

List of Policies

Local Review Reference: 15/00027/RREF

Planning Application Reference: 14/01282/FUL

Development Proposal: Change of use of land to form extension to existing holiday park

Location: Land south west of Northburn Caravan park, Pocklaw Slap, Eyemouth

Applicant: Park Resorts Ltd

SESplan Strategic Development Plan 2013

Policy 5 – Housing Land

The Strategic Development Plan identifies that, for the period from 2009 up to 2024, there is a requirement for sufficient housing land to be allocated so as to enable 107,545 houses to be built across the SESplan area, including on land which is currently committed for housing development. Of that total, the requirement for the period 2009 to 2019 is for 74,835 houses. Supplementary guidance will be prepared to provide detailed further information for Local Development Plans as to how much of that requirement should be met in each of those six areas, both in the period 2009 to 2019 and in the period 2019 to 2024.

The supplementary guidance will be based on an analysis of opportunities and of infrastructure and environmental capacities and constraints, and will be undertaken in consultation with the six constituent planning authorities.

Subject to any justifiable allowance for anticipated house completions from ‘windfall’ sites, and for demolitions of existing housing stock, Local Development Plans will allocate sufficient land which is capable of becoming effective and delivering the scale of the housing requirements for each period, which will be confirmed in the supplementary guidance. Where appropriate they will indicate the phasing and mix of uses to be permitted on any sites to be allocated for housing development.

Those existing housing sites which are assessed as being constrained, but also capable of delivering housing completions in the period 2024 to 2032, should be safeguarded for future housing development.

Consolidated Scottish Borders Local Plan 2011:

POLICY G1 - QUALITY STANDARDS FOR NEW DEVELOPMENT

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:

1. It is compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form,
2. it can be satisfactorily accommodated within the site,
3. 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,

4. it creates developments with a sense of place, designed in sympathy with Scottish Borders architectural styles; this need not exclude appropriate contemporary and/or innovative design,
5. 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 and the incorporation of sustainable construction techniques in accordance with supplementary planning guidance referred to in Appendix D,
6. it incorporates appropriate hard and soft landscape works, including structural or screen planting where necessary, to help integration with its surroundings and the wider 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,
7. it provides 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,
8. it provides appropriate boundary treatments to ensure attractive edges to the development that will help integration with its surroundings,
9. it provides for linkages with adjoining built up areas including public transport connections and provision for bus laybys, and new paths and cycleways, linking where possible to the existing path network; Green Travel Plans will be encouraged to support more sustainable travel patterns,
10. it provides for Sustainable Urban Drainage Systems where appropriate and their after-care and maintenance,
11. it provides for recycling, re-using and composting waste where appropriate,
12. it is of a scale, massing, height and density appropriate to its surroundings and, where an extension or alteration, appropriate to the existing building,
13. 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,
14. it incorporates, where required, access for those with mobility difficulties,
15. it incorporates, where appropriate, adequate safety and security measures, in accordance with current guidance on 'designing out crime'.

POLICY EP2 – AREAS OF GREAT LANDSCAPE VALUE

Where development proposals impact on an Area of Great Landscape Value (AGLV), developers will be required to comply with Structure Plan policy N11.

Structure Plan Policy N11

In assessing proposals for development in Areas of Great Landscape Value, the Council will seek to safeguard landscape quality and will have particular regard to the landscape impact of the proposed development. Proposals that have a significant adverse impact will only be permitted where the impact is clearly outweighed by social or economic benefits of national or local importance.

POLICY EP4 - COASTLINE

Development proposals at a coastal location will be required to comply with Structure Plan policy N12.

Structure Plan Policy N12

Development proposals at a coastal location will only be permitted where:

- (i) the proposal is located within a defined settlement boundary or related to an existing building group; or*
- (ii) the development requires a coastal location; and*
- (iii) the benefits of the proposal clearly outweigh any damage to the landscape character or to the nature conservation value of the site as assessed under other relevant Plan policies.*

The 'defined settlement boundary' referred to in that policy refers to the Eyemouth development boundary comprising 'developed coast' in terms of National Planning Policy Guideline 13- Coastal Planning (NPPG13). The area outwith the Eyemouth development boundary comprises 'undeveloped coast' in terms of NPPG13.

