

Land to the West of Pease Bay Holiday Park, Cockburnspath.

Planning Statement

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Verdant Leisure

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1.0 INTRODUCTION

- 1.1.1 This Planning Statement (the ‘Statement’) has been prepared by Tetra Tech on behalf of Verdant Leisure (the ‘Applicant’) in support of a change of use of the land to accommodate 19 lodges on land to the west of Pease Bay Holiday Park, Cockburnspath (the ‘Site’), and is submitted to Scottish Borders Council as Local Planning Authority (the ‘Council’).
- 1.1.2 The application is a resubmission of refused planning application reference 19/01709/FUL (the ‘refused application’), which sought permission for the following development description:
“Change of use of land and plot layout to form extension to caravan park”
- 1.1.3 The application was refused by the Council on 29th April 2020. This resubmission addresses the issues raised by the Council and the reasons for refusal of the previous application.
- 1.1.4 This Statement should be read alongside the following documents and plans which are submitted in support of the application:
- Completed Application Forms and Certificates;
 - Site Location Plan (dwg ref: 21001 – 003);
 - Proposed Design (dwg ref: 21001 – 004B);
 - Landscape and Visual Appraisal Report;
 - Landscape Plan (dwg ref: 02 rev 3);
 - Plant Specification and Schedule;
 - Flood Risk & Drainage Assessment (includes Drainage Plan);
 - Ecological Impact Appraisal;
 - Gravitas FlexMSE Brochure; and
 - Supporting photographs.
- 1.1.5 The remainder of this report is structured as follows:
- Section 2 describes the existing site, provides an overview of any relevant planning history;
 - Section 3 looks specifically at the previous application on the site and sets out the reasons for its refusal;
 - Section 4 provides details on the current proposed development;
 - Section 5 identifies the relevant national planning policies and the development plan;
 - Section 6 considers the proposal’s compliance with national and local planning policy as well as against the previous reasons for refusal; and
 - Section 7 provides a summary of the key considerations for the application and conclusion.

2.0 SITE AND PLANNING HISTORY

2.1 The Site

- 2.1.1 The site is approximately 1.2 hectares in size and is a vacant plot of grassland situated on a north-facing hillside, overlooking Pease Bay. The site is bound to the north by Cockburnspath Burn and to the south by an unnamed road which connects to the A1 roundabout located to the north of Cockburnspath village.
- 2.1.2 In terms of immediate surroundings, the area to the east is occupied by the existing Pease Bay Holiday Park, which predominantly comprises of holiday lodges static caravans and includes an on-site shop and entertainment complex. To the north is Pease Sands Beach. The area to the south and west is characterised by a mixture of vacant grassland and open fields.
- 2.1.3 Looking at the wider context, the site is located on the Berwickshire coast and is approximately 2.8km from Cockburnspath. The site falls within the Berwickshire Coast Special Landscape Area ('SLA'). The site is in proximity to two Great Trails; the Southern Upland Way and the Berwickshire Coastal Path. These paths follow the coastal cliffs from the village of Cove to the north of the site, offering wide views of Pease Bay.
- 2.1.4 The existing Pease Bay Holiday Park contains 330 pitches which are allocated or occupied by a mixture of privately owned lodges (300) and short term lets, also known as hire fleet units (23 caravans and 7 lodges). Four units on the existing site are occupied by staff and there are currently 292 owner lodges and caravans on site, leaving only four pitches vacant.

2.2 Site History

- 2.2.1 A search on the Council's website has found the following applications which are of relevance to the application. These are summarised in Table 1 below:

Application ref	Outcome	Determination date	Notes
18/01041/FUL	Withdrawn	16/10/2018	Application sought permission for 25 lodges spread across two tiers
19/01709/FUL	Refused	29/04/2020	Application sought permission for 22 lodges on a two-tier design. This was reduced to 18 lodges during the determination process

2.2.2 A review of the comments received on the 2018 application found that the Council's Landscape Officer did not support the application. The response noted that the development should be a single tier rather than two tiers, be farther set back from the existing roadside and include planting between the road edge and the lodges to screen them from the retaining wall and road.

