

## FOREWORD

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I am pleased to introduce this Proposed Local Development Plan which has been developed to address the future needs of the Scottish Borders community up to 2024. It follows on from the wide consultation undertaken on the Main Issues Report in 2012. The Plan, once adopted, will direct new development to the right locations, balancing the needs of the community, the economy and the environment.

The Plan will ultimately replace the current Scottish Borders Consolidated Local Plan adopted by the Council in 2011. Because we have an up to date Plan within the Scottish Borders there are only limited proposed additions to the supply of housing, business and industrial land and land for mixed use. These additions will, however, ensure that there continues to be a good supply of land for development.

In addition, there are important proposed changes to the plan including further emphasis on place making and design, including the promotion of mixed use development; the protection of our key employment areas; the promotion of activity within our town centres; an updated policy on renewable energy, including wind energy, which seeks to guide development to appropriate locations; the identification and protection of key green spaces within settlements; the promotion of green networks around settlements; and, the protection of the area's historic battlefields.

The Proposed Plan is now being published to allow the wider community to make final representations on its content. Any representations that are unresolved will be put to a formal Examination undertaken by an independent reporter selected by the Scottish Government.

I would encourage all those with an interest in the future of the Scottish Borders to take this opportunity to consider the Plan and to give us their views.

# Scottish Borders Council Local Development Plan

## 1 Introduction

1.1 The Development Plan for the Scottish Borders Council area will consist of the SESplan Strategic Development Plan (SDP) and the Local Development Plan (LDP) set out in this document. The SDP which covers Edinburgh and the South East of Scotland provides high level strategic guidance and this sets the context for the Plan for the Scottish Borders LDP.

1.2 This Plan was prepared in the context of the 2010 Monitoring Report and the feedback provided to the Council following consultation on the Main Issues Report in 2012. In addition, an Environmental Report and Habitats Regulation Appraisal were developed alongside the LDP to identify and remove or mitigate any significant adverse implications for the environment.

1.3 The Proposed Plan was subject to a period of representation for 12 weeks which commenced on 6 December 2013. The Examination into the Plan commenced on 26 November 2014, with the Council receiving the Examination Report at the end of October 2015. At its meeting of 17 December 2015 the Council agreed to proceed towards formal adoption of the Plan. The full consultation process undertaken in the development of the LDP is set out in Appendix 4.

1.4 The Local Development Plan consists of a written statement and a proposals map designed to be read in conjunction with each other. They are set out as follows-

Chapter 1: Introduction (this chapter)

Chapter 2: Meeting the Challenges for the Scottish Borders

Chapter 3: Vision, Aims and Spatial Strategy

Chapter 4: Policies (the basis for considering planning applications)

Chapter 5: Settlement Statements (providing information about the settlement including land use proposals)

Appendix 1: Settlement Appraisal Methodology

Appendix 2: Meeting the Housing Land Requirement

Appendix 3: Supplementary Guidance and Standards

Appendix 4: Publicity and Consultation

Appendix 5: Council-Owned Land Potentially Affected By Development Proposals

1.5 The Proposals Map is made up by the policy maps and the individual settlement plans. Should there be a conflict between the map and the written statement, the written statement takes priority. Users are advised that a number of sections from the overall plan framework could be applicable to any particular land use

issue or proposal. In addition, reference should be made to the Strategic Development Plan (SESplan) to understand the strategic planning context. Appendix 3 sets out the proposed Supplementary Guidance which will form part of the Development Plan, and also includes guidance on detailed standards.

1.6 The Scottish Borders Local Development Plan replaces the Scottish Borders Local Plan, and is intended to provide firm guidance up to 2024. The Plan will be reviewed within five years of its adoption.

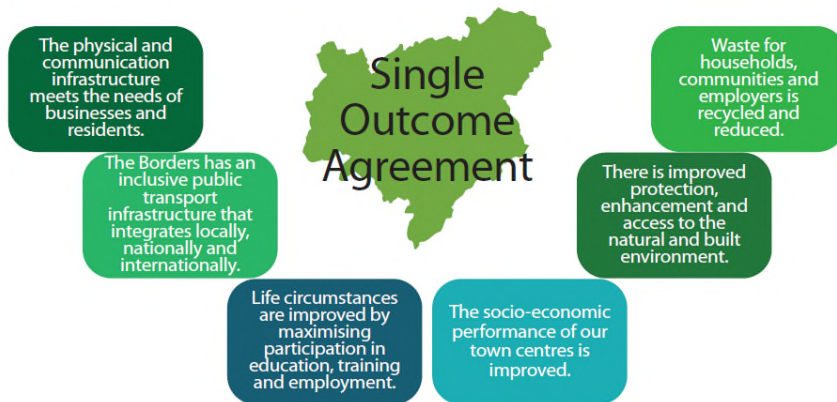
1.7 An important new aspect in the preparation of new local development plans is the requirement to prepare an accompanying Action Programme that sets out the roadmap for delivery of the proposals within the LDP. The Action Programme has been prepared alongside the Plan and will be constantly monitored by the Council and will be updated at least every two years to reflect progress. In addition, the Local Development Plan also requires to identify those Council-owned sites that are potentially affected by development proposals, and these are set out in Appendix 5.

1.8 The Plan is an important arm in the Council's ambitions for the Scottish Borders. These ambitions centre on economic development as the key driver to improve the quality of life and to provide investment in children and young people. This approach is set in the context of the Council's commitment to deliver against the Government's National Outcomes and the Single Outcome Agreement between the Council and the Government.

**Figure 1: National Outcomes**



**Figure 2: Single Outcome Agreement**



1.9 The Council’s programme of activities has been developed in the light of the Single Outcome Agreement and focus on economic development and life improvement as shown in the following diagram.

**Figure 3: Council Activities**



1.10 The LDP must be consistent with the SDP for the area. This is provided by SESplan which sets out the broad strategic context. The SESplan Plan recognises the key role that the provision of infrastructure plays in the delivery of planned development.

1.11 SESplan sets out broad policy direction in terms of:

- Economic Growth (employment land, town centres and retail, minerals)
  - the retention of a range of marketable sites for business and industry; the identification of a network of town centres; review the need to identify areas of search for minerals
- Housing (housing land requirements, flexibility and affordable housing)
  - the identification of housing land requirements for the period 2009-19 and for 2019-24. Longer term potential requirements are set for the period 2024-32. SESplan sets a benchmark figure of 25% for the provision of affordable housing
- Infrastructure (transportation, infrastructure, sustainable energy)

technologies, green networks, green belts, waste, water and flooding)

- the Borders Railway to Tweedbank, and thereafter to Carlisle; the improvement of rail services on the East Coast Main Line including a station at Reston; delivery of the Galashiels Transport Interchange; improvements to the A1 including dualling from Dunbar to the border; improvements to key routes in Central and Western Borders including a bypass on the A7 at Selkirk; delivery of the Langlee waste facility; delivery of priority flood management schemes at Hawick, Selkirk and Galashiels; and delivery of enhanced digital connectivity
- The SESplan Plan seeks to promote sustainable energy technologies, green networks, countryside around towns, provision for waste management, and flood management.

## 2 Meeting the Challenges for the Scottish Borders

2.1 The Council faces a number of challenges in the future, and the LDP has a role in meeting them. Key outcomes are identified that will be incorporated in the plan framework to assist in meeting the challenges.

### *Demographics*

2.2 The population in the Scottish Borders was over 112,000 in 2010, within the 6<sup>th</sup> largest local authority by area in Scotland. Over two thirds of the area is classed as accessible rural by the Government, with just under one third being remote rural. The Government projects that the population will increase by over 15 per cent to just below 130,000 by 2032. In 2010 there were 52,000 households in the Borders. The Government projects that by 2032 this will have increased to 64,000, an increase of 23 %. Figure 4 below shows the projections for population and households.

**Figure 4: Population and Household Projections 2010-2032**



2.3 The Council has prepared an update to its Housing Needs and Demand Assessment and this has been accepted by the Scottish Government. The Assessment identifies a continued need for affordable housing in the Scottish Borders amounting to some 100 houses per annum over the next 5 years. This Plan is focused on the period to 2024 which is ten years beyond the anticipated year of adoption. The combination of an up to date development plan with an effective and generous supply of land for housing, and the current economic downturn means that the land required to deal with future housing need is modest.

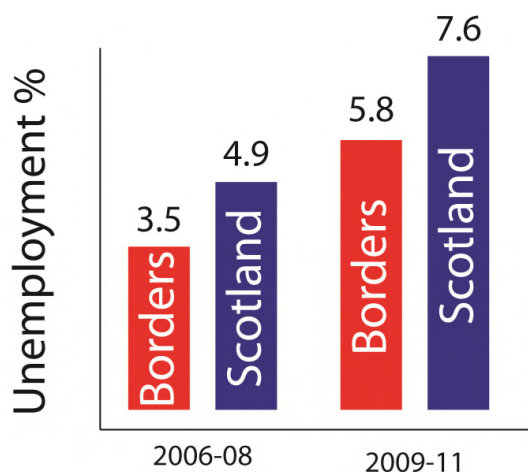
**Key Outcome 1:** The continued provision of an effective housing land supply to ensure that a generous housing land supply is maintained.

**Key Outcome 2: The encouragement of opportunities for affordable housing**

### *Economy*

2.4 The economically active workforce in the Borders numbered 55,700 in 2010/11, with 41,300 being employees and 5,700 self-employed. The main employment sectors were health and social work, retail, construction, education, manufacturing, agriculture, textiles, tourism and public administration. Unemployment declined steadily in the early part of the 21<sup>st</sup> century from 4 to 2 per cent, but rose back to previous higher levels from 2008 with the impact of the world banking crisis. The figures are compared with those for Scotland in Figure 5 below.

**Figure 5: Unemployment 2006-2011 (% of Economically Active)**

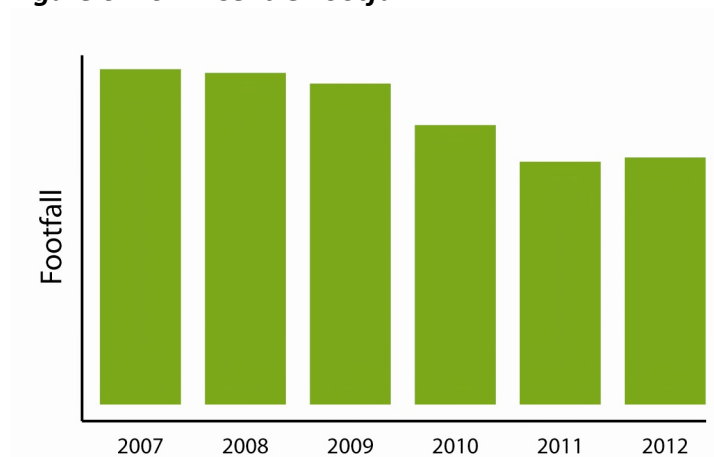


2.5 Wage levels for Scottish Borders residents are low, with the average weekly wage for full-time workers being £460 in 2010, 94 per cent of the Scottish average. This figure falls further to £418 for those employed in the Scottish Borders. At the same time, the Borders economy is less productive than the Scottish average which is one and a half times greater. Recent studies have indicated that for most areas there is an adequate supply of business and

industrial land and premises in the area. However, the protection of existing assets is fundamental in the light of the market failure within the private sector. In addition, there are two areas where the current portfolio of land and premises should be improved. These are the Galashiels/Tweedbank area where the provision of high amenity business land is seen to be an essential component to maximise the benefits of the Borders Railway, and the Peebles area where there is a current shortfall of good quality industrial and business land.

- 2.6 The Borders continues to have a significant reliance upon traditional rural activities focused upon agriculture, forestry, fishing and minerals production. All of these industries have faced continuing challenges to their competitiveness with a consequential impact on the viability of the rural area.
- 2.7 The traditional town centre is under threat from the rapid rise in internet shopping and out of centre retail development. The town centres in the Borders still remain important for shopping, tourism and other related facilities (including parking provision), but there has been a significant decline in footfall and this has meant that there is a continued problem in terms of vacant units.
- 2.8 The Council has undertaken a study into the retail capacity for the Scottish Borders. The main potential relates to the retail hub at Galashiels where there is thought to be greatest developer interest. In addition, there is small scale potential in towns such as Eyemouth. The continued prosperity of town centres is an important aspiration of the plan as it links to the need to reduce expenditure leakage out of the area and to other priorities such as employment, tourism, recreation and the built environment. Figure 6 below shows the town centre footfall between 2007-2012.

**Figure 6: Town Centre Footfall**



**Key Outcome 3: The protection and enhancement of the portfolio of business and employment land and premises with a particular focus on the opportunities provided by the Borders Railway**

**Key Outcome 4: The protection and enhancement of town centres**

## ***Infrastructure***

- 2.9 Transport, and increasingly, digital connectivity are vital to the future development of the Borders. There is a need to continue to upgrade the main road network. The Borders Railway should begin operation in 2015 and give improved connection to Edinburgh. The potential for a better rail service for the Berwickshire communities with a rail halt at Reston has been the subject of further study by SEStran. Transport Scotland has included improved rail services between Edinburgh and Berwick-upon-Tweed, incorporating a potential halt at Reston, as a priced option within the Invitation to tender for the next Scotrail franchise.
- 2.10 Infrastructure provision will be required to enable future development. Scottish Water is committed to the provision of water and waste water facilities to serve development identified in the Plan. There are strains in terms of current provision in relation to education facilities, and the requirements for improvement are set out in the settlement statements of the Plan. The waste management infrastructure will require continuous development, with particular opportunities for district heating being available in relation to Easter Langlee at Galashiels. Further extension to the national grid will be required to promote the potential for renewable energy production.

### **Key Outcome 5: The creation of a connected Scottish Borders with a focus on digital connectivity and improvements to the rail and road networks**

### **Key Outcome 6: The provision of key education, waste management, grid, water, and waste water infrastructure**

## ***Environment***

- 2.11 The primary focus of the development plan process is to ensure that the right type of development takes place in the right place, and conversely, that development does not take place in the wrong place. The Scottish Borders is a very attractive place in which to live and work and this puts a clear responsibility on the Council to maintain the intrinsic qualities of the area whilst promoting the economic stability and growth essential to the future viability of the area.
- 2.12 The Council therefore puts a strong emphasis on place making and design in relation to new development and also identifies those areas which would benefit from regeneration.
- 2.13 The Scottish Borders has a number of policies relating to the natural and built environment. This helps to direct potentially adverse development away from locations whose intrinsic value might be affected, but also acts as a signpost to direct resources towards the improved management of these areas. The



Council has undertaken recent work to identify Special Landscape Areas and important open space and greenspace and this is integrated into the LDP. The careful management and control of development through the policies in place helps to ensure the continued attractiveness of the area for residents, visitors, tourists, and business.

2.14 The Council is also looking to adopt an ecosystem approach to the identification of important sites for biodiversity, and this will help to build resilience to climate change in the Borders.

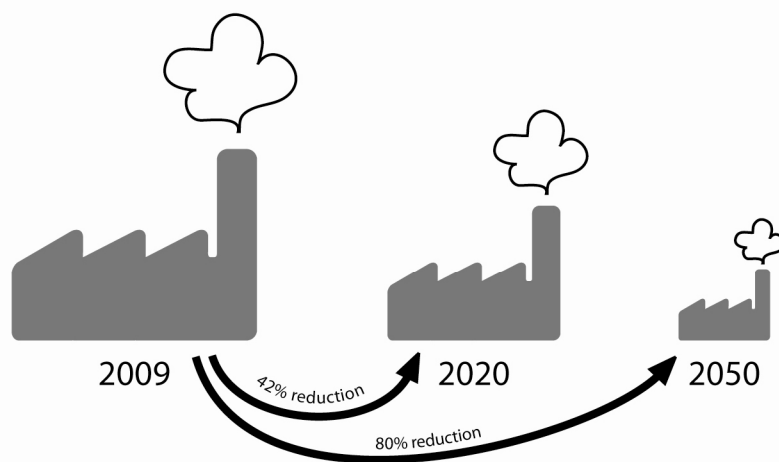
**Key Outcome 7: A continued focus on the Scottish Borders as an attractive place to live through improved place making and design, and the regeneration of our towns**

**Key Outcome 8: The protection and enhancement of the area's natural and built heritage for the benefit of residents, visitors, tourists and business**

### ***Climate Change***

2.15 Greenhouse gas has an influence on climate change. Reduction targets are set out in the Climate Change (Scotland) Act 2009, and the LDP is expected to take any consequences arising from greenhouse gases into account. The targets are for a 42% reduction in greenhouse gas emissions by 2020, and for 80% by 2050. The targets are shown in Figure 7 below.

**Figure 7: Scottish Climate Change Targets 2011 (Tonnes, CO2 Equivalent)**



Climate Change (Scotland) Act

2.16 However, the Scottish Borders is a largely rural area with significant remoteness. Reflecting this, it has a high number of households that have access to a car, with one third having access to two or more cars. Consequently the rate of petrol or diesel consumption per head is some 46 per cent higher than the Scottish average (2006 figures). The continued economic resilience of the Scottish Borders will continue to depend on transport and haulage using

motorised transport. However, the promotion of development in sustainable locations will support the public transport network and contribute to climate change objectives.

- 2.17 There is an increased emphasis on climate change adaptation by the Government. In particular, this relates to the need to plan to avoid flood risk. To further this process the Council has undertaken a strategic flood risk assessment to identify those areas at potential flood risk and those upstream areas that might contribute to the mitigation of flooding.
- 2.18 Encouraging renewable energy is seen to be a key part of the Government response to climate change, and this supports the emphasis towards a low carbon economy. In the Scottish Borders the main thrust has been through the provision of on shore wind farms. The council has now undertaken work on the potential landscape capacity for wind energy development because of possible adverse and cumulative impacts arising. In bringing together its overall policy approach to commercial renewable energy production, the plan takes into account a range of potential impacts on matters such as landscape, biodiversity, air quality, water quality, soils, and communities. More recently, off shore wind energy has been marketed by the Scottish Government, and there are other smaller scale energy production sources including solar energy using, for example, photovoltaic panels and hydro schemes.

### **Key Outcome 9: The focus of development on sustainable locations**

### **Key Outcome 10: The development of the area's full potential for electricity and heat from renewable sources, in line with national climate change targets, giving due regard to relevant environmental, community and cumulative impact considerations**

## **3 Vision, Aims and Spatial Strategy**

- 3.1 The Plan vision and aims set the direction for the Plan and are aimed at delivering the key outcomes.

### **Local Development Plan Vision**

- 3.2 In 2024 the Scottish Borders will continue to be an excellent place in which to live and work, with improved job opportunities, housing availability and connectivity. Development will be sustainable and meet the challenges of a changing climate. The built and natural environment will continue to be high quality and support economic development and provide for recreational and leisure activities.

### **Main Aims**

- 3.3 Business land and premises are essential to the future economic growth of the Borders. The identification of a portfolio of suitable opportunities is a key role for

the LDP and supports the Council's economic strategy. In addition, it is important that those parts of the supply that perform a strategic function are given strong protection from being lost to other development uses because associated development costs can not be recouped in the failing Borders' land and property market.

- 3.4 The attractiveness of town centres is a vital component of economic and social activity within the Borders. Their continued vitality and viability is therefore essential to the area's future competitiveness and wellbeing. Allied to this is the need to promote the delivery of regeneration opportunities across our historic towns but focused upon town centres where the benefits are most significant.
- 3.5 In a rural, sometimes remote, area such as the Borders the provision of 21<sup>st</sup> Century transport and digital connectivity is a prerequisite to the future economic success of the area. The provision of a first class digital network will also provide important benefits towards reducing the impact of climate change by reducing the need to travel.
- 3.6 The provision of a generous supply of land for housing is a core ingredient of the Plan. There is currently a generous supply of land already identified through the plan process, and there will be a need to augment this in line with the SESplan. The Plan will also seek to encourage the delivery of affordable housing opportunities to help meet local need. The current economic downturn does, however, present severe challenges to the delivery of new housing by the development industry.
- 3.7 The Borders environment is its special quality. The Plan must seek to protect and improve this legacy for future generations as it is the key aspect of its attraction for inward investment, tourism, recreation and quality of life in general. In addition to the protection and enhancement of the built and natural heritage it is also important to protect public open space, and to promote the creation of green networks around and linking towns to promote health and well-being through accessible leisure and sports provision.
- 3.8 Climate change will also benefit from the promotion of renewable electricity as heat and power generation from renewable sources will help to address the effects of climate change and encourage the adaptation to a low carbon economy. The Plan can also help to encourage ways of addressing the impact of climate change by promoting new development in areas not impacted upon by flood risk. The provision of land to deal with waste is also a role for the Plan. Where this involves facilities for recycling or waste reduction, then this in turn will also help to reduce dependence on landfill sites.
- 3.9 Therefore, to deliver the Vision will require the following interlinked main aims to be targeted:

### **Local Development Plan Aims**

- **To provide an adequate range and quality of land and premises for business and industry**
- **To protect strategically important business opportunities**
- **To promote the development and regeneration of town centres**
- **To provide a generous supply of land for mainstream and affordable housing**
- **To encourage better connectivity by transport and digital networks**
- **To protect and enhance the natural and built environment**
- **To protect important open space**
- **To promote green network linkages around towns**
- **To integrate climate change adaptation requirements such as flood prevention and sustainable renewable energy production**
- **To make adequate provision for waste management**

### **Spatial Strategy**

3.10 The spatial strategy builds on the direction for development set by SESplan. The SESplan strategy identifies Central, Western, and Eastern Borders as the strategic development areas (SDAs), and this continues the strategy set by the Scottish Borders Structure Plan.

3.11 The Central SDA, focused on the main towns of Galashiels, Hawick, Kelso, Jedburgh and Selkirk, is the primary centre of population within the Borders. The area contains the significant part of the business base and acts as the main administrative centre. It contains key facilities such as the Borders General Hospital and the Heriot Watt University and Borders College. It is at the centre of the transportation network.

3.12 The Central SDA is set within a 'Countryside around Town' (CAT) designation that is aimed at preventing coalescence, improving the quality of the surrounding countryside and providing a recreational resource for the population as part of a wider green network.

3.13 Future development is focussed on the extension of the main towns of the strategic development areas and they will continue to be the main focus for housing growth within the Borders through the identification of potential areas for longer term growth. The plan seeks to identify a generous land supply at all times, and to meet the housing land requirement for the Scottish Borders as set by the SESplan Strategic Development Plan and Supplementary Guidance on Housing Land. The detail of this approach is set out in Appendix 2. Opportunities are identified across the whole area, but there is recognition that there are limitations to further development in the inner core area, where substantial housing development has been previously planned.

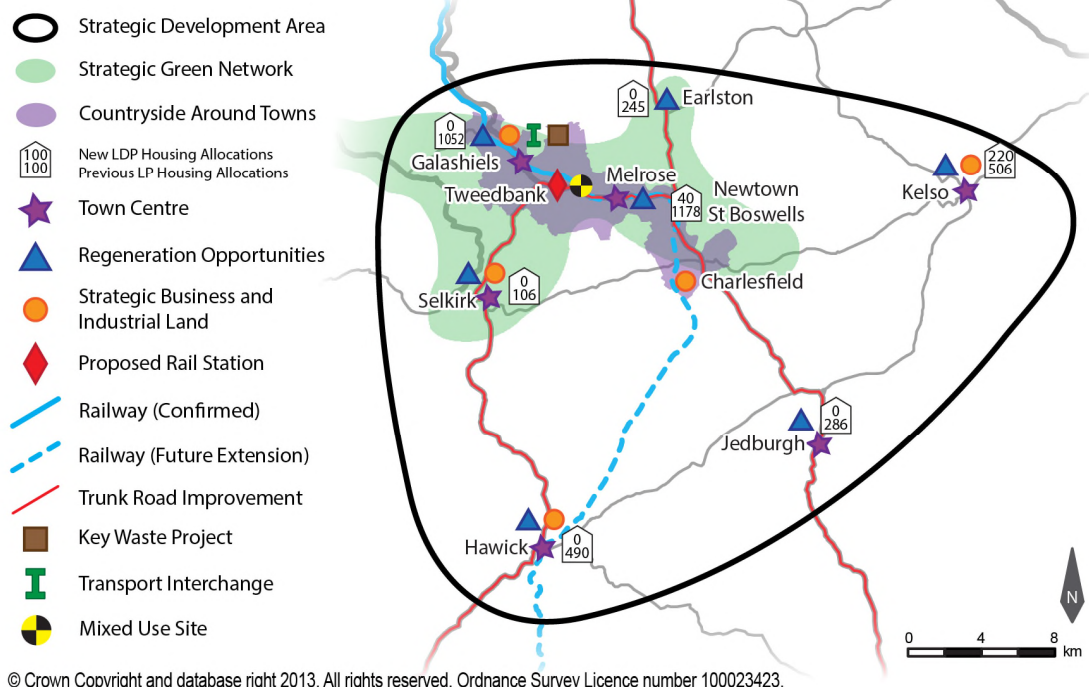
3.14 Whilst there is a supply of land for business and industrial land within the Central Borders there is a need to provide an improved product so as to take

best 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. Strategic industrial and business sites are identified in Hawick, Selkirk, St Boswells (Charlesfield), Tweedbank and Kelso. A potential opportunity for a longer term mixed use site, incorporating business and industrial land, exists on land to the south west of Borders General Hospital. This would require further assessment during the process of the next Local Development Plan.

- 3.15 The town centres in the Central SDA serve an important role in the commercial (business and tourism) and social life of the area. All the main town centres are identified as opportunities for regeneration. Other regeneration opportunities include riverside improvement, town centre heritage and a transport interchange in Galashiels; Wilton Park, Bill McLaren Museum, Wilton Mill and Stonefield in Hawick; Abbey Pace in Jedburgh; townscape heritage in Kelso; townscape heritage and the Haining in Selkirk; and the village centre in Newtown St Boswells.
- 3.16 The Borders Railway will provide an important boost to the tourism sector and, in particular, build upon the current enhancements at Abbotsford.
- 3.17 The roads infrastructure will require further improvement, particularly the A7 (including the provision of a Selkirk By-pass, which is a long term council aspiration), and A68. With the addition of the new Borders railway, the Galashiels Transport Interchange and the new stations at Tweedbank and Stow there will be excellent connection to business and employment markets in the Central Belt. The council also has a long term aspiration to see the future extension of the Borders Railway from Tweedbank to Carlisle via Hawick.
- 3.18 Important flood prevention schemes are being progressed in relation to Selkirk, Galashiels and Hawick which will both protect areas from future flood risk and promote future development potential in core areas.
- 3.19 A key waste project is identified at Easter Langlee in Galashiels. This is aimed at improving recycling beyond its already successful level, and creating opportunities for the provision of district heating in nearby areas.
- 3.20 The Central SDA is supported by the Western and Eastern SDAs which perform secondary roles in the spatial strategy. This recognises their important roles for their hinterlands, within the context of the large, geographically dispersed Borders area.

**Figure 8: Central Strategic Development Area**

## Central Spatial Strategy



- 3.21 The Western SDA, focused on Peebles, Innerleithen and Walkerburn, sits within Tweeddale and is a series of linked towns along the A72 on the upper Tweed. The area acts as a secondary development area reflecting its administrative and employment roles. There are also good links to Edinburgh in the northern part of the area which benefits the local development market and the tourism sector.
- 3.22 The Plan identifies housing allocations to serve the whole of the Western SDA and seeks to spread that development beyond Peebles into the other main settlements in Tweeddale. This is intended to achieve greater social cohesion and manage pressure on key services and facilities.
- 3.23 The strategic high amenity business site at Cavalry Park in Peebles is protected from other uses. Mixed use opportunities are identified in Cardrona and in Peebles. This seeks to promote opportunities for housing and commercial/business and industrial development aimed at increasing sustainability by reducing the need to travel to work.
- 3.24 Peebles has a successful town centre which has an important role in the tourism market, which, in turn, benefits from the mountain biking opportunities provided by Innerleithen and Glentress.
- 3.25 Regeneration opportunities are identified at Caerlee Mill in Innerleithen.

3.26 Peebles is the last river town within the Borders to rely upon a single river crossing, and future significant development to the south of the river is dependent on a second crossing. A further bridge across the Tweed is currently being assessed by the Council through a Scottish Transport Appraisal process. Local road improvement issues also require to be addressed at Cardrona (Dirtpot Corner) and Peebles (Neidpath Corner).

**Figure 9: Western Strategic Development Area**



3.27 The Eastern SDA, focused on Eyemouth and Duns, is also a secondary development area with the two towns serving employment and administrative roles. Eyemouth sits on the coast of the North Sea with easy access to the A1 development corridor identified in the National Planning Framework. It continues to function as a working fishing port, and has an important tourism role. Duns is the main administrative centre for the area.

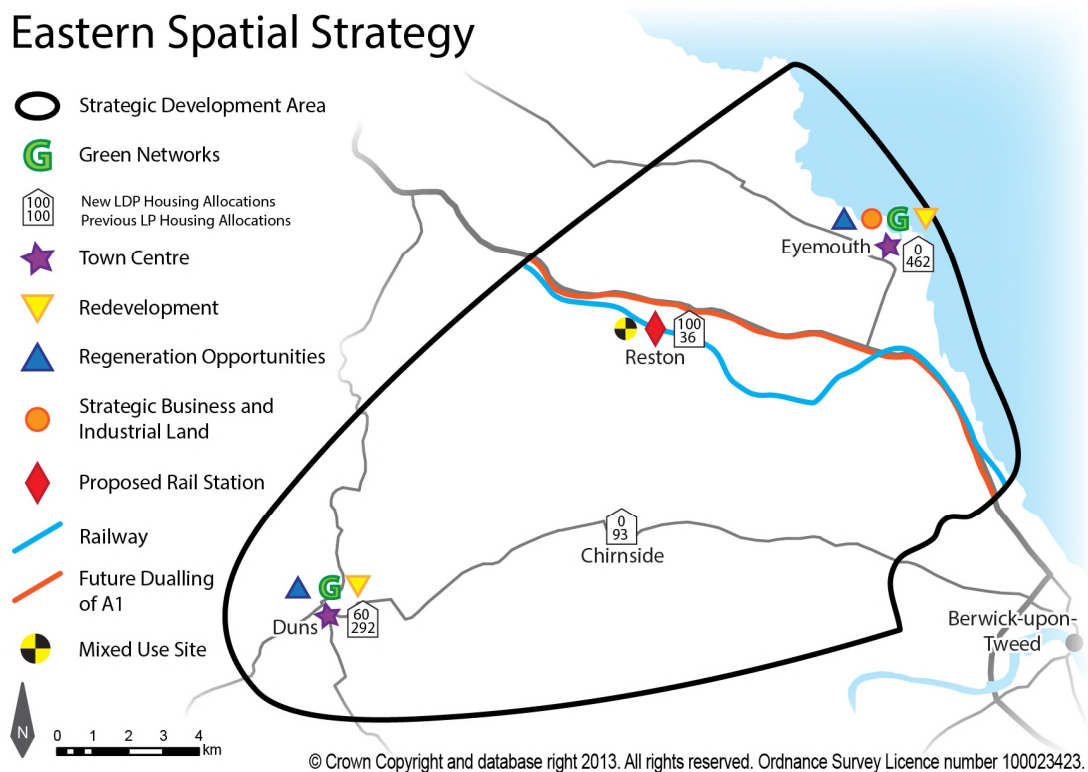
3.28 The Plan identifies land for housing development in all the key settlements, and in a wide range of village locations to provide a generous supply for mainstream and affordable housing.

3.29 Strategic industrial and business land at Gunsgreenhill in Eyemouth is identified for promotion and protection. There are further employment opportunities in Eyemouth and Duns, and significant mixed use opportunities provided at Reston and Chirnside.



- 3.30 The town centres at Duns and Eyemouth suffer from considerable leakage of expenditure to Berwick and Edinburgh. Small scale additions to retail floorspace, well related to the town centre, are encouraged to enhance the retail offer to residents and tourists.
- 3.31 A major regeneration opportunity is identified at Harbour Road in Eyemouth. This aims to improve the area for residents and tourists and provide a more sympathetic setting to the harbour. Where possible conflicting uses will be encouraged to relocate to other, more appropriate, areas in the town.
- 3.32 The council has a long term aspiration for the dualling of the A1 to enhance connectivity to Edinburgh and Newcastle and beyond. This would provide considerable benefit to a number of local businesses in Berwickshire that are involved with fresh, perishable produce that requires to reach market quickly. Future development potential would be further enhanced if a rail station was delivered on the East Coast Mainline to serve the Berwickshire area at Reston.

**Figure 10: Eastern Strategic Development Area**



The vision, aims and spatial strategy are given expression in the policy framework and the settlement statements.



## **4 Local Development Plan Policies**

### ***Place Making and Design (PMD)***

- PMD1: Sustainability
- PMD2: Quality Standards
- PMD3: Land Use Allocations
- PMD4: Development Outwith Settlement Boundaries
- PMD5: Infill Development

### ***Economic Development (ED)***

- ED1: Protection of Business and Industrial Land
- ED2: Employment Uses Outwith Business and Industrial Land
- ED3: Town Centres and Shopping Development
- ED4: Core Activity Areas in Town Centres
- ED5: Regeneration
- ED6: Digital Connectivity
- ED7: Business, Tourism and Leisure Development in the Countryside
- ED8: Caravan and Camping Sites
- ED9: Renewable Energy Development
- ED10: Protection of Agricultural Land and Carbon Rich Soils
- ED11: Safeguarding of Mineral Deposits
- ED12: Mineral and Coal Extraction

### ***Housing Development (HD)***

- HD1: Affordable and Special Needs Housing
- HD2: Housing in the Countryside
- HD3: Protection of Residential Amenity
- HD4: Meeting the Housing Land Requirement/ Further Housing Land Safeguarding
- HD5: Care and Retirement Homes

### ***Environmental Promotion and Protection (EP)***

- EP1: International Nature Conservation Sites and Protected Species
- EP2: National Nature Conservation Sites and Protected Species
- EP3: Local Biodiversity
- EP4: National Scenic Areas
- EP5: Special Landscape Areas
- EP6: Countryside Around Towns
- EP7: Listed Buildings
- EP8: Archaeology
- EP9: Conservation Areas
- EP10: Gardens and Designed Landscapes
- EP11: Protection of Greenspace
- EP12: Green Networks

EP13: Trees, Woodlands and Hedgerows  
EP14: Coastline  
EP15: Development Affecting the Water Environment  
EP16: Air Quality

### ***Infrastructure and Standards (IS)***

IS1: Public Infrastructure and Local Service Provision  
IS2: Developer Contributions  
IS3: Developer Contributions Related to the Borders Railway  
IS4: Transport Development and Infrastructure  
IS5: Protection of Access Routes  
IS6: Road Adoption Standards  
IS7: Parking Provision and Standards  
IS8: Flooding  
IS9: Waste Water Treatment Standards and Sustainable Urban Drainage  
IS10: Waste Management Facilities  
IS11: Hazardous Developments  
IS12: Development within Exclusion Zones  
IS13: Contaminated Land  
IS14: Crematorium Provision  
IS15: Radio Telecommunications  
IS16: Advertisements  
IS17: Education Safeguarding

### **Local Development Plan Policies**

#### ***Place Making and Design (PMD)***

PMD1: Sustainability

1.1 The Local Development Plan is founded on the premise of supporting and encouraging sustainable development in accordance with the Council's Environmental Strategy and the need for action on climate change. It also takes account of the provisions for Strategic Environmental Assessment as set out in the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004. As a result all the policies contained within the Plan should be read against Policy PMD1.

<b>Policy PMD1: Sustainability</b>
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

## PMD2: Quality Standards

- 1.1 The aim of the policy is to ensure that all new development, not just housing, is of a high quality and respects the environment in which it is contained. The policy does not aim to restrict good quality modern or innovative design but does aim to ensure that it does not negatively impact on the existing buildings, or surrounding landscape and visual amenity of the area. In some locations, the local environment will be more sensitive to change than in others. The policy aims to help tackle the causes and impacts of climate change, reduce resource use and moderate the impact of development on the environment.
- 1.2 The policy is also aimed at providing guidance to developers in advance of their submitting schemes. The Council are continuing to develop more detailed Supplementary Guidance and a programme of planning and development briefs for individual sites is also ongoing.
- 1.3 The Scottish Government has signalled its clear intention to raise the quality of new development. Relevant documents include PAN 68 – Design Statements and ‘Designing Safer Places’ guidance contained within PAN 77. Further guidance on ‘good design’ can be found in Scottish Government Policy Statement ‘Designing Places’ and ‘Designing Streets’ which detail that developments should be appraised on six design qualities – ‘identity, safe and pleasant places, ease of movement, a sense of welcome, adaptability and good use of resources.’
- 1.4 Street design underpins the government's resolve to move away from a prescriptive standard-based approach to promote innovative design to allow our streets to become safe, vibrant and attractive places. Parking needs to be accommodated by a variety of means to lessen the visual impact. The main

focus must be on creating a positive successful sense of place which encourages more people to walk and cycle to local destinations.

