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

**Report by Service Director Regulatory Services**

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**SCOTTISH BORDERS COUNCIL**

**30 November 2017**

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### **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.

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

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