2.2.3 Following the withdrawal of the 2018 application, a revised design was put forward and submitted as application 19/01709/FUL.

2.3 Application 19/01709/FUL

2.3.1 Application 19/01709/FUL was submitted to the Council on the 4th December 2019. The original design sought to deliver 22 holiday lodges over two tiers (14 lodges on the upper and eight lodges on the lower tier) separated by retaining wall structure. This was reduced down to 18 lodges (with 11 lodges on the upper and seven lodges on the lower tier) following issues raised during the determination period relating to landscape and flood risk.

2.3.2 Ultimately, the application was refused on three main grounds:

- The siting and design of the proposed development would have significant adverse landscape and rural visual impacts which would harm the landscape qualities of the Berwickshire Coast Special Landscape Area ('SLA'), being contrary to Local Plan Policies PM2 (Quality Standards), EP5 (Special Landscape Areas) and EP8 (Caravan and Camping Sites). It was not demonstrated that the economic benefits would outweigh the harm to the SLA;
- The site is located in an area of flood risk and would potentially place persons and property in danger and is therefore contrary to Local Plan Policy IS8 (Flood Risk); and
- It was not demonstrated that waste water could have been dealt with without any negative effects to public health, the environment and the quality of the nearby burn and coastal waters, which is contrary to Local Plan Policy IS9 (Waste Water treatment and SUDS) and EP15 (Development Affecting the Water Environment)

2.3.3 Based on the above, the application was refused on two broad topics – Landscape impact and Flood Risk & Drainage.

2.4 Landscape impacts

2.4.1 The refused application received detailed comments from the Council's Landscape Officer which set out in more detail the first reason of refusal. The full comments can be found appended to this Statement at **Appendix A**. The comments are summarised below:

- The proposals would see the currently undeveloped hillside changed by cut and fill earthworks to create two tiers of densely packed lodges. Gorse and scrub on the

existing hillside, which would be removed for the engineering works, are an important feature of the area;

- The existing holiday park is largely contained and the proposed development would see development spreading up the hillside. Concerns were raised about the extent of the engineering works, the siting of the development over two tiers, with the upper tier located close to the public road. The extent of the retaining structures and the density of development was also considered to be inappropriate;
- The level of proposed planting was not considered sufficient to outweigh the negative effects of the heavy engineering works for the site. The planting to the east would eventually screen the development from some views but would compromise more expansive views down the valley. The Landscape Officer also considered the visual impact of the development would come into view beyond the planting buffer;
- The proposed development would have been seen behind and above the level of existing caravans, exceeding existing ones elsewhere in the bay, and would extend development westward;
- The proposed development would have been visually prominent from a number of public receptors close to the site, namely from the Berwickshire Coastal Path and Southern Uplands Way;
- Vehicle restraint systems (crash barriers) would need to be incorporated along the full length of the public road which have a harsh visual aesthetic unsuited to a rural location.

2.4.2 As a response to the Landscape Officers comments, the design was amended and the proposals were reduced from 22 to 18 lodges. Despite this reduction, the Landscape Officer and Case Officer considered that the proposed development was too reliant on ‘an inappropriate and over-engineered’ approach and that a previous request to site the lodges away from the roadside was not adhered to.

2.4.3 Overall, the Landscape Officer concluded that the development would negatively impact views on the approach roads to Pease Bay from the east and west and from the approaches along the Berwickshire Coastal Path and Southern Uplands Way, and would have adverse effects on the visual amenity and character of the SLA.

2.5 Flood Risk and Drainage

2.5.1 In their initial response to the application (dated 6th January 2020), SEPA objected on the grounds that the proposed development may place buildings and persons at flood risk contrary to Scottish Planