

# List of Policies

**Local Review Reference:** 21/00014/RREF

**Planning Application Reference:** 20/00809/FUL

**Development Proposal:** Change of use of site to business and industrial land with associated perimeter security fence

**Location:** Phase 4 Store and Yard, Acredale Industrial Estate, Eyemouth

**Applicant:** Eyestore Limited

## Scottish Borders Local Development Plan 2016

### POLICY PMD1: SUSTAINABILITY

In determining planning applications and preparing development briefs, the Council will have regard to the following sustainability principles which underpin all the Plan's policies and which developers will be expected to incorporate into their developments:

- a) the long term sustainable use and management of land
- b) the preservation of air and water quality
- c) the protection of natural resources, landscapes, habitats, and species
- d) the protection of built and cultural resources
- e) the efficient use of energy and resources, particularly non-renewable resources
- f) the minimisation of waste, including waste water and encouragement to its sustainable management
- g) the encouragement of walking, cycling, and public transport in preference to the private car
- h) the minimisation of light pollution
- i) the protection of public health and safety
- j) the support to community services and facilities
- k) the provision of new jobs and support to the local economy
- l) the involvement of the local community in the design, management and improvement of their environment

### POLICY PMD2: QUALITY STANDARDS

All new development will be expected to be of high quality in accordance with sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings. The standards which will apply to all development are that:

#### Sustainability

- a) In terms of layout, orientation, construction and energy supply, the developer has demonstrated that appropriate measures have been taken to maximise the efficient use of energy and resources, including the use of renewable energy and resources such as District Heating Schemes and the incorporation of sustainable construction techniques in accordance with supplementary planning guidance. Planning applications must demonstrate that the current carbon dioxide emissions reduction target has been met, with at least half of this target met through the use of low or zero carbon technology,
- b) it provides digital connectivity and associated infrastructure,
- c) it provides for Sustainable Urban Drainage Systems in the context of overall provision of Green Infrastructure where appropriate and their after-care and maintenance,
- d) it encourages minimal water usage for new developments,
- e) it provides for appropriate internal and external provision for waste storage and presentation with, in all instances, separate provision for waste and recycling and, depending on the location, separate provision for composting facilities,
- f) it incorporates appropriate hard and soft landscape works, including structural or screen planting where necessary, to help integration with its surroundings and the wider

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environment and to meet open space requirements. In some cases agreements will be required to ensure that landscape works are undertaken at an early stage of development and that appropriate arrangements are put in place for long term landscape/open space maintenance,

g) it considers, where appropriate, the long term adaptability of buildings and spaces.

### Placemaking & Design

h) It creates developments with a sense of place, based on a clear understanding of the context, designed in sympathy with Scottish Borders architectural styles; this need not exclude appropriate contemporary and/or innovative design,

i) it is of a scale, massing, height and density appropriate to its surroundings and, where an extension or alteration, appropriate to the existing building,

j) it is finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality and, where an extension or alteration, the existing building,

k) it is compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form,

l) it can be satisfactorily accommodated within the site,

m) it provides appropriate boundary treatments to ensure attractive edges to the development that will help integration with its surroundings,

n) it incorporates, where appropriate, adequate safety and security measures, in accordance with current guidance on 'designing out crime'.

### Accessibility

o) Street layouts must be designed to properly connect and integrate with existing street patterns and be able to be easily extended in the future where appropriate in order to minimise the need for turning heads and isolated footpaths,

p) it incorporates, where required, access for those with mobility difficulties,

q) it ensures there is no adverse impact on road safety, including but not limited to the site access,

r) it provides for linkages with adjoining built up areas including public transport connections and provision for buses, and new paths and cycleways, linking where possible to the existing path network; Travel Plans will be encouraged to support more sustainable travel patterns,

s) it incorporates adequate access and turning space for vehicles including those used for waste collection purposes.

### Greenspace, Open Space & Biodiversity

t) It provides meaningful open space that wherever possible, links to existing open spaces and that is in accordance with current Council standards pending preparation of an up-to-date open space strategy and local standards. In some cases a developer contribution to wider neighbourhood or settlement provision may be appropriate, supported by appropriate arrangements for maintenance,

u) it retains physical or natural features or habitats which are important to the amenity or biodiversity of the area or makes provision for adequate mitigation or replacements.

Developers are required to provide design and access statements, design briefs and landscape plans as appropriate.

## **POLICY PMD3: LAND USE ALLOCATIONS**

Development will be approved in principle for the land uses allocated on the Land Use Proposals tables and accompanying Proposals Maps.

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Development will be in accordance with any Council approved planning or development brief provided it meets the requirements for the site and its acceptability has been confirmed in writing by the Council.

Sites proposed for redevelopment or mixed use may be developed for a variety of uses subject to other local plan policies. Where there is evidence of demand for specific uses or a specific mix of uses, these may be identified in a Planning Brief and the site requirements detailed within the Local Plan.

Within new housing allocations other subsidiary uses may be appropriate provided these can be accommodated in accordance with policy and without adversely affecting the character of the housing area. Planning Briefs and site requirements detailed within the Local Plan may set out the range of uses that are appropriate or that will require to be accommodated in specific allocations.

Any other use on allocated sites will be refused unless the developer can demonstrate that:

- a) it is ancillary to the proposed use and in the case of proposed housing development, it still enables the site to be developed in accordance with the indicative capacity shown in the Land Use Proposals table and/or associated planning briefs, or
- b) there is a constraint on the site and no reasonable prospect of its becoming available for the development of the proposed use within the Local Plan period, or
- c) the alternative use offers significant community benefits that are considered to outweigh the need to maintain the original proposed use, and
- d) the proposal is otherwise acceptable under the criteria for infill development.

### **POLICY ED1: PROTECTION OF BUSINESS AND INDUSTRIAL LAND**

The Council aims to maintain a supply of business and industrial land allocations in the Scottish Borders (see Table 1). There is a presumption in favour of the retention of industrial and business use on strategic and district sites, including new land use proposals for business and industrial land.

#### **1. STRATEGIC SITES**

The Council rigorously protects strategic business and industrial sites for employment uses.

##### **a) Strategic High Amenity Sites**

Development on Strategic High Amenity Sites will be predominantly for Class 4 use. Other complementary commercial activity e.g. offices, call centres and high technology uses may be acceptable if it enhances the quality of the business park as an employment location.

##### **b) Strategic Business and Industrial Sites**

Development for uses other than Classes 4, 5 and 6 on strategic business and industrial sites in the locations identified in Table 1 will generally be refused. Uses other than Class 4, 5 or 6 can be considered if clearly demonstrated as contributing to the efficient functioning of the allocated site.

#### **2. DISTRICT SITES**

Although District sites do not merit the same level of stringent protection as Strategic sites there remains a preference to retain these within employment uses.

However, development other than Classes 4, 5 and 6 may be accepted on district business and industrial sites identified in Table 1 in order to, where appropriate, allow a more mixed use area.

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Proposals for development outwith Class 4, 5 and 6 will be considered against the following criteria:

- a) the loss of business and industrial land does not prejudice the existing and predicted long term requirements for industrial and business land in the locality, and
- b) the alternative land use is considered to offer significant benefits to the surrounding area and community that outweigh the need to retain the site in business and industrial use, and
- c) there is a constraint on the site whereby there is no reasonable prospect of its becoming marketable for business and industrial development in the future, or
- d) the predominant land uses have changed owing to previous exceptions to policy such that a more mixed use land use pattern is now considered acceptable by the Council.

### 3. LOCAL SITES

Although Local sites are allocated for business and industrial use, these are considered to have a lower priority and need for retention in the hierarchy of all business and industrial sites. Consequently alternative uses are likely to be supported.

Development other than Classes 4, 5 and 6 are likely to be supported on local business and industrial sites identified in Table 1. Retail may be acceptable on local sites where they are located within or adjacent to town centres.

In all business and industrial land site categories development must:

- a) respect the character and amenity of the surrounding area, and be landscaped accordingly, and
- b) be compatible with neighbouring business and industrial uses

Shops and outright retail activities will not be allowed on Strategic or District sites. The only retailing permissible on these sites will be that which is considered to be ancillary to some other acceptable activity (e.g. manufacture; wholesale). For the purposes of this policy, ancillary is taken as being linked directly to the existing use of the unit and comprising no more than 10% of the total floor area.

### **POLICY ED10: PROTECTION OF PRIME QUALITY AGRICULTURAL LAND AND CARBON RICH SOILS**

Development, except proposals for renewable energy development, which results in the permanent loss of prime quality agricultural land or significant carbon rich soil reserves, particularly peat, will not be permitted unless:

- a) the site is otherwise allocated within this local plan
- b) the development meets an established need and no other site is available
- c) the development is small scale and directly related to a rural business.

Proposals for renewable energy development, including proposals for wind energy development, will be permitted if they accord with the objectives and requirements of policy ED9 on renewable energy development.

### **POLICY HD3 : PROTECTION OF RESIDENTIAL AMENITY**

Development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against:

- a) the principle of the development, including where relevant, any open space that would be lost; and

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- b) the details of the development itself particularly in terms of:
  - (i) the scale, form and type of development in terms of its fit within a residential area,
  - (ii) the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking, loss of privacy and sunlighting provisions. These considerations apply especially in relation to garden ground or 'backland' development,
  - (iii) the generation of traffic or noise,
  - (iv) the level of visual impact.

### **POLICY EP11: PROTECTION OF GREENSPACE**

#### **(A) KEY GREENSPACES**

Key Greenspaces as identified on Proposal Maps will be protected from development that will result in their loss. Development that protects and enhances the quality of Key Greenspaces will be supported.

#### **(B) OTHER GREENSPACES**

Greenspace within the Development Boundary of settlements will be protected from development where this can be justified by reference to any of the following:

- a) the environmental, social or economic value of the greenspace;
- b) the role that the greenspace plays in defining the landscape and townscape structure and identity of the settlement;
- c) the function that the greenspace serves.

In both cases development that would result in the loss of greenspace, including outdoor sports facilities, will only be permitted if it can be satisfactorily demonstrated that, based on consultation with user groups and advice from relevant agencies:

- d) there is social, economic and community justification for the loss of the open space; or
- e) the need for the development is judged to outweigh the need to retain the open space; and
- f) where appropriate, comparable open space or enhancement of existing open space may be provided and/or paid for by the developer at an alternative location within or immediately adjacent to the settlement where this will provide adequate and acceptable replacement for the open space lost as a result of the development. In some cases, recreational provision in the form of indoor sports facilities may be a suitable alternative provided it is equally accessible and is judged to compensate fully for the loss of the open space resource.

Development that would result in the loss of functional open space where a quantifiable demand can be demonstrated must in addition be justified by reference to:

- g) the levels of existing provision and predicted requirements for the settlement;
- h) the extent to which current or predicted future demand can be met on a reduced area.

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### **POLICY EP13: TREES, WOODLANDS AND HEDGEROWS**

The Council will refuse development that would cause the loss of or serious damage to the woodland resource unless the public benefits of the development clearly outweigh the loss of landscape, ecological, recreational, historical, or shelter value.

Any development that may impact on the woodland resource should:

- a) aim to minimise adverse impacts on the biodiversity value of the woodland resource, including its environmental quality, ecological status and viability; and
- b) where there is an unavoidable loss of the woodland resource, ensure appropriate replacement planting, where possible, within the area of the Scottish Borders; and
- c) adhere to any planning agreement sought to enhance the woodland resource.

### **POLICY IS5: PROTECTION OF ACCESS ROUTES**

Development that would have an adverse impact upon an access route available to the public will not be permitted unless a suitable diversion or appropriate alternative route, as agreed by the Council, can be provided by the developer.

### **POLICY IS7: PARKING PROVISION AND STANDARDS**

Development proposals should provide for car and cycle parking in accordance with approved standards.

Relaxation of technical standards will be considered where appropriate due to the nature of the development and/or if positive amenity gains can be demonstrated that do not compromise road safety.

In town centres where there appear to be parking difficulties, the Council will consider the desirability of seeking additional public parking provision, in the context of policies to promote the use of sustainable travel modes.

### **Other Material Considerations**

- SBC Supplementary Planning Guidance on Trees and Development 2008
- SBC Supplementary Planning Guidance on Designing Out Crime 2007
- SPP 2014
- PAN 65 Planning and Open Space
- Roads (Scotland) Act 1984
- SBC Landscape Guidance Note 2
- SBC Landscape Guidance Note 3