a positive development scenario which will create new opportunities and help maximise the use of the railway for all. Whilst the business park will over time benefit from the proximity of the railway, there are other forms of use more related to the wider Borders</p>	<p>offering business and industrial land. This should not be compromised by allowing more flexibility in terms of uses.</p> <p>(9) Support noted. The business park is important to the wider area in terms of offering business and industrial land. This should not be compromised by allowing more flexibility in terms of uses which would dilute its fundamental purpose as a business and industrial park. There are other areas in the immediate vicinity around the railway</p>	<p>(9) Support noted.</p>
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		<p>attractions and tourism in particular which could be developed in early course and which would benefit the business community as well.</p> <p>(10) MPDL intend to provide more comprehensive comments within a month of the consultation period closing date.</p>	<p>terminal which can accommodate tourist related facilities.</p> <p>(10) No further comments received.</p>	<p>(10) No proposed changes.</p>
Tempest Brewery	Comments	<p>Tempest Brewery would like to confirm their ambition to build a state of the art brewery production facility with adjoining taproom, visitor centre / retail shop, event / conference space, with later addition of bistro and gardens. In addition to brewing beer, packaging, warehousing (storage) and distribution of our products are all part of our core business. These activities all need to be carried out from the same premises. The preferred location for our new premises is the prominent 0.5 HA Eildon Mill site that is diagonally opposite the current Borders Railway Terminus. The Draft</p>	<p>Comments noted. The Council is aware of the ambition of Tempest Brewery to expand and fully supports this. It is possible that, depending upon the final layout and uses incorporated within the proposed new brewery, this would comply with the requirements of the SPZ for the Eildon Mill site. The Department is happy to discuss this further with Tempest Brewery in due course.</p>	<p>Comments noted.</p>

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		<p>Simplified Planning Zone Scheme (SPZ Plan 2) identifies our target site as Zone C. The Development Parameters given in the SPZ Table 1 (p35) are for Class 1 (Shops) and Class 4 (Business including light industrial under which Brewing should fall). However, activities falling under Class 3 (Food & Drink) and Class 6 (Storage or Distribution) are not permitted in Zone C by the draft SPZ scheme. Class 6 - the Storage and Distribution of our products are both vital parts of the day to day running our business and must be on the same site as production and packaging. Class 3 - the provision of Food & Drink is a key element of our proposed Taproom and Bistro/Gardens. Throughout the Draft Supplementary Guidance document regarding the development of the Central Borders Business Park Tweedbank, it is clear that there is a vision for this to be a flagship</p>		
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		<p>development for the Central Borders with the placement of 'signature' buildings at key locations. Tempest Brewery would be an architectural designed showcase building. Further, page 14 of this document states that there is an opportunity for “a limited level of retail provision at the ‘gateway’ into the business park to serve both visitors to the area and user of the business park”. The addition of an incorporated Tempest Brewery Taproom, Retail shop and Visitor Centre opposite the current Borders Railway Terminus would sit perfectly with this vision on many levels. However, in order for this to happen, we need to have prior approval to carry out the Storage and Distribution of our products from our brewery premises, and to provide Food & Drink. Note: Our brewery is currently housed in Block 11, Units 1 & 2 of Tweedbank Industrial Estate. Under the proposed SPZ Scheme, this</p>		
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APPENDIX 2 – REPRESENTATIONS RECEIVED DURING PUBLIC CONSULTATION PERIOD AND PROPOSED RESPONSES/RECOMMENDATIONS

		site is listed as Zone E however I understand that it is currently Zone D.		
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