- 1.5 Local authorities, particularly via Building Standards, have a key role in helping to meet the Scottish Government's target for nearly carbon zero homes and buildings by 2016. At March 2013, the Buildings Standards target is a 30% carbon dioxide reduction from 2007 levels. The 2003 Building (Scotland) Act allows Scottish Ministers to regulate for the purpose of furthering the achievement of sustainable development. This is achieved through the Building Standards system whereby sustainability is embedded into the Technical Standards. Mandatory parts of the standards deliver sustainability in a number of areas such as energy efficiency, surface water drainage, sound insulation, durability and protection of buildings, access and water saving measures.
- 1.6 The standards also offer the possibility for developers to go beyond these minimum standards and obtain recognition for achieving higher performance standards in areas such as further reduction of carbon dioxide levels, low and zero carbon technologies, grey water recycling, smart heating controls, building flexibility and adaptability, enhanced sound insulation, recycling facilities and security. Low and zero carbon technologies can be renewable energy sources such as solar panels and micro wind, heat pumps, combined heat and power and district heating infrastructure, and equipment such as mechanical ventilation and heat recovery which uses fossil fuels but results in significantly lower carbon dioxide emissions overall. The Building Standards application forms request confirmation of the levels of higher performance sustainability standards the applicant wishes to achieve.

<b>Policy PMD2: Quality Standards</b>
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:  <b>Sustainability</b> 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.

*Key policies to which this policy should be cross-referenced:*

This policy is relevant to most policies within the Plan.

*The following Supplementary Planning Guidance may be relevant to this policy:*

Designing out Crime in the Scottish Borders  
Green Space  
Landscape and Development  
Placemaking and Design  
Privacy and Sunlight Guide  
Replacement Windows and Doors  
Use of Timber in Sustainable Construction

*The following proposed Supplementary Guidance may be relevant to this policy:*

Greenspace  
Housing  
Landscape and Development  
Placemaking and Design (incorporating Privacy and Sunlight)  
Sustainable Urban Drainage  
Use of Timber in Sustainable Construction  
Waste Management

### PMD3: Land Use Allocations

- 1.1 This policy applies to all the allocated land use proposals as shown on the proposals maps. The aim of the policy is to ensure that sites allocated in the Local Development Plan are developed for their intended use and that any alternative use is subject to appropriate justification (Appendix 1 sets out the approach to settlement appraisal and this is further amplified in the Environmental Report). This is important because the housing sites are needed to meet the Strategic Development Plan Housing Land Requirement and business and industrial sites require to be retained to meet future

demand. Examples of the types of uses that might be considered to offer significant community benefits and that could justify an exemption could include a health or sporting facility, school or employment use.

- 1.2 Where sites are identified for mixed use, a range of uses will be appropriate. There may be some instances where the Council expects a particular mix of uses and these will be outlined in a Planning Brief and/or the site requirements detailed within the Local Plan.
- 1.3 The Plan identifies redevelopment opportunities in settlements which have potential to be developed for a number of uses. The redevelopment sites are those identified through the Local Plan process, but are not intended to represent a comprehensive picture of all the potential opportunities. The requirements of developing redevelopment sites (normally brownfield sites) may be guided by Planning Briefs.
- 1.4 Development of housing sites will be guided by Planning Briefs, taking into account the requirements of PAN 44, Fitting New Housing Development into the Landscape. Allocated mixed use sites may include uses such as offices, workshops, retail (subject to the sequential test) and community uses. These needs will be assessed on a site by site basis and included within site requirements and relevant Planning Briefs where appropriate. The Council is progressing a programme of planning and development briefs which, following consultation and Council approval will become Supplementary Guidance and a material consideration in determining planning applications. In some cases, developers may choose to prepare their own briefs and provided these meet the standards employed in the Council-prepared briefs, these will normally be acceptable.

<b>Policy PMD3: Land Use Allocations</b>
<p>Development will be approved in principle for the land uses allocated on the Land Use Proposals tables and accompanying Proposals Maps.</p> <p>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.</p> <p>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.</p> <p>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.</p>

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.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards

Policy PMD4 Development outwith the Settlement Boundaries.

Policy PMD5 Infill Development

Policy ED1 Protection of Business and Industrial Land

Policy ED3 Town Centres and Shopping Development

Policy EP1 International Nature Conservation Sites and Protected Species

Policy IS8 Flooding (and Settlement Profiles)

*The following Supplementary Planning Guidance may be relevant to this policy:*

Placemaking and Design

*The following proposed Supplementary Guidance may be relevant to this policy:*

Placemaking and Design

#### PMD4: Development Boundaries

- 1.1 The aim of the policy is to ensure that most development is located within defined Development Boundaries. Any development proposals outwith the boundary would have to comply with the rigorous exceptions criteria contained within this policy. It is considered that development outwith the Development Boundary should not be seen as an alternative to allocated sites where these are available and therefore, should only be an 'exceptional' occurrence.
- 1.2 The policy recognises that within the lifetime of the Local Development Plan, it is inevitable that unanticipated or windfall developments will arise



immediately outwith development boundary and that on occasion these might be acceptable provided they are in line with the Plan's other policies. Examples of developments offering significant community benefits might be a school, community or health centre or in the case of a village, there might be community support for housing development that could help provide a population to support local services.

- 1.3 For clarification, any development for affordable housing must meet the requirements of policy HD1, namely, there must be evidence that the proposed development meets an identified housing need for the settlement and that it will provide housing defined as affordable under the Council's Supplementary Planning Guidance on Affordable Housing.
- 1.4 This policy is supported by Scottish Government's Scottish Planning Policy (SPP) and Planning Advice Note (PAN) 44 which set out development control criteria for expansions to existing settlements and guidance on fitting new housing development into the landscape.

**Policy PMD4: Development Outwith Development Boundaries**

Where Development Boundaries are defined on Proposals Maps, they indicate the extent to which towns and villages should be allowed to expand during the Local Plan period. Development should be contained within the Development Boundary and proposals for new development outwith this boundary, and not on allocated sites identified on the proposals maps, will normally be refused.

Exceptional approvals may be granted provided strong reasons can be given that:

- a) it is a job-generating development in the countryside that has an economic justification under Policy ED7 or HD2, OR
- b) it is an affordable housing development that can be justified under in terms of Policy HD1, OR
- c) there is a shortfall identified by Scottish Borders Council through the housing land audit with regard to the provision of an effective 5 year housing land supply, OR
- d) it is a development that it is considered would offer significant community benefits that outweigh the need to protect the Development Boundary.

AND the development of the site:

- a) represents a logical extension of the built-up area, and
- b) is of an appropriate scale in relation to the size of the settlement, and
- c) does not prejudice the character, visual cohesion or natural built up edge of the settlement, and
- d) does not cause a significant adverse effect on the landscape setting of the settlement or the natural heritage of the surrounding area.

The decision on whether to grant exceptional approvals will take account of:

- a) any indicators regarding restrictions on, or encouragement of, development in

- the longer term that may be set out in the settlement profile;
- b) the cumulative effect of any other developments outwith the Development Boundary within the current Local Plan period;
  - c) the infrastructure and service capacity of the settlement.

*Key policies to which this Policy should be cross-referenced:*

Development in the Countryside policies ED7 and HD2  
Environmental Promotion and Protection policies particularly EP1-EP5 and EP13.

*The following Supplementary Planning Guidance may be relevant to this policy:*

Biodiversity  
Countryside Around Towns  
Landscape and Development  
Local Landscape Designations  
New Housing in the Borders Countryside  
Placemaking and Design  
Trees and Development  
Wind Energy

*The following proposed Supplementary Guidance may be relevant to this policy:*

Biodiversity  
Countryside Around Towns  
Landscape and Development  
New Housing in the Borders Countryside  
Placemaking and Design  
Trees and Development  
Wind Energy

## PMD5: Infill Development

- 1.1 The purpose of the policy is to be generally supportive to suitable infill development provided it meets certain criteria. Such development will however usually be unplanned and the policy is intended to ensure its careful assessment. The policy applies to all areas within the Development Boundary, not just areas where the predominant use is residential. It may apply to areas of mixed use, town centres or areas of established industrial use, or utilities and their landholdings which, due to changes to technology and new practices may become surplus to requirements.
- 1.2 Policy HD3 (Protection of Residential Amenity) will be applicable for development on garden ground or 'backland' proposals, development on gap sites and redevelopment of brownfield sites to safeguard the amenity of residential areas. Policy PMD5 applies to all forms of development, not just housing, unlike Policy HD3 it does not apply to alterations and extensions.
- 1.3 In the case of a gap site, a proposal should be justified under policies such as Policy EP11 (Protection of Greenspace), Policy EP3 (Local Biodiversity), and Policy PMD3 (Land Use Allocations).
- 1.4 The policy complies with the Scottish Government Scottish Planning Policy (SPP) which acknowledges the contribution of infill development to the housing land supply but provides for its careful control, particularly within residential areas. SPP also supports the principle that settlements must be able to absorb and sustain the individual and cumulative effects of infill development and care must be taken to ensure that no over-development takes place.

<b>Policy PMD5: Infill Development</b>
Development on non-allocated, infill or windfall, sites, including the re-use of buildings within Development Boundaries as shown on proposal maps will be approved where the following criteria are satisfied: <ol style="list-style-type: none"><li>a) where relevant, it does not conflict with the established land use of the area; and</li><li>b) it does not detract from the character and amenity of the surrounding area; and</li><li>c) the individual and cumulative effects of the development can be sustained by the social and economic infrastructure and it does not lead to over-development or 'town and village cramming'; and</li><li>d) it respects the scale, form, design, materials and density in context of its surroundings; and</li><li>e) adequate access and servicing can be achieved, particularly taking account of water and drainage and schools capacity; and</li><li>f) it does not result in any significant loss of daylight, sunlight or privacy to adjoining properties as a result of overshadowing or overlooking.</li></ol>

All applications will be considered against the Council's Supplementary Planning Guidance on Placemaking and Design. Developers are required to provide design statements as appropriate.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards

Policy PMD3 Land Use Allocations

Policy ED1 Protection of Business and Industrial Land

Policy HD3 Protection of Residential Amenity

Policy EP3 Local Biodiversity

Policy EP11 Protection of Greenspace

Policy IS5 Protection of Access Routes

Environmental Promotion and Protection policies EP7-EP10

In cases of any part intrusion into the open countryside, other policies will apply including Policy PMD4 – Development outwith Development Boundaries, Policies ED7, HD2, Environmental Promotion and Protection policies.

## ***Economic Development (ED)***

### ED1: Protection of Business and Industrial Land

- 1.1 The aim of the policy is to ensure that adequate supplies of business and industrial land are retained for business and industrial use and are not diluted by a proliferation of other uses. The policy recognises the financial difficulty in bringing forward new business and industrial land in a rural area such as the Borders where, in the provision of business premises, there is a market failure situation. The policy therefore seeks to protect resources into the long term and complements the Council's economic strategy.
- 1.2 The policy provides rigorous protection of strategic high amenity business and industrial sites (Use Class 4) and strategic business and industrial sites (Use Class 4, 5, 6) as identified in Table 1. The policy similarly protects other industrial estates and industrial areas, but recognises that there may be extenuating circumstances which would allow consideration of development of other uses. Class 4 covers offices, light industry and research and development, Class 5 is general industrial and Class 6 is storage and distribution. 'Marketable' is defined in Scottish Government guidance and means that the site is ready for development.
- 1.3 The policy provides opportunities for mixed use development (excluding retail uses) on specifically identified sites. It recognises that over the lifetime of the local plan changes can take place which may result in a more mixed use pattern emerging which may be acceptable in some localities. Consultation with the Council's Economic Development Service and Scottish Enterprise will often be necessary to assist decision making. In order to support existing town and village centres, mainstream retailing is not considered to be an appropriate use on industrial estates.
- 1.4 The policy does however recognise that there are certain uses that can co-exist on an industrial estate, these may include for example waste management facilities, car showrooms and other 'sui generis' uses as identified in the Use Classes Order as well as small scale renewable energy and radio telecommunications development. Acceptable uses are associated facilities related to other uses on the site and would include those that are complementary but would not conflict with existing employment uses. These alternative uses would depend on the location of the site, the needs of the community and the deliverability of alternative uses. Retail is not an acceptable use but may be appropriate within the local category classification.

Table 1

<b>Type of site</b>	<b>Strategic Development Area</b>	<b>Settlement</b>	<b>Site Name</b>
Strategic	Central	Newtown St	Tweed Horizons

High Amenity		Boswells	Expansion (BNEWT001)
	Western	Peebles	Cavalry Park (zEL2)
Strategic Business and Industrial Sites	Central	Hawick	North West Burnfoot (BHAWI001); Gala Law (Safeguarded Site) (zEL48); Gala Law (zEL60); Gala Law North (BHAWI002)
		Kelso	Pinnaclehill Industrial Estate (BKELS005), Extension to Pinnaclehill Industrial Estate (zEL206), Wooden Linn (BKELS003)
		St Boswells	Charlesfield (zEL3); Extension to Charlesfield (zEL19)
		Tweedbank	North of Tweedbank Drive (zEL59); Tweedbank Industrial Estate* (zEL39)
	Eastern	Eyemouth	Gunsgreenhill (BEYEM001); Hawk's Ness (zEL6)
District	Central	Earlston	Mill Road (zEL57); Station Road (zEL56); Townhead (BEARL002); Turfford Park (zEL55)
		Galashiels	Easter Langlee Industrial Estate (zEL38); Galaford (BGALA002); Huddersfield Street Mill

			(zEL41); Langhaugh (BGALA003); Netherdale Industrial Estate (zEL40); Wheatlands Road (zEL42)
		Hawick	Burnfoot (zEL49), Weensland (zEL62), Mansfield Road (zEL50), Liddesdale Road (zEL52)
		Jedburgh	Wildcat Gate (zEL31); Wildcat Wood and extension (BJEDB001); Hartrigge Park (zEL32); Edinburgh Road (zEL33); Bankend South Industrial Estate zEL34); Bongate South (zEL35); Bongate North (zEL37)
		Newtown St Boswells	Waverley Place (zEL36)
		Selkirk	Riverside 2 (zEL11); Riverside 5 (BSELK002); Riverside 6 (zEL15); Riverside 7 (BSELK001)
	Eastern	Chirnside	Berwick Road (zEL25); Southfield (zEL1)
		Duns	Cheeklaw (zEL26); Peelrig (zEL8)
		Eyemouth	Acredale Industrial Estate (zEL47), Eyemouth Industrial Estate (zEL63)
	Western	Innerleithen	Traquair Road

			(zEL200), Traquair Road East (zEL16)
		Peebles	South Park (zEL204)
	Landward	Coldstream	Lennel Mount North (BCOLD001), Hillview Industrial Estate (zEL28)
		Greenlaw	Duns Road Industrial Estate (zEL22)
		Lauder	North Lauder Industrial Estate (BLAUD002), Lauder Industrial Estate (zEL61)
		Morebattle	Croft Industrial Estate (BMORE002); Croft Industrial Estate Extension (BMORE001)
		Newcastleton	Moss Road (zEL44)
		West Linton	Deanfoot Road (zEL18)
Whitsome	Waste Transfer Station (zEL24)		
Local	Central	Hawick	Loch Park Road (zEL51)
		Kelso	Spylaw Road/Station Road (zEL205)
		Selkirk	Riverside 8 (BSELK003)
	Landward	Broughton	Former Station Yard (zEL43)
		Coldstream	Coldstream Workshops (zEL27)
		Swinton	Coldstream Road (zEL45)

\* It is expected that this will become a Strategic High Amenity site through the period of the Local Development Plan.



### **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.

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.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards  
Policy PMD3 Land Use Allocations  
Policy PMD5 Infill Development  
Policy ED3 Town Centres and Shopping Development  
Policy EP1 International Nature Conservation Sites and Protected Species

*The following Supplementary Planning Guidance may be relevant to this policy:*

Placemaking and Design

*The following proposed Supplementary Guidance may be relevant to this policy:*

Placemaking and Design

## ED2: Employment Uses Outwith Business and Industrial Land

- 1.1 The aim of the policy is to ensure that within Development Boundaries of settlements, industrial and business uses (Use Classes 4, 5 and 6) are generally restricted to industrial and business sites identified under policies ED1 and PMD3 or land use allocations for mixed uses or redevelopment opportunities identified under policy. This is to assist in protecting residential amenity and to retain town centres for more appropriate uses such as shopping and leisure.

<b>Policy ED2: Employment Uses Outwith Business and Industrial Land</b>
Within the defined Development Boundary there will be a general presumption against industrial or business uses outwith business and industrial land, mixed use or redevelopment sites (Policies ED1 and PMD3). Any proposal for such a use in such a location will be required to:
a) justify the need for that location, and b) demonstrate significant economic and/or employment benefit, and c) demonstrate that it can co-exist satisfactorily with adjoining uses
<i>Key policies to which this policy should be cross-referenced:</i>
Policy PMD3 Land Use Allocations Policy PMD5 Infill Development Policy ED3 Town Centres and Shopping Development Policy ED7 Business, Tourism and Leisure Development in the Countryside Policy HD3 Protection of Residential Amenity
<i>The following Supplementary Planning Guidance may be relevant to this policy:</i>
Placemaking and Design
<i>The following proposed Supplementary Guidance may be relevant to this policy:</i>
Placemaking and Design

## ED3: Town Centres and Shopping Development

- 1.1 The aim of this policy is to guide new shopping development to town and village centres and encourage an appropriate mix of town centre uses. This will help protect and enhance the vitality and viability of these centres, particularly those district town centres identified on the Local Development Plan Proposals Maps.
- 1.2 Scottish Planning Policy sets out policy for town centres and requires that decision making is guided by a network of centres which will, depending on

circumstances, include town centres, commercial centres and other local centres and may take the form of a hierarchy. The Strategic Development Plan does not identify any Strategic Town Centres within the Scottish Borders. There are some small scale, edge of town or out of town, retail clusters in the Borders but no commercial centres of the size and importance to justify inclusion in the hierarchy. Development will be directed to the identified District Town Centres in preference to edge of centre locations which, in turn, will be preferred to out of centre locations. However, in out of centre locations preference will be given to a retail cluster or park if the assessment of a retail development proposal points towards the cluster or park being a commercial centre. This takes appropriate account of the preferred order of locations set out in the sequential approach in Scottish Planning Policy. Decision making will be guided by the role in the network of centres, whether the centre is a regeneration priority and by the results of any vitality and viability studies. Development proposals will also be assessed against any development briefs.

- 1.3 Increasing internet shopping and competition from out of centre floorspace combined with reduced expenditure growth rates are making the economics of delivering successful town centre floorspace increasingly challenging. Several town centres in the Scottish Borders have experienced major change in the composition and structure of their retail markets in recent years, following strategically significant major retail developments. The Council's Town Centre Footfall Survey found the average weekly footfall across eight surveyed settlements (Duns, Galashiels, Hawick, Jedburgh, Kelso, Melrose, Peebles and Selkirk) between 2007 and 2011 to have fallen by 17%. This increased by 1% in 2012 however. The Scottish Borders vacancy rate stands at 10% (June 2012). There remains a commitment of continued support for our town centres and the sequential approach to site selection remains fundamental.
- 1.4 Appropriate development as well as class 1 shop uses, could include food and drink (class 3 of the Use Classes Order), offices (classes 2 and 4), commercial leisure and entertainment (including cinemas and theatres), residential, particularly flats above ground floor level, healthcare, education and tourism related uses. The preferred order of locations set out above in the sequential approach will be applied to proposals for a range of appropriate uses which generate significant footfall, as well as retail and commercial leisure uses.
- 1.5 Proposals for retail related development within rural areas should be assessed not only against this policy, but also against policies IS1 (Public Infrastructure and Local Service Provision) and ED7 (Business, Tourism and Leisure Development in the Countryside).

<b>Policy ED3: Town Centres and Shopping Development</b>
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The Council will seek to develop and enhance the role of town centres. A network of centres and growth of the retail sector will be supported through directing development to the following district town centres:

Duns, Eyemouth, Galashiels, Hawick, Jedburgh, Kelso, Melrose, Peebles, Selkirk

To protect town centres, town centre locations will be preferred to edge-of-centre locations which, in turn, will be preferred to out-of-centre locations. An out-of-centre location will only be considered where there is no suitable site available in a town centre or edge-of-centre location.

The council will support a wide range of uses appropriate to a town centre. Proposals for shopping development and other town centre developments will generally be approved within defined district town centres provided that the character, vitality, viability, and mixed use nature of the town centre will be maintained and enhanced. For the avoidance of doubt, the council will apply the preferred order of locations set out above to appropriate uses generating significant footfall, including community and cultural facilities, offices, libraries, and education and healthcare facilities as well as retail and commercial leisure uses. It will also ensure that different uses are developed in the most appropriate locations.

Town centre enhancement, including the provision of new retail facilities and complementary non-retail uses, will be encouraged in centres both within the hierarchy and other centres which:

- (a) are council priorities for area regeneration because of special economic difficulties and/or population decline,
- (b) are subject to significant retail spending leakage,
- (c) play an important role in areas planned for substantial development under the development strategy.

The council will have regard to the following considerations, where relevant, in assessing applications for out of centre development, including retail proposals:

- (a) the individual or cumulative impact of the proposed development on the vitality and viability of existing town centres,
- (b) the availability of a suitable town centre or edge of centre site,
- (c) the ability of the proposal to meet deficiencies in shopping provision which cannot be met in town centre or edge of centre locations,
- (d) the impact of the proposal on travel patterns and car usage,
- (e) the accessibility of the site by a choice of means of transport,
- (f) the preference for commercial centres in the preferred order of locations, including appropriate retail clusters and parks, over other out of centre locations,
- (g) the extent to which a proposal would constitute appropriate small scale shopping provision designed to serve the needs of local rural communities,
- (h) the location of the proposal. Sites will be located within existing settlements and, within them preference will be given to applications on vacant or derelict sites, or on sites deemed to be surplus to requirements.

The council will encourage the use of town centres during the evening provided residential amenity is protected. Any proposed development which would create an unacceptable adverse impact on the town centre will be refused.

*Key policies to which this Policy should be cross-referenced:*

Policy PMD2 Quality Standards  
Policy PMD5 Infill Development  
Policy PMD4 Development outwith Settlement Development Boundaries  
Policy ED1 Protection of Business and Industrial Land  
Policy ED2 Employment Uses outwith Business and Industrial Land  
Policy ED4 Core Activity Areas in Town Centres  
Policy ED5 Regeneration  
Policy ED7 Business, Tourism and Recreational Development in the Countryside  
Policy HD3 Protection of Residential Amenity  
Policy EP9 Conservation Areas  
Policy IS1 Public Infrastructure and Local Service Provision  
Policy IS4 Transport Development and Infrastructure  
Policy IS7 Parking Provisions and Standards  
Policy IS16 Advertisements

*The following Supplementary Planning Guidance may be relevant to this policy:*

Placemaking and Design  
Replacement Windows and Doors  
Shop Fronts and Shop Signage  
Snack Bar Operations Guidance

*The following proposed Supplementary Guidance may be relevant to this policy:*

Placemaking and Design

#### ED4: Core Activity Areas in Town Centres

- 1.1 The aim of the policy is to encourage public activity within Core Activity Areas in Town Centres. These areas are defined in the town centre network identified in Policy ED3 and shown on the Proposals Maps. A wider range of commercial uses encourages development which increases footfall in town centres and in turn prevents the gradual loss of essential town centre activities in locations where this is regarded as important to the vitality and viability of the centre.
- 1.2 In order to support the vitality and viability of core activity areas, acceptable uses are restricted to Class 1 (shops) and 3 (food and drink) of the Use Class Order. Proposals for uses within Class 2 (financial, professional and other

services) of the Use Class Order would only be acceptable where they contribute positively to the core retail activity of the area and will be assessed against the following:

- How the proposed use would contribute to joint shopping trips;
- Footfall contribution;
- Current vacancy and footfall rates;
- Longevity of vacancy;
- Marketing history of premises; and
- Ability to retain shop frontage.

1.3 Decision making will be guided by any research or studies on vitality and viability by the Council or developers.

<p><b>Policy ED4: Core Activity Areas in Town Centres</b></p> <p>To provide flexibility and maintain vitality and viability in the retail core of the town centre, core activity areas have been identified in Galashiels, Hawick, Peebles, Kelso, Selkirk, Melrose, Jedburgh, Duns and Eyemouth. In core activity areas a mix of uses appropriate to the town centre will be allowed. Class 1 and 3 of the Use Class Order are seen as appropriate uses within core activity areas.</p> <p>Proposals for uses other than Class 1 and 3 at ground level in core activity areas will normally be refused.</p> <p>Proposals for other uses including Class 2 will be assessed in terms of their contribution towards the core retail function of the area and will only be acceptable where there is a significant positive contribution to the core retail function.</p> <p>Other uses, such as residential, are encouraged above shops and other town centre uses.</p>
<p><i>Key policies to which this Policy should be cross-referenced:</i></p> <p>Policy ED3 Town Centres and Shopping Development</p> <p><i>The following Supplementary Planning Guidance may be relevant to this policy:</i></p> <p>Placemaking and Design Replacement Windows and Doors Shop Fronts and Shop Signage Snack Bar Operations Guidance</p> <p><i>The following proposed Supplementary Guidance may be relevant to this policy:</i></p> <p>Placemaking and Design</p>

## ED5: Regeneration

- 1.1 Scottish Planning Policy (SPP) encourages Councils to promote opportunities for regeneration for a variety of uses including economic development, town centre improvement and sustainable development in both urban and rural areas.
- 1.2 The Local Development Plan allocates redevelopment opportunities across the Borders, although these allocations are not exhaustive. The aim of this policy is to encourage redevelopment of such allocations for a variety of uses including housing, employment or retailing which will support the opportunity of bringing such land back into productive use and to enhance the surrounding environment. In addition to the sites allocated in the local plan as redevelopment opportunities, commercial redevelopment opportunities have been identified in Galashiels. This policy also relates to non-allocated brownfield sites.
- 1.3 Opportunities for regeneration across the Scottish Borders (see Figure ED5a) will be promoted, where appropriate through Supplementary Guidance and focus primarily on sites within town centres. The table below identifies key potential sites and projects. Collectively the redevelopment of these sites will help make the Borders more attractive to residents, businesses, visitors and investors.

Policy Map Reference	Settlement	Location
1	All	Town Centres
2	Eyemouth	Redevelopment in Harbour Road/ Manse Road/ Church St Area
3	Galashiels	Riverside Enhancements
4		Transport Interchange
5		Town Centre (Townscape Heritage Initiative)
6	Hawick	Wilton Park
7		Bill McLaren Museum
8		Stonefield
9		Wilton Mill/ Commercial Road
10	Innerleithen	North of town centre/ Caerlee Mill
11	Jedburgh	Abbey Place (Pedestrian priority)
12	Kelso	Townscape Heritage Initiative/ Business Hub
13	Newtown St Boswells	Village centre
14	Selkirk	Conservation Area Regeneration Scheme
15		The Haining Estate and links to town



		centre
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Figure ED5a  
**Policy ED5**  
**Regeneration Opportunities**



**Policy ED5: Regeneration**

Development on allocated and non-allocated brownfield sites will be approved in all cases where the following criteria are satisfied:

- a) where relevant, it does not conflict with the established land use of the area; and
- b) it does not detract from the character and amenity of the surrounding area; and
- c) the individual and cumulative effects of the development can be sustained by the social and economic infrastructure and it does not lead to over-development or 'town and village cramming'; and
- d) it respects the scale, form, design, materials and density in context of its surroundings; and
- e) adequate access and servicing can be achieved, particularly taking account of water and drainage and schools capacity; and
- f) it does not result in any significant loss of daylight, sunlight or privacy to adjoining properties as a result of overshadowing or overlooking.

All applications will be considered against the Council's Supplementary Planning Guidance on Placemaking and Design. Developers are required to provide design statements as appropriate.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards for New Development

Policy PMD3 Land Use Allocations

Policy ED1 Protection of Business and Industrial Land

Policy HD3 Protection of Residential Amenity

Policy EP3 Local Biodiversity

Policy EP11 Protection of Greenspace

Policy IS4 Transport Development and Infrastructure

Policy IS5 Protection of Access Routes

Environmental Promotion and Protection policies EP7-EP10

In cases of any part intrusion into the open countryside, other policies will apply including policies PMD4, ED7, HD2 and Environmental Promotion and Protection (EP) policies.

## ED6: Digital Connectivity

- 1.1 Advanced digital connectivity infrastructure and enhanced mobile network coverage are essential to an area as large and dispersed as the Scottish Borders to help achieve economic productivity and growth. It can also help to reduce the need to travel, particularly business travel and therefore contributes to a reduction in CO<sub>2</sub> emissions and meeting climate change targets.
- 1.2 The Scottish Government is committed to delivering world class, future-proofed digital infrastructure across the whole of Scotland by 2020 with a step-change in speeds by 2015. The Scottish Government believes that world class standard today requires speeds of between 100Mbps and 1Gbps. Fibre solutions are believed to provide the backbone of a future proofed infrastructure capable of accommodating future demand at increasing speeds, for decades to come.
- 1.3 The aim of the policy is to encourage digital connectivity in the Scottish Borders.

<b>Policy ED6: Digital Connectivity</b>
The council will support proposals which lead to the expansion and improvement of the electronic communications network in the Borders, provided it can be achieved without any unacceptable detrimental impact on the natural and built environment. This includes delivery of core infrastructure for telecommunications, broadband, and other future digital infrastructure.
<i>Key policies to which this policy should be cross-referenced:</i>
Policy PMD2 Quality Standards

## ED7: Business, Tourism and Leisure Development in the Countryside

- 1.1 The Scottish Borders is a very distinctive place which is largely rural in character with considerable natural and cultural heritage. The Council however considers that opportunities exist at appropriate locations outwith settlements where economic activity and diversification can take place. This may include development linked to tourism and farm diversification which can not only protect but also enhance the Scottish Borders natural and cultural heritage.
- 1.2 The aim of the policy is to allow for appropriate employment generating development in the countryside whilst protecting the environment and to ensure that business, tourism, and leisure related developments are appropriate to their location. This policy will be applied to any applications

that involve economic diversification in rural areas, for example diversification of agricultural land. Any diversification must involve land uses that are complementary to or appropriate for the area.

- 1.3 Developments that involve both business/industrial and housing uses will be assessed against this policy and Policy HD2: Housing in the Countryside. Proposals for housing development will not be treated as farm diversification and will be assessed under the Policy HD2: Housing in the Countryside. Furthermore, where the proposal is for a guest house or a bed and breakfast, that proposal will also be assessed against Policy HD2.
- 1.4 The policy recognises that some tourism related developments may not be able to be easily accommodated within settlements and may be satisfactorily located in certain countryside locations subject to compliance with environmental policies. Decision making will be guided by reference to the VisitScotland Tourism Development Plan as well as the Scottish Borders Tourism Strategy and Action Plan which require all tourism developments to be of high quality, sustainable and customer focussed; as well as where appropriate by advice from VisitScotland Borders.
- 1.5 The policy also relates to farm diversification as well as timber processing facilities. Forests rarely serve only a single purpose and at their best provide a combination of benefits such as timber production, opportunities for recreation, enhancement of the landscape and the creation of new habitats. The Council recognises both the importance of forestry as a long-term land use, and the need to balance the economic value of forestry with a need to protect the environment. Forestry may provide an appropriate form of farm diversification, particularly in the uplands, and can often be a suitable form of land cover for land restoration, for example, quarries or waste disposal sites. The Forestry Commission's 'The UK Forestry Standard' (2011), provides a series of guidelines, and outlines the context for forestry in the UK. The document also sets out the Government's approach to sustainable forest management, defines standards and requirements, as well as a basis for regulation and monitoring.
- 1.6 In relation to any proposal that may come forward for a new timber processing facility, where possible, the Council will seek that the new development be accessible to the strategic road and rail network, with preference given to the line of the former Waverley Railway, and the Kielder Branch line.

<b>Policy ED7: Business, Tourism and Leisure in the Countryside</b>
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<b>Business, Tourism and Leisure</b>
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Proposals for business, tourism or leisure development in the countryside will be approved and rural diversification initiatives will be encouraged provided that:
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|---|
| a) the development is to be used directly for agricultural, horticultural or forestry |
|---|

operations, or for uses which by their nature are appropriate to the rural character of the area; or

- b) the development is to be used directly for leisure, recreation or tourism appropriate to a countryside location and, where relevant, it is in accordance with the Scottish Borders Tourism Strategy and Action Plan;
- c) the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the particular countryside location, and that it cannot be reasonably be accommodated within the Development Boundary of a settlement.

In addition the following criteria will also be considered:

- a) the development must respect the amenity and character of the surrounding area,
- b) the development must have no significant adverse impact on nearby uses, particularly housing,
- c) where a new building is proposed, the developer will be required to provide evidence that no appropriate existing building or brownfield site is available, and where conversion of an existing building of architectural merit is proposed, evidence that the building is capable of conversion without substantial demolition and rebuilding,
- d) the impact of the expansion or intensification of uses, where the use and scale of development are appropriate to the rural character of the area,
- e) the development meets all other siting, and design criteria in accordance with Policy PMD2, and
- f) the development must take account of accessibility considerations in accordance with Policy IS4.

Where a proposal comes forward for the creation of a new business including that of a tourism proposal, a business case that supports the proposal will be required to be submitted as part of the application process.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards

Policy PMD4 Development Outwith Settlement Boundaries

Policy ED3 Town Centres and Shopping Development may be relevant where an ancillary retail use is involved.

Policy ED8 Caravan and Camping Sites

Policy ED9 Renewable Energy Development

Policy HD2 Housing in the Countryside

Policy IS4 Transport Development and Infrastructure

Policy IS7 Parking Provision and Standards

Policy IS16 Advertisements

Many of the environmental policies will be relevant particularly those involving the

protection of landscape assets.

*The following Supplementary Planning Guidance may be relevant to this policy:*

Biodiversity  
Countryside Around Towns  
Green Space  
Landscape and Development  
Local Landscape Designations  
Placemaking and Design

*The following proposed Supplementary Guidance may be relevant to this policy:*

Biodiversity  
Countryside Around Towns  
Greenspace  
Green Networks  
Landscape and Development  
Placemaking and Design

#### ED8: Caravan and Camping Sites

- 1.1 The Scottish Borders is an attractive part of Scotland and has been traditionally known as the gateway to Scotland. It has successfully been attracting increasing numbers of tourists from both the rest of the United Kingdom as well as overseas and this is confirmed within the Scottish Borders Tourism Strategy and Action Plan. In relation to caravan and camping sites the Tourism Strategy and Action Plan also highlights the growing demand for holiday homes as well as the continued growth in demand for static caravans.
- 1.2 Therefore the purpose of this policy is to support new caravan and camping facilities in locations that are environmentally acceptable and that fit with wider tourism, economic and regeneration objectives. Decision making will be guided where appropriate by advice from VisitScotland Borders. Caravan and camping sites are an important part of the network of visitor accommodation options but they can be visually intrusive in countryside or coastal locations. Within or close to towns caravan and camping sites can complement regeneration.
- 1.3 In relation to this policy, it also aims to protect existing caravan and camping sites with a tourism function from development which would be considered to have a significant and sustained adverse impact on tourism. Currently within the Scottish Borders the main caravanning and camping sites are:

• Blackadder Holiday Park, Greenlaw

• Angecroft Caravan Park, Ettrick

<ul style="list-style-type: none"> <li>• Chesterfield Caravan Site, Cockburnspath</li> <li>• Crosslaw Caravan Park, Coldingham</li> <li>• Eyemouth Holiday Park</li> <li>• High View Caravan Park, Coldingham</li> <li>• Pease Bay Holiday Home Park, Cockburnspath</li> <li>• Scoutscroft Holiday Centre, Coldingham</li>   <li>• Carfraemill Chalet and Caravan Park, Lauder</li> <li>• Crossburn Caravan Park, Peebles</li> <li>• Lauder Camping and Caravanning Club Site, Oxton</li> <li>• Rosetta Camping and Caravanning Resort, Peebles</li> <li>• Thirlestane Castle Camping and Caravanning Park, Lauder</li> <li>• Tweedside Caravan Park, Innerleithen</li> </ul>	<p>Valley</p> <ul style="list-style-type: none"> <li>• Gibson Park Caravan Club Site, Melrose</li> <li>• Honey Cottage Caravan Park, Ettrick Valley</li> <li>• Jedburgh Camping and Caravanning Club Site</li> <li>• Jedwater Caravan Park, Jedburgh</li> <li>• Kirkfield Caravan Park, Yetholm</li> <li>• Lilliardsedge Holiday Park and Golf Course</li> <li>• Riverside Caravan Park, Hawick</li> <li>• Springwood Caravan Park, Kelso</li> <li>• Victoria Park Camping and Caravanning Site, Selkirk.</li> </ul>
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**Policy ED8: Caravan and Camping Sites**

**(A) New and Extended Caravan and Camping Sites**

The Council will support proposals for new or extended caravan and camping sites in locations that can support the local economy and the regeneration of towns, and are in accordance with the Scottish Borders Tourism Strategy and Action Plan.