POLICY H1 – AFFORDABLE HOUSING

Where the Local Housing Strategy or local needs assessment identifies a local housing need, the Council will require the provision of a proportion of land for affordable or special needs housing, both on allocated and windfall sites. The final scale of such affordable and/or special needs housing will be assessed against:

1. ongoing local housing needs assessment work being carried out by the Council,
2. the location and size of the site, and
3. the availability of other such housing in the locality.

Developers may be required to make contributions through:

4. the provision of a proportion of the site for affordable housing, or
5. the provision of additional land elsewhere to accommodate the required number of affordable housing units, or
6. the provision of commuted payments.

POLICY H2 – 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:

1. The principle of the development, including where relevant, any open space that would be lost; and
2. 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 and loss of privacy. 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 H3 – LAND USE ALLOCATIONS

1. Development will be approved in principle for the land uses allocated on the Land Use Proposals tables and accompanying Proposals Maps.
2. Development will be in accordance with any Council approved planning or development brief including where this has been prepared by developers, provided it meets the requirements for the site and its acceptability has been confirmed in writing by the Council.
3. Sites proposed for redevelopment or mixed use may be developed for housing, employment (classes 4, 5 and 6 of the Use Classes Order) or retailing, subject to the sequential test, or a mix of uses that could include community facilities and open space depending on the location of the site, the needs of the community and the deliverability of alternative uses. Redevelopment sites may be developed for a single use.
4. Sites proposed for commercial redevelopment will comprise appropriate town centre uses within Classes 1-4 of the Use Classes Order.
5. Any other use on allocated sites will be refused unless the developer can demonstrate that:
 - (i) 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
 - (ii) 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
 - (iii) the alternative use offers significant community benefits that are considered to outweigh the need to maintain the original proposed use, and
 - (iv) The proposal is otherwise acceptable under the criteria for infill development.

POLICY Inf2 – PROTECTION OF ACCESS ROUTES

1. When determining planning applications and preparing development briefs and in accordance with the Scottish Borders Access Strategy, the Council will seek to uphold access rights by protecting existing access routes including: statutorily designated long distance routes; Rights of Way; walking paths; cycle ways; equestrian routes; waterways; identified Safe Routes to School and in due course, Core Paths.
2. Where development would have a significant adverse effect on the continued access to or enjoyment of an access route or asserted Right of Way, alternative access provision will be sought at the developer's cost either by diverting the route or incorporating it into the proposed development in a way that is no less attractive and is safe and convenient for public use. Unless such appropriate provision can be made, the development will be refused.

Proposed Local Development Plan 2013 (incorporating changes recommended by Reporter where applicable)

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 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 EP5: Special Landscape Areas

In assessing proposals for development that may affect Special Landscape Areas, the Council will seek to safeguard landscape quality and will have particular regard to the landscape impact of the proposed development, including the visual impact. Proposals that have a significant adverse impact will only be permitted where the landscape impact is clearly outweighed by social or economic benefits of national or local importance.

Policy EP14: Coastline

Development proposals at a coastal location will only be permitted where:

- a) the proposal is located within the Burnmouth, Eyemouth and St Abbs settlement boundary; or
- b) the proposal is appropriate under Local Development Plan policies; or
- c) the development requires a coastal location; and
- d) the benefits of the proposal clearly outweigh any damage to the landscape character or to the nature conservation value of the site as assessed under other relevant Local Development Plan policies.

Policy HD1: Affordable and Special Needs Housing

Where the Local Housing Strategy or local Housing Needs and Demands Assessment identifies a local affordable housing need, the Council will require the provision of a proportion of land for affordable or special needs housing, currently set at 25 percent, both on allocated and windfall sites. The final scale of such affordable and/or special needs housing will be assessed against:

- a) ongoing local housing needs assessment work being carried out by the Council,
- b) the location and size of the site, and
- c) the availability of other such housing in the locality.

Developers may be required to make contributions through:

- d) the provision of a proportion of the site for affordable housing in the form of land or built units, or
- e) the provision of additional land elsewhere to accommodate the required number of affordable housing units, or
- f) the provision of commuted payments.

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
- 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 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.

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 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.

Other Material Considerations

SBC Supplementary Planning Guidance - Local Landscape Designations 2012
Scottish Planning Policy 2014