Developments on appropriate sites within or immediately outwith the development boundary of settlements that can help support local shops and services will be favoured over countryside locations.

All proposals must meet the following criteria:

- a) must be of the highest quality and in keeping with their local environment and should not cause unacceptable environmental impacts;
- b) must be acceptable in terms of impact on infrastructure; and
- c) must be in locations free of flood risk.

**(B) Existing Caravan and Camping Sites**

The Council will protect existing caravan and camping sites where their loss is likely to have a significant and sustained adverse impact on tourism.

Proposals that result in the loss of an existing caravan or camping site may be supported where:

- a) it can be adequately demonstrated that the existing tourism facility is financially



- unviable, and
- b) it can be adequately demonstrated that all reasonable attempts have been made to sell the site as a 'viable concern', and
  - c) it can be adequately demonstrated that the loss of the tourism function will not have an adverse impact on the tourist character of the area,
  - d) the site sits within the settlement and is enclosed by neighbouring development,
  - e) the site could not reasonably be returned to agricultural, forestry or recreational use; and
  - f) where relevant, it does not conflict with the established land use of the area; and
  - g) it does not detract from the character and amenity of the surrounding area; and
  - h) the individual and cumulative effects of the development can be sustained by the social and economic infrastructure and it does not lead to over-development or 'town and village cramming'; and
  - i) it respects the scale, form, design, materials and density of its surroundings; and
  - j) adequate access and servicing can be achieved, particularly taking account of water and drainage and schools capacity.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD4 Development Outwith Settlement Boundaries

Policy ED7 Business, Tourism and Leisure Development in the Countryside

Policy HD3 Protection of Residential Amenity

Policy IS1 Public Infrastructure and Local Service Provision

Policy IS8 Flooding

Many of the environmental promotion and protection policies will be relevant particularly for applications in countryside locations.

All applications will be considered against the Council's Supplementary Planning Guidance on Placemaking and Design.

*The following Supplementary Guidance may be relevant to this policy:*

Biodiversity

Countryside Around Towns

Landscape and Development

Placemaking and Design

Trees and Development

*The following proposed Supplementary Guidance may be relevant to this policy:*

Biodiversity

Countryside Around Towns

Landscape and Development

Placemaking and Design

Trees and Development

## ED9: Renewable Energy Development

- 1.1 Interest in renewable energy production has arisen in response to growing concern about the rise in atmospheric levels of carbon dioxide and other greenhouse gases and the change in global climate this could be causing. Burning fossil fuels is a major contributor to greenhouse gas emissions and reducing their use and increasing the proportion of power generated from renewable energy sources is supported by the Government as a vital part of reducing these emissions. The generation of renewable energy also supports the transformational change to creating a low carbon economy and, furthermore, helps to increase sustainable economic growth.
- 1.2 The aim of the policy is to support renewable energy, to guide development to appropriate locations, and to advise on the factors to be taken into account in considering proposals. The policy takes account of government policy which emphasises the role of local authorities and the planning system in meeting national renewable energy targets. These targets include: 100% electricity demand equivalent from renewables by 2020; 11% heat demand from renewables by 2020; and 30% overall energy demand from renewables by 2020.
- 1.3 The policy is supportive of a wide range of renewable energy mechanisms including the development of onshore wind farms and turbines, combined heat and power, biomass, energy from waste facilities, and maximising the reuse of surplus heat micro scale photovoltaic/solar panels. This includes provision for “micro generation”, the production of heat or electricity by individual households or small groups of households. As part of the review of the policy a report was prepared for the council in March 2013 on the Economic Impact of Wind Energy in the Scottish Borders. Its objectives included confirming the economic benefits of turbines to the area, and considering any potential negative impacts on the local economy. While the report referred to the concerns of some local tourism businesses about the negative effects of wind farms, it highlighted the opportunities that exist for a wide range of local businesses to supply goods and services at the development and construction stages and, in particular, at the operation and maintenance phase of such developments.
- 1.4 The council promotes and supports its Low Carbon Economic Strategy which develops a series of key themes and objectives suggesting priority actions which will lead to a resilient, lower carbon future for the area. The council supports the development of heat networks and the effective use of renewables, and intends to take forward work on heat mapping.
- 1.5 Planning applications for wind turbines can be contentious, and there are very strong and differing opinions on them. The council has followed national advice in determining applications by supporting turbines in locations

considered appropriate, and refusing them in locations considered inappropriate. A report was prepared for the council in December 2012 on a Public Survey on Attitudes to Wind Energy. The survey found, amongst other things, that there are residents in the Borders who feel very strongly against wind turbines, but that there are a greater number who either support their development or who are fairly ambivalent to them, and that more would agree than disagree that the council should take an active role in encouraging them. It also found that those who were opposed to the building of wind farms were most likely to be strongly opposed, and in general this tended to be when it comes to the proposal being built in the vicinity of their home.

- 1.6 Another report relevant to the consideration of wind turbines, was prepared for the council in July 2013 on Landscape Capacity and Cumulative Impact. It is based on an assessment of landscape sensitivity and value of the different landscape character types and areas in the Borders. The report is a strategic level study, contains an assessment of a broad range of landscape constraints, and provides an initial reference point for the consideration of potential capacity for, and the cumulative effects of, existing and possible future wind turbine developments. No site specific conclusions should be drawn from the report in relation to currently proposed or possible future wind turbines and wind farms. Proposals for wind turbines should demonstrate that they can be satisfactorily accommodated in the landscape, and they should properly address the issues raised in the report.
- 1.7 A spatial framework for onshore wind farms helps to guide development to appropriate locations, taking into account important features. The 2010 Scottish Planning Policy requirements for a spatial framework have been superseded by the terms of Scottish Planning Policy (2014). The council's spatial framework (strategy) for onshore wind farms does not comply with the new policy. The new approach of Scottish Planning Policy (2014) to the preparation of a spatial framework is based on 3 groups – (1) areas where wind farms will not be acceptable, (2) areas of significant protection where wind farms may be appropriate in some circumstances, and (3) areas beyond groups (1) and (2) where wind farms are likely to be acceptable, subject to detailed consideration against identified policy criteria. The areas where cumulative impact limits further development and landscape capacity considerations are not included in a spatial framework, but National Scenic Areas are included as group (1) areas, and other national and international designations (eg Natura 2000 and Ramsar sites, and Sites of Special Scientific Interest), nationally important mapped environmental interests (for example, areas of wild land as shown on the 2014 Scottish Natural Heritage map of wild land areas), and community separation distances are all group (2) areas. A spatial framework requires to indicate the minimum scale of onshore wind development that it applies to.
- 1.8 Scottish Planning Policy (2014) indicates that the spatial framework is to be complemented by a more detailed and exacting development management

process where the merits of an individual proposal will be carefully considered against the full range of environmental, community, and cumulative impacts. The context set by the July 2013 report on Landscape Capacity and Cumulative Impact, the landscape and visual impact assessment for a proposal, and other relevant landscape, visual and cumulative impact guidance, for example that produced by Scottish Natural Heritage, will be taken into account at this stage.

- 1.9 The council prepared Supplementary Planning Guidance on Wind Energy in May 2011. It is now out of date, and the council will revise its terms. It will be updated as Supplementary Guidance, and will consider other forms of renewable energy as well as wind energy. The Supplementary Guidance will provide further detailed information and guidance for development proposals, taking into account, and properly reflecting, Scottish Planning Policy (2014). This shall be prepared and submitted to Ministers within 12 months of adoption of the plan.
- 1.10 The council also prepared Supplementary Planning Guidance in December 2013, titled Landscape and Visual Guidance for Single and Groups of 2 or 3 Wind Turbines in Berwickshire. This sets out detailed advice on the siting of development, and will be taken into account in the consideration of planning applications, along with any landscape and visual impact assessment for a proposal, and other relevant landscape, visual and cumulative impact guidance. It is also potentially relevant to the whole of the Borders as it could be developed as a model for supplementary guidance in other areas, if necessary. The guidance requires updating to properly reflect Scottish Planning Policy (2014).
- 1.11 Policy ED9 sets out the council's overall approach to proposals for renewable energy developments, including wind energy proposals.

<b>Policy ED9 – Renewable Energy Development</b>
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<b>RENEWABLE ENERGY DEVELOPMENTS</b>
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The council will support proposals for both large scale and community scale renewable energy development including commercial wind farms, single or limited scale wind turbines, biomass, hydropower, biofuel technology, and solar power where they can be accommodated without unacceptable significant adverse impacts or effects, giving due regard to relevant environmental, community and cumulative impact considerations.
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The assessment of applications for renewable energy developments will be based on the principles set out in Scottish Planning Policy (2014), in particular, for onshore wind developments, the terms of Table 1: Spatial Frameworks. Renewable energy developments, including wind energy proposals, will be approved provided that there are no relevant unacceptable significant adverse impacts or effects that cannot be satisfactorily mitigated. If there are judged to be relevant significant adverse impacts or effects that cannot be satisfactorily mitigated, the development will only be approved if the council is satisfied that the wider economic, environmental and other benefits of the proposal outweigh the potential damage
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arising from it.

#### SUPPLEMENTARY GUIDANCE

The council will produce statutory Supplementary Guidance on wind energy and renewable energy. This shall be submitted to Ministers within 12 months of adoption of the plan. The guidance will accord with Scottish Planning Policy (2014), and will set out the detailed policy considerations against which all proposals for wind energy and other forms of renewable energy will be assessed, based on those considerations set out at paragraph 169. The guidance on wind energy will contain the onshore spatial framework as required by Scottish Planning Policy (2014), identifying areas where wind farms will not be acceptable, areas of significant protection, and areas with potential for wind farm development, and indicating the minimum scale of onshore wind development that the framework applies to. The council will produce statutory Supplementary Guidance to update the landscape and visual guidance for single and groups of 2 or 3 wind turbines in Berwickshire so that it accords with Scottish Planning Policy (2014).

#### CONSIDERATION OF WIND ENERGY PROPOSALS

The assessment of wind energy proposals will include the following considerations:

- the onshore spatial framework which identifies those areas that are likely to be most appropriate for onshore wind turbines;
- landscape and visual impacts, to include effects on wild land, and taking into account the report on Landscape Capacity and Cumulative Impact (July 2013) as an initial reference point, the landscape and visual impact assessment for a proposal (which should demonstrate that it can be satisfactorily accommodated in the landscape, and should properly address the issues raised in the 2013 report), and other relevant landscape, visual and cumulative impact guidance, for example that produced by Scottish Natural Heritage;
- all cumulative impacts, including cumulative landscape and visual impact, recognising that in some areas the cumulative impact of existing and consented development may limit the capacity for further development;
- impacts on communities and individual dwellings (including visual impact, residential amenity, noise and shadow flicker);
- impacts on carbon rich soils (using the carbon calculator), public access, the historic environment (including scheduled monuments and listed buildings, and their settings), tourism and recreation, aviation and defence interests and seismological recording, telecommunications and broadcasting installations, and adjacent trunk roads and road traffic;
- effects on the natural heritage (including birds), and hydrology, the water environment and flood risk;
- opportunities for energy storage;
- net economic impact, including local and community socio-economic benefits such as employment, associated business and supply chain opportunities;
- the scale of contribution to renewable energy generation targets, and the effect on greenhouse emissions;
- the need for conditions relating to the decommissioning of developments, including ancillary infrastructure, and site restoration; and

- the need for a robust planning obligation to ensure that operators achieve site restoration.

Developers must demonstrate that they have considered options for minimising the operational impact of wind turbine proposals, including ancillary development such as tracks.

#### CONSIDERATION OF OTHER RENEWABLE ENERGY DEVELOPMENTS

Small scale or domestic renewable energy developments including community schemes, single turbines and micro-scale photovoltaic/solar panels will be encouraged where they can be satisfactorily accommodated into their surroundings in accordance with the protection of residential amenity and the historic and natural environment.

Renewable technologies that require a countryside location such as the development of bio fuels, short crop rotation coppice, “biomass” or small scale hydro-power will be assessed against the relevant environmental protection and promotion policies, and other relevant policies in the local development plan.

Waste to energy schemes involving human, farm and domestic waste will be assessed against Policy IS10 Waste Management Facilities.

#### *Key policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards

Policy ED1 Protection of Business and Industrial Land

Policy ED10 Protection of Prime Quality Agricultural Land and Carbon Rich Soils

Policy HD3 Protection of Residential Amenity

Policy EP1 International Nature Conservation Sites and Protected Species

Policy EP2 National Nature Conservation Sites and Protected Species

Policy EP3 Local Biodiversity

Policy EP4 National Scenic Areas

Policy EP5 Special Landscape Areas

Policy EP7 Listed Building

Policy EP8 Archaeology

Policy EP9 Conservation Areas

Policy EP10 Gardens and Designed Landscapes

Policy EP13 Trees, Woodlands and Hedgerows

Policy EP14 Coastline

Policy EP15 Development Affecting the Water Environment

Policy EP16 Air Quality

Policy IS10 Waste Management Facilities

Policy IS12 Development Within Exclusion Zones

The following guidance should also be referred to, although it should be noted this list is not exhaustive:

SPG on Wind Energy (SBC 2011 – to be updated following production of new SPP)

Landscape Capacity and Cumulative Impact (re – Wind Turbines in Scottish Borders

SBC 2013 Ironside Farrar)

SPG on Landscape and Visual Guidance on Single and Small Groups of Wind Turbines in Berwickshire (SBC 2013)  
SPG on Local Landscape Designations (SBC 2012)  
SPG on Renewable Energy (SBC 2007)  
SPG on Biodiversity (SBC 2005)  
Low Carbon Economic Strategy (SBC 2013)  
Scottish Borders Local Biodiversity Action Plan (SBC 2001)  
Borders Landscape Assessment (SBC 1995)  
Onshore Wind Turbines (Scottish Government web page advice)  
Wind Farm Developments on Peat Land (Scottish Government web page advice)  
Guidelines for Landscape and Visual Impact Assessment (third edition 2013)  
The Assessment and Rating of Noise from Wind Farms (ETSU-R-97)  
Assessing the Cumulative Impact of Onshore Wind Energy Developments (SNH 2012)  
Siting and Designing Windfarms in the Landscape (SNH 2009)  
Visual Representation of Wind Farms. Good practice Guidance (SNH 2007)

*The following proposed Supplementary Guidance may be relevant to this policy:*

Biodiversity  
Local Biodiversity Action Plan  
Renewable Energy  
Wind Energy

## ED10: Protection of Agricultural Land and Carbon Rich Soils

- 1.1 Figure 10a below identifies the core resources of agricultural land and carbon rich soils. Prime quality agricultural land is a valuable and finite resource which needs to be retained for farming and food production. In allocating sites for development, the council has aimed to avoid such land. Carbon rich soils, such as peat, are an important carbon store and its use and extraction can contribute to climate change. The policy seeks to prevent the permanent loss of prime agricultural land and carbon rich soils. In order to take proper account of the terms of Scottish Planning Policy, proposals for renewable energy developments, including proposals for wind energy development, will be required to accord with the objectives and requirements of policy ED9 rather than meet the requirements of this policy.
- 1.2 Certain developments of a temporary nature may be acceptable if adequate provision can be made for restoration of the soil once the development is removed. However, as it may take many years to restore the agricultural land to its former quality, this should not be encouraged. Prime quality land is defined as classes 1, 2 and 3.1 of the Macaulay Institute Land Classification for Agriculture system.

- 1.3 Proposals should avoid areas of deepest peat and minimising impacts on soils and mitigation measures should be addressed. A peat (or soil) survey should be provided where required to demonstrate that the areas of highest quality soil or deepest peat have been avoided. In addition a soil or peat management plan may be requested when required to demonstrate that any unnecessary disturbance, degradation or erosion has been minimised, which includes proposed mitigation measures.

**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.

*Key policies to which this Policy should be cross-referenced :*

Policy PMD4 Development outwith Development Boundaries

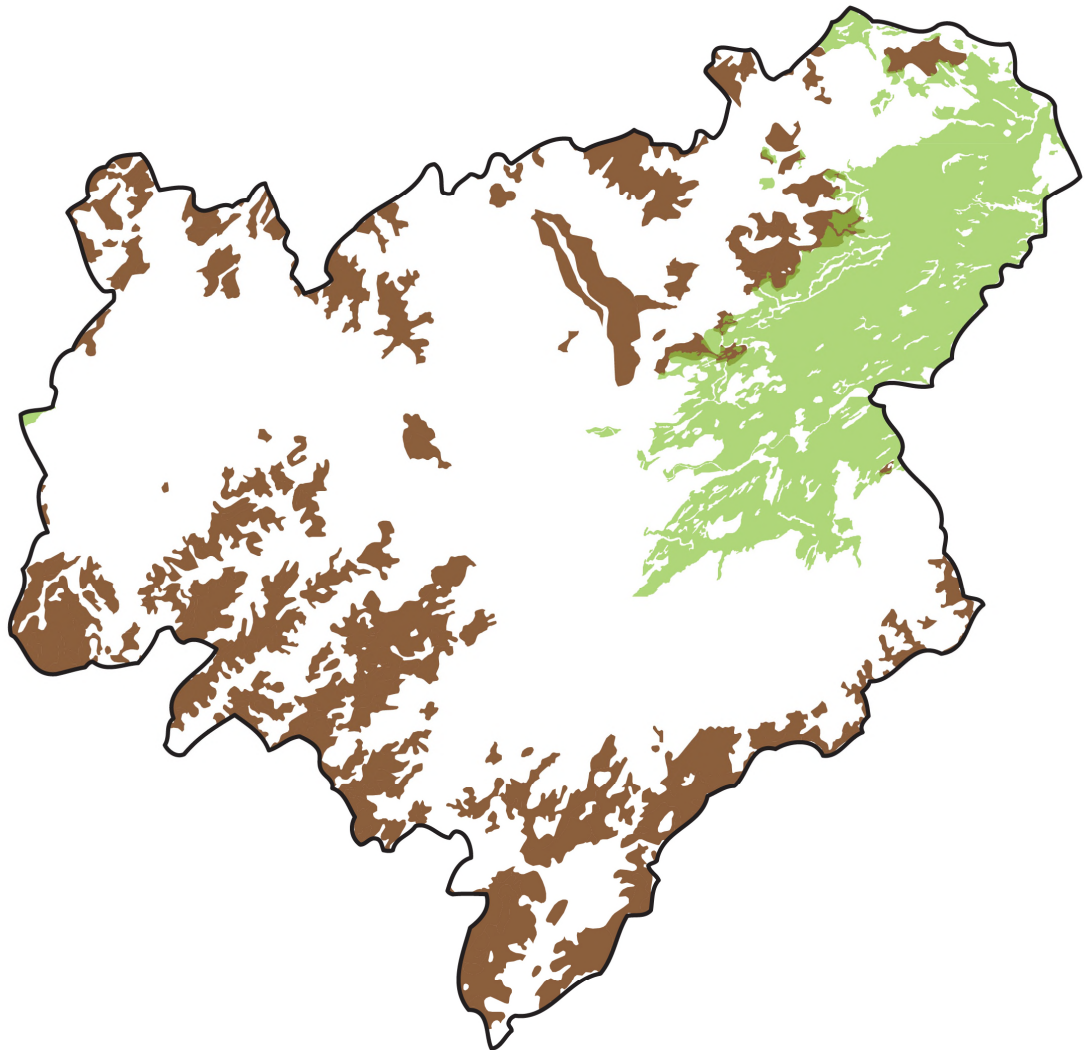
Policy ED9 Renewable Energy



Policy HD2 Housing in the Countryside



Figure ED10a  
Policy ED10

## Carbon Rich Soils Prime Quality Agricultural Land



-  Carbon Rich Soils
-  Prime Quality Agricultural Land

## ED11: Safeguarding of Mineral Deposits

- 1.1 The aim of the policy is to ensure that minerals are not unnecessarily sterilised through inappropriate development. Minerals are a valuable non-renewable resource and should therefore be protected under Sustainability Principle 1. The policy criteria relates to land both within and outwith the Scottish Borders. The relevant government document is Scottish Planning Policy (SPP).

### **Policy ED11 – Safeguarding of Mineral Deposits**

The council will not grant planning permission for development which will sterilise reserves of economically significant mineral deposits unless:

- (a) extraction of the mineral is likely to be environmentally and socially unacceptable
- (b) there is an overriding need for development, and prior extraction of the mineral cannot reasonably be undertaken.

*Key policies to which this Policy should be cross-referenced :*

Countryside policies particularly

Policy ED7 Business, Tourism and Leisure Development in the Countryside

Policy ED9 Renewable Energy Development

Policy ED10 Protection of Prime Quality Agricultural Land and Carbon Rich Soils

Policy HD2 Housing in the Countryside

Many of the environmental policies will be relevant particularly

Policy EP1 International Nature Conservation Sites and Protected Species

Policy EP2 National Nature Conservation Sites and Protected Species

Policy EP3 Local Biodiversity

Policy EP4 National Scenic Areas

Policy EP5 Special Landscape Areas

Policy EP8 Archaeology

Policy EP13 Trees, Woodlands and Hedgerows

Policy EP14 Coastline

Policy EP15 Development Affecting the Water Environment

*The following proposed Supplementary Guidance may be relevant to this policy:*

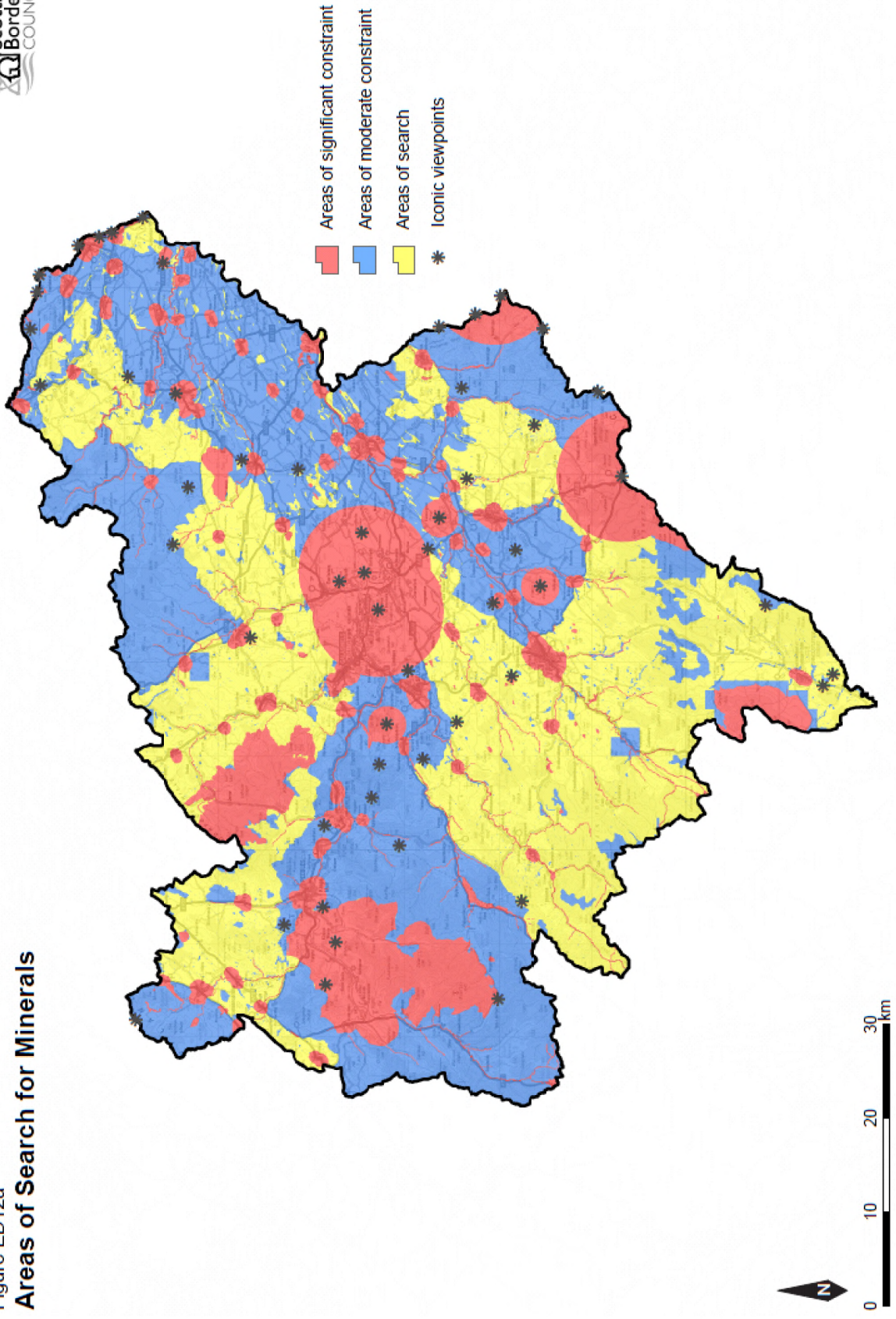
Minerals

## ED12: Mineral and Coal Extraction

- 1.1 The aim of the policy is to ensure that mineral working is carried out with minimal adverse impact on the environment and with appropriate restoration measures following extraction. Figure ED12a should be referred to which

identifies areas of search, although future Supplementary Guidance on minerals is proposed to refine this information. The broad areas of search for coal are in the north west and south west of the region. The policy criteria relates to land both within and outwith the Scottish Borders. The relevant government policy is Scottish Planning Policy (SPP).

Figure ED12a  
**Areas of Search for Minerals**



## **Policy ED12 – Mineral and Coal Extraction**

Mineral extraction will not be permitted where:

(a) It may affect areas designated or proposed for designation under European Directives (special areas of conservation and special protection areas) or Ramsar sites, except in the most exceptional circumstances and where it can be demonstrated conclusively that:

- The proposed development will have no adverse effect on site integrity in terms of habitats and species, or
- There is an overriding national interest in allowing mineral extraction to take place, and no reasonable alternative exists.

(b) It may affect national nature reserves, sites of special scientific interest or other environmental designations of national importance unless it can be demonstrated that:

- The underlying objectives and overall integrity of the designated area will not be compromised, or
- Any significant adverse effects on the environmental qualities for which the site has been designated are clearly outweighed by the national benefits that could accrue from mineral extraction.

(c) It may affect areas of regional or local nature conservation interest as defined in this plan and the following other protected areas, namely conservation areas, scheduled monuments, historic gardens and designated landscapes, significant archaeological sites and where relevant, their settings, prime agricultural land, special landscape areas, national scenic areas, peatland and water supply catchment areas, unless it can be demonstrated that:

- There is no materially damaging impact, or
- There is a public interest to be gained from mining which outweighs the underlying reasons for designating the site or area.

(d) It is within 500m of a local settlement and will adversely affect residential and other sensitive property or other activities within that community or areas of locally important landscape character unless it can be demonstrated that there are other mitigating circumstances, that the specific circumstances of a proposal indicate the figure should be varied, or that a significant public interest is to be gained from mining which outweighs this safeguarding.

(e) It is likely to damage the local economy in terms of tourism, leisure or recreation to an unacceptable extent.

(f) The roads are unsuitable as mineral haulage routes by virtue of their design and construction, the nature of other usage and the relationship of residential and other sensitive property to the road.

(g) It results in adverse effects which, when combined with the effects of other existing, consented and currently proposed nearby workings, would have a significantly adverse cumulative impact on the environment or local communities. Where the council is minded to permit development appropriate mitigating measures will be sought to enable a satisfactory development to proceed, and to set out proposals for restoration and aftercare including the preferred financial guarantee option.

*Key policies to which this Policy should be cross-referenced:*

Countryside policies particularly

Policy ED7 Business, Tourism and Leisure Development in the Countryside

Policy ED9 Renewable Energy Development

Policy ED10 Protection of Prime Quality Agricultural Land and Carbon Rich Soils

Policy HD2 Housing in the Countryside

Many of the environmental policies will be relevant particularly

Policy EP1 International Nature Conservation Sites and Protected Species

Policy EP2 National Nature Conservation Sites and Protected Species

Policy EP3 Local Biodiversity

Policy EP4 National Scenic Areas

Policy EP5 Special Landscape Areas

Policy EP8 Archaeology

Policy EP13 Trees, Woodlands and Hedgerows

Policy EP14 Coastline

Policy EP15 Development Affecting the Water Environment

*The following proposed Supplementary Guidance may be relevant to this policy:*

Minerals

## ***Housing Development (HD)***

### HD1: Affordable and Special Needs Housing

- 1.1 The aim of the policy is to ensure that new housing development provides an appropriate range and choice of 'affordable' units as well as mainstream market housing. The provision of affordable housing is a material consideration in the planning system, and the development plan is recognised as an appropriate vehicle through which it may be facilitated by planning authorities.
- 1.2 'Affordable' housing is broadly defined as housing of a reasonable quality that is affordable to people on modest incomes. In some places the market provides some or all of the affordable housing needed, while in other places it will be necessary to make housing available at a cost below market value to meet an identified need. A more detailed definition is given in the Supplementary Planning Guidance.
- 1.3 The requirement set by this policy, and the means of meeting it, will vary between settlements and between sites. Negotiation on a site by site basis at the time of an application will determine the precise requirements relating to any specific development proposal. Ongoing research as part of the local housing needs assessment has identified, and will continue to identify, areas where there is a demonstrable need for affordable housing.
- 1.4 Decision making will be guided by the council's Supplementary Planning Guidance on Affordable Housing although, in accordance with Scottish Planning Policy, the level of contribution within a market site will generally be no more than 25% of the total number of houses. This percentage may be varied depending on the site characteristics or the information available on local need.
- 1.5 The Council will seek to secure affordable special needs housing within new housing developments by agreement with developers, in areas of need identified within the Local Housing Strategy. Such housing should where possible be secured for successive as well as initial occupants.
- 1.6 The potential requirement for opportunities for gypsies and travellers has been considered in the preparation of the Plan. It is considered that current needs are generally provided for within the Scottish Borders, but this position will be kept under review as part of the plan process.

<b>Policy HD1: Affordable and Special Needs Housing</b>
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.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards  
Policy PMD4 Development Outwith Development Boundaries  
Policy PMD5 Infill Development  
Policy IS8 Flooding

*The following Supplementary Planning Guidance may be relevant to this policy:*

Affordable Housing

*The following proposed Supplementary Guidance may be relevant to this policy:*

Affordable Housing

## HD2: Housing in the Countryside

- 1.1 The Council aims to encourage a sustainable pattern of development focused on defined settlements in accordance with the need to support existing services and facilities and to promote sustainable travel patterns. For the exceptions to this general approach the Housing in the Countryside policy aims to encourage housing development in appropriate locations in the countryside. The policy sets the basis for the consideration of small scale appropriate additions to existing identifiable building groups, or within dispersed building groups located within the Southern Housing Market Area. It should be noted that in the context of building groups, that it may be the case that some buildings groups are considered to be complete and are therefore unable to accommodate further development. The policy also aims to allow appropriate conversions, restoration, and replacement in the countryside. However, the policy restricts isolated new housing in the countryside unless it can be satisfactorily substantiated by an economic



justification. In doing this the policy will protect the environment from inappropriate and sporadic new housing development whilst still being able to support rural communities and businesses.

- 1.2 Any proposal for new housing in the countryside as affordable housing will only be supported if it addresses an identified housing need, as listed in Policy HD1, or in a local housing needs survey, or in a Registered Social Landlord's delivery programme. Further information on this can be found in the Supplementary Planning Guidance on Affordable Housing.
- 1.3 The provisions regarding dispersed building groups within the policy have been formulated in response to concerns over rural sustainability in the Southern Housing Market area. Detailed evidence on the relationship of the proposed new housing to the dispersed building group should accompany planning applications seeking approval under this provision. However, within the Southern Housing Market Area there are currently anchor points identified at Ettrick and Yarrow Feus. Whilst these anchor points are located within the Southern Housing Market Area, they take the form of a community hub or social centre that draws people together, therefore in terms of policy these anchor points will be treated as a building group under Policy HD2(A).
- 1.4 For housing proposals that come forward that sit within the area covered by the Countryside Around Towns (CAT) policy, Policy EP6 will apply. Where the new proposal relates to an existing building group and the proposal is acceptable under Policy HD2, and it can be demonstrated that the high quality environment will be maintained, the proposal could be permissible. In addition, where a proposal is in relation to the replacement of an existing dwelling within the CAT then it may be acceptable if it meets the criteria of Policy HD2 (E).
- 1.5 The Council will review its policy guidance on housing in the countryside by producing revised Supplementary Guidance.

<b>Policy HD2: Housing in the Countryside</b>
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The Council wishes to promote appropriate rural housing development:
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- |   |
|---|
| <ol style="list-style-type: none"><li>a) in village locations in preference to the open countryside where permission will only be granted in special circumstances on appropriate sites,</li><li>b) associated with existing building groups where this does not adversely affect their character or that of the surrounding area, and</li><li>c) in dispersed communities in the Southern Borders housing market area.</li></ol> |
|---|

These general principles in addition to the requirement for suitable roads access will be the starting point for the consideration of applications for housing in the countryside, which will be supplemented by Supplementary Planning Guidance / Supplementary Guidance on New Housing in the Borders Countryside and on
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## Placemaking and Design.

### **(A) Building Groups**

Housing of up to a total of 2 additional dwellings or a 30% increase of the building group, whichever is the greater, associated with existing building groups may be approved provided that:

- a) the Council is satisfied that the site is well related to an existing group of at least three houses or building(s) currently in residential use or capable of conversion to residential use. Where conversion is required to establish a cohesive group of at least three houses, no additional housing will be approved until such conversion has been implemented,
- b) the cumulative impact of new development on the character of the building group, and on the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts,
- c) any consents for new build granted under this part of this policy should not exceed two housing dwellings or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.

In addition, where a proposal for new development is to be supported, the proposal should be appropriate in scale, siting, design, access, and materials, and should be sympathetic to the character of the group.

The calculations on building group size are based on the existing number of housing units within the group as at the start of the Local Development Plan period. This will include those units under construction or nearing completion at that point.

### **(B) Dispersed Buildings Groups**

In the Southern Housing Market area there are few building groups comprising 3 houses or more, and a more dispersed pattern is the norm. In this area a lower threshold may be appropriate, particularly where this would result in tangible community, economic or environmental benefits. In these cases the existence of a sense of place will be the primary consideration.

Housing of up to 2 additional dwellings associated with dispersed building groups that meet the above criteria may be approved provided that:

- a) the Council is satisfied that the site lies within a recognised dispersed community in the Southern Borders housing market area,
- b) any consents for new build granted under this part of this policy should not exceed two housing dwellings in addition to the group during the Plan period. No further development above this threshold will be permitted,
- c) the design of housing will be subject to the same considerations as other types of housing in the countryside proposals.

### **(C) Conversions of Buildings to a House**

Development that is a change of use of a building to a house may be acceptable provided that:

- a) the Council is satisfied that the building has architectural or historic merit, is capable of conversion and is physically suited for residential use,
- b) the building stands substantially intact (normally at least to wallhead height) and the existing structure requires no significant demolition. A structural survey will be required where in the opinion of the Council it appears that the building may not be capable of conversion, and
- c) the conversion and any proposed extension or alteration is in keeping with the scale and architectural character of the existing building.

### **(D) Restoration of Houses**

The restoration of a house may also be acceptable provided that the walls of the former residential property stand substantially intact (normally at least to wallhead height). In addition:

- a) the siting and design reflects and respects the historical building pattern and the character of the landscape setting,
- b) any proposed extension or alteration should be in keeping with the scale, form and architectural character of the existing or original building, and
- c) significant alterations to the original character will only be considered where it can be demonstrated that these provide environmental benefits such as a positive contribution to the landscape and/or a more sustainable and energy efficient design.

### **(E) Replacement Dwellings**

The proposed replacement of an existing house may be acceptable provided that:

- a) the siting and design of the new building reflects and respects the historical building pattern and the character of the landscape setting,
- b) the proposal is in keeping with the existing/original building in terms of its scales, extent, form and architectural character,
- c) significant alterations to the original character of the house will only be considered where it can be demonstrated that these provide environmental benefits such as a positive contribution to the landscape and /or a more sustainable and energy efficient design.

### **(F) Economic Requirement**

Housing with a location essential for business needs may be acceptable if the Council is satisfied that:

- a) the housing development is a direct operational requirement of an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and it is for a worker predominantly employed in the enterprise and

- the presence of that worker on-site is essential to the efficient operation of the enterprise. Such development could include businesses that would cause disturbance or loss of amenity if located within an existing settlement, or
- b) it is for use of a person last employed in an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and also employed on the unit that is the subject of the application, and the development will release another house for continued use by an agricultural, horticultural, forestry or other enterprise which is itself appropriate to the countryside, and
  - c) the housing development would help support a business that results in a clear social or environmental benefit to the area, including the retention or provision of employment or the provision of affordable or local needs housing, and
  - d) no appropriate site exists within a building group, and
  - e) there is no suitable existing house or other building capable of conversion for the required residential use.

In **ALL** instances in considering proposals relative to each of the policy sections above, there shall be compliance with the Council's Supplementary Planning Guidance where it meets the terms of this policy and development must not negatively impact on landscape and existing communities. The cumulative effect of applications under this policy will be taken into account when determining impact.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards

Policy ED10 Protection of Agricultural Land and Carbon Rich Soils

Policy HD1 Affordable and Special Needs Housing

Policy EP6 Countryside Around Towns

Many of the Plan's environmental policies will be relevant particularly EP4 National Scenic Areas and EP5 Special Landscape Areas.

*The following Supplementary Planning Guidance may be relevant to this policy:*

Affordable Housing

Biodiversity

Countryside Around Towns

Green Space

Landscape and Development

Local Landscape Designations

New Housing in the Borders Countryside

Placemaking and Design

Use of Timber in Sustainable Construction

*The following proposed Supplementary Guidance may be relevant to this policy:*

Affordable Housing

Biodiversity

Countryside Around Towns

Greenspace  
Landscape and Development  
New Housing in the Borders Countryside  
Placemaking and Design  
Use of Timber in Sustainable Construction

### HD3: Protection of Residential Amenity

- 1.1 The aim of the policy is to protect the amenity of both existing established residential areas and proposed new housing developments. The policy applies to areas where the predominant use is residential; such areas are not identified on the Proposals Maps given that the predominant use of an area can change over time. The policy will be applicable for alterations and extensions, development on garden ground or 'backland', redevelopment of brownfield sites and development on gap sites. It applies to all forms of development and is also applicable in rural situations.
- 1.2 The Scottish Government's Scottish Planning Policy (SPP) states the need for high quality layout in housing developments in order to protect residential amenity.
- 1.3 Reference should also be made to the Council's Householder Developments Supplementary Planning Guidance in relation to privacy, sunlight and amenity.

#### **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.

*Key policies to which this Policy should be cross-referenced:*

Policy PMD2 Quality Standards

Policy PMD5 Infill Development  
Policy EP11 Protection of Greenspace  
Environmental Promotion and Protection policies EP7-EP10

*The following Supplementary Planning Guidance may be relevant to this policy:*

Privacy and Sunlight Guide

*The following proposed Supplementary Guidance may be relevant to this policy:*

Placemaking and Design (incorporating Privacy and Sunlight)

#### HD4: Meeting the Housing Land Requirement/ Further Housing Land Safeguarding

- 1.1 This policy is intended to assist the Council to maintain the 5 year effective housing land supply at all times, while safeguarding particularly sensitive areas from development. The housing land audit process will be used to monitor the need for any additional land release. Where a potential shortfall is identified within the local development plan area, new development will be directed to the longer term safeguarded areas identified in relation to settlements. Where possible, the safeguarded areas are shown on the Proposal Maps. Any proposals that come forward in these areas will be assessed against the policies in the approved development plans.
- 1.2 The examination of the proposed plan concluded that the proposed plan failed to adequately address the housing land requirement set out in SESplan and in its supplementary guidance on housing land. The council will, accordingly, within 12 months of adoption of this plan, prepare and submit to Scottish Ministers supplementary guidance in order to identify additional sites to provide for a further 916 units. The longer term housing and mixed use sites identified in the plan will be considered first, but that will not preclude looking beyond those in the event that the shortfall cannot be met from those sites considered to have acceptable impacts. In preparing the supplementary guidance, the council will assess the candidate sites against the criteria set out in SESplan Policy 7: Maintaining a five year housing land supply. The council will also consider whether, as part of that process, to seek to replace those longer term sites as part of the supplementary guidance, or to leave that to the next review of the plan.

#### **Policy HD4: Meeting the Housing Land Requirement/ Further Housing Land Safeguarding**

The areas indicated in the settlement profiles for longer term expansion and protection shall be safeguarded accordingly. Proposals for housing development in such expansion areas coming forward in advance of the identification of a shortfall in the effective housing land supply will be treated as premature.

As the plan does not adequately address the housing land requirement set out in SESplan and its Supplementary Guidance on Housing Land, the council will prepare and adopt supplementary guidance in order to identify additional sites to provide for a further 916 units during the plan period.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD4 Development Outwith Development Boundaries  
Policy ED7 Business, Tourism and Leisure Development in the Countryside  
Policy HD1 Affordable and Special Needs Housing  
Policy EP1 International Nature Conservation Sites and Protected Species

*The following proposed Supplementary Guidance may be relevant to this policy:*

Housing

#### HD5: Care and Retirement Homes

- 1.1 The aim of the policy is to ensure that applications for residential care and retirement homes take account of the identified local need for such facilities and the impact that such uses may have on support services and facilities. It provides for development contributions to address such impacts. Where local need has been identified, developer contributions to address deficiencies such as in community infrastructure may be required from those proposing to develop or extend care homes in accordance with Policy IS2. With the current demographics of the Scottish Borders and its growing proportion of older people, it is considered that the demand for care and retirement homes is likely to grow. As these facilities are often run as a private business, the Scottish Borders can therefore take advantage of the economic benefits arising from such opportunities. This policy will also apply where housing with care is being proposed.
- 1.2 In respect to new proposals, like other housing developments preference will be given to sites located within settlements with good access to local services and facilities. It is also important to recognise the need for the new home to be located within the community it serves, and not to be isolated from it. Whilst good access to all modes of transport including public transport is paramount, it will also be necessary to ensure that appropriate parking provision is available for the needs of the occupants, staff, and visitors.
- 1.3 Access to useable amenity space for occupants and their visitors should be incorporated into all new developments.

#### **Policy HD5: Care and Retirement Homes**

Proposals for new or extended residential care or nursing homes or other supported accommodation provision will be supported where this meets an identified local need as defined by agreed joint strategies and commissioning plans by the Council and NHS Borders.

Any new residential care or nursing home proposal will be required to meet the following criteria:

- a) be well located to allow good access to a range of local services and facilities and is accessible by a range of transport modes including public transport,
- b) have appropriate parking provision available that meets the needs of residents, visitors and staff,
- c) provide good quality amenity space available for the enjoyment of residents and their visitors.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards  
Policy PMD5 Infill Development  
Policy HD3 Protection of Residential Amenity  
Policy IS2 Developer Contributions  
Policy EP3 Local Biodiversity

*The following Supplementary Planning Guidance may be relevant to this policy:*

Placemaking and Design

*The following proposed Supplementary Guidance may be relevant to this policy:*

Placemaking and Design



## ***Environmental Promotion and Protection (EP)***

### EP1: International Nature Conservation Sites and Protected Species

- 1.1 The aim of the policy is to give designated or proposed Natura sites, Ramsar sites and sites where there is the likely presence of European Protected Species (EPS) protection from potentially adverse development.
- 1.2 Natura sites comprise Special Areas of Conservation and Special Protection Areas, and are shown along with Ramsar Sites (also designated as SSSI) on the Proposals Map. EPS are detailed in Section 5 of the Supplementary Planning Guidance for Biodiversity.
- 1.3 As part of a Habitats Regulations Appraisal, where a proposal could have a likely significant effect on a Natura Site, an appropriate assessment will be required to demonstrate that the proposal will not affect the integrity of the site.
- 1.4 If there is evidence to suggest that an EPS is present on site or may be affected by a proposed development, their presence must be established and any likely impact on the species fully considered prior to the determination of the planning application.

<b>Policy EP1: International Nature Conservation Sites and Protected Species</b>
<p>Development proposals which will have a likely significant effect on a designated or proposed Natura site, which includes all Ramsar sites, are only permissible where:</p> <ol style="list-style-type: none"><li>a) an appropriate assessment has demonstrated that it will not adversely affect the integrity of the site, or</li><li>b) there are no alternative solutions, and</li><li>c) there are imperative reasons of overriding public interest including those of a social or economic nature</li></ol> <p>Where a development proposal is sited where there is the likely presence of an EPS, the planning authority must be satisfied that:</p> <ol style="list-style-type: none"><li>a) there is no satisfactory alternative, and</li><li>b) the development is required for preserving public health or public safety or for other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance to the environment, and</li><li>c) the development is not detrimental to the maintenance of the population of a EPS at a favourable conservation status in its natural range</li></ol>

*Key policies to which this policy should be cross-referenced:*

Policy PMD4 Development Outwith Development Boundaries  
Policy ED7 Business, Tourism and Leisure Development in the Countryside  
Policy ED9 Renewable Energy Development  
Policy HD2 Housing in the Countryside  
Policy EP6 Countryside Around Towns  
Policy EP12 Green Networks  
Policy EP13 Trees, Woodlands and Hedgerows  
Policy EP14 Coastline  
Policy EP15 Development Affecting the Water Environment  
Policy IS15 Radio Telecommunications

Scottish Planning Policy, paragraphs 134-136 (International Designations) and 142-145 (Protected Species)

*The following Supplementary Planning Guidance may be relevant to this policy:*

Biodiversity  
Green Space

*The following proposed Supplementary Guidance may be relevant to this policy:*

Biodiversity  
Greenspace  
Green Networks

## EP2: National Nature Conservation Sites and Protected Species

- 1.1 The aim of the policy is to protect nationally important nature conservation sites and protected species. The sites and species are defined under the Wildlife and Countryside Act 1981 as amended and the Protection of Badgers Act 1992 as amended. The precautionary principle will be used in identifying potentially adverse effects of development proposals.
- 1.2 Nationally important sites are legally protected by their designations as Sites of Special Scientific Interest (SSSI) for their floral, faunal, geological and geomorphological interests, and as National Nature Reserves (NNR) for the conservation of habitats and species. There are 95 SSSI in the Scottish Borders, of which 2 are also NNR. Where development is permitted under the exception criteria below, mitigation measures of an appropriate nature to compensate for damage will be required, and may be located either on or off site.

- 1.3 Further information on nationally protected species can be found in the Supplementary Planning Guidance (SPG) for Biodiversity. The SPG states that the Council will ensure nationally important species are given full consideration in the assessment of development proposals which may affect them. In addition the Council will not normally grant consent for any development which would have a significant adverse effect upon habitats supporting such species.

**Policy EP2: National Nature Conservation Sites and Protected Species**

Development proposals which are likely to have a significant adverse effect, either directly or indirectly, on a Site of Special Scientific Interest or habitat directly supporting a nationally important species will not be permitted unless:

- a) the development will not adversely affect the integrity of the site, and
- b) the development offers substantial benefits of national importance, including those of a social or economic nature, that clearly outweigh the national nature conservation value of the site.

The developer will be required to detail mitigation, either on or off site, of any damage that may be caused by development permissible under the exception criteria.

*Key policies to which this policy should be cross-referenced:*

Policy PMD4 Development Outwith Development Boundaries  
Policy ED7 Business, Tourism and Leisure Development in the Countryside  
Policy ED9 Renewable Energy Development  
Policy HD2 Housing in the Countryside  
Policy EP6 Countryside Around Towns  
Policy EP12 Green Networks  
Policy EP13 Trees, Woodlands and Hedgerows  
Policy EP14 Coastline  
Policy EP15 Development Affecting the Water Environment  
Policy IS2 Developer Contributions  
Policy IS15 Radio Telecommunications

Scottish Planning Policy, paragraphs 137-138

*The following Supplementary Planning Guidance may be relevant to this policy:*

Biodiversity  
Development Contributions  
Green Space

*The following proposed Supplementary Guidance may be relevant to this policy:*

Biodiversity  
Development Contributions  
Greenspace  
Green Networks

### EP3: Local Biodiversity

- 1.1 The purpose of the policy is to safeguard and enhance local biodiversity. It also contributes to the Council's statutory duty to further the conservation of biodiversity in the Scottish Borders, under Part 1 of the Nature Conservation (Scotland) Act 2004. The approach seeks to encourage developers to consider biodiversity at the outset of a proposal. The Supplementary Planning Guidance (SPG) for Biodiversity should be referenced by developers in any relevant proposal.
- 1.2 The Scottish Borders countryside and some urban areas play an important role in the conservation of widely dispersed species with national protection. However some areas, designated as Local Biodiversity Sites and detailed in the SPG for Biodiversity, are more critical to conservation of species and are therefore subject to protection under this policy. There are also priority species and habitats that do not have statutory protection but are of national importance or occur in regionally important populations within the Scottish Borders, these features are classified as Borders Notable Species and Borders Habitats of Conservation Concern.
- 1.3 Decision making will be guided by the Local Biodiversity Action Plan, SPG for Biodiversity, British Standard for Biodiversity, planning/development briefs, expert advice from relevant environmental agencies and information from the Biological Resources Centre. Any biological site survey undertaken by developers will be deposited with the Council's Ecology Officer and in the Biological Resources Centre. The council will adopt an integrated ecosystems approach to ensure sustainable use of land, water and living resources.

#### **Policy EP3: Local Biodiversity**

Development that would have an unacceptable adverse effect on Borders Notable Species and Habitats of Conservation Concern will be refused unless it can be demonstrated that the public benefits of the development clearly outweigh the value of the habitat for biodiversity conservation.

Any development that could impact on local biodiversity through impacts on habitats and species should:

- a) aim to avoid fragmentation or isolation of habitats; and
- b) be sited and designed to minimise adverse impacts on the biodiversity of the site, including its environmental quality, ecological status and viability; and
- c) compensate to ensure no net loss of biodiversity through use of biodiversity offsets as appropriate; and
- d) aim to enhance the biodiversity value of the site, through use of an ecosystems approach, with the aim of creation or restoration of habitats and wildlife corridors and provision for their long-term management and maintenance

*Key policies to which this policy should be cross-referenced:*

Policy PMD4 Development Outwith Development Boundaries  
Policy ED7 Business, Tourism and Leisure Development in the Countryside  
Policy ED9 Renewable Energy Development  
Policy HD2 Housing in the Countryside  
Policy EP6 Countryside Around Towns  
Policy EP12 Green Networks  
Policy EP13 Trees, Woodlands and Hedgerows  
Policy EP14 Coastline  
Policy EP15 Development Affecting the Water Environment  
Policy IS2 Developer Contributions  
Policy IS15 Radio Telecommunications

Scottish Planning Policy, paragraphs 137-138

*The following Supplementary Planning Guidance may be relevant to this policy:*

Biodiversity  
Development Contributions  
Green Space

*The following proposed Supplementary Guidance may be relevant to this policy:*

Development Contributions  
Greenspace  
Green Networks

#### EP4: National Scenic Areas

- 1.1 The aim of the policy is to protect and enhance the scenic qualities of the two National Scenic Areas (NSA), at Eildon and Leaderfoot and Upper Tweeddale, in the Scottish Borders by influencing the nature of development both within

the sites and outwith them where the development affects the setting and context of the NSA.

- 1.2 Where development proposals may potentially impact an NSA, developers will be required to carry out detailed assessments involving the identification of the scenic qualities of the NSA, the contribution the application site currently makes to the NSA and the way in which the proposed development will maintain or enhance the qualities of the NSA. In particular, the scale, siting and design of any development proposed should be appropriate to its location, with a high standard of associated landscaping.
- 1.3 The NSAs are identified on the Proposal Map, further information on the landscape qualities for which the NSAs are designated is available from Scottish Natural Heritage's Special Qualities documentation.

**Policy EP4: National Scenic Areas**

Development that may affect National Scenic Areas will only be permitted where:

- a) the objectives of designation and the overall landscape value of the site and its surrounds will not be compromised, or
- b) any significant adverse effects on the qualities for which the site or its surrounds have been designated are clearly outweighed by social or economic benefits of national importance

*Key policies to which this policy should be cross-referenced:*

Policy PMD4 Development Outwith Development Boundaries  
Policy ED7 Business, Tourism and Leisure Development in the Countryside  
Policy ED9 Renewable Energy Development  
Policy ED12 Mineral and Coal Extraction  
Policy HD2 Housing in the Countryside  
Policy EP5 Special Landscape Areas  
Policy EP6 Countryside Around Towns  
Policy EP8 Archaeology  
Policy EP10 Gardens and Designed Landscape  
Policy EP14 Coastline  
Policy EP12 Green Networks  
Policy EP13 Trees, Woodlands and Hedgerows  
Policy EP11 Protection of Greenspace  
Policy IS15 Radio Communications

Scottish Planning Policy (paragraph 137)  
SNH Special Qualities of NSAs (Borders)

*The following Supplementary Planning Guidance may be relevant to this policy:*

Countryside Around Towns

Green Space  
Landscape and Development  
Local Landscape Designations  
New Housing in the Borders Countryside  
Placemaking and Design

*The following proposed Supplementary Guidance may be relevant to this policy:*

Countryside Around Towns  
Greenspace  
Green Networks  
Landscape and Development  
New Housing in the Borders Countryside  
Placemaking and Design

#### EP5: Special Landscape Areas

- 1.1 The aim of the policy is to ensure that local areas of identified landscape quality, known as Special Landscape Areas (SLA) are afforded adequate protection against inappropriate development and that potential maintenance and enhancement of the SLA is provided for.
- 1.2 Decision making will be guided by the Supplementary Planning Guidance (SPG) on Local Landscape Designations, as informed by the background report, Scottish Borders Landscape Character Assessment, and Guidance on Local Landscape Designations as produced by Historic Scotland and Scottish Natural Heritage.
- 1.3 As a local designation, the protection is less stringent than needs to be the case for National Scenic Areas. Development that complies with other countryside policies and is in line with the Council's commitment to high quality design and siting may be able to be satisfactorily accommodated in the landscape.
- 1.4 The SPG on Local Landscape Designations puts forward a suite of 9 Special Landscape Areas (SLAs); these are identified on the Proposal Maps. The SPG also provides statements of importance and management recommendations for the respective SLAs, these measures are designed to help improve the conservation and management of the SLAs, and they should be referenced in any development proposal.

#### **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.

*Key policies to which this policy should be cross-referenced:*

Policy PMD4 Development Outwith Development Boundaries  
Policy ED7 Business, Tourism and Leisure Development in the Countryside  
Policy ED9 Renewable Energy Development  
Policy ED12 Mineral and Coal Extraction  
Policy HD2 Housing in the Countryside  
Policy EP4 National Scenic Areas  
Policy EP6 Countryside Around Towns  
Policy EP8 Archaeology  
Policy EP10 Gardens and Designed Landscape  
Policy EP11 Protection of Greenspace  
Policy EP12 Green Networks  
Policy EP13 Trees, Woodlands and Hedgerows  
Policy EP14 Coastline  
Policy IS15 Radio Communications

Scottish Planning Policy (paragraphs 139-141)

*The following Supplementary Planning Guidance may be relevant to this policy:*

Countryside Around Towns  
Green Space  
Landscape and Development  
Local Landscape Designations  
New Housing in the Borders Countryside  
Placemaking and Design

*The following proposed Supplementary Guidance may be relevant to this policy:*

Countryside Around Towns  
Greenspace  
Green Networks  
Landscape and Development  
New Housing in the Borders Countryside  
Placemaking and Design

## EP6: Countryside Around Towns

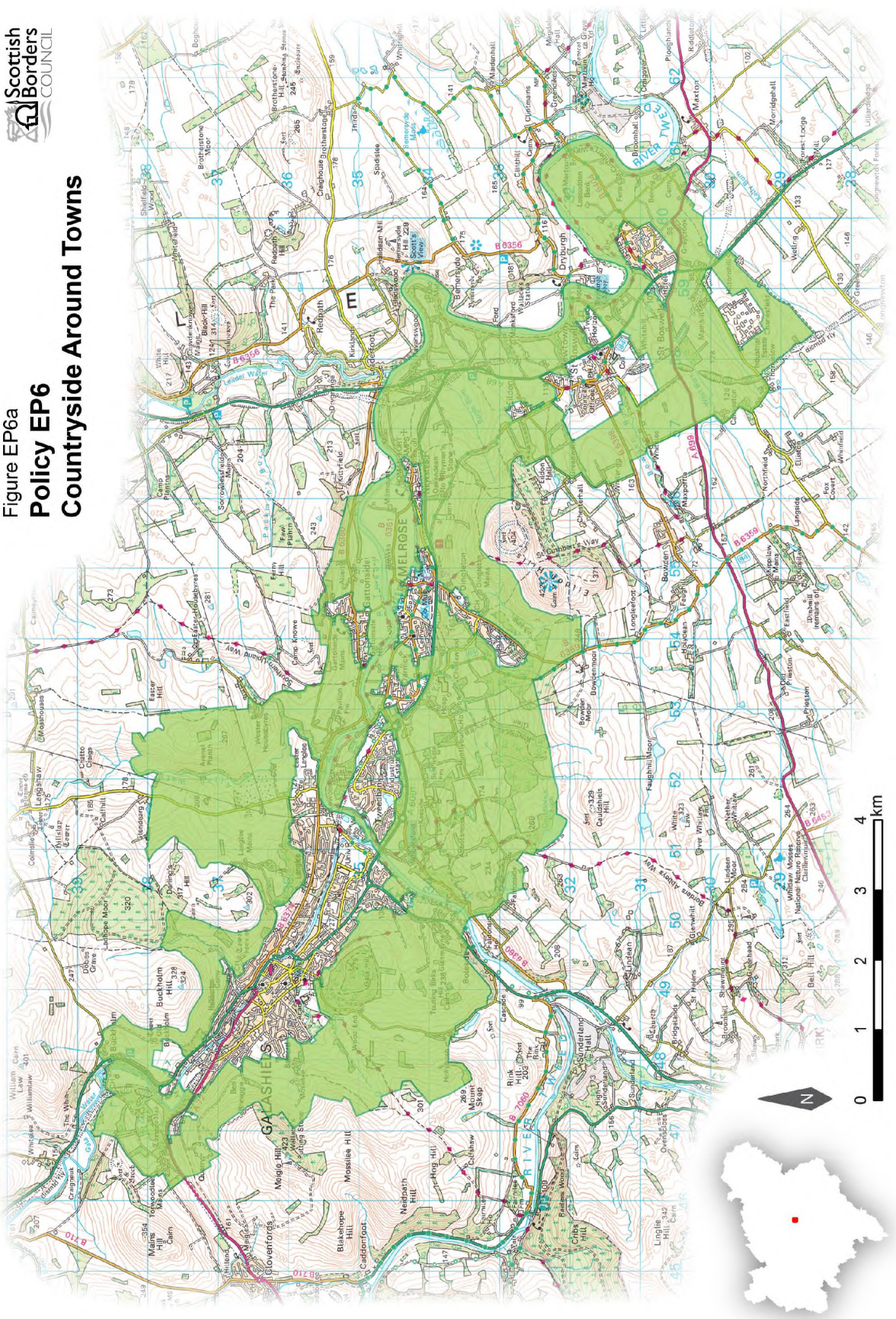
- 1.1 The aim of this policy is to ensure that the identified Countryside Around Towns (CAT) area (see Figure EP6a) and the high quality living environment it provides is protected. The policy aims to prevent piecemeal development,



which would detract from the area's environment, and to avoid coalescence of settlements, thereby retaining their individual identity.

- 1.2 There is also an enhancement element of the policy which requires proposals to consider the maintenance and improvement of the high quality environment, for example through improvements to landscaping, planting or recreational access.
- 1.3 When a proposal is assessed under the CAT policy and the Housing in the Countryside Policy, it is the CAT policy that will carry greater weight. This will be the case except for where a proposal is put forward to build within the confines of an existing building group as opposed to extending outwith it, where it can be shown the high quality environment will be maintained. In this situation the proposal could be permissible under the CAT policy but will still have to meet the requirements of the Housing in the Countryside Policy.

Figure EP6a  
**Policy EP6**  
**Countryside Around Towns**





- 1.4 Further detail on Policy EP3 can be found in the Countryside Around Towns Supplementary Planning Guidance and the current designated area is shown on Figure EP6. The CAT area is partially located on land that is designated as a National Scenic Area as well as land that is designated as a Special Landscape Area, as a result the special qualities for which these designations are made should be taken into consideration in any relevant proposal.

<b>Policy EP6: Countryside Around Towns</b>
<p>Within the area defined as Countryside Around Towns, proposals will only be considered for approval if they meet the following considerations:</p> <ul style="list-style-type: none"> <li>a) there is an essential requirement for a rural location and the use is appropriate to a countryside setting e.g. agricultural, horticultural, forestry, countryside recreation, nature conservation, landscape renewal, community facilities, or</li> <li>b) it involves the rehabilitation, conversion, limited extension or an appropriate change of use of an existing traditional building of character, or,</li> <li>c) in the case of new build housing it must be located within the confines of an existing building group as opposed to extending outwith it and it must be shown the high quality environment will be maintained. The definition of a building group is stated within Policy HD2 Housing in the Countryside, or</li> <li>d) it enhances the existing landscape, trees, woodland, natural &amp; man-made heritage, access and recreational facilities, or</li> <li>e) subject to satisfactory design and setting, it has a proven national or strategic need and no alternative is suitable</li> </ul>
<p><i>Key policies to which this policy should be cross-referenced:</i></p> <p>Policy PMD4 Development Outwith Development Boundaries  Policy ED7 Business, Tourism and Leisure Development in the Countryside  Policy ED9 Renewable Energy Development  Policy HD2 Housing in the Countryside  Policy EP4 National Scenic Areas  Policy EP5 Special Landscape Areas  Policy EP8 Archaeology  Policy EP10 Gardens and Designed Landscape  Policy EP11 Protection of Greenspace  Policy EP12 Green Networks  Policy EP13 Trees, Woodlands and Hedgerows  Policy IS15 Radio Communications</p> <p><i>The following Supplementary Planning Guidance may be relevant to this policy:</i></p> <p>Biodiversity  Countryside Around Towns  Green Space  Landscape and Development</p>

Local Landscape Designations  
New Housing in the Borders Countryside  
Placemaking and Design

*The following proposed Supplementary Guidance may be relevant to this policy:*

Biodiversity  
Countryside Around Towns  
Greenspace  
Green Networks  
Landscape and Development  
New Housing in the Borders Countryside  
Placemaking and Design

#### EP7: Listed Buildings

- 1.1 The aim of the policy is to protect Listed Buildings from works that would spoil their historic and architectural interest. In turn this will protect a major asset that contributes significantly towards the character and amenity of the Scottish Borders and represents a valuable resource for recreational, tourism and educational purposes. “Listed Buildings” may include structures as well as buildings.
- 1.2 Listed Buildings are most vulnerable when they are unoccupied and, consequently, encouragement will be given to appropriate development that would both provide occupancy and protect and enhance the character of the building. The fact that a building has been unoccupied for a period is not a justification for unsympathetic alteration. In order to assess proposals affecting Listed Buildings, the views of Historic Environment Scotland will be sought, alongside the Architectural Heritage Society of Scotland and other appropriate amenity groups.
- 1.3 Decisions on proposals for any alterations or demolition of a Listed Building will be made in accordance with the advice contained within the Scottish Historic Environment Policy, and within the Managing Change in the Historic Environment guidance note series produced by Historic Scotland and in consultation with the appropriate heritage bodies.
- 1.4 Design Statements are a tool by which the design principles and design concepts of proposals may be illustrated and allow for the proper assessment of proposals. Brief statements may be useful even for minor developments. The design statement should demonstrate an understanding of the significance of the asset.

#### **Policy EP7: Listed Buildings**

The Council will support development proposals that conserve, protect, and enhance the character, integrity and setting of Listed Buildings.

Internal or external alterations and extensions to Listed Buildings, or new developments within their curtilage, must meet the following criteria:

- a) be of the highest quality,
- b) respect the original structure in terms of setting, scale, design and materials, whilst not inhibiting contemporary and/or innovative design;
- c) maintain, and should preferably enhance, the special architectural or historic quality of the building;
- d) demonstrate an understanding of the building's significance.

All applications for Listed Building Consent or applications affecting the setting of Listed Buildings will be required to be supported by Design Statements.

New development that adversely affects the setting of a Listed Building will not be permitted.

The demolition of a Listed Building will not be permitted unless there are overriding environmental, economic, social or practical reasons. It must be satisfactorily demonstrated that every effort has been made to continue the present use or to find a suitable new use.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards  
Policy PMD5 Infill Development  
Policy IS15 Radio Telecommunications  
Other Environment Promotion and Protection policies.

Scottish Planning Policy (section paragraphs 113-115)  
Scottish Historic Environment Policy  
Managing Change in the Historic Environment guidance note series

*The following Supplementary Planning Guidance may be relevant to this policy:*

Replacement Windows and Doors

*The following proposed Supplementary Guidance may be relevant to this policy:*

Archaeology

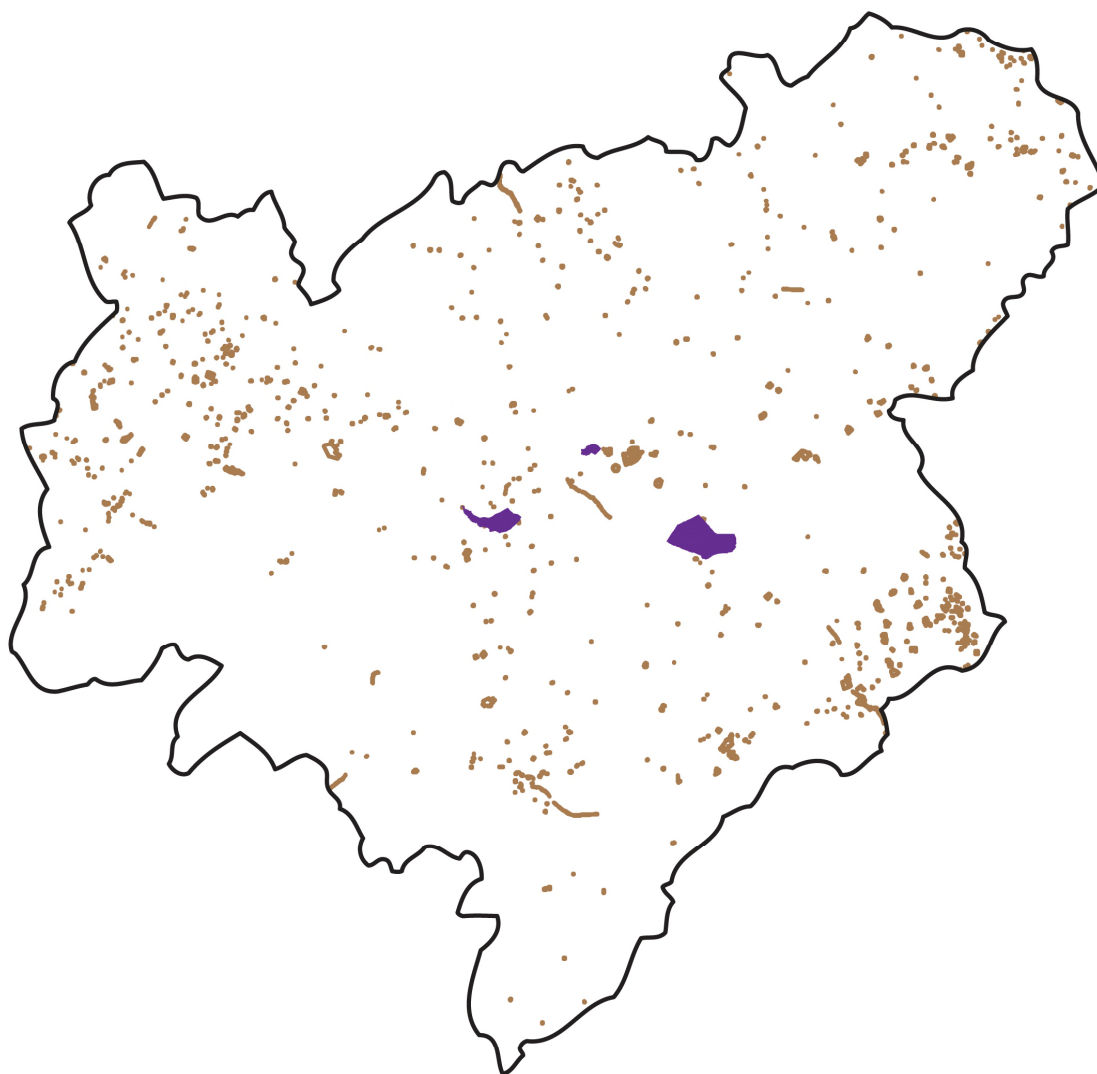
- 1.1 The aim of the policy is to give Scheduled Monuments, and any other archaeological or historic asset including battlefields or landscapes (see figure EP8a), strong protection from any potentially damaging development. Archaeological assets and historic buildings represent an irreplaceable part of the Scottish Borders heritage and environment. In addition to their inherent historical importance, they are of great interest and value for educational, recreational and tourism purposes.
- 1.2 When determining development proposals the Council will seek to have the remains preserved *in situ* and within an appropriate setting. If this is determined to be unachievable, the policy allows for a full assessment of the value of any archaeological remains or historic buildings to establish the likely impact of the development on them and provide appropriate mitigation. Any investigation must be carried out in accordance with the Council's requirements with regard to the scale of investigations, method of studying evidence and reporting of results. In order to assess proposals affecting national archaeological sites and battlefields, the views of Historic Environment Scotland will be sought as appropriate.
- 1.3 Where there is reasonable evidence of the existence of archaeological remains, but their nature and extent are unknown, the Council may require an Archaeological Investigation to provide clarification of the potential impact of development before a planning decision is reached.
- 1.4 Where archaeological investigation, preservation, and recording are required to be carried out, the Council will require to approve a strategy of works. The strategy will ensure that a complete record is made of any remains which would otherwise be impacted by the development. Such a strategy might include some or all of the following:
  - a) the preservation of remains *in situ* and in an appropriate setting,
  - b) surface or geophysical survey,
  - c) archaeological excavation,
  - d) archaeological watching brief,
  - e) study of the excavated evidence and publication of the results,
  - f) historic building recording.
- 1.5 Where development is approved which would affect a known or suspected archaeological asset, the Council will require that such development is carried out in accordance with an approved strategy designed to minimise the impact of development upon the asset(s).
- 1.6 The preferred solution will be influenced by the value of the site in national, regional or local terms.
- 1.7 Setting is considered to be important to the way in which historic structures or places are understood, appreciated, and experienced. Further information


and advice on 'setting' can be found in Historic Scotland's Managing Change in the Historic Environment Guidance Note on Setting.


- 1.8 In certain circumstances the Council may require a Design Statement. Design Statements are a tool by which the design principles and design concepts of proposals may be illustrated and allow for the proper assessment of proposals. The design statement should demonstrate an understanding of the significance of the asset. Brief statements may be useful even for minor developments.

Figure EP8a  
Policy EP8

## Scheduled Monuments Historic Battlefields



 Scheduled Monuments

 Historic Battlefields



## **Policy EP8: Archaeology**

### **(A) National Archaeological Sites**

Development proposals which would destroy or adversely affect the appearance, fabric or setting of Scheduled Monuments or other nationally important sites will not be permitted unless:

- a) the development offers substantial benefits, including those of a social or economic nature, that clearly outweigh the national value of the site, and
- b) there are no reasonable alternative means of meeting the development need.

### **(B) Battlefields**

The Council may support development proposals within a battlefield on the Inventory of Historic Battlefields Register, or a regionally significant site, that seek to protect, conserve, and/or enhance the landscape characteristics or important features of the battlefield. Proposals will be assessed according to their sensitivity to the battlefield.

### **(C) Regional or Local Archaeological Assets**

Development proposals which will adversely affect an archaeological asset of regional or local significance will only be permitted if it can be demonstrated that the benefits of the proposal will clearly outweigh the heritage value of the asset.

In all of the above cases, where development proposals impact on a Scheduled Monument, other nationally important sites, or any other archaeological or historical asset, developers may be required to carry out detailed investigations.

Any proposal that will adversely affect a historic environment asset or its appropriate setting must include a mitigation strategy acceptable to the Council.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards

Policy PMD4 Development Outwith Development Boundaries

Policy PMD5 Infill Development

Policy ED9 Renewable Energy Development

Policy ED12 Mineral and Coal Extraction

Many other Environmental Promotion and Protection policies may also be relevant.

Scottish Planning Policy

Scottish Historic Environment Policy

Managing Change in the Historic Environment guidance note series

*The following proposed Supplementary Guidance may be relevant to this policy:*

Archaeology

## EP9: Conservation Areas

- 1.1 The aim of the policy is to preserve or enhance the character or appearance of Conservation Areas. Conservation Areas make a unique and irreplaceable contribution towards the character and quality of the Scottish Borders, and as such must be protected from inappropriate development. The policy aims to subject applications for demolition to scrutiny such that in cases where the building is of merit, demolition should be the last resort and only considered after all the alternatives have been evaluated, regardless of the quality of the replacement. The current use of the building will be considered and efforts made to seek alternative uses. In cases where the value of the building is limited, re-use may be of less importance and replacements of suitable quality may do more to enhance the Conservation Area.
- 1.2 The legislation defines Conservation Areas as “areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance” (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Conservation Areas have evolved over many years and in some instances innovative or contemporary architecture can be appropriate.
- 1.3 “Development” includes alterations to existing property. The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 states that “Any improvement, addition or other alteration to the external appearance of a dwellinghouse ...” is not permitted development within a Conservation Area. This therefore requires applications for planning permission for works such as replacement windows and doors.
- 1.4 The relevant government guidance is Scottish Planning Policy, Historic Scotland’s Scottish Historic Environment Policy and Managing Change in the Historic Environment guidance note series which aim to conserve the historic environment. PAN 68 “Design Statements” and PAN 71 “The Management of Conservation Areas” are also relevant.
- 1.5 The boundaries of all Conservation Areas are shown on the Proposals Maps for the relevant settlements. A review of the Conservation Areas has recently been undertaken and that review included the designation of a further three Conservation Areas. There are currently 43 Conservation Areas designated within the Scottish Borders. These were formally designated on 5 March 2012. The boundaries of the Conservation Areas have been developed in line with the technical background note. Decision making will be guided by the Conservation Area Statements that are set out within the Conservation Area Statement Technical Note and Supplementary Guidance will be produced in order to facilitate the management of the Conservation Areas.

- 1.6 Decisions on proposals affecting a Conservation Area will be made in accordance with the advice contained within the Scottish Historic Environment Policy, and within the Managing Change in the Historic Environment guidance note series produced by Historic Scotland and in consultation with the appropriate heritage bodies.
- 1.7 Design Statements are a tool by which the design principles and design concepts of proposals may be illustrated and allow for the proper assessment of proposals. Brief statements may be useful even for minor developments.

<p><b>Policy EP9: Conservation Areas</b></p> <p>The Council will support development proposals within or adjacent to a Conservation Area which are located and designed to preserve or enhance the special architectural or historic character and appearance of the Conservation Area. This should accord with the scale, proportions, alignment, density, materials, and boundary treatment of nearby buildings, open spaces, vistas, gardens and landscapes.</p> <p>The Council may require applications for full, as opposed to Planning Permission in Principle Consent.</p> <p>Conservation Area Consent, which is required for the demolition of an unlisted building within a Conservation Area, will only be considered in the context of appropriate proposals for redevelopment and will only be permitted where:</p> <ul style="list-style-type: none"> <li>a) the building is incapable of reasonably beneficial use by virtue of its location, physical form or state of disrepair, and</li> <li>b) the structural condition of the building is such that it can not be adapted to accommodate alterations or extensions without material loss to its character, and</li> <li>c) the proposal will preserve or enhance the Conservation Area, either individually or as part of the townscape.</li> </ul> <p>In cases a) to c) above, demolition will not be permitted to proceed until acceptable alternative treatment of the site has been approved and a contract for the replacement building or for an alternative means of treating the cleared site has been agreed.</p> <p>Design Statements will be required for all applications for alterations, extensions, or for demolition and replacement which should explain and illustrate the design principles and design concepts of the proposals.</p>
<p><i>Key Policies to which this policy should be cross-referenced:</i></p> <p>Policy PMD2 Quality Standards  Policy PMD5 Infill Development  Policy EP13 Trees, Woodlands and Hedgerows</p>

Policy IS15 Radio Telecommunications  
Other Environmental Promotion and Protection policies

Scottish Planning Policy  
Scottish Historic Environment Policy  
Managing Change in the Historic Environment guidance note series

*The following Supplementary Planning Guidance may be relevant to this policy:*

Placemaking and Design  
Replacement Windows and Doors  
Shop fronts and shop signage

*The following proposed Supplementary Guidance may be relevant to this policy:*

Conservation Areas  
Placemaking and Design

#### EP10: Gardens and Designed Landscapes

- 1.1 The aim of the policy is to protect the character of Gardens and Designed Landscapes from development that would adversely affect their special character. At the same time, the policy recognises that development can sometimes be accommodated within or adjacent to these areas provided it is carefully sited and sensitively designed. Gardens and Designed Landscapes are a historically important element of the Scottish Borders landscape. In addition they may also provide landscape settings for important buildings, be architecturally or artistically important in themselves, and/or have horticultural, silvicultural and ecological value.
- 1.2 The Council are required to consult Historic Environment Scotland on any proposed development which may affect a historic garden or designed landscape as identified in the Inventory of Gardens and Designed Landscapes.
- 1.3 Setting is considered to be important to the way in which historic structures or places are understood, appreciated, and experienced. Further information and advice on 'setting' can be found in Historic Scotland's Managing Change in the Historic Environment Guidance Note on Setting.
- 1.4 Design Statements are a tool by which the design principles and design concepts of proposals may be illustrated and allow for the proper assessment of proposals. Brief statements may be useful even for minor developments.

#### **Policy EP10: Gardens and Designed Landscapes**

The Council will support development that safeguards or enhances the landscape

features, character or setting of:

- a) sites listed in the Inventory of Gardens and Designed Landscapes, or
- b) sites included in historic gardens and designed landscapes records.

All development should be carefully sited, be of the highest standards of design using appropriate finishing materials and planting, and be informed by and respectful of the historic landscape structure. Proposals that will result in an unacceptable adverse impact will be refused.

All applications affecting a Garden or Designed Landscape will be required to be supported by a Design Statement.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards  
Policy PMD4 Development Outwith Development Boundaries  
Policy PMD5 Infill Development  
Many other Environmental Promotion and Protection policies may also be relevant.

Scottish Planning Policy  
Scottish Historic Environment Policy  
Managing Change in the Historic Environment guidance note series

## EP11: Protection of Greenspace

- 1.1 The aim of the policy is to give protection to a wide range of defined types of greenspace (also known as open space) within settlements and to prevent their piecemeal loss to development. The policy also aims to protect and safeguard the most important spaces within settlements. The greenspaces covered by this policy are based on the typology contained in the Scottish Government's Planning Advice Note (PAN) 65.
- 1.2 The Local Development Plan identifies Key Greenspaces within Development Boundaries. The spaces identified within the Plan are those spaces which are considered to be of greatest value to the community and are therefore worthy of protection. It is intended that within Key Greenspaces only proposals that will enhance the space will be supported by the Council.
- 1.3 Whilst the Local Development Plan identifies Key Greenspaces within settlements, the policy acknowledges that there are other greenspaces also within settlements. This policy also extends protection to those other greenspaces. The policy also aims to ensure that where development is proposed, the loss is justified and that compensatory provisions are made.

- 1.4 The Council has produced a Supplementary Planning Guidance (SPG) on Green Space. The SPG will continue to provide guidance to those preparing planning applications for one or more dwellings as to what the Council may require in order to mitigate the impact of residential developments on greenspace and outdoor sport and recreation provision. Furthermore the Council have also approved a Facilities and Pitches Strategy 2011, which will be used to assess future provision of accessible high quality and financially sustainable facilities for sport and physical activity in the Scottish Borders, as well as being a key driver to partnerships and external funding providers.

<p><b>Policy EP11: Protection of Greenspace</b></p> <p><b>(A) Key Greenspaces</b> 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.</p> <p><b>(B) Other Greenspaces</b> Greenspace within the Development Boundary of settlements will be protected from development where this can be justified by reference to any of the following:</p> <ul style="list-style-type: none"><li>a) the environmental, social or economic value of the greenspace;</li><li>b) the role that the greenspace plays in defining the landscape and townscape structure and identity of the settlement;</li><li>c) the function that the greenspace serves.</li></ul> <p>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:</p> <ul style="list-style-type: none"><li>d) there is social, economic and community justification for the loss of the open space; or</li><li>e) the need for the development is judged to outweigh the need to retain the open space; and</li><li>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.</li></ul> <p>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:</p>
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- 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.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards  
Policy PMD4 Development Outwith Development Boundaries  
Policy EP6 Countryside Around Towns  
Policy EP12 Green Networks  
Policy IS5 Protection of Access Routes

*The following Supplementary Planning Guidance may be relevant to this policy:*

Biodiversity  
Countryside Around Towns  
Green Space  
Landscape and Development  
Local Landscape Designations  
Trees and Development

*The following proposed Supplementary Guidance may be relevant to this policy:*

Biodiversity  
Countryside Around Towns  
Greenspace  
Green Networks  
Landscape and Development  
Trees and Development

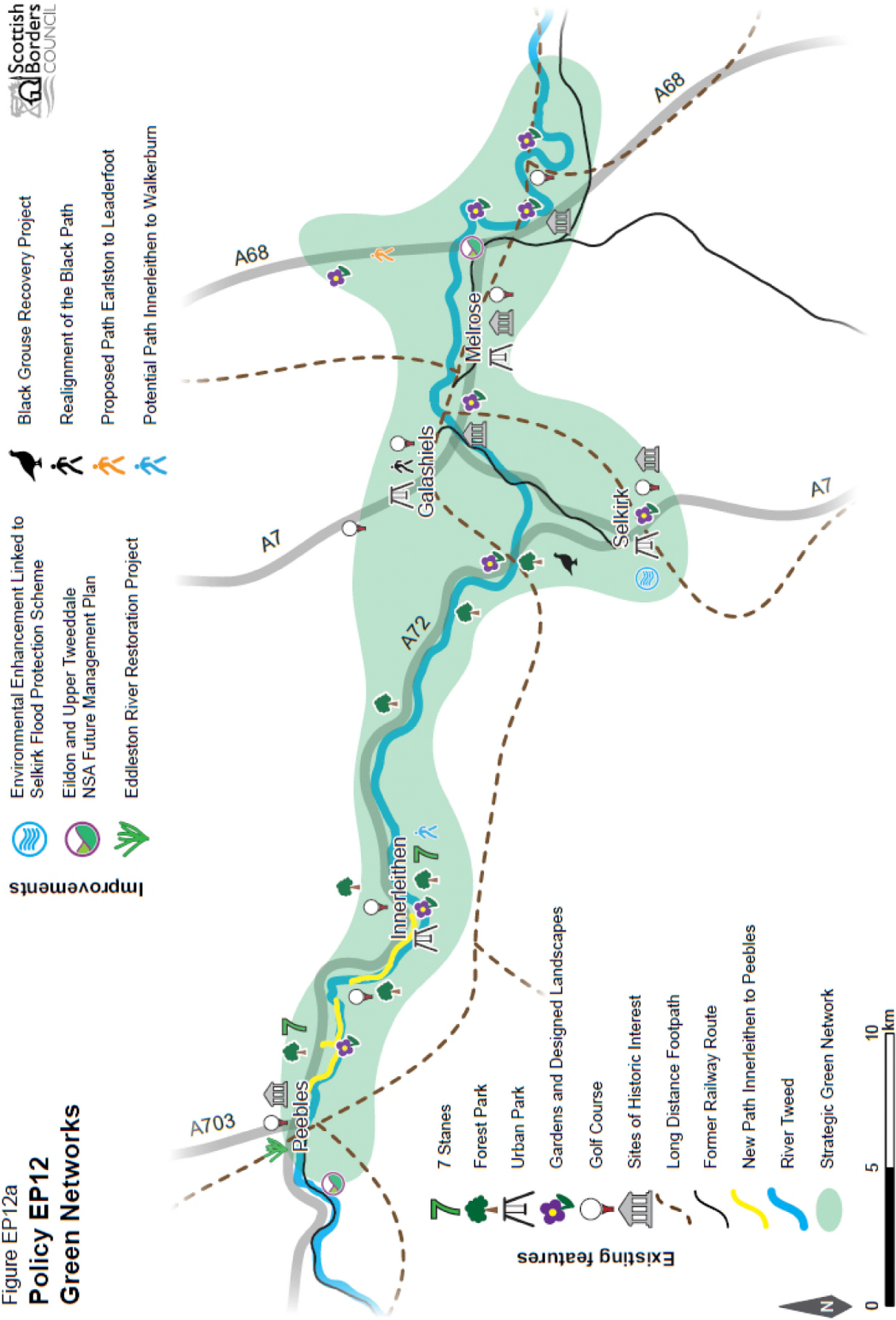
## EP12: Green Networks

- 1.1 Green Networks consist of a network of greenspaces (including green infrastructure) and green corridors through, within and around settlements, linking open spaces within settlements to the wider countryside. (see Figure EP12a). They can assist in enhancing the biodiversity, quality of life, and sense of place of an area.
- 1.2 The aim of the policy is to promote and support developments that enhance Green Networks. The policy also aims to protect existing Green Networks and avoid where possible their fragmentation. It is recognised however, that while the Local Development Plan (LDP) identifies a series of green networks, it should also be noted that there are numerous other local green networks throughout the Scottish Borders which are also covered by this policy.

- 1.3 In line with Planning Advice Note 65: Planning and Open Space, the LDP identifies those green networks that contribute to the development framework. Therefore the networks identified within the LDP focus primarily on the Strategic Development Areas as set out in the SESplan and the 11 main population centres/settlements within the Borders. The LDP identifies three different types of green networks, Strategic, Key and a further one based on the former railway routes.
- 1.4 The Green Networks identified within the LDP assist in supporting sustainable economic growth, tourism, recreation, the creation of an environment that promotes a healthier-living lifestyle, and the protection and enhancement of biodiversity, and has the potential to improve the quality of the water environment, promote flood protection, and reduce pollution.
- 1.5 Elements that form a Green Network set out within the LDP can range from a few to many. These can include footpaths or cycle routes be they for sustainable travel/active travel and recreation, either within towns or linking towns; quality natural heritage; areas of woodland; main rivers and water quality, landscape designations as well as gardens and designed landscapes.
- 1.6 The Strategic Green Network identified connects the Central Borders Strategic Development Area (SDA) to the Western Borders SDA. It focuses on an area which is made up of various components that attract and encourage participation from the greatest number of people.
- 1.7 The series of Key Green Networks identified within the LDP are in and around the towns of Duns, Eyemouth, Hawick, Jedburgh, Kelso and Lauder. These identified networks also complement the development strategy set out within the SESplan.
- 1.8 Former railway lines in the Scottish Borders represent a network of over 125 miles of former track-bed which links many of the larger towns, as well as neighbouring local authorities (both in the north of the Scottish Borders and in the south), and as such offers considerable potential for alternative uses , mainly walking and cycling, in the promotion of connectivity. The LDP seeks to safeguard these routes of the former railway lines as they have the potential to be used for walking, cycling and recreation and have the potential to assist in reducing car use in line with the Transport Strategy.
- 1.9 The Council will also consider the preparation of Supplementary Guidance on Green Networks.



Figure EP12a  
**Policy EP12**  
**Green Networks**



**Policy EP12: Green Networks**

The Council will support proposals that protect, promote and enhance the Greenspace Network.

Where a proposal comes forward that will result in a negative impact on the natural heritage, greenspace, landscape, recreation or other element of a Green Network, appropriate mitigation will be required.

Where infrastructure projects or other developments are required that cross a Green Network, such developments must take account of the coherence of the Network. In doing this, measures which allow access across roads for wildlife, or access for outdoor recreation will be required.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards  
Policy PMD4 Development Outwith Development Boundaries  
Policy PMD5 Infill Development  
Policy EP6 Countryside Around Towns  
Policy EP11 Protection of Greenspace  
Policy IS5 Protection of Access Routes

*The following Supplementary Planning Guidance may be relevant to this policy:*

Green Space  
Biodiversity  
Trees and Development  
Countryside Around Towns  
Local Landscape Designations  
Landscape and Development

*The following proposed Supplementary Guidance may be relevant to this policy:*

Biodiversity  
Countryside Around Towns  
Greenspace  
Green Networks  
Landscape and Development  
Trees and Development

**EP13: Trees, Woodlands and Hedgerows**

- 1.1 The aim of the policy is to give protection to the woodland resource and in turn, to the character and amenity of settlements and the countryside,

maintain habitats and provide an important recreational asset. The policy seeks to protect and enhance the whole resource, not only individual trees that might be protected by a Tree Preservation Order; safeguarded by a condition on a planning permission; or located within a Conservation Area.

- 1.2 The policy encourages developers to take account of the existing woodland resource at the outset of their development schemes, to be guided by the Council's planning briefs, and provides for the protection of the resource during construction. Decision making will be informed by the Scottish Borders Woodland Strategy, expert advice from external agencies, the existing condition of the woodland resource and British Standard 5837: Trees in Relation to Construction.
- 1.3 The woodland resource refers to the maintenance and management of trees, ancient woodlands and pastures, and hedgerows.

<b>Policy EP13: Trees, Woodlands and Hedgerows</b>
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:
<ol style="list-style-type: none"><li>a) aim to minimise adverse impacts on the biodiversity value of the woodland resource, including its environmental quality, ecological status and viability; and</li><li>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</li><li>c) adhere to any planning agreement sought to enhance the woodland resource</li></ol>
<i>Key policies to which this policy should be cross-referenced:</i>
Policy PMD4 Development Outwith Development Boundaries Policy ED7 Business, Tourism and Leisure Development in the Countryside Policy ED9 Renewable Energy Development Policy HD2 Housing in the Countryside Policy EP4 National Scenic Areas Policy EP5 Special Landscape Areas Policy EP6 Countryside Around Towns Policy EP8 Archaeology Policy EP10 Gardens and Designed Landscape Policy EP12 Green Networks Policy EP11 Protection of Greenspace Policy EP15 Development Affecting the Water Environment Policy IS2 Developer Contributions

Policy IS15 Radio Communications

*The following Supplementary Planning Guidance may be relevant to this policy:*

Green Space  
Scottish Borders Woodland Strategy  
Trees and Development

*The following proposed Supplementary Guidance may be relevant to this policy:*

Greenspace  
Green Networks  
Trees and Development

Policy EP14: Coastline

- 1.1 The policy is aimed at ensuring that the Scottish Borders coastline, in particular the 'undeveloped coast' outwith the respective coastal settlement boundaries, is afforded adequate protection from inappropriate development. The coast is important not just from an environmental point of view but because of its value as a tourism asset.
- 1.2 Scottish Planning Policy states that Planning Authorities should consider identifying coastal areas likely to be suitable or unsuitable for development, including priority regeneration and enhancement areas, and any relevant constraints, such as erosion or flood risk.
- 1.3 It is considered that proposals for development, including regeneration, can be met by the coastal settlements and that it is not necessary to identify other areas suitable or unsuitable for development. Proposals for development outwith a development boundary will be tested by appropriate Local Development Plan policy.
- 1.4 The Scottish Borders coastline is designated for its nature and landscape value, as identified on the Proposal Map, and any development would have to adhere to the relevant policies associated with these designations. This includes appropriate assessment where required to demonstrate no adverse effect on the integrity of Natura sites.

**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.

*Key policies to which this policy should be cross-referenced:*

Policy PMD4 Development Outwith Development Boundaries  
Policy ED7 Business, Tourism and Leisure Development in the Countryside  
Policy HD2 Housing in the Countryside  
Policy EP1 International Nature Conservation Sites and Protected Species  
Policy EP2 National Nature Conservation Sites and Protected Species  
Policy EP3 Local Biodiversity  
Policy EP5 Special Landscape Areas  
Policy EP12 Green Networks

Scottish Planning Policy

*The following Supplementary Planning Guidance may be relevant to this policy:*

Landscape and Development  
Local Landscape Designations  
Placemaking and Design

*The following proposed Supplementary Guidance may be relevant to this policy:*

Green Networks  
Landscape and Development  
Placemaking and Design

## EP15: Development Affecting the Water Environment

- 1.1 The policy is aimed at ensuring that development does not adversely affect any of the complex components that comprise the water environment, for example, rivers, lochs, groundwater, wetland, coastal waters and estuaries. Under the Water Environment (Controlled Activities) (Scotland) Regulations 2011, any activity which may affect Scotland's water environment must be authorised.
- 1.2 The Council aims to protect and improve the quality of the water environment and requires developers to consider how their proposals might generate potentially adverse impacts and to build in measures that will minimise any such impacts and enhance and restore the water environment. Development proposals likely to have a significant effect on the River Tweed Special Area of Conservation will be subject to appropriate assessment, as set

out in Policy EP1. The basis of the council's approach will be the sustainable management objectives set out to improve the River Tweed in the Solway Tweed River Basin Management Plan and to the Eye Water set out in the Forth Area Management Plan. The Council will also liaise with its partner organisations particularly in regard to the River Tweed Special Area of Conservation.

- 1.3 The policy refers to the natural and physical characteristics of the water environment; the natural characteristics are biodiversity or landscape features, whilst the physical characteristics include the water quality and morphology.
- 1.4 Opportunities to enhance and restore the water environment in support of biodiversity are set out in the Supplementary Policy Guidance for Biodiversity.

<b>Policy EP15: Development Affecting the Water Environment</b>
Development proposals that seek to bring improvement to the quality of the water environment will be supported. Where a proposal would result in a significant adverse effect on the water environment through impact on its natural or physical characteristics, or its use for recreation or existing river engineering works, it will be refused. Decision making will be guided by an assessment of:
<ul style="list-style-type: none"><li>a) pollution of surface or underground water, including water supply catchment areas, as a result of the nature of any surface or waste water discharge or leachate, including from the disturbance of contaminated land;</li><li>b) flood risk within the site or the wider river catchment;</li><li>c) proposals for river engineering works that may be required for fisheries management, flood defence or erosion control;</li><li>d) compliance with current best practice on Sustainable Urban Drainage (SUDS) including avoidance of flooding, pollution, extensive canalisation and culverting of watercourses.</li></ul>
<i>Key policies to which this policy should be cross-referenced:</i>  Policy PMD2 Quality Standards Policy EP1 International Nature Conservation Sites and Species Policy EP2 National Nature Conservation Sites and Protected Species Policy EP3 Local Biodiversity Policy EP12 Green Networks Policy IS2 Developer Contributions Policy IS8 Flooding Policy IS9 Waste Water Treatment Standards and Sustainable Urban Drainage  <i>The following Supplementary Planning Guidance may be relevant to this policy:</i> Biodiversity

*The following proposed Supplementary Guidance may be relevant to this policy:*

Biodiversity  
Green Networks

#### Policy EP16: Air Quality

- 1.1 The purpose of this policy is to protect air quality and in so doing complement other policies to protect land and water. This in turn will help to fulfil the Council's environmental commitments and its contribution to addressing climate change. The Scottish Borders has no areas where air quality is an issue and the Council is keen to maintain this standard.
- 1.2 The policy applies not just to business and industrial development that may involve emissions but to other land uses that, through the generation of traffic, for example, could result in deterioration of local air quality. It applies to visible pollutants and to invisible gases such as CO<sub>2</sub> which have been linked to climate change.

#### **Policy EP16: Air Quality**

Development proposals that, individually or cumulatively, could adversely affect the quality of air in a locality to a level that could potentially harm human health and wellbeing or the integrity of the natural environment, must be accompanied by provisions that the Council is satisfied will minimise such impacts to an acceptable degree. Where it is considered appropriate the Council may request that an Air Quality Assessment is undertaken to assist determination of an application.

#### *Key policies to which this policy should be cross-referenced:*

Policy PMD4 Development Outwith Development Boundaries  
Policy ED7 Business, Tourism and Leisure Development in the Countryside  
Policy HD2 Housing in the Countryside  
Policy EP12 Green Networks  
Policy IS1 Public Infrastructure and Local Services Provision  
Policy IS4 Transport Development and Infrastructure  
Policy IS5 Protection of Access Routes  
Policy IS10 Waste Management Facilities  
Policy IS11 Hazardous Developments  
Policy IS13 Contaminated Land

The relevant government guidance is Air Quality and Land Use Planning (2004) and Planning Advice Note 51: Planning and Environmental Protection (Revised 2006)

## ***Infrastructure and Standards (IS)***

### **IS1: Public Infrastructure and Local Service Provision**

- 1.1 The aim of the policy is to prevent any development that would adversely affect future public infrastructure and local service provision. It also seeks to prevent the loss of public infrastructure, facilities or local services. These could include post offices, filling stations, public or village halls, public houses and hotels, and rural shops etc. The policy is aimed at retaining and enhancing the sustainability and viability of the area's communities.

#### **Policy IS1 – Public Infrastructure and Local Service Provision**

The Council will encourage the retention of and improvements to public infrastructure and local services.

1. Development that might prejudice the future provision of those infrastructure and service improvements identified on the Proposals Maps will not be permitted.
2. Proposals that result in the loss of an existing public facility or local service may be supported if:
  - a) it can be adequately demonstrated that the existing facility or service is financially unviable, and
  - b) it can be demonstrated that all reasonable attempts have been made to sell the facility or service as a "viable concern", and
  - c) it can adequately be demonstrated that the loss of the facility or service will not have an adverse impact on the settlement, and
  - d) the proposal will offer significant wider public and community benefits, and
  - e) the proposal does not detract from the character and amenity of the surrounding area

*Key policies to which this Policy should be cross-reference:*

Policy PMD4 Development Outwith Development Boundaries  
Policy PMD5 Infill Development  
Policy HD3 Protection of Residential Amenity  
Policy EP1 International Nature Conservation Sites  
Policy EP4 National Scenic Areas  
Policy EP6 Countryside Around Towns



## IS2: Developer Contributions

- 1.1 The purpose of the policy is to provide guidance on how the Council intends to comply with the provisions of Circular 3/2012 on the use of Section 75 Planning Agreements. The policy also provides for the use of Section 69 or where appropriate, other legal agreements. In turn this will help ensure that the quality of services and facilities is not compromised by new development. The policy aims to ensure, as far as practicable, that the burden of additional infrastructure and/or services that are related to the development is absorbed by the landowner and developer as opposed to the Council or other service providers.
- 1.2 Contributions towards affordable housing provision are detailed in policy HD1 – Affordable and Special Needs Housing. Contributions to the Waverley Railway Project are the subject of special provisions set out in policy IS3 – Developer Contributions related to Borders Railway. While policy IS2 is aimed at planning obligations along with other legal agreements, wherever possible, any requirement to provide developer contributions will be secured by planning condition. Where a legal agreement is necessary, the preference for using an agreement under other legislation, for example the 1973 Local Government (Scotland) Act and the 1984 Roads (Scotland) Act will be considered. A planning obligation will only be necessary where successors in title need to be bound by its terms.
- 1.3 Each application will be assessed to determine the appropriate level of contribution guided by: the requirements identified in the council's Supplementary Planning Guidance (SPG) on Development Contributions; planning or development briefs; outputs from community or agency liaison; information in settlement profiles; other research and studies such as transport assessments; the cumulative impact of development in a locality; and provisions of Circular 3/2012 in respect of the relationship of the contribution in scale and kind to the development. Contributions will generally be required at the time that they become necessary to ensure timely provision of the improvement in question. Where appropriate, the council will consider the economic viability of a proposed development, including possible payment options, such as staged or phased payments. It will also pursue a pragmatic approach, taking account of the importance in securing necessary developments, and exceptional development costs that may arise. Contributions are intended to address matters resulting from new development proposals, not existing deficiencies. Affordable housing proposals are predominantly exempt from developer contribution requirements, other policy exemptions are detailed in the associated SPG.
- 1.4 Developer contributions may assist in overcoming obstacles to the granting of planning permission through the compensation for, reduction, or elimination of, negative impacts, for example the provision of open space, education facilities or broadband infrastructure. In some instances, the

cumulative effect of a number of developments will require to be considered, and in such cases contributions may be sought and held by the Council until such time as sufficient funds are available to allow the relevant work to proceed.

- 1.5 The range of infrastructure and services to which the policy applies and the level of costs to be sought will be periodically reviewed to reflect ongoing needs and priorities of the Council and other organisations responsible for delivering public services.

**Policy IS2: Developer Contributions**

Where a site is otherwise acceptable in terms of planning policy, but cannot proceed due to deficiencies in infrastructure and services or to environmental impacts, any or all of which will be created or exacerbated as a result of the development, the Council will require developers to make a full or partial contribution towards the cost of addressing such deficiencies.

Contributions may be required for one or more of the following:

- a) treatment of surface or foul waste water in accordance with the Plan's policies on preferred methods (including SUDS maintenance);
- b) provision of schools, school extensions or associated facilities, all in accordance with current educational capacity estimates and schedule of contributions;
- c) off-site transport infrastructure including new roads or road improvements, Safer Routes to School, road safety measures, public car parking, cycle-ways, bridges and associated studies and other access routes, subsidy to public transport operators; all in accordance with the relevant standards and the provisions of any Travel Plan;
- d) leisure, sport, recreation, play areas and community facilities, either on-site or off-site;
- e) landscape, open space, allotment provision, trees and woodlands, including costs of future management and maintenance;
- f) protection, enhancement and promotion of environmental assets either on-site or off-site, having regard to the Local Biodiversity Action Plan and the Council's Supplementary Planning Guidance on Biodiversity, including compensation for any losses and/or alternative provision;
- g) provision of other facilities and equipment for the satisfactory completion of the development that may include: measures to minimise the risk of crime; provision for the storage, collection and recycling of waste, including communal facilities; provision of street furniture and digital connectivity with associated infrastructure.

Wherever possible, any requirement to provide developer contributions will be secured by planning condition. Where a legal agreement is necessary, the preference for using an agreement under other legislation, for example the 1973 Local Government (Scotland) Act and the 1984 Roads (Scotland) Act will be considered. A planning obligation will only be necessary where successors in title

need to be bound by its terms. Where appropriate, the council will consider the economic viability of a proposed development, including possible payment options, such as staged or phased payments.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards  
Policy PMD4 Development outwith the Development Boundary  
Policy PMD5 Infill Development  
Policy HD5 Care and Retirement Homes  
Infrastructure and Standards policies particularly IS4-IS7 and IS9

*The following Supplementary Planning Guidance may be relevant to this policy:*

Development Contributions

*The following proposed Supplementary Guidance may be relevant to this policy:*

Development Contributions

### IS3: Developer Contributions Related to the Borders Railway

- 1.1 The aim of this policy is to seek developer contributions towards the cost of reinstating the Waverley Railway Line in postcode sectors where new housing development is considered to benefit from, or be enhanced by, the rail link. Figure IS3a shows the extent of the area. In turn this policy will assist with the provision of funding towards the reconstruction of the railway, which will provide considerable social, economic and environmental benefits to the area in addition to stimulating residential development.
- 1.2 The authority to require developer contributions in these special circumstances is set out in sections 39 and 40 of the Waverley Railway (Scotland) Act 2006. It is acknowledged that this policy represents a change in the way Section 75 legal agreements are ordinarily applied, this being necessary to reflect the specific provisions stipulated in the Act.
- 1.3 The Act provides for a rail link between Edinburgh and the Central Borders. The postcode sectors affected by this policy are therefore concentrated in the central, northern, and southern housing market areas. The postcodes affected and level of contribution sought will be in accordance with the council's decisions of 5 October 2004 and 17 October 2006, or from any subsequent council decision during the local development plan period. In the longer term, the council's aspiration is to extend the reconstruction of this rail link through to Carlisle and as referred to in the strategic development plan. The anticipated route is consequently safeguarded in the proposals

map. The Borders Railway project is currently being taken forward by Network Rail on behalf of the Scottish Government.

Figure IS3a  
Policy IS3

### Waverley Developer Contribution Area



 Waverley Developer  
Contribution Area

**Policy IS3: Developer Contributions related to the Borders Railway**

In accordance with the provisions of the Waverley Railway (Scotland) Act 2006, the Council will seek developer contributions towards the cost of providing the Borders railway from any developments that may be considered to benefit from, or be enhanced by, the re-instatement of the rail link.

*Key Policies to which this policy should be cross-referenced:*

Policy IS2 Developer Contributions  
Policy IS4 Transport Development and Infrastructure

*The following Supplementary Planning Guidance may be relevant to this policy:*

Development Contributions

*The following proposed Supplementary Guidance may be relevant to this policy:*

Development Contributions

IS4: Transport Development and Infrastructure

- 1.1 Transport policies seek to promote the most sustainable means of travel, giving priority to walking and cycling for local journeys, and to public transport in preference to travel by car. As well as being a positive move to tackle climate change, this approach benefits local environmental quality, personal health and mobility and helps those without access to a car. New developments should also consider a range of sustainable travel initiatives including the provision of electric vehicle power points.
- 1.2 The spatial strategy is underpinned by a transportation network, which requires improvements to roads and railways in order to support and enable future development. A key element of this is the major investment underway in constructing the Borders Railway to provide a rail link between Central Borders and Edinburgh. This will create a climate for investment in the Central Borders, which needs to be complemented by improvements to the road and path networks.
- 1.3 In the long term, the council has aspirations to see the reopening of the Borders Railway southwards to Carlisle and a bypass around Selkirk on the A7. In the Eastern Borders, it also supports the construction of a new station on the East Coast Main Line at Reston and has a further long term aspiration for the upgrading of the A1 Trunk Road to a dual carriageway. However, it must be noted that Transport Scotland currently has no proposals to deliver an A7

bypass for Selkirk or to upgrade the A1 to a dual carriageway status over the full length of the route. Transport Scotland also has no current plans to extend the Borders Rail Project from Tweedbank to Carlisle.

- 1.4 Other disused railways have the potential to be used as safe walking and cycling routes, which is explored within the Green Networks policy.
- 1.5 In dealing with development proposals, account will be taken of cross boundary transport implications, including the implications for cumulative impacts, and the implications arising outwith the SESplan authority area.

#### **Policy IS4 – Transport Development and Infrastructure**

The council supports the following schemes to provide new and improved transport infrastructure:

- (a) Borders Railway from Tweedbank to the Midlothian border, including proposed route, stations and car parks;*
- (b) Galashiels Transport Interchange;*
- (c) Improvements to key road routes – A68, A7 (including Selkirk bypass as a long term aspiration), A72, A697, A698, A699, A703, A701, A702, A6105;*
- (d) Dualling of the A1 trunk road as a long term aspiration;*
- (e) Reston Station on the East Coast Main Line railway;*
- (f) Borders Railway from Tweedbank through Hawick to the English border as a long term aspiration.*

Development that could prejudice the delivery of these schemes will not be permitted. Planned routes and locations to be safeguarded are shown on the Proposal Maps.

*The council will support proposals for transport infrastructure that:*

- (a) promote sustainable travel*
- (b) facilitate the development of allocated sites in ways which promote sustainable travel*
- (c) enable the sustainable movement of goods, particularly by rail*
- (d) have no unacceptable adverse impact on the natural and built environment*
- (e) have no unacceptable adverse impact on the occupiers of adjacent land by virtue of noise, smell and noise pollution*

Proposals that generate significant travel demand will be required to provide the following criteria:

- a) Transport Assessments and Travel Plans
- b) Developer contributions where appropriate

*Key policies to which this Policy should be cross-referenced:*

Environmental Promotion and Protection policies  
Policy PMD4 Development Outwith Development Boundaries  
Policy PMD5 Infill Development

Policy EP1 International Nature Conservation Sites  
Policy IS2 Developer Contributions  
Policy IS5 Protection of Access Routes  
Policy IS6 Road Adoption Standards  
Policy IS7 Parking Provision and Standards

#### IS5: Protection of Access Routes

- 1.1 The Council wishes to encourage walking and cycling as modes of travel and to help improve people's health and wellbeing. It therefore seeks to protect and keep open any route with access rights.
- 1.2 The aim of the policy is to protect all existing access routes in accordance with the Land Reform (Scotland) Act 2003 and the Countryside (Scotland) Act 1967. Together these Acts place a duty on local authorities to assert, protect and keep open and free from obstruction, any route, waterway or other means whereby access rights may reasonably be exercised including most open land and rights of way. The policy also seeks to protect recreational use of water from inappropriate development.
- 1.3 The Council's Core Paths Plan identifies routes which are of significant value to tourism and to local residents and which provide reasonable access for walking and cycling throughout the area.
- 1.4 Developers should integrate existing access routes into their site layouts and designs to ensure that public access remains as attractive and convenient as it was prior to the development.
- 1.5 Development briefs, prepared by the Council to guide the development of allocated sites, will incorporate requirements for the retention of access routes and the creation of improved linkages to maximise opportunities for walking and cycling.

#### **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.

*Key policies to which this Policy should be cross-reference:*

Policy PMD2 Quality Standards for New Development  
Policy PMD4 Development Outwith Development Boundaries  
Policy PMD5 Infill Development  
Policy EP1 International Nature Conservation Sites



Policy EP11 Protection of Greenspace  
Policy EP12 Green Networks  
Policy IS2 Developer Contributions

#### IS6: Road Adoption Standards

- 1.1 Transport Scotland is responsible for the adoption of trunk roads and the Council is responsible for the adoption of non trunk roads. To achieve appropriate road adoption standards in new development for non trunk roads, the Council requires roads and footpaths within new developments to be built to an appropriate standard which enables them to be adopted and maintained by the Council. The standards that apply are set out in Appendix 3. The same standards will apply to the extension of existing roads and footpaths infrastructure and off-site links.
- 1.2 The Council considers that cyclepaths and footpaths are key components of the transport network and essential to facilitate sustainable travel. It will therefore also adopt these footpaths provided they are constructed to the agreed standards.
- 1.3 The engineering standard of new roads in residential areas may be relaxed where this can be shown to improve functionality or residential amenity through the use of more informal and innovative road layouts, provided it does not compromise road safety.

#### **Policy IS6 – Road Adoption Standards**

On non trunk roads new roads, footpaths and cycleways within developments must be provided and constructed in accordance with the Council's adopted standards to secure Road Construction Consent, with the exception of development which can be served by a private access.

*Key policies to which this Policy should be cross-referenced:*

Policy PMD2 Quality Standards for New Development  
Policy IS4 Transport Development and Infrastructure

#### IS7: Parking Provision and Standards

- 1.1 This policy wishes to ensure that development proposals make suitable provision for car and cycle parking. The provision of car parking needs to be appropriate to the circumstances and the Council's parking standards are explained in Appendix 3.

### **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.

*Key policies to which this Policy should be cross-referenced:*

Policy PMD2 Quality Standards for New Development

### IS8: Flooding

- 1.1 This policy is intended to discourage development from taking place in areas which are, or may become, subject to flood risk. Where some level of risk may be acceptable, it also provides for development to be designed such as to minimise it. The policy provides guidance to developers on the information that will be required in support of a development proposal which may be at risk of flooding.
- 1.2 Scottish Planning Policy (SPP) sets out the full Risk Framework. Planning Advice Note 69: Planning and Building Standards Advice on Flooding contains further relevant information and advice. SEPA's Policy 41 SEPA – Planning Authority Protocol Development at Risk of Flooding: Advice and Consultation contains principles which will be followed by SEPA and planning authorities regarding advice and consultation on flood risk issues.
- 1.3 The technical requirements of a Flood Risk Assessment (FRA) can range from the provision of detailed topographical information to demonstrate the relative level of the development site in relation to the river, sea, canal or other hazard, to technically detailed hydrological and one or two dimensional hydraulic modelling to investigate the risk to the development or its impact elsewhere. SEPA's Technical Flood Risk Guidance for Stakeholders (including Revision Note on Coastal Sea Levels) should be referred to for further information.
- 1.4 The Council's Strategic Flood Risk Assessment (SFRA) provides a strategic overview of flood risk in the Scottish Borders and supports the identification

of the areas most suitable for development and areas that should be safeguarded for sustainable flood management. It is expected that by the end of 2016 flood risk management plans will be in place across Scotland. These will be taken into account when future development plans are prepared and when the SFRA is updated.

- 1.5 The main source of flood risk in the Borders is from rivers and coastal flooding. There is also risk of flooding from surface water run off after intense rainfall. The Council has an approved Flood Prevention Scheme Implementation Programme which includes Galashiels, Selkirk and Hawick in the short/medium term (2-5 years) and Stow, Jedburgh, Peebles and Newcastleton in the medium/long term (3-8+ years).
- 1.6 The Council has a desire to move to more sustainable solutions in the implementation of flood protection schemes and is co-operating with other agencies to take forward studies, research and demonstration projects to help establish suitable measures for natural flood management.

#### **Policy IS8: Flooding**

At all times, avoidance will be the first principle of managing flood risk. In general terms, new development should therefore be located in areas free from significant flood risk. Development will not be permitted if it would be at significant risk of flooding from any source or would materially increase the probability of flooding elsewhere. The ability of functional flood plains to convey and store floodwater should be protected, and development should be located away from them. Within certain defined risk categories, particularly where the risk is greater than 0.5% annual flooding probability or 1 in 200 year flood risk, some forms of development will generally not be acceptable. These include:

- a) development comprising essential civil infrastructure such as hospitals, fire stations, emergency depots etc., schools, care homes, ground-based electrical and telecommunications equipment unless subject to an appropriate long term flood risk management strategy;
- b) additional built development in undeveloped and sparsely developed areas.

Other forms of development will be subject to an assessment of the risk and mitigation measures.

Developers will be required to provide, including if necessary at planning permission in principle stage:

- (a) a competent flood risk assessment, including all sources of flooding, and taking account of climate change; and
- (b) a report of the measures that are proposed to mitigate the flood risk.

The information used to assess the acceptability of development will include:

- (a) information and advice from consultation with the council's flood team and the Scottish Environment Protection Agency;
- (b) flood risk maps provided by the Scottish Environment Protection Agency which indicate the extent of the flood plain;
- (c) historical records and flood studies held by the council and other agencies, including past flood risk assessment reports carried out by consultants and associated comments from the Scottish Environment Protection Agency, also held by the council;
- (d) the Scottish Environment Protection Agency's Land Use Vulnerability Guidance.

*Key Policies to which this policy should be cross-referenced:*

Policy EP11 Protection of Greenspace

Policy EP12 Green Networks

Policy EP15 Development affecting the Water Environment

Policy IS9 Waste Water Treatment Standards and Sustainable Urban Drainage

Other Environmental Promotion and Protection and Infrastructure and Standards policies

#### IS9: Waste Water Treatment Standards and Sustainable Urban Drainage

- 1.1 In terms of waste water treatment the aim of the policy is to achieve satisfactory disposal of sewage and to maintain and improve standards of public health. It establishes the Council's hierarchy of preference for dealing with waste water associated with new development. It emphasises that private septic tanks are regarded as a last resort and not encouraged. The policy establishes the Council's commitment to sustainable solutions in dealing with waste water associated with new development in accordance with the Urban Waste Water Treatment Directive.
- 1.2 Alternatives to sewer connection may involve pumping arrangements with storage to allow discharge to the foul sewer at off peak times or prior treatment of effluent before discharging to the foul sewer. Solutions involving stand alone treatment plants will require a Business Case to be made to Scottish Water. Scottish Environment Protection Agency (SEPA) have made it clear that it is opposed to proposals which involve private discharges of treated sewage effluent in a sewered area. Consultation with SEPA and Scottish Water will be required to assist decision making.
- 1.3 In terms of Sustainable Urban Drainage the aim of the policy is to address the pollution and flooding problems that stem from the direct discharge of surface water into watercourses. Sustainable drainage reduces the amount of flooding and diffuses pollution, improves environmental quality and protects the ecological and amenity value of watercourses. Sustainable Urban Drainage Systems (SUDS) is the preferred solution of the Scottish Environment

Protection Agency and the Council for the drainage of surface water run-off in all proposed developments including the potential use within green networks.

- 1.4 Developers should take the land requirement implications of SUDS into account in their consideration of layout and design and consider green infrastructure and habitat benefits from SUDS. In due course Scottish Water will produce their own Adoptable Standards for SUDS which allow schemes to be adopted in future. The Scottish Government's Planning Advice Note PAN 61 sets out the provisions for drainage strategies.

#### **Policy IS9 - Waste Water Treatment Standards and Sustainable Urban Drainage**

##### *Waste Water Treatment Standards*

The Council's preferred method of dealing with waste water associated with new development will be, in order of priority:

- a) direct connection to the public sewerage system, including pumping if necessary, or failing that:
- b) negotiating developer contributions with Scottish Water to upgrade the existing sewerage network and/or increasing capacity at the waste water treatment works, or failing that:
- c). agreement with Scottish Water and SEPA where required to provide permanent or temporary alternatives to sewer connection including the possibility of stand alone treatment plants until sewer capacity becomes available, or, failing that:
- d) for development in the countryside i.e. not within or immediately adjacent to publicly seweraged areas, the use of private sewerage treatment may be acceptable, providing it can be demonstrated that this can be delivered without any negative impacts to public health, the environment or the quality of watercourses or groundwater.

In settlements served by the public foul sewer, permission for an individual private sewage treatment system will normally be refused unless exceptional circumstances prevail and the conditions in criteria d above can be satisfied,

Development will be refused if:

- a) it will result in a proliferation of individual septic tanks or other private water treatment infrastructure within settlements,
- b) it will overload existing mains infrastructure or it is impractical for the developer to provide for new infrastructure.

##### *Sustainable Urban Drainage*

Surface water management for new development, for both greenfield and brownfield sites, must comply with current best practice on sustainable urban drainage systems to the satisfaction of the council, Scottish Environment Protection Agency (where required), Scottish Natural Heritage and other

interested parties where required. Development will be refused unless surface water treatment is dealt with in a sustainable manner that avoids flooding, pollution, extensive canalisation and culverting of watercourses. A drainage strategy should be submitted with planning applications to include treatment and flood attenuation measures and details for the long term maintenance of any necessary features.

*Key policies to which this Policy should be cross-referenced:*

Policy PMD2 Quality Standards for New Development

Policy EP1 International and Nature Conservation Sites and Protected Species

Policy EP2 National Nature Conservation Sites and Protected Species

Policy EP15 Development Affecting the Water Environment

Policy IS8 Flooding

*The following proposed Supplementary Guidance may be relevant to this policy:*

Sustainable Urban Drainage

## IS10: Waste Management Facilities

- 1.1 Scotland's Zero Waste Plan sets out the Government's vision for a zero waste society. This describes a Scotland where all waste is seen as a resource; with a 70% recycling target, and no more than 5% being sent to landfill, by 2025.
- 1.2 Achieving zero waste will make a positive contribution to climate change and renewable energy targets as more waste is prevented, less waste is sent to landfill, and more resources are reused, recycled and recovered.

Prevent Reduce Re-use Recover Dispose	The aim is to deal with waste as high up the waste hierarchy as possible, with a strong emphasis on preventing and reducing waste.
---	--
- 1.3 The Local Development Plan has a role in making sure that new development provides for the collection of waste and in enabling the provision of facilities for the sustainable recovery and treatment of waste.
- 1.4 Scottish Planning Policy indicates that regard should be had to the annual update of required capacity for source segregated recyclables and unsorted waste, mindful of the need to achieve the all-Scotland operational capacity, and it includes a reference to the 10 year rolling landfill capacity required. It also indicates that the planning system should support the provision of a network of infrastructure to allow Scotland's waste and secondary resources to

be managed in one of the nearest appropriate installations, by means of the most appropriate methods and technologies.

- 1.5 Furthermore, Scottish Planning Policy explains: that while a significant shortfall of waste management infrastructure exists, emphasis should be placed on need over proximity; that the achievement of a sustainable strategy may involve waste crossing planning boundaries; that, as the national network of installations becomes more fully developed, there will be scope for giving greater weight to proximity; and that the national capacity figure for source segregated recyclables and unsorted waste is not a cap and can represent an opportunity for economic growth.
- 1.6 All proposals for waste management facilities should show how they contribute towards delivering both the national annual waste management capacity required and an adequate and integrated network of waste management facilities.
- 1.7 The council envisages the main site for waste treatment in the Borders to be Easter Langlee at Galashiels, which will be safeguarded for this purpose. Other waste facilities include waste transfer stations and community recycling facilities.
- 1.8 Any applications for energy from waste facilities shall be located where there are opportunities to connect with heat/power grids and users.
- 1.9 The following hierarchy in Table 1 is a break down of the strategic significance of the Council's waste facilities as sites for sustainable waste management (see Figure IS10a).

Table 1 – Hierarchy of Council Waste Facilities

<p>Group 1 – High</p> <ul style="list-style-type: none"> <li>• Easter Langlee Waste Treatment Facility</li> <li>• Easter Langlee Landfill Site</li> </ul>
<p>Group 2 – Medium / High</p> <ul style="list-style-type: none"> <li>• Easter Langlee Waste Transfer Station and Community Recycling Centre</li> <li>• Eshiels Waste Transfer Station and Community Recycling Centre</li> <li>• Hawick Waste Transfer Station and Community Recycling Centre</li> </ul>
<p>Group 3 – Medium</p> <ul style="list-style-type: none"> <li>• Duns Community Recycling Centre</li> <li>• Eyemouth Community Recycling Centre</li> <li>• Selkirk Community Recycling Centre</li> </ul>
<p>Group 4 – Low</p> <ul style="list-style-type: none"> <li>• Eyemouth Civic Amenity Site</li> </ul>

1.10 The Council will be preparing future Supplementary Guidance on Waste Management to give further advice and detail on this subject.

**Figure IS10a**

Figure IS10A

### Waste Management Facilities

#### High Significance

 Easter Langlee Waste Treatment Facility and Landfill Site

#### Medium/High Significance

 Easter Langlee Waste Transfer Station and Community Recycling Centre

 Eshiels Waste Transfer Station and Community Recycling Centre

 Hawick Waste Transfer Station and Community Recycling Centre

#### Medium Significance

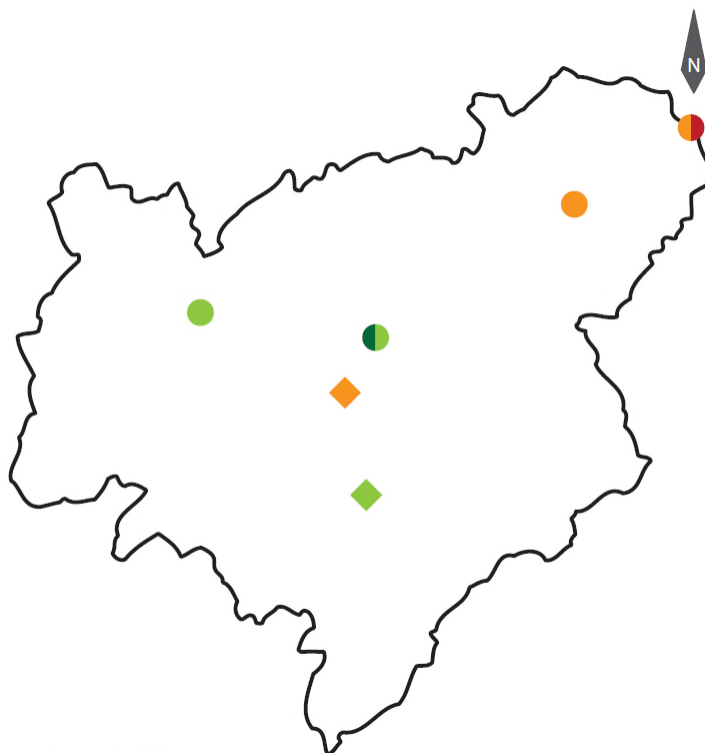
 Eyemouth Community Recycling Centre

 Duns Community Recycling Centre

 Selkirk Community Recycling Centre

#### Low Significance

 Eyemouth Civic Amenity Site



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### IS10 – Waste Management Facilities

The Council will support the provision of waste facilities within the hierarchy set out in table 1. Proposals that would prejudice the operation of these waste facilities will not normally be supported.

Applications for waste facilities that deliver the council's waste plan will be approved, provided that any impacts on local communities and the environment have been properly addressed and are within acceptable limits as demonstrated by appropriate supporting information. The following matters will be taken into account:

- (a) noise, odour and litter
- (b) harm to biodiversity and landscape
- (c) harm to archaeology and built heritage
- (d) traffic generation and vehicle movements
- (e) accessibility to major roads and rail routes
- (f) reuse of derelict and brownfield land
- (g) pollution and contamination of water, air and soils
- (h) landscaping and site boundary treatment



(i) site restoration and after use.

Where appropriate, and in addition to the above matters, the assessment of a proposal will take into account the contribution it makes towards delivering both the national annual waste management capacity required to meet the targets set out in the Zero Waste Plan, and an integrated and adequate network of waste management facilities.

*Key policies to which this Policy should be cross-referenced:*

Policy PMD2 Quality Standards for New Development  
Policy PMD5 Infill Development  
Policy ED1 Protection of Business and Industrial Land  
Policy ED9 Renewable Energy  
Policy EP1 International Nature Conservation Sites and Protected Species  
Policy EP2 National Nature Conservation Sites and Protected Species  
Policy EP3 Local Biodiversity  
Policy EP13 Trees, Woodlands and Hedgerows  
Policy EP14 Coastline  
Policy EP 15 Development Affecting the Water Environment  
Policy IS8 Flooding

*The following proposed Supplementary Guidance may be relevant to this policy:*

Waste Management

#### IS11: Hazardous Developments

- 1.1 The aim of the policy is to ensure that the public and the environment are adequately protected from development that would cause pollution, be a nuisance or lead to a hazard. The potentially hazardous impact could be through the nature of the development itself or through the location of the development relative to an existing facility or installation, such as an agricultural unit, pipeline or power line.
- 1.2 The relevant legislation is the Planning (Hazardous Substances) (Scotland) Act 1997 and the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993. The technical specification of hazardous substances is contained in the Town and Country Planning (Control of Major Accident Hazards) (Scotland) Regulations 2009.

#### **Policy IS11: Hazardous Developments**

Proposals for hazardous developments as defined under the relevant legislation will be subject to strict controls on siting to maintain appropriate separation from residential areas and areas frequented by the public, major transport routes and areas of national heritage importance.

Development will be refused if, guided by the advice of the Health and Safety Executive and other consultees as appropriate:

- a) the proposal would cause unacceptable levels of pollution or public nuisance or result in an unacceptable hazard to the public or the environment, or
- b) the proposal is located in close proximity to existing facilities or infrastructure that would result in the development causing unacceptable levels of pollution or nuisance or result in an unacceptable hazard to the public or the environment.

*Key policies to which this Policy should be cross-referenced:*

Policy IS12 Development within Exclusion Zones  
Environmental Promotion and Protection and Housing Development policies.

#### IS12: Development within Exclusion Zones

- 1.1 The purpose of the policy is to ensure that developments proposed within the 'exclusion' zones of certain hazardous structures are subject to careful scrutiny to protect the public and the environment. These 'exclusion' zones relate to the major natural gas and ethylene pipelines and to civil aviation navigation beacons. Certain developments are 'notifiable' under the legislation owing to the processes or materials used. There are currently three known notifiable installations in the Borders as identified in the table below.
- 1.2 The relevant legislation is the Planning (Hazardous Substances) (Scotland) Act 1997 and the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993. The technical specification of hazardous substances is contained in the Town and Country Planning (Control of Major Accident Hazards) (Scotland) Regulations 2009.
- 1.3 Should any proposed development fall within the specified consultation distances from the following hazardous installations or pipelines, the relevant bodies, as specified below, must be consulted with regard to the proposal.

<b>Hazardous Installation</b>	<b>Consultation Distance and Body</b>
<i>Ahlstrom Fiber Composites, Chirnside</i>	<i>400m-Health &amp; Safety Executive</i>
<i>MacGas, Swinton</i>	<i>400m-Health &amp; Safety Executive</i>
<i>Rathburn Chemicals, Walkerburn</i>	<i>Health &amp; Safety Executive have not defined an exclusion zone</i>
<b>Pipeline</b>	

<i>BP/ICI Ethylene Pipeline</i>	<i>230m–Health &amp; Safety Executive / BP Chemicals Ltd</i>
<b>Natural Gas Pipelines</b>	
<i>13 Feeder Drumeldrie/ Simprim</i>	<i>370m - Health &amp; Safety Executive/Transco</i>
<i>10 Feeder Bathgate / Lennel Tweed (S)</i>	<i>190m - Health &amp; Safety Executive/Transco</i>
<i>Soutra Connection (L09)</i>	<i>40m - Health &amp; Safety Executive/Transco</i>
<i>Dewarton/Selkirk (L02 &amp; L03)</i>	<i>36m - Health &amp; Safety Executive/Transco</i>
<i>Kelso Branch (PO1)</i>	<i>17m – Health and Safety Executive / Transco</i>
<i>Lauder Branch (I10)</i>	<i>15m - Health &amp; Safety Executive/Transco</i>
<i>Lauderhill to Newhouses (L15)</i>	<i>35m - Health &amp; Safety Executive/Transco</i>
<i>Newhouses to Calfhill</i>	<i>36m - Health &amp; Safety Executive/Transco</i>

**Policy IS12 – Development Within Exclusion Zones**

All proposals for development which are within the exclusion zones of a pipeline or civil aviation navigation beacon or within the vicinity of any notifiable installation or of any new hazardous development or notifiable installation that may arise during the lifetime of the Local Plan, will be refused if it is judged to result in unacceptable levels of pollution, nuisance or result in an unacceptable hazard to the public or the environment. The decision making will be guided by expert advice from the appropriate operator/owner and the Health and Safety Executive.

*Key policies to which this Policy should be cross-referenced :*

Policy IS11 Hazardous Developments  
Environmental Promotion and Protection policies

**IS13: Contaminated Land**

- 1.1 The aim of this policy is to allow for development on land where contamination is known or suspected but in a manner that ensures the redevelopment of such sites is made possible without unacceptable risks to human health and the wider environment. It should be noted, Scottish Natural Heritage only require to be consulted by developers preparing their assessments where there are potential impacts on sites designated for their natural heritage value.

- 1.2 A legacy of industrial activity such as that seen in Scotland may result in land contamination. Within the Scottish Borders examples of contaminative activities include (but are not limited to); gasworking, landfilling, textile manufacturing, and, electronics manufacturing. However, land contamination can also occur from relatively smaller scale processes such as agricultural practises, sawmilling, metal working, and fuel storage.
- 1.3 Land can be contaminated by a variety of substances that pose immediate or long-term risks to human health and the wider environment. Such contaminants may escape from the site to cause air, land, surface water or groundwater pollution, and in some cases may damage buildings and underground services, or contaminate the food chain.
- 1.4 Guidance in terms of Part IIA of the Environmental Protection Act 1990 and PAN 33 - Development of Contaminated Land (2000) highlights that where the presence of contamination is known or suspected it is the planning authority's role to ensure that land is made suitable for any new use, as planning permission is given for that new use.
- 1.5 In ensuring a site is 'suitable for use' the developer will be required to undertake, to the satisfaction of the council, an assessment of all potential risks from contamination, on the basis of the proposed future use and circumstances of the site. Where such assessments identify it as necessary to avoid risks to human health and the wider environment the developer shall remediate the land before the new use commences. Relevant agencies will be consulted in relation to potential environmental risks. In some instances Scottish Environment Protection Agency will be consulted in relation to any impact on the water environment.
- 1.6 The policy also covers development on unstable land arising from mining activities, which affects a part of the Borders.

<b>Policy IS13: Contaminated Land</b>
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<p>Where development is proposed on land that is contaminated, suspected of contamination, or unstable the developer will be required to:</p> <p>(a) carry out, in full consultation with, and to the satisfaction of Scottish Borders Council, appropriate phased site investigations and risk assessments; and</p> <p>(b) where necessary, and to the satisfaction of Scottish Borders Council design, implement, and validate appropriate remedial or mitigation measures to render the site suitable for its proposed use.</p>
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<i>Key policies to which this Policy should be cross-referenced:</i>
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<p>Policy PMD5 Infill Development          Policy EP15 Development Affecting the Water Environment          Some of the Plan's Environmental Promotion and Protection policies may also be relevant.</p>
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*The following Supplementary Planning Guidance may be relevant to this policy:*

Contaminated Land Inspection Strategy

#### IS14: Crematorium Provision

- 1.1 An existing crematorium is located at Melrose. Further proposals to meet a need elsewhere in the Scottish Borders should be highly accessible, provide a suitable setting and be well served by hospitality services, such as hotels. The impact on the landscape and biodiversity must be within acceptable limits.

#### **IS14 – Crematorium Provision**

The Council will consider applications for crematoria to meet community needs, provided the following requirements are met:-

- (a) A design statement is prepared setting out the appropriate design and layout of buildings and car parking to achieve minimal and acceptable impact on landscape surroundings and biodiversity
- (b) A calm and reflective setting for the crematorium
- (c) Suitable access with proximity to a main road
- (d) Located in reasonable proximity to hospitality facilities

*Key policies to which this Policy should be cross-referenced:*

Policy PMD2 Quality Standards for New Development  
Policy PMD4 Development Outwith Development Boundaries  
Policy ED7 Business, Tourism and Leisure Development in the Countryside  
Policy EP15 Air Quality  
Policy IS4 Transport Development and Infrastructure  
Policy IS7 Parking Standards

#### IS15: Radio Telecommunications

- 1.1 The aim of the policy is to reflect the Council's wish to support the expansion and diversification of the telecommunications industry but in ways which minimise its visual and environmental impact. The policy recognises the social and economic benefits of improved telecommunications infrastructure but wishes to ensure that developers have considered the options for siting and design and justify their preferred solution. Decision making will be guided by advice from environmental agencies where appropriate.

- 1.2 Health and safety considerations are clearly of concern to communities but are not matters for the planning system. The government sets out a number of measures to protect public health including guidance on emissions and exclusion zones.
- 1.3 There is a presumption in favour of developments that extend radio telecommunications facilities provided that this can be achieved without adverse impacts on the environment.

#### **Policy IS15 – Radio Telecommunications**

Development involving telecommunications masts, antennas, power lines and associated structures required for installation including buildings, access and site security will be assessed against siting and design considerations.

- (a) Telecommunications equipment should be positioned and designed sensitively to avoid unacceptable effects on the natural and built environments, including areas of landscape importance and areas of ecological interest.
- (b) Developers must demonstrate that they have considered options for minimising the impact of the development including:
- (i) the scale and type of equipment used (which should be the smallest suitable, commensurate with technological requirements),
  - (ii) the potential for mast or site sharing,
  - (iii) the measures for concealment or disguise through appropriate siting, design, landscaping, materials and colours,
  - (iv) the timing and method of construction,
  - (v) the arrangement for access during construction and operation which takes account of the impact on adjoining users and/or wildlife habitats,
  - (vi) the potential for siting on existing buildings or structures
- (c) Where mast or site sharing is shown to be impractical, the developer must demonstrate that there is no alternative location which will satisfy the system's operational requirements, and/or that siting apparatus on existing buildings or structures would cause greater harm to the appearance of the area than that which is proposed. Developers should also address the cumulative effects of a proposal in combination with existing equipment in the area.

*Key policies to which this Policy should be cross-referenced:*

Environmental Promotion and Protection policies.

Policy PMD5 Infill Development

Policy ED1 Protection of Business and Industrial Land

## IS16: Advertisements

- 1.1 The aim of the policy is to ensure that advertisements/signs do not adversely affect local character, amenity, or safety either within the countryside or within built-up areas. Within a commercial street advertisements and signs can add information, colour, and interest whilst in the countryside they can encourage accessibility to businesses, facilities and attractions. However, cumulatively they can result in a premises or an area appearing untidy and cluttered. The policy reflects the need to ensure a higher quality of design and materials for Listed Buildings and Conservation Areas, reflecting the property or area's character and appearance.
- 1.2 The relevant government guidance is contained in circulars: Circular 10/1984, Circular 22/1986 and Circular 31/1992. Reference should also be made to the Supplementary Planning Guidance relating to Shop Fronts and Shop Signs as well as the Tourist Signposting Policy July 2003 (Factsheet appended May 2007)(Amended May 2010). It should also be noted that where advertisements are on or visible from a trunk road, there is a requirement to consult Transport Scotland regarding advice and the criteria to be met for approval.

### **Policy IS16: Advertisements**

Applications for advertisements/signs will be assessed against the Council's published supplementary guidance. This guidance is concerned with amenity and safety considerations. A higher standard of design will be required on Listed Buildings and in Conservation Areas.

All proposals will be assessed against the following criteria:

- a) advertisements/signs must not represent a threat to road safety or other hazard to the public;
- b) advertisements/signs must be related to the location at which they are displayed and must be in keeping with the character of the building to which they are attached and/or the area in which they are located in terms of positioning, scale, design or materials;
- c) excessive or badly arranged advertisements/signs which cause unsightly clutter will not be permitted;

In addition to the above criteria and outwith settlements, roadside advertisements in the countryside will only be permitted if:

- d) a statutory road sign has been considered as a first option,
- e) the sign is primarily directional, and does not advertise particular products or facilities,
- f) the premises to be signed are not clearly visible from a major road and cannot already be reasonably identified by means of an existing directional sign advising

of the place name of the locality within which it is located, and  
g) not more than one sign is proposed at the nearest junction of the public road and the access road to the premises. In the case of two or more neighbouring premises, a series of individual signs will not be permitted, and composite signs will be encouraged as an alternative, where appropriate.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD2 Quality Standards  
Policy ED7 Business, Tourism and Leisure Development in the Countryside  
Policy HD3 Protection of Residential Amenity  
Policy EP7 Listed Buildings  
Policy EP9 Conservation Areas

### IS17: Education Safeguarding

- 1.1 The purpose of the policy is to support existing educational facilities by controlling alternative uses. It is aimed at facilities considered to be fundamental to the wellbeing of Borders communities and to the economy of the region. It is therefore most likely to be used to safeguard further or higher education facilities and currently only applies to the Heriot-Watt University Campus at Netherdale, Galashiels.

#### **Policy IS17: Education Safeguarding**

Within areas identified for educational uses judged to be of strategic importance, consent will only be granted for those uses that would facilitate or improve educational facilities within the Scottish Borders.

*Key Policies to which this policy should be cross-referenced:*

Policy PMD5 Infill Development  
Policy HD3 Protection of Residential Amenity Policy G7 Infill Development  
Policy EP1 International Nature Conservation Sites and Protected Species



Proposals maps

## 5 Settlement Statements

## APPENDIX 1: SETTLEMENT APPRAISAL METHODOLOGY –

### A. SITES CARRIED FORWARD FROM ADOPTED LOCAL PLAN 2008

The methodology was developed taking into account the advice set out in Planning Advice Note 44 – Fitting New Housing Development into the Landscape, and a process of overlay mapping which takes advantage of the capacity of the Council's Geographical Information System (GIS) for the formulation of settlement profiles.

The settlement appraisal methodology followed a number of stages to ensure consistency of application.

These stages were:

- i. settlement constraints
- ii. specific constraints
- iii. settlement specific issues
- iv. settlement characteristics
- v. individual site assessment
- vi. settlement framework and design briefs.

**Stage i)** – settlement constraints – covers parameters such as elevation, slope, geology, flooding and land already developed, and can be carried out by desk top study, using GIS and information available from a variety of sources. This stage is almost entirely based on objective data and excludes large areas of land from the later stages of the settlement appraisal process because of excessive height, slope etc. – the fundamental constraints of physical geography. It identifies those parts of the hinterland around a settlement that have the physical capability to support development and enables the potential development capacity of selected areas (e.g. Central Borders) to be tested.

**Stage ii)** – specific constraints – eliminates further potentially unsuitable sites through the consideration of further, less absolute, criteria such as contamination, service wayleaves, prime quality agricultural land, woodland, landscape or biodiversity value, designated sites (for example Sites of Special Scientific Interest). The completion of this stage identifies the developable land that has both the physical capability to support development and is free of important 'man-made' constraints and designations. Further areas that are least suited to development are eliminated at this stage.

**Stage iii)** – settlement specific issues – is based on other suitability factors including potential to address development need. These factors include land supply, current planning applications and proximity to proposed rail transport network.

These three stages can all be undertaken as an overlay sieve mapping exercise through the use of GIS. The output from these three stages is an Ordnance Survey map of the town or village with the relative constraints identified and a number of 'areas of search' highlighted. Plans of these 'areas of search' are then produced

together with the relevant constraint information to enable on-site investigation to be carried out.

**Stage iv)** – the assessment of settlement characteristics is a combination of desk-top and on-site investigation. The first element consists of compiling settlement data on such topics as population, housing, housing need, accessibility, road infrastructure, public transport, infrastructure, services etc. The second, on-site, element is concerned with subjects such as landscape issues, water courses, ecological and biodiversity factors, opportunities for environmental improvement, townscape character, aspect, viewpoints etc. The purpose of this stage is to establish the interrelationship between the site and its context within the settlement and immediate hinterland as well as providing guidance as to the development potential/capacity for any given area of land. The resultant checklist provides an easy reference point for settlement information and a means of effectively managing information from a number of disparate sources.

**Stage v)** – individual site assessment is the detailed site examination and the identification of site characteristics and development capacity. Site specific parameters on topography, built form characteristics, adjoining land uses, landscape features, constraints, important views, buildings and their setting, access, accessibility, an indicative site capacity and ownership are recorded in a similar way to the settlement characteristic checklist.

**Stage vi)** – the final result of this stage was a series of sites mapped with important features and identifying the issues to be considered in preparing a development proposal. If the results of this stage mean sites being eliminated or reduced because of site specific issues, then further sites which meet the ‘next best fit’ criteria can be brought forward for assessment.

It was considered that the inclusion of environmental criteria at every stage of the site selection process allowed for the evaluation of options and assessment of sites in accordance with the provisions of the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004.

## B. SITES CARRIED FORWARD FROM LOCAL PLAN AMENDMENT AND LOCAL DEVELOPMENT PLAN

The methodology for assessing proposed sites for allocation within the Local Plan Amendment was agreed internally within the Plans and Research team with advice from other key experts from the Environment and Infrastructure department and discussion with SEPA, SNH and Historic Scotland during the SEA Scoping Report consultation. This same appraisal process was also used during the Local Development Plan process. The Settlement Appraisal involved:

- Establishing site assessment criteria with input from the whole team
- Building an Access database to store site assessment findings
- Creating a Geographical Information System (GIS) project to screen environmental constraints
- Establishing a procedure for consulting internal experts regarding roads, biodiversity, archaeology, conservation, footpaths, landscape and development management
- Producing detailed site requirements for each allocation to mitigate any environmental impacts and ensure good design principles were established.

Each site was visited and photographs taken to assist with the desk top analysis. The site was also plotted on GIS to assist the desk top analysis of constraints. A GIS project was set up to correlate with the site assessment criteria as described below so that officers could analyse any constraints and opportunities on the site. This information was then input into the site assessment database.

The site assessment was broken down into five main sections: Initial Assessment (including site details, background information and other spatial constraints checklist), Accessibility and Sustainability, Local Impact and Integration, Landscape Capacity, Planning and Infrastructure Issues and Overall Assessment. Sites were assessed as Acceptable, Doubtful or Unacceptable in the database.

- The Initial Assessment identified constraints that prevented any development from taking place, including flooding and international/national conservation designations. It also took account of whether the site was consistent in terms of location with the Structure Plan Alteration/Strategic Development Plan. If a site was identified as having a significant constraint upon it, or not of a size capable of being developed for 5 units or over, then the site was assessed as unacceptable for allocation.
- The Accessibility and Sustainability Assessment analysed issues regarding access to services, public transport and employment, as well as site orientation and impact on biodiversity. If a site was deemed poor in terms of access to services or potentially having a major impact on biodiversity, it was likely to be assessed as unacceptable in terms of accessibility and sustainability.
- The Local Impact and Integration assessment analysed issues such as historical context, archaeology, recreational facilities and the connectivity of the site to the

actual settlement. If a site had a Scheduled Ancient Monument, listed building or poor connectivity to the settlement, then the site would probably be assessed as unacceptable or doubtful in terms of local impact and integration.

- The Landscape Capacity assessment analysed issues concerning landscape designations both national and local, height and slope as well as features within the actual site. If a site was in the National Scenic Area, or was over 200m or had more than a 12 degree slope, then the site would probably be assessed as unacceptable or doubtful in terms of landscape capacity.
- The Planning and Infrastructure Issues assessment analysed issues about planning requirements. For instance, constraints regarding road access, water and sewerage, footpaths, education and contamination were assessed. If a site was deemed to have poor access, then the site would probably be assessed as unacceptable or doubtful in terms of planning and infrastructure.
- The Overall Assessment then drew all this information together and made a final assessment based on the identified constraints. If there were possible mitigations or solutions to these constraints, the site would be assessed as acceptable or doubtful. These were then brought forward for internal consultation with Countryside and Heritage, Roads, Education, Housing, Environmental Health, Economic Development and Development Management. If a site was assessed as unacceptable by the Planning Officer responsible for the area, then it was not taken forward for further research.

Sites internally consulted on were provided with additional information regarding: biodiversity, archaeology, landscape, footpath access, heritage and design, road access, contaminated land, affordable housing and education capacity. Scottish Water also provided further information regarding water and sewerage capacity. The site assessment was then updated to reflect these comments and adjusted in terms of the assessment. Acceptable sites were then provided with detailed site requirements based on the opportunities and constraints identified and provided as options in the Consultative Draft of the Local Plan Amendment.

### **Site Comparison Exercise**

The site comparison exercise is the second step of the site assessment process described above.

The purpose of the exercise was to distinguish sites that were rated in a similar way in the first site classification and sites that were rated in a similar way but were not required to contribute to the housing requirement in the area.

In the process of the site comparison, detailed summaries were added to the site assessment database together with a detailed assessment classification system. This system assisted in distinguishing sites by focusing on the main considerations of the site and applying a more detailed site classification by using an additional A - E rating to the site assessment classification Acceptable, Doubtful, Unacceptable. The outcomes of the overall assessment and the detailed overall assessment has created a basis for consistent decision making of what sites are appropriate for development and are required to meet the housing requirement.

A separate part of the site comparison exercise included calculations of the number of units contributing to the housing requirement.

All sites have been given an indicative capacity for the potential inclusion in the Local Plan Amendment/ Local Development Plan.

## APPENDIX 2: MEETING THE HOUSING LAND REQUIREMENT

### 1. Introduction

1.1 This technical note provides the background to the housing land provisions within the Local Development Plan (LDP) and details the allocations brought forward into the LDP. It also provides the current position in terms of the effective land supply, when measured against market demand, and is updated to reflect the conclusions of the plan examination.

1.2 Section A of this note covers the identification of land within the LDP, required to meet the provisions in the Strategic Development Plan (SDP). Section B covers the monitoring of the 5 year land supply in terms of the current market demand.

1.3 SESplan was approved by Scottish Ministers in June 2013. The approved SDP contains a global housing land requirement for the whole of the SESplan area up to 2024, and required the preparation and adoption of Supplementary Guidance to distribute the housing requirement across the six local authority areas, which make up the SESplan area.

1.4 The approval letter from Scottish Ministers in relation to SESplan made it clear that in order to provide for the housing need and demand, it would require redistribution to other authority areas beyond Edinburgh. The annex on page 272 of the Examination Report states in paragraph 6 that “Also, the housing need and demand assessment identified that, in the combined period from 2009 to 2024 only, the number of households likely to be generated from within the City of Edinburgh is some 44,500. Environmental constraints and other restrictions on land availability within the city’s boundaries may mean that a significant proportion of these additional housing needs and demands will require to be met on housing land allocations in the other five local development plan areas.”

1.5 The SESplan Supplementary Guidance (SSG) identifies how the housing need and demand of the SESplan area as a whole can best be met across each of the six LDP areas for both periods 2009 to 2019 and 2019 to 2024, and is based on an analysis of the opportunities and of the infrastructural and environmental capacities and constraints. SPP requires that LDP’s allocate a range of sites which are effective or expected to become effective in the plan period, to meet the housing land requirement of the SDP, up to year 10 from the expected year of adoption. The SDP sets a requirement up to 2024, therefore the LDP must provide an additional year requirement for 2025.

### Section A: Housing Land within the LDP

#### 2. Housing Need and Demand Assessment (HNDA) in relation to the LDP Main Issues Report

2.1 The LDP Main Issues Report (MIR) was prepared based upon housing requirements in the SESplan Proposed Plan, which was derived from the HNDA. The preferred and alternative sites put forward in the LDP MIR were intended to allow the provision of sufficient land to meet the housing need whilst ensuring new allocations are deliverable within the Plan period.



### 3. Housing Need and Demand Assessment (HNDA1), and SESplan Supplementary Guidance (SSG) Provision in Relation to the LDP

3.1 SPP confirms that Housing Need and Demand Assessments (HNDA) provide the evidence base for defining housing supply targets. SESplan have prepared a HNDA in accordance with detailed guidance from Scottish Government, and this was considered 'robust and credible' by the Scottish Government in June 2011. It is recognised that the HNDA is a technical, modelling exercise that provides a range of estimate-based scenarios. The SESplan HNDA covers each of the six local authority areas within the SESplan area, including the Scottish Borders.

3.2 SPP states that where the Scottish Government is satisfied that the HNDA is robust and credible, the approach used will not normally be considered further at a development plan examination.

3.3 The approved SESplan SDP now provides the context for the Scottish Borders LDP. It sets an overall requirement for the SESplan area derived directly from the HNDA. The total requirement is 155,600 units up to 2032. It should be noted that the HNDA provides further detail to each Local Authority area.

3.4 The HNDA requirement can be compared against market demand over the period 2005 to 2010 (see Table 1 below). In this period annual completions have averaged 5,798. This can be set against the annual average HNDA provision for the SESplan area of 6,903. The HNDA therefore set a requirement some 20% higher than market demand measured by housing completions.

Table 1: SESplan HNDA and Market Demand

	<b>SESplan HNDA1</b>	<b>Annual Average Completions 2005-2010 (5 Year)</b>
Edinburgh	3,133	2,308
East Lothian	518	529
Fife (SESplan)	1,516	1,223
Midlothian	119	392
Scottish Borders	560	590
West Lothian	1,057	756
<b>SESplan Total</b>	<b>6,903</b>	<b>5,798</b>

Source: SESplan SDP Housing Technical Note 2011

3.5 The HNDA requirement compared with the SSG provision for the Scottish Borders is shown below in Table 2. The HNDA identified a requirement of 5,958 housing units in the Scottish Borders for the period 2009 to 2019, and 2,780 from 2019 to 2024.

3.6 The SSG provision was developed on the basis of existing land allocations and windfall potential, and is set at 9,650 for the period 2009 to 2019, and 3,280 for the period 2019 to 2024.

Table 2: Scottish Borders HNDA Requirement and SSG Provision

	<b>2009 to 2019</b>	<b>2019 to 2024</b>	<b>2024 to 2032</b>
Housing Demand (HNDA)	5,958	2,780	3,800
SSG Provision	9,650	3,280	N/A

3.7 The SSG (Table 3.1) sets a provision for the Scottish Borders significantly in excess of the robust and credible requirement set by the HNDA. Over the period 2009 to 2024 this equates to 48% over and above the HNDA requirement.

3.8 The SSG states “Most of the new houses required are expected to be built on land which is already committed for development either because it is already allocated for that purpose or because planning permission has been granted. Based on HLA 2012 and including an allowance for constrained and windfall sites to come forward and for demolitions, the total supply across the SESplan area to 2024 is 83,207 units. To meet the total requirement of 107,545 units, it is therefore expected that LDPs will need to identify land to accommodate at least an additional 24,338 units.”

3.9 The SSG (Table 3.2) specifies the additional allowances to meet the additional need for 24,338 units. These are additional allowances over and above the existing established housing land supply. In the Scottish Borders an additional allowance of 640 (rounded up) is set for the strategic and non-strategic development areas as set out in Table 3 below. This allowance has been allocated in the Scottish Borders LDP.

Table 3: SESplan Supplementary Guidance: Additional Allowances in Scottish Borders

<b>Strategic Development Area</b>	<b>Number of units</b>
Eastern Borders	160
Central Borders	290
Western Borders	110
Scottish Borders (outwith SDA)	80
<b>Total</b>	<b>640 (subject to rounding)</b>

3.10 The SSG sets an overall requirement for the periods 2009 to 2019 and 2019 to 2024. However, to ensure that the LDP delivers a plan which covers 10 years from adoption, the LDP must set out an overall requirement, up to 2025. The HNDA states that potential need and demand for new houses during the period 2014 to 2032 will be 492 units per annum. Therefore, an additional 492 units will be added to the existing requirement identified within the SSG, covering 2025. Table 4 outlines the SESPlan requirement for the period 2009 to 2025, including the additional 492 units. The updated housing requirement remains 46% greater than the HNDA requirement, for the period 2009 to 2025.

Table 4: Scottish Borders Housing Requirement from SSG (2009 – 2025)

<b>Housing Requirement</b>	<b>2009 – 2025</b>
SSG Requirement for Scottish Borders 2009-2019	9,650
SSG Requirement for Scottish Borders 2019-2024	3,280
Additional Requirement for 2025	492
<b>Total</b>	<b>13,422</b>

#### **4. Housing Land Supply Contributions to Housing Requirement**

4.1 The most significant part of the provisions to meet the housing requirement have been identified through previous local plan allocations, planning permissions and through estimates for windfall.

4.2 Table 5 shows the updated housing land supply broken down into; effective, potentially effective, post year 7 and constrained. It was considered that 4,944 of those housing units were 'effective' or 'potentially effective' with 1,159 units programmed for development post 2021 and the remaining 2,580 being constrained mostly due to marketability or infrastructure issues. It is considered that all the identified constrained sites are developable within the plan period.

Table 5: Housing Land Supply (HLA 2014)

HLA supply category	Number of units
Effective (Years 1-5)	3,109
Potentially Effective (Years 6 & 7)	1,835
Post Year 7	1,159
Constrained	2,580
<b>Total</b>	<b>8,683</b>

4.3 The approach used by the council to undertake the audit is in accordance with 2/2010 which states under the marketability criteria, that the test to identify if a site is effective is whether 'the site, or a relevant part of it, can be developed in the period under consideration'. The council considers a site to be effective if there is a reasonable prospect that it could be developed within the 5 year period.

4.4 The contributions by Scottish Borders to meet the housing requirement within the SSG are set out in Table 6 below, based on the HLA 2014. *(It should be noted that Table 6 does not reflect the recommended additions to and deletions from the supply arising from examination of the plan. These revisions are, however, reflected in Table 8 below.)*

Table 6: Scottish Borders Contributions to the Requirement (2014-2019)

	2014 to 2019	2019 to 2025	Additional Potential	Total
<b>Housing Supply (2014)</b>				
Effective (Years 1-5)	3,109			3,109
Potentially Effective (Years 6, 7 & Post Year 7)		2,994		2,994
Constrained			2,580	
Windfall assumption	779	828		1,607
Total Potential	3,888	3,822	2,580	10,290

4.5 In addition, the requirement has already been subject to housing completions for the period 2009 to 2014, and this totals 1,837. However, this is reduced by anticipated demolitions between 2014 and 2025 of 220 (see Table 7 below).

Table 7: Completions and Demolitions

	2009 to 2019	2019 to 2025
Completions 2009/10 to 2013/14	1,837	N/A
Loss of supply due to demolitions 2014-2025	-100	-120

Table 8: Total Contributions to the Requirement (2009 to 2025)

<b>Contributions to the Requirement</b>	<b>2009-2025</b>
Potential Supply (HLA 2014) (as revised)	10,324
Completions 2009-2014	1,837
Demolitions 2014-2025	-220
New housing allocations in the Plan	565
<b>Total</b>	<b>12,506</b>

4.6 The overall potential contribution towards the requirement up to 2025 is therefore 12,506. That represents a shortfall in meeting the housing land requirement of 916 units. *(This table has been revised to reflect the additions and deletions of potential supply sites arising from examination of the plan, and to reflect the deletion of 2 new proposed allocations at Galashiels.)*

4.7 Components of the above tables are discussed in more detail below.

#### **a. Windfall sites**

4.8 In addition to allocated housing sites, during the period of the plan, some demand for new housing will be met through windfall sites. Windfall sites are sites which come forward unexpectedly and have not been identified for housing through the plan preparation process. They are generally small, infill sites, although large windfall sites can occasionally come forward. The number of completions on windfall sites is shown below in Table 9; windfall development makes a substantial contribution to the housing land supply in the Borders. Over the past five years the average number of completions on windfall sites is 156, of the total completions since 2010 between 41%-54% have been on windfall sites. It is anticipated that 1,607<sup>1</sup> units will be developed on windfall sites in the Scottish Borders during 2014 to 2025.

Table 9: Windfall sites 2010-2014

	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>5 Year Average</b>
Total number of completions	487	490	266	306	288	<b>367</b>
Number of completions on windfall sites	200	199	143	133	104	<b>156</b>
% of completions from windfall sites	41%	41%	54%	43%	36%	<b>43%</b>

#### **b. Completions**

4.9 Table 10 shows the number of completions in the Scottish Borders from 2010 to 2014; the average rate of completions during this period is 367 units. The total number of completions in the past five years has peaked at 490 in 2011, however completions have not exceeded 306 in the three years since. The significant decrease in completions across the Borders is a result of the economic downturn; many of the sites under construction in the Borders have stalled due to lack of developer and mortgage finance. Homes for Scotland, whilst they have a limited membership and knowledge within the Scottish Borders, consider that large parts are sub-prime. The decline in completions therefore limits the delivery of housing to meet the need identified in the HNDA and the

<sup>1</sup> Based on the windfall assumptions included in the SESplan Urban Capacity Study 2009

SSG. However the sites in the audit are free of constraints and able to be developed during the plan period subject to market demand. The release of further land would not solve the issue of market demand.

Table 10: Completions 2010-2014

	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>5 Year Average</b>
Total number of completions	487	490	266	306	288	<b>367</b>

4.10 It can be seen that the current five year average completion rate falls short of the SSG annual requirement of 965 as set out in Table 2 above. The SSG notes that “Delivering that level of housing will be challenging and that will be made even more difficult should funding solutions to enable the provision of essential infrastructure improvements not be identified. A very significant increase in housing completion rates will also be required to deliver the housing needed to meet the need and demand which has been identified.”

4.11 However, the national economy including the housing development industry is now moving out of recession. In addition, within the Scottish Borders the construction and opening of the Borders Railway will have a significant impact on the marketability of the area, and there are realistic prospects on the delivery of a local rail service between Edinburgh and Berwick that would also have a significant positive impact on the marketability and accessibility of the Eastern Borders.

## 5. New allocations included within the Plan

5.1 The SSG provides for the addition of new allocations within the Plan.

5.2 The distribution of the new allocations (subject to rounding) by SDA is shown in Table 11. The new allocations within the LDP contribute to the requirement for each SDA and the also areas that fall outwith an SDA.

Table 11: Total distribution of new allocations by Strategic Development Area

<b>SDA</b>	<b>Total Housing Units in LDP by SDA</b>
Eastern	160
Central	220
Western	105
Outwith SDA	80
<b>Total</b>	<b>565</b>

5.3 Following assessments of each site submitted during the consultation process, and their consideration during examination of the proposed plan, appropriate sites have been allocated within the LDP. Following the deletion of 2 sites at Galashiels recommended in the report of the examination into the proposed plan, this is insufficient to contribute to providing a generous housing land supply to meet the requirement up to 2025. Otherwise the allocations are in accordance with the Spatial Strategy set out within the Local Development Plan and the detailed site assessments and the site selection process is set out within the LDP Environmental Report.

5.4 To meet the requirement, a total of 13 sites have been allocated within the Plan, this includes eight housing sites and five mixed use sites and these are detailed in Table 12. It is anticipated that these sites will provide a total of 565 units. Further sites will require to be identified through supplementary guidance in order to meet the requirement and continue to provide a generous supply of housing land over the plan period.

Table 12: New sites allocated in the Local Development Plan

<b>SDA</b>	<b>Settlement</b>	<b>Site Code</b>	<b>Proposed Use</b>	<b>Indicative Capacity</b>
Central	Kelso	AKELS021	Housing	100
Central	Kelso	AKELS022	Housing	120
Eastern	Duns	ADUNS023	Housing	60
Eastern	Reston	MREST001	Mixed Use	100
Outwith	Birgham	ABIRG003	Housing	6
Outwith	Greenlaw	MGREE001	Mixed Use	6
Outwith	Swinton	MSWIN002	Mixed Use	25
Outwith	Bonchester	ABONC003	Housing	8
Outwith	Eddleston	AEDDL002	Housing	35
Western	Cardrona	MCARD006	Mixed Use	25
Western	Cardrona	MCARD007	Mixed Use	5
Western	Peebles	APEEB021	Housing	50
Western	Peebles	APEEB041	Housing	25
			<b>Total</b>	<b>565</b>

## 6. Flexibility

6.1 The new allocations within the LDP have been through a detailed site assessment process and some additional land has been identified which builds in a degree of flexibility. Further additional flexibility is provided in that the Plan also allocates 51 redevelopment opportunities covering 62 hectares. In addition, there is further potential flexibility through potential areas for longer term development (subject to review) within the Peebles, Innerleithen, Galashiels, Hawick, Earlston, Kelso, Duns, Greenlaw, Coldstream and Reston. The redevelopment opportunities and longer term sites have the potential to be brought forward to meet any shortfall in supply.

## Section B: Monitoring the Effective Supply

### 7. Five Year Effective Land Supply

7.1 The SPP (Scottish Planning Policy) sets out national policy in relation to enabling the delivery of new homes. It requires the provision of a generous supply, maintaining at least a 5 year effective supply at all times. The generous supply is to be monitored by “the progress of sites through the planning process, and housing completions, to ensure a generous supply of land for house building is maintained and there is always enough effective land for at least 5 years”. Effectiveness in relation to the plan and to the 5 year effective supply can be described as follows:

- In relation to development planning the requirement is that over the plan period there should be a 5 year effective land supply. This would allow currently constrained sites to be brought into the effective supply over the period subject to meeting the effectiveness criteria.

- In relation to maintaining the 5 year effective supply, this relies upon an annual monitor through the housing land audit to ensure that the 5 year supply is maintained. The requirement is that a site is considered effective where it can be demonstrated that it will be free of constraints within 5 years, and can be developed for housing.

7.2 The continued availability of land to meet prospective demand is monitored on an annual basis by the Council's Housing Land Audit. Likely actual demand is illustrated by the performance of the development industry over the previous 5 year period as required by SPP (particularly where there is a substantial supply of available land, as in the Scottish Borders). This is measured by actual completions and is the most appropriate measure of market performance. Therefore, there is a clear distinction between providing land to meet the theoretical requirement, and ensuring the presence of a 5 year effective supply to meet prospective market demand.

7.3 The 2014 housing land audit is set out in Table 13 below for the Scottish Borders and for its constituent housing market areas.

Table 13: Scottish Borders Housing Land Audit 2014

HMA	Established Supply	Constrained Supply	Effective Supply (Yrs 1-5)	Potentially Effective Supply (Yrs 6-7)	Post Year 7 Supply	Completions 2009-14
Berwickshire	2031	493	832	472	231	50
Central	5318	1881	1594	1143	697	151
Northern	1167	173	605	174	215	77
Southern	173	33	78	46	16	10
<b>Total</b>	<b>8689</b>	<b>2580</b>	<b>3109</b>	<b>1835</b>	<b>1159</b>	<b>288</b>

7.4 Completions have been in general decline since the onset of the UK recession. Table 14, sets out market performance over the past five years.

Table 14: 5 Year Housing Completions

HMA	2010	2011	2012	2013	2014	Total
Berwickshire	102	81	65	56	50	354
Central	214	260	123	163	151	911
Northern	165	131	69	76	77	518
Southern	6	18	9	11	10	54
<b>Total</b>	<b>487</b>	<b>490</b>	<b>266</b>	<b>306</b>	<b>288</b>	<b>1837</b>

## 8. Conclusions

8.1 There are a number of clear conclusions that can be drawn from the above analysis. These are set out below:

- The SESplan HNDA which forms the basis of the approved SDP sets a requirement that is some 20% higher than market demand as evidenced by housing completions;
- The housing provision for the Scottish Borders set by the SSG is some 48% higher than the HNDA requirement;

- The housing provision set by the SSG is largely based upon the existing potential provided by the established land supply and windfall potential;
- The LDP provides additional housing allocations to meet the additional need specified by the SSG for the Scottish Borders but further allocations will require to be identified through the preparation and adoption of supplementary guidance in order to meet the housing land requirement;
- The LDP provides substantial additional flexibility in the form of identified redevelopment sites and sites with potential for longer term development;
- There is a large established housing land supply within the Scottish Borders where effectiveness is only limited by market demand;
- There is a record of windfall development amounting to a significant proportion of completions; and
- There is the potential for improved market demand with enhanced national economic prospects, the imminent completion of the Borders Railway, and the potential for a rail serving East Berwickshire.



## APPENDIX 3: SUPPLEMENTARY GUIDANCE AND STANDARDS

### Supplementary Guidance and Supplementary Planning Guidance

As a result of the new Planning Act (Planning etc. (Scotland) Act 2006), Supplementary Guidance can be adopted by the Planning Authority in connection with the Local Development Plan. Any such Guidance will form part of the Plan. Previously approved Supplementary Planning Guidance, although not formally part of the Local Development Plan, will remain a 'material consideration' in the determination of planning applications and is set out in Appendix A.

#### Proposed Supplementary Guidance

Title	Indicative Priority
Countryside Around Towns	A
Greenspace	A
Housing	A
New Housing in the Borders Countryside	A
Sustainable Urban Drainage	A
Wind Energy (incorporating Visibility Mapping for Windfarm Development)	A
Affordable Housing	B
Development Contributions	B
Green Networks	B
Placemaking and Design (incorporating privacy and sunlight and alterations and extensions for Householders)	B
Waste Management	B
Renewable Energy	B
Archaeology	C
Biodiversity	C
Conservation Areas	C
Landscape and Development	C
Local Biodiversity Action Plan	C
Minerals	C
Trees and Development	C
Use of Timber in Sustainable Construction	C

#### Criteria for Prioritising Supplementary Guidance

The updating of existing guidance and the formulation of new Supplementary Guidance will be prioritised using the following criteria:

- Requirement to assist development control decision-making
- Adequacy of existing policy framework
- Date of existing guidance
- Resources required – specialist staff and other Departmental priorities
- Speed of preparation
- Political pressure
- Government guidance

The guidance listed above will be reviewed and updated over the Local Development Plan period. Any such reviews will be the subject of consultation, with reference to Councillors, Community Councils, the public and relevant interest groups.

#### Development Briefs

Preparation of Development Briefs for substantial land allocations is proposed to continue to cover key sites brought forward in the Local Development Plan. Briefs indicate how sites are to be laid out, including arrangements for access, and provide guidance on any special considerations with regard to design and environmental constraints. They also provide an indication as to whether developer contributions will be required for the development. Contributions may be requested towards the provision, improvement and maintenance of infrastructure, services and facilities in the Scottish Borders in accordance with Policy IS2. Further detail on developer contributions can be found in the Council’s Supplementary Planning Guidance on Development Contributions (to be updated), the Development Briefs and Frameworks, and in the individual settlement profiles in the Local Development Plan.

It is intended that new Development Briefs produced will form part of the Local Development Plan. The Briefs will therefore take the form of Supplementary Guidance and will guide the determination of planning applications and any conditions or agreements associated with those applications. The following briefs in the form of Supplementary Guidance will be prepared:

<b>Housing Sites</b>	<b>Business and Industrial Sites</b>	<b>Mixed Use Sites/ Redevelopment Opportunities</b>
Burnwood , Cockburnspath South of Earlsmeadow, (Phase 1), Duns Marchmont Road II, Greenlaw Main Street, Leitholm Land adjacent Swinton Primary School and Wellfield, Swinton East Turfford & Georgefield Site, Earlston Netherbarns, Galashiels Guthrie Drive, Hawick Nethershot (Phase 1), Kelso Hendersyde (Phase 1), Kelso East Maxton, Maxton Newtown Expansion Area, Newtown St Boswells (master plan) North of Bellfield, Eddleston Kirklands/Willowbank II, Innerleithen West Allanbank, Lauder South of South Park, Peebles Violet Bank II, Peebles	Townhead, Earlston North West Burnfoot and Gala Law North, Hawick Tweed Horizons Expansion, Newtown St Boswells Land at Kilncroft/Mill Street, Selkirk Tweedbank Industrial Estate	Comrades Park, Chirnside Former High School site, Kelso North of and South of Horsbrugh Bridge, Cardrona Caberston Farm/Old Mill Site, Walkerburn Rosetta Road, Peebles (subject to application 13/00444/PPP not being implemented)

In addition, the Local Development Plan identifies a number of areas for potential longer term development subject to review. These will be subject to planning framework preparation in advance of the next Local Development Plan Review. These are:

- Coldstream
- Duns
- Earlston
- Galashiels West
- Kelso North West
- Peebles South East

A masterplan for the Glentress area is also proposed. It is intended that the masterplan will assist in directing the future development of the area as a recreation destination.

## Appendix A: Supplementary Planning Guidance and Planning Briefs

The following supplementary planning guidance is available to assist in determining planning applications as a complement to Local Plan policies and national policy and guidance.

### Existing Supplementary Planning Guidance

Title	Approved
Landscape and Visual Guidance on Single and small Groups of Wind Turbines in Berwickshire	2013 (updated 2015)
Development Contributions	2015
Local Landscape Designations	2012
Replacement Windows and Doors	2015
Scottish Borders Woodland Strategy (2005) Scottish Borders Woodland Strategy Technical Note (2012)	2012
Wind Energy	2011
Shop Fronts and Shop Signs	2011
Affordable Housing	2015
Countryside Around Towns	2011
Placemaking and Design	2010
Green Space	2009
Use of Timber in Sustainable Construction	2009
New Housing in the Borders Countryside	2008
Landscape and Development	2008
Trees and Development	2008
Designing out Crime in the Scottish Borders	2007
Renewable Energy	2007
Smoking Shelters and Awnings	2006
Privacy and Sunlight Guide	2006
Biodiversity	2005
Visibility Mapping for Windfarm Development	2003
Contaminated Land Inspection Strategy	2001
Local Biodiversity Action Plan: Biodiversity in the Scottish Borders	2001
Snack Bar Operation	

The existing briefs will also be a material consideration in determining planning applications and will guide consideration of any conditions or agreements. The following briefs in the form of Supplementary Planning Guidance have been prepared:

- Auction Mart Site, Newtown St Boswells
- Berrywell East, Duns
- Bogangreen, Coldingham
- Borders College, Galashiels
- Broomlands East, Kelso
- Buckholm Corner, Galashiels
- Burgh Yard, Galashiels
- Burnside, Eddleston
- Caerlee Mill, Innerleithen
- Clough Mills, Innerleithen
- Clovenfords West
- Commercial Road, Hawick (Development Framework)
- Crotchetknowe, Galashiels
- Crumhaughill, Hawick
- Denholm Hall Farm East, Denholm
- Duns Primary School
- Earlston High School, Earlston
- Easter Langlee, Galashiels
- Ettrick (Hopehouse)
- Forest Hill, Galashiels
- Former Berwickshire High School, Duns
- Former Eyemouth High School, Eyemouth
- Former Royal Hotel, Stow
- Gala Law, Hawick
- Glen Crescent, Peebles

- Gunsgreenhill, Eyemouth
- Howden Drive, Jedburgh
- Kirklands, Innerleithen
- Langton Edge, Duns
- Lochend and Annefield, Jedburgh
- Lyall Terrance II, Burnmouth
- Main Street, Eccles
- Marchmont Road Greenlaw
- Meigle Farm, Clovenfords
- Netherdale Industrial Estate, Galashiels
- Newtown St Boswells (Development Framework)
- Queen Mary Site, Jedburgh
- Renwick Gardens and West Renwick Gardens, Morebattle
- Reston Auction Mart, Reston
- Robinsland, West Linton
- Sergeants Park II, Newtown St Boswells
- South Fountainhall, Fountainhall
- Stirches, Hawick
- Stirling Street Redevelopment, Galashiels
- Summerfield 1 & 2, Hawick
- The Croft, Melrose
- The Steadings Acredale Farm, Eyemouth
- Todlaw Playing Field, Duns
- Wallacenick, Kelso
- West Eildon, Eildon
- West Gavinton, Gavinton
- West of St Dunstans, Lilliesleaf
- West Paddock, Coldstream
- Whitlaw Road Industrial Estate Extension, Lauder
- Wildcat Gate South, Jedburgh

## Standards

### Play Space

The Council's standards relating to the provision of children's play space were adopted in 1991, and still apply to new development as a starting point for negotiation. The standards require developers of sites of more than 9 family dwellings, to provide appropriate supporting play facilities.

Developers are advised to inspect the Council's Supplementary Planning Guidance (SPG) on Development Contributions in conjunction with the SPG on Green Space for further detail on requirements, and to contact the Environment and Infrastructure Department at Council Headquarters, who can advise on play space contributions further.

### Transportation Standards

The transportation standards listed below reflect the requirements at the time of publication.

Scottish Planning Policy (SPP) and PAN 75 promote the integration of land use and planning to assist in reducing the need to travel and to create favourable conditions for greater use of sustainable transport modes.

The council has published a guide to the design and construction of roads for adoption known as "Standards for Development Roads." This document may be modified during the local plan period to reflect emerging policies and best practice. Therefore, it is important to discuss the precise details of any proposal with the Roads Planning Service prior to lodging a planning application. Where an access is proposed to be taken from a trunk road, the proposals should be discussed at an early stage with Transport Scotland regarding advice standards and procedures and, in general, comply with the Design Manual for Roads and Bridges.

### Street Layout

Street layouts should not be conceived in isolation, but as an element in the overall design of the development. The Council's 'Standards for Development Roads' should serve as a guide to the form of development on the site, but should be flexible enough so as not to inhibit the design of innovative less car dominant layouts. The Council embraces the concepts of the Scottish Government's 'Designing Streets: A Policy Statement for Scotland' published in 2010. This publication promotes an informal system of well connected permeable streets with natural traffic calming built in. Street layout must contribute to creating a sense of place and be pedestrian and cycle friendly. For Distributor Road, elements of the 'Design Manual for Roads and Bridges' by Her Majesty's Stationary Office (HMSO) may apply.

### Parking

Scottish Planning Policy (SPP) defines maximum car parking standards for retail and business developments. It also stipulates minimum parking standards for disabled people. The SEStran Regional Parking Standards sets common standards for the partnership area that aim to provide cross regional consistency. The Council's 'Standards for Development Roads' provide an indication of the car parking levels considered generally acceptable for various types of development but which may be exceeded or reduced dependant on: the degree of communal facilities; the location; the availability of public car parking in the vicinity and physical constraints. The following list gives guidance on the provision of parking which the Council currently recommends for all new housing development or redevelopment schemes. It should be noted that over the lifetime of the Local Plan the standards could be subject to review and change:

General Housing	2 residents's parking spaces per dwelling unit + 0.25 visitor parking spaces per dwelling unit (garages not included).
Communal Parking Schemes	1.5 to 1.75 parking spaces per dwelling unit

Town Centre Redevelopment	1.0 to 1.25 parking spaces per dwelling unit
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### Cycle Parking

Indicative cycle parking standards are given in Table 8.2 of 'Cycling by Design' (Transport Scotland 2010). For flatted developments, secure covered cycle storage provision will be expected.

### Transport Assessments and Travel Plans for Development Sites

Significant travel generating developments will require the submission of a transport assessment (TA). A transport assessment aims to provide information on how a proposed development is likely to function in transport terms with emphasis on sustainable travel patterns. In 2005, the Government published a guide on transport assessments for development proposals, including indicative threshold levels for transport assessment requirements, entitled "Transport Assessment and Implementation: A Guide." As a guide for housing proposals, the council is likely to request a transport assessment for developments in excess of 25 dwelling units. As a matter of course, a transport assessment will be requested for developments in excess of 50 units. The developer will be expected to pay for or contribute towards the cost of identified off site roadwork required as a result of their development and/or the cumulative effect of overall development. Certain types of significant travel generating retail and business developments will bring about the need for a travel plan as a part of the planning/transport assessment process. Developments which impact upon the trunk road may have different requirements for the transport assessment and developers should contact Transport Scotland for further advice.

### Local Transport Strategy

Following the publication of The Scottish Integrated White Paper (Travel Choices for Scotland) in 1998, the Council has produced a Local Transport Strategy (LTS) to help the co-ordination and implementation of integrated and sustainable transport policies. The current LTS was published in January 2008.

### Private Accesses

A private access may serve a maximum of four dwellinghouses. This does not apply to: dwelling units consented to prior to 31 October 1984 (enactment of the Roads (Scotland) Act 1984); conversions; or units consented to with economic justification.

## APPENDIX 4: PUBLICITY AND CONSULTATION

### Scottish Borders Local Development Plan Participation Statement

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Planning Advice Note (PAN) 3/2010 on Community Engagement states:

- *COMMUNITY ENGAGEMENT MUST BE MEANINGFUL AND PROPORTIONATE*
  - *COMMUNITY ENGAGEMENT MUST HAPPEN AT AN EARLY STAGE TO INFLUENCE THE SHAPE OF PLANS AND PROPOSALS*
  - *IT IS ESSENTIAL FOR PEOPLE OR INTEREST GROUPS TO GET INVOLVED IN THE PREPARATION OF DEVELOPMENT PLANS AS THIS IS WHERE DECISIONS ON THE STRATEGY, FOR GROWTH OR PROTECTION, ARE MADE.*
- 

#### 1.0 Introduction

The Planning etc. (Scotland) Act 2006 requires local planning authorities to prepare a Local Development Plan (LDP) for their area. The LDP is one of two statutory plans which make up the Development Plan. The Scottish Borders is a part of one of the City Regions in Scotland - the Edinburgh and South East Scotland Strategic Development Plan Authority (SESplan) which is required to prepare a Strategic Development Plan.

The Local Development Plan will replace the Scottish Borders Consolidated Local Plan and will continue to set out a detailed level of planning through policies and proposals to guide development within the Scottish Borders.

This document sets out how people will have the opportunity to contribute to the future development of the Scottish Borders as it relates to the Local Development Plan.

This Participation Statement will continually evolve through the LDP Process in order to capture the work that has taken place to date as well as setting out the activities to take place through the following stages. This edition of the report is being published as part of the Proposed Plan stage of the LDP.



## 2.0 Community Involvement in the Local Development Plan Process

### Who are the Consultees?

Any public consultation in relation to the LDP process will seek to involve as wide a range of parties as practical. This will include: the public sector, private sector, community groups, voluntary sector organisations and the general public.

Statutory Development Plan Consultees are consultees that the planning authority must consult with, these include: Transport Scotland, Scottish Water, Scottish Environment Protection Agency (SEPA), Scottish Natural Heritage (SNH), Historic Scotland and Community Councils.

### Consultation Strategy by Document/Stage

Type of Document /Stage	Consultation Letters and Emails	Neighbour Notification	Statutory Press Notices/ Formal Advert	Website	Press Release	Contact with Children and Young People	SBC Connect	Area Committee Presentation	Questionnaire	Planning Aid Seminar	Local Surgeries
Stage: Preparation of the Main Issues Report (Early Engagement)	Yes	No	No	Yes	No	Yes	Yes	Yes Presentation to Teviot and Cheviot Area Committees	Yes	Yes	No
Document: Main Issues Report	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes
Document: Proposed Plan	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	--

### **3.0 Engagement on the Preparation of the Main Issues Report**

The purpose of this stage of community engagement is to educate and inform stakeholders about the new LDP as well as to gauge community opinion in the course of preparing the Main Issues Report (MIR), in addition to seeking dialogue and inviting representations following the publication of the MIR. This engagement was focused on the issues under discussion and on the relevant audiences.

#### ➤ **Consultation Letters and Emails**

The Plans and Research team hold a large database of contacts (almost 700) which is continually updated and who received a letter or email informing them of the preparation work on the Main Issues Report.

##### Consultation Letters and Emails sent:

Letters were sent out on 12 October 2010 to all of the Plans and Research contacts informing them of the process and the links to the Local Development Plan website, Questionnaire and Expressions of Interest form.

#### ➤ **Questionnaire**

A questionnaire was produced in order to provide anyone with an interest in the new LDP with an early opportunity to input into the publication of the MIR. This allowed an opportunity to consider the views of the public on what are the main issues in terms of policy and land use within the Scottish Borders. In addition to the Questionnaire, an Expressions of Interest Form was also produced.

##### Questionnaire already produced:

Both the questionnaire and the expressions of interest were produced and posted online.

#### ➤ **Contact with the Children and Young People**

A meeting was arranged with the Council's Participation Officer so to gain input from the Children and Young People Group.

##### Meeting already undertaken:

The meeting took place with the Participation Officer, they then arranged for the Children and Young People to complete the Questionnaire produced by the Plans and Research Team, the Participation Officer then collated the responses and fed them back directly to the Plans and Research Team. It was intended that the Children and Young People were to meet in early January 2011.

The Participation Officer has been in contact after the meeting requesting copies of the current Adopted Local Plan to show to the Children and Young People as an example of what the Local Development Plan may look like. An electronic and paper copy of the Plan were forwarded to the Participation Officer.

➤ **SBC Connect**

The Council publicised the Questionnaire on the early engagement process for the new LDP within the Council's own publication "SBC Connect". This publication is delivered to every householder at least three times a year. It is intended that the Council will inform residents of the Scottish Borders on the progress of the Plan and any participation events that may occur.

Article Published:

The article was published in the winter edition of the SB Connect which is delivered to all households within the Scottish Borders with exception to those who have signed up to the Mail Preference Service.

➤ **Planning Aid Seminar**

A Planning Aid Seminar for Community Councils was organised for 20 November 2010. The seminar was intended to inform community councils on the LDP process and on how to become involved in the process.

A letter has been sent out on 6 October 2010 to all community councils inviting them to the seminar. The Seminar was run by Planning Aid.

Seminar already undertaken:

The Planning Aid Seminar has now taken place. Out of 65 Community Councils 15 were represented at the event. Two members of the Plans and Research Team were also in attendance for part of the day to make a presentation to the group and answer any questions.

During the question and answers session the issue of SESplan was raised amongst many other various issues. To allow the Seminar to run freely, Planning Aid requested that the Plan and Research Team members left after their contribution.

Feedback on the event from Planning Aid is presented separately to this document. However some of the key findings from the feedback are:

It should be noted that not all of the attendees provided feedback from the event. However, of those participants who provided feedback, the majority considered the promotional arrangements for the event to be 'good' or 'excellent' and the majority of attendees found the contents of the event as 'relevant' whilst others considered it to be 'very relevant'. Furthermore from those who provided feedback everyone found the event to be 'effective'. The majority of the respondees also considered that it would be useful to have a follow up event.

➤ **Website**

The Council in the preparation of the MIR provided information on the LDP page of the Council's website.

The web page provided contact details for the Plans and Research Team and where further information may be sought.

LDP Page on Website Created:

The web page has been compiled and updated as further information is being made available.

➤ **Area Committee Presentation**

A presentation was organised for the 16 November 2010 for the Teviot Area Committee and the 18 November 2010 for the Cheviot Area Committee.

Area Committee Presentations already undertaken:

The presentations with the two Area Committees have now been undertaken.

At the Teviot and Liddesdale Area Committee the subject of relationship of the Local Development Plan with the SESplan Strategic Development Plan was raised.

At the Cheviot Area Committee there was a low attendance despite a very large turnout for an earlier item on the agenda. Questions on the subject of the SESplan were also asked.

➤ **SB Scene**

An article was also published in the winter edition of the Council's staff magazine - SB Scene to encourage further participation.

➤ **Focus Groups**

Two Focus Group Meetings were organised for the 19 and 20 April 2011, one was an evening event and the other an afternoon event. Letters and emails were sent out to all community councils and other interested parties inviting them to a Focus Group Meeting.

Focus Group Meetings already undertaken:

On the 19 April there were 17 attendees representing a number of community councils, Scottish Enterprise as well as a number of consultants.

On the 20 April there were 23 attendees representing community councils, interest groups, consultants, developers, landowners, Scottish Water, Sports Scotland, Historic Scotland, SEPA and Lothian and Borders Police.

The Focus Group Meeting commenced with a presentation on the Local Development Plan, consisting of a summary of the new planning system, the current position of the Scottish Borders Development Plan including an update on the progress of the Strategic Development Plan - SESplan, the tasks already undertaken as part of the early engagement process and those proposed, as well as highlighting the key themes/work areas suggested for inclusion in the Main Issues Report. Following the presentation the attendees were split into three discussion groups to discuss the following: housing, employment, retail, mixed use, green space, renewables, regeneration, policies, local/other issues and engagement.

The planning officers took notes of the issues raised and these notes were published on the Local Development Plan website.

➤ **Area Based Community Group Meetings**

Three Area Based Community Group Meetings were organised for 21 June 2011 at Duns; 28 June 2011 at Peebles and 30 June 2011 at Hawick. All Community Councils and Councillors were invited.

Area Based Community Group Meetings already undertaken:

The three Area Based Community Group meetings have now been undertaken, all took place in the evening time. From the Plans and Research Team those in attendance were: the Forward Planning Manager, the Principal Officer, and two Planning Officers/Research Planner.

On the 21 June there were 15 attendees representing 8 community councils and Save Scott's Countryside and East Berwickshire Communities.

On the 28 June there were 14 attendees representing 7 community councils and the Peebles Civic Society in addition a local Councillor also attended.

On the 30 June there were 6 attendees representing 3 community councils and one local Councillor also attended.

All of the Area Based Community Group Meetings commenced with a presentation on the Local Development Plan which was then followed by a workshop style session where all attendees were split into groups to discuss individual settlements within their respective areas. All were given the opportunity to provide their views on the current Local Plan and its policies, the format of the settlement profiles and maps, and then were also given the opportunity to provide comments and illustrate those on maps which were provided. Each group were given the opportunity to comment on matters such as: housing, employment, retail, mixed use, green space, renewables and regeneration.

The planning officers took notes of the issues raised and these notes along with a copy of the maps which were then sent to each of the respective community councils.

#### **4.0 Engagement on the Main Issues Report**

The Main Issues Report (MIR) identifies the key areas of change that need to be addressed in the Proposed Plan. This document was subject to public consultation. It is intended that representations received during the consultation period would provide the planning authority with important views from the public and stakeholders and will assist in the preparation of the proposed plan.

➤ **Website**

The Council in the production of the MIR provided information on the LDP page of the Council's website and links to where the MIR can be viewed online [http://www.scotborders.gov.uk/info/178/development\\_plans/659/local\\_development\\_plan](http://www.scotborders.gov.uk/info/178/development_plans/659/local_development_plan)

The web page provides contact details for the Plans and Research Team and where further information may be sought.

LDP Page on Website Kept Updated:

The web page has continued to be kept updated as further information is being made available.

Prior to Council Approval of the Main Issues Report, the Report to Council including its appendices were placed on-line. The Report was presented to Council on the 26th January 2012.

Following approval of the Main Issues Report and prior to the commencement of the consultation period the Main Issues Report was placed on-line on 7th February. (The consultation period commenced on the 2 April). This was to allow everyone a good opportunity in advance of the consultation period to view the document.

Details of the exhibition dates, times and venues were also uploaded on to the webpage.

The Main Issues Report was available on-line in two formats - a downloadable PDF version and an on-line version.

Guidance notes were produced and made available on-line to assist in using the on-line version of the Main Issues Report and to provide guidance on how to submit a response using that method.

➤ **Paper Copies of the Main Issues Report available to view in Libraries and Council Offices**

Paper copies of the Main Issues Report were placed in all Libraries and Council Offices. This allowed for those who prefer to view a paper copy of the document to do so at a nearby location without the necessity to travel to Council Headquarters.

➤ **Questionnaire**

A questionnaire was produced which focused on the key questions contained within the MIR.

Questionnaire already produced:

The questionnaire has been produced and posted online. Paper copies were also available at the Exhibitions and by request.

➤ **Consultation Letters and Emails**

All those included within the Plans and Research database received a letter or email informing them of the publication of the Main Issues Report and where copies could be obtained or viewed for example at libraries, online or in the Planning Department.

All community councils, Scottish Government, agencies, local councillors, MSPs, and MPs covering the Scottish Borders received a hard copy of the MIR.

Letters and Emails Sent Out:

Letters have been sent out to everyone included on our Local Development Plan mailing list, community councils, Government agencies, MSPs, adjacent councils, registered social landlords who work within the Scottish Borders area as well as those listed on the Councils equalities contact list.

➤ **Neighbour Notification**

Although not a statutory obligation at this stage of the Plan Process, it was considered that Neighbour Notification Letters should be sent out to those who are neighbours of potential employment, housing, or regeneration sites.

Letters Sent Out:

Neighbour notification letters have been sent out to those who hold a property next to land being proposed for Development. Whilst this is a mandatory requirement for councils at the Proposed Plan stage, the council has also chosen to carry out neighbour notification



at the MIR stage where new land is identified as possible employment, housing or regeneration sites. NB: Only those within a 25m radius of the perimeter of these sites will receive notification.

➤ **Formal Advert**

As required by the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, the planning authority also placed a formal notice in one or more local newspapers advising the public to the production of the MIR. The advert will set out where and when the MIR may be viewed; a brief description of the content and purpose of the document; details of how further information may be obtained; and a statement that representations may be made, and how, to whom and by when they should be made.

Advert Placed:

Adverts have been placed in each of the local papers week commencing 26th March 2012. The relevant papers are: the Berwickshire News, Hawick News, Peeblesshire News, Southern Reporter and the Borders Telegraph.

➤ **Press Release In Advance of Consultation Period**

A press release was issued announcing to the press the production and consultation period of the MIR.

Press Release Issued:

The press release was issued by the Council on 26th March 2012. The release was placed on the Council's website as well as being forwarded to local tv, newspaper and radio contacts amongst a number of other contacts.

➤ **Contact with the Children and Young People**

The Council's Participation Officer also received notification of the consultation on the MIR. (It should also be noted that other Equality Groups are also notified).

Letters Sent Out:

Letters have been sent out to all on the Council's Equality List.

➤ **SB Connect**

An article was produced for inclusion in the spring edition SB Connect informing all readers about the Main Issues Report consultation. The SB Connect newspaper is distributed to all residents of the Scottish Borders with exception of those included in the Mailing Preference Service.

Article Published:

The article has been published in the spring edition of the SB Connect which is delivered to all households within the Scottish Borders.

➤ **Stakeholder Presentation**

A Stakeholder Presentation was arranged so that interested parties involved in the Local Development Plan process can be updated on the process.

Stakeholder Presentation Undertaken:

The stakeholder presentation has taken place on 5th April 2012. There were 35 attendees.

➤ **Series of Main Issues Report Exhibitions**

A series of Main Issues Report exhibitions took place in the Borders main towns allowing for the public and other interested parties to find out more about the Main Issues Report.

Series of Main Issues Report Exhibitions Undertaken:

Main Issues Report exhibitions were arranged at nine venues throughout the Scottish Borders. These were organised at:

Lauder 10<sup>th</sup> April, Hawick 11<sup>th</sup> April, Galashiels 12<sup>th</sup> April, Peebles 17<sup>th</sup> April, Eyemouth 18<sup>th</sup> April, Jedburgh 19<sup>th</sup> April, Duns 24<sup>th</sup> April, Selkirk 26<sup>th</sup> April and Kelso 1<sup>st</sup> May.

All exhibitions took place during the hours of 2pm through to 7pm.

The Duns exhibition had 23 attendees.

The Eyemouth exhibition had 40 attendees.

The Galashiels exhibition had 38 attendees.

The Hawick exhibition had 32 attendees.

The Jedburgh exhibition had 14 attendees.

The Kelso exhibition had 28 attendees.

The Lauder exhibition had 24 attendees.

The Peebles exhibition had 41 attendees.

The Selkirk exhibition had 15 attendees.

➤ **Environment and Infrastructure – Banner Added to Email Signature**

An email was sent to all of the Environment and Infrastructure Department requesting staff to add a banner to their email signature publicising the Main Issues Report consultation. The banner was added to staff email signature from 4th May 2012 through to the close of the consultation 25th June 2012.

Email Sent:

An email has now been sent to all Environment and Infrastructure staff requesting them to add the Main Issues Report banner to their email signature publicising the consultation.

➤ **Advert on Council's Main Website Page**

An advert as a banner will be placed on the Council's main website page publicising the close of consultation on the Main Issues Report.

Advert placed:

An advert has been placed on the Council's main website page publicising the close of consultation on the Main Issues Report. The advert also provided a link through the Local Development Plan Page.

➤ **Press Release In Advance of the Close of the Consultation Period**

A press release was issued announcing to the press that the Main Issues Report Consultation will be closing on 25 June 2012.

Press Release Issued:

A press release was issued by the Council on 1st June 2012. The release was placed on the Council's website as well as being forwarded to local TV, newspaper and radio contacts amongst a number of other contacts.

➤ **Use of Twitter**

Tweets were added to the Scottish Borders Council Twitter account informing Tweeters of the forth-coming closing date for the Main Issues Report.

Tweets Posted:

Tweets have now been posted on the Scottish Borders Twitter account on the 15<sup>th</sup> June, 10 days in advance of the closing date and again on the 18<sup>th</sup> June, a week in advance of the closing date.

## **5.0 Engagement on the Proposed Plan**

On production of the Proposed Plan there is a further (six week minimum) period of final objection, however the Council undertook a 12 Week Representation Period. Neighbours significantly affected by the proposals in the Proposed Local Development Plan (LDP) and those who have made previous representations will be notified directly by the planning authority to ensure they are aware of the proposals.

➤ **Website**

The Council in the production of the Proposed Plan provided information on the LDP page of the Council's website and links to where the Proposed Plan could be viewed online.

[http://www.scotborders.gov.uk/info/178/development\\_plans/659/local\\_development\\_plan](http://www.scotborders.gov.uk/info/178/development_plans/659/local_development_plan)

The web page also provided contact details for the Plans and Research Team where further information could be sought.

LDP Page on Website Kept Updated:

The web page has continued to be kept updated as further information was made available.

Prior to Council Approval of the Proposed Local Development Plan, the Report to Council including its appendices was placed on-line. The Report was presented to Council on the 25 September 2013.

Following approval of the Local Development Plan and prior to the commencement of the representation period the Proposed Plan was placed on-line on 7 November 2013. (The representation period commenced on the 6<sup>th</sup> December 2013). This was to allow everyone a good opportunity in advance of the representation period to view the document.

Details of the Area Forum dates, times and venues were also uploaded on to the webpage.

The Proposed Local Development Plan was available on-line in two formats - a downloadable PDF version and an on-line version. A Guidance note was produced on how to submit a response using the on-line version of the Local Development Plan and this was made available on-line.

To assist the public in the process, two documents were produced on the 'Changes from the Consolidated Local Plan 2011 to Proposed Local Development Plan 2013'. These documents were then available to view on the Council's website.

Other background documents were also made available online and these included:

- Economic and Market Assessment for New Business Space, Tweedbank/ Tweedside Park/ Broomilees, Melrose
- Borders Wind Energy Research Report
- Wind Energy Consultancy - Landscape Capacity and Cumulative Impact
- Conservation Areas Technical Note
- Employment Land Technical Note
- Green Networks Technical Note
- Regeneration Technical Note
- Retail Technical Note
- Strategic Flood Risk Assessment Technical Note

#### ➤ **Area Forums**

The Forward Planning section visited each of the Area Forums throughout November and into December (January) to make a presentation on the new process for representation on the Local Development Plan.

Letters sent:

Letters have been sent to all Community Councils and to all those who contributed to the Local Development Plan process at the time of the Main Issues Report informing them of the dates and times of when the Area Forums will take place.

Tweets:

In addition to the letters sent, a Tweet was posted on the Council's Twitter account with a link to the updated webpage, to inform followers of the upcoming Area Forums and the presentation on the Proposed Local Development Plan.

Cheviot Area Forum (6 Nov)

Approximately 40 attendees including 12 members of the public.

Eildon Area Forum (13<sup>th</sup> Nov)

Approximately 30 attendees including 3 members of the public.

Teviot & Liddesdale Area Forum (19<sup>th</sup> Nov)

Approximately 39 attendees including 17 members of the public.

Tweeddale Area Forum (27<sup>th</sup> Nov)

Approximately 66 attendees including 35 (approx) members of the public.

As result of bad weather and fallen trees, the Berwickshire Area Forum on the 5 December 2013 was cancelled. A Tweet was issued to notify the public that the Forum and Market Place was cancelled. That Area Forum was re-arranged to 9 January 2014. A further Tweet was then issued to notify the public of the new date.

Berwickshire Area Forum

Approximately 45 attendees including 15 members of the public.

➤ **Use of Twitter**

Tweets were added to the Scottish Borders Council Twitter account informing followers of the each of the upcoming Area Forums and to the Presentation on the Proposed Local Development Plan. Facebook was also used where possible.

A series of further tweets were also posted during the Representation Period – between 6 December 2013 and 3 March 2014. This was to ensure that the Representation Period of the Proposed Plan was kept in the public eye. The frequency of tweets in the lead up to the close of the Representation Period was increased, so as a reminder to everyone that the Representation Period was nearing its end.

➤ **Press Release to raise awareness of the Local Development Plan Presentation at Area Forums**

A press release was issued on 4 November 2013 announcing to the press that the Plans and Research section were attending each of the Area Forums to give a presentation on the Proposed Local Development Plan.

➤ **SBC Connect**

The Council publicised the publication of the Proposed LDP within the Council's own publication "SBC Connect". This publication is delivered to every householder at least three times a year. The SB Connect newspaper is distributed to all residents of the Scottish Borders with exception of those included in the Mailing Preference Service.

The article was published in the winter edition of the SB Connect.

➤ **Consultation Letters and Emails**

All those included within the Plans and Research database received a letter or email informing them of the publication of the Proposed Plan and where copies could be obtained or viewed for example at libraries, online or in the Planning Department.

All community councils, Scottish Government, agencies, local councillors and MSPs and MPs covering the Scottish Borders received a hard copy of the Proposed Plan.

➤ **Neighbour Notification**

As a statutory obligation at this stage of the Plan Process, Neighbour Notification Letters were sent out to those who are neighbours of potential employment, housing, or regeneration sites.

Neighbour notification letters have been sent out to those who hold a property next to land being proposed for Development. This is a mandatory requirement for councils at the Proposed Plan stage. NB: Only those within a 20m radius of the perimeter of these sites received notification. A total of 6505 letters went out to individual properties. Another set of letters were also sent out to residential institutions such as sheltered accommodation and student accommodation.

➤ **Press Release in advance of Representation Period**

A press release was issued on 29 November 2013 to inform the public of the publication of the Proposed Local Development Plan and of its Representation Period. The Press Release also included detail of the Neighbour Notification letters that were also sent out. Following on from the press release, a Communications Email to Council Staff included a note that the Representation Period for the Proposed Local Development Plan would commence on 6 December 2013. (As a result of the Press Release a number of articles were published in the local press).

➤ **Contact with the Children and Young People**

The Council's Participation Officer also received notification of the representation period for the Proposed Local Development Plan. (It should also be noted that other Equality Groups are also notified).

➤ **Formal Advert**

As required by the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, the planning authority placed a formal notice in one or more local newspapers advising the public of the production of and Representation Period of the Proposed Local Development Plan. The advert set out where and when the Proposed Plan could be viewed; a brief description of the content and purpose of the document; details of how further information may be obtained; and a statement that representations may be made, and how, to whom and by when they should be made.



Adverts were placed in each of the local papers week commencing 2 December 2013. The relevant papers are: the Berwickshire News, Hawick News, Peeblesshire News, Southern Reporter and the Borders Telegraph.

➤ **Paper Copies of the Proposed Plan available to view in Libraries and Council Offices**

Paper copies of the Proposed Plan were placed in all Libraries and Council Offices. This will allow for those who prefer to view a paper copy of the document to do so at a nearby location without the necessity to travel to Council Headquarters.

➤ **Translation of Key Documents**

On request, the Council makes translations of key documents into the main community languages.

## **6.0 Development Plan Examination**

Where objections/unresolved issues to the proposed plan have not been withdrawn or resolved, an independent Development Plan Examination will be held by the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA). The arrangements for the Examination will be made by the DPEA.

## **7.0 Following the Local Development Plan Examination**

On receipt of the Local Development Plan Examination Reporters' Recommendations, the Council will:

- make the recommended modifications
  - publish the proposed modified plan
  - advertise intention to adopt
  - notify interested parties the Local Development Plan has been published and can be viewed
- 
- send (a) copy of the modifications to Ministers and (b) statement regarding any modifications not accepted; (c) the proposed plan as modified.

## **8.0 Court of Session Challenge**

The final stage of the process if acted on by an aggrieved party is the provision in the Planning etc. (Scotland) Act 2006 to challenge the Scottish Ministers' decision to direct the planning authority to adopt the Plan.

The aggrieved person can apply to have the Court of Session to quash the plan within 6 weeks of the date of the first notice of adoption of the Plan. If it can be shown that it was not within the powers of the Act to do so, or that the applicants interests have been substantially prejudiced by failure to comply with any requirement of the Act, the court has then the powers under the Act to quash the Plan.

## APPENDIX 5: COUNCIL OWNED SITES

The table below lists land in the ownership of Scottish Borders Council which is affected by policies and proposals for development in the Plan, as required by Section 15 (3) of Part 2 Planning etc. (Scotland) Act 2006.

Council owned sites	Proposal	LDP site ref	LDP site name
<b>Springwell Brae Development Site</b> Broughton, ML12 6FE	Housing	TB10B	Springwell Brae
<b>Chirnside Industrial Estate</b> Land At Chirnside Industrial Estate, Chirnside, TD11 3XG	Business and Industrial Land	zEL1	Southfield
<b>Guards Road Lorry Park</b> Guards Road, Coldstream, TD23 4AJ	Business and Industrial Land Safeguarding	zEL28	Hillview Industrial Estate
<b>Coldstream Workshops</b> Units 1-9 and garage, Coldstream Workshops, Home Place, Coldstream, TD12 4DT	Business and Industrial Land Safeguarding	zEL27	Coldstream Workshops
<b>Hillview Industrial Estate</b> (Depot & o2 Site), Hillview Depot, Coldstream, TD12 4EE	Business and Industrial Land Safeguarding	zEL28	Hillview Industrial Estate
<b>Hillview Industrial Estate</b> Unit 1 Blocks A & B and Unit 2 Block A & B, Hillview Industrial Estate, Coldstream, TD12 4EE	Business and Industrial Land Safeguarding	zEL28	Hillview Industrial Estate
<b>Duns Industrial Estate</b> ES Vehicle Compound; DLO, VMDSO and L&R depots; Sites 1, 3 and 4; Duns Recycling Depot; Car Park; Units A-F 10/1 -10/4; Factory; and Land adjacent to Unit F, Station Road, Duns, TD11 3HS	Business and Industrial Land Safeguarding	zEL26	Cheeklaw
<b>Duns Industrial Estate (Peelrig)</b> Land at Duns Industrial Estate (Peelrig), Station Road, Duns, TD11 3HR	Business and Industrial Land	zEL8	Peelrig Farm
<b>Land at Todlaw (Sandpit Field)</b> Todlaw, Duns, TD11 3EJ	Longer Term Mixed Use	SDUNS001	Longer Term Housing
<b>Berwickshire High School (Old)</b> Old High School, Swimming Pool & Todlaw Playing Field and Park, Langtongate, Duns, TD11 3QQ	Redevelopment	zRO15	Former Berwickshire High School
<b>Duns Primary and Nursery Schools</b> Sunnyside, Duns, TD11 3AG	Redevelopment	RDUNS002	Duns Primary School
<b>Earlston High School (Old) and Earlston Primary School</b> High Street, Earlston, TD4 6HF	Housing	AEARL002	Surplus Land at Earlston High School
<b>Station Road Industrial Estate</b> Units 1 & 2 Station Yard and car park, Station Road, Earlston, TD4 6BZ	Business and Industrial Land Safeguarding	zEL56	Station Road
<b>Turford Park Industrial Park</b> Sites 1-2 & units 1-3 Turford Park Industrial	Business and Industrial Land Safeguarding	zEL55	Turford Park

Park, Turfford Park Industrial Estate, Earlston, TD4 6GZ			
<b>Ettrickbridge Cemetery (New)</b> Ettrickbridge, TD7 5JJ	Cemetery Expansion	FETTR001	
<b>Acredale Industrial Estate</b> Site 1 and Units 1-5 (Ph 1), 1-2 (Ph2) and 1-5 (Ph.3), Acredale Industrial Estate, Acredale Industrial Estate, Eyemouth, TD14 5LQ	Business and Industrial Land Safeguarding	zEL47	Acredale Industrial Estate
<b>Gunsgreenhill Car Park</b> Gunsgreenhill, Eyemouth, TD14 5DY	Mixed Use	MEYEM001	Gunsgreen Mixed Use
<b>Eyemouth Golf Course &amp; Clubhouse</b> Gunsgreenhill, Eyemouth, TD14 5SF	Housing	AEYEM007	Gunsgreenhill Site B
<b>Gunsgreenhill Woodlands</b> Gunsgreenhill, Eyemouth, TD14 5SF	Housing	AEYEM007	Gunsgreenhill Site B
<b>Gunsgreenhill Development Site</b> Gunsgreenhill, Eyemouth, TD14 5SF	Business and Industrial Land	BEYEM001	Gunsgreenhill
<b>Proposed Marine Centre Site</b> Gunsgreenhill, Eyemouth, TD14 5DX	Mixed Use	MEYEM001	Gunsgreen Mixed Use
<b>Eyemouth Civic Amentiy Site</b> Gunsgreenhill, Eyemouth, TD14 5SF	Business and Industrial Land	zEL6	Hawk's Ness
<b>Stebbing Rise Play Area and Kick About Pitch</b> Stebbing Rise, Eyemouth, TD14 5LL	Housing	BEY15B	Gunsgreenhill
<b>Gunsgreen Park</b> Play Area and Football Pitch, Eyemouth, TD14 5DY	Mixed Use	MEYEM001	Gunsgreen Mixed Use
<b>Eyemouth Protective Services Depot</b> Coldingham Road, Eyemouth, TD14 5AN	Business and Industrial Land Safeguarding	zEL63	Eyemouth Industrial Estate
<b>Eyemouth Family Support Centre</b> Coldingham Road, Eyemouth, TD14 5AN	Cemetery Expansion	FEYEM002	Eyemouth Cemetery Expansion
<b>Schools &amp; Family Support Centre</b> Eyemouth High School (Old), Primary School, Nursery School and container site, Coldingham Road, Eyemouth, TD14 5BY	Redevelopment	REYEM002	Former Eyemouth High School
<b>Stirling Street Car Parks (East and West)</b> Stirling Street, Galashiels, TD1 1BY	Redevelopment	zCR3	Stirling Street
<b>Gala (Abbotsford) Mill</b> Huddersfield Street, Galashiels, TD1 3AY	Business and Industrial Land Safeguarding	zEL41	Huddersfield Street Mill
<b>Galafoot Industrial Area</b> Winston Road, Galashiels, TD1 3HH	Business and Industrial Land	BGALA002	Galafoot
<b>Hill Street Workshops</b> 1-4 Hill Street Workshops, Albert Place, Galashiels, TD1 3BQ	Redevelopment	zCR2	Huddersfield Street/Hill Street
<b>Huddersfield Street Development Site</b> Huddersfield Street, Galashiels, TD1 3AX	Redevelopment	zCR2	Huddersfield Street/Hill Street
<b>Huddersfield Street Industrial Estate</b> Units 2-10 and Yards A-C, Huddersfield Street, Huddersfield Street, Galashiels, TD1 3AY	Business and Industrial Land Safeguarding	zEL41	Huddersfield Street Mill
<b>Langhaugh Industrial Estate</b> Langhaugh, Galashiels, TD1 2BP	Business and Industrial Land	BGALA003	Langhaugh Employment Safeguarding
<b>Mill Park Roads Depot</b> Wheatlands Road, Galashiels, TD1 2HD	Business and Industrial Land Safeguarding	zEL42	Wheatlands Road

<b>Mossilee Allotments</b> Mossilee Road, Galashiels, TD1 1LQ	Housing	EGL19B	Mossilee
<b>Queens Centre</b> Melrose Road, Galashiels, TD1 2AF	Redevelopment	zRO202	Melrose Road
<b>Bus Station Toilet</b> Stirling Street, Galashiels, TD1 1BY	Transport Interchange	zTI1	Galashiels Transport Interchange
<b>Backbraes Woodland &amp; Mansfield Sites</b> Mansfield Road Transfer Unit and Sub Station Site, Mansfield Road, Hawick, TD9 8SL	Business and Industrial Land Safeguarding	zEL49	Burnfoot
<b>Bath Street Site</b> Bath Street, Hawick, TD9 7DP	Redevelopment	zRO8	Commercial Road
<b>Mansfield Square Car Park</b> Mansfield Square, Hawick, TD9 8AH	Business and Industrial Land Safeguarding	zEL50	Mansfield Road
<b>Garfield Street East Car Park</b> Garfield Street, Hawick, TD9 9HA	Business and Industrial Land Safeguarding	zEL51	Loch Park Road
<b>Former Burgh Yard, Former Burgh Yard</b> Commercial Road, Hawick, TD9 7AQ	Redevelopment	zRO8	Commercial Road
<b>Galalaw Farm</b> Galalaw Farm woodland, cropping and grazings sites 1-3, Galalaw, Hawick,	Mixed Use	MHAWI001	Gala Law
<b>Guthrie Drive Allotments</b> Grazing & Developme, Guthrie Drive, Hawick,	Housing	RHA27B	Gala Law/Guthrie Drive Housing Land Use Proposal
<b>Hawick Old Baths</b> Bath Street, Hawick, TD9 7DP	Redevelopment	zRO8	Commercial Road
<b>Land at Hamilton Road &amp; Burnfoot Kennels</b> Hamilton Road, Hawick, TD9 8SL	Business and Industrial Land Safeguarding	zEL49	Burnfoot
<b>Lochpark Industrial Estate</b> Unit 12 & 12A Lochpark Industrial Estate, Lochpark Industrial Estate, Hawick, TD9 9JA	Business and Industrial Land Safeguarding	zEL51	Loch Park Road
<b>Lothian Street Office</b> Store & Sub Station, Lothian Street, Hawick, TD9 9HD	Business and Industrial Land Safeguarding	zEL51	Loch Park Road
<b>Mansfield Gardens</b> Plot 3 and Yard 2, Mansfield Gardens, Mansfield Gardens, Hawick, TD9 8AN	Business and Industrial Land Safeguarding	zEL50	Mansfield Road
<b>Mansfield Roads Depot</b> Mansfield Road Depot, Mansfield Road, Hawick, TD9 8SL	Business and Industrial Land Safeguarding	zEL49 and zEL50	Burnfoot and Mansfield Road
<b>Mansfield Workshops</b> Units 1-4 Mansfield Workshops, Mansfield Gardens, Hawick, TD9 8AN	Redevelopment	zRO8	Commercial Road
<b>Unit 4 Weensland Mill</b> Unit 4 Weensland Mill, Weensland Mill, Hawick, TD9 9PS	Business and Industrial Land Safeguarding	zEL62	Weensland
<b>Bankend Yard &amp; Factory Unit</b> Bankend Yard, Bankend, Jedburgh, TD8 6ED	Business and Industrial Land Safeguarding	zEL34	Bankend South Industrial Estate
<b>Bongate Roads Depot</b> Bongate Depot, Bongate, Jedburgh, TD8 6DU	Business and Industrial Land Safeguarding	zEL35	Bongate South
<b>Bongate Stores &amp; Yard</b> Yard and units 2-9 Bongate Stores, Bongate	Business and Industrial Land Safeguarding	zEL37	Bongate North

Depot, Jedburgh, TD8 6DU			
<b>Oxnam Road Industrial Estate &amp; Grazing</b> Units 1 & 2, grazings and industrial estate, Oxnam Road, Jedburgh, TD8 6LS	Business and Industrial Land Safeguarding	zEL31	Wildcat Gate
<b>Riverside Workshops</b> Units 1-7 Riverside Workshops, Edinburgh Road, Jedburgh, TD8 6EE	Business and Industrial Land Safeguarding	zEL33	Edinburgh Road
<b>The Tollhouse</b> Bongate, Jedburgh, TD8 6DU	Business and Industrial Land Safeguarding	zEL37	Bongate North
<b>Kelso High School</b> Bowmont Street, Kelso, TD5 7EG	Redevelopment	RKELS002	Former Kelso High School
<b>Pinnaclehill Industrial Estate,</b> Units A, B & C and Mast Site, Pinnaclehill Industrial Estate, Pinnaclehill, Kelso, TD5 8XX	Business and Industrial Land Safeguarding	BKELS005	Pinnaclehill Industrial Estate
<b>Pinnaclehill Development Site,</b> Pinnaclehill, Kelso, TD5 8XX	Business and Industrial Land Safeguarding	BKELS005	Pinnaclehill Industrial Estate
<b>Spylaw Road Yards</b> Yards A & B and Depots 1& 2, Spylaw Road, Kelso, TD5 8DN	Business and Industrial Land Safeguarding	zEL205	Pinnaclehill/Spylaw Road
<b>Whitlaw Road Industrial Estate &amp; Roads Depot</b> Whitlaw Road, Lauder, TD2 6PA	Business and Industrial Land Safeguarding	zEL61	Lauder Industrial Estate
<b>Moss Road Workshop &amp; Yard</b> Moss Road, Newcastleton, TD9 0RU	Business and Industrial Land Safeguarding	zEL44	Moss Road
<b>Newcastleton Roads Depot</b> Moss Road, Newcastleton, TD9 0RU	Business and Industrial Land Safeguarding	zEL44	Moss Road
<b>Waverley Place Industrial Estate</b> Yard and units A-C Waverley Place, Waverley Place, Newtown St Boswells, TD6 0RS	Business and Industrial Land Safeguarding	zEL36	Waverley Place
<b>Southpark Workshops</b> Yard, sub station and units 1-6 and 14-19, South Park Industrial Estate, Peebles, EH45 9ED	Business and Industrial Land Safeguarding	zEL46	South Park
<b>Whinfield Road Car Park</b> Whinfield Road, Selkirk, TD7 5DT	Business and Industrial Land	BSELK003	Riverside 8
<b>Dunsdale Workshops &amp; Rogers Road Yards</b> Units 1-6 and Yards 3, 4 and 4B, Dunsdale Workshops, Dunsdale Road, Selkirk, TD7 5EA	Business and Industrial Land Safeguarding	BSELK001	Riverside 7
<b>Ettrick Mill</b> Dunsdale Road, Selkirk,	Business and Industrial Land	zEL15	Riverside 6
Ettrick Park Industrial Estate - Site 2, Riverside Road, Selkirk, TD7 5EB	Business and Industrial Land	BSELK002	Riverside 5
<b>Linglie Mill</b> Units 1-10 Linglie Mill, Level Crossing Road, Selkirk, TD7 5EQ	Business and Industrial Land Safeguarding	BSELK001	Riverside 7
<b>Sheperds Mill Units &amp; Offices</b> Unit 1-7 and offices, Shepherds Mill, Whinfield Road, Selkirk, TD7 5DT	Business and Industrial Land	BSELK003	Riverside 8
<b>St Marys Mill</b> Land, venture centre, library HQ and units 1-3 St Marys Mill, Level Crossing Road, Selkirk, TD7	Business and Industrial Land Safeguarding	BSELK001	Riverside 7

5EQ			
<b>St Marys Mill Sub Station Site</b> Level Crossing Road, Selkirk, TD7 5EQ	Business and Industrial Land Safeguarding	BSELK001	Riverside 7
<b>Charlesfield Site &amp; Mobile Cafe</b> Charlesfield Industrial Estat, St Boswells, TD6 OHH	Business and Industrial Land Safeguarding	zEL3	Charlesfield
<b>Stow Primary School</b> Station Yard, Stow, TD1 2SQ	Railway Station	TSTOW001	Stow Railway Station
<b>Stow Toilet</b> Galashiels Road, Stow, TD1 2QU	Mixed Use	MSTOW001	Royal Hotel
<b>Town Yetholm Grazings</b> High Street, Town Yetholm, TD5 8RG	Housing	RY1B	Deanfield Court
<b>Land at Tweedside Park Industrial Estate</b> Tweedside Park Industrial Est, Tweedbank,	Business and Industrial Land Safeguarding	zEL59	North of Tweedbank Drive
<b>Tweedbank Industrial Estate</b> Units A & B and Eildon Milol, Tweedbank Industrial Estate, Tweedbank, TD1 3RS	Business and Industrial Land Safeguarding	zEL39	Tweedbank Industrial Estate
<b>West Linton Primary and Nursery School</b> School Brae, West Linton, EH46 7DU	Housing	TWL15B	School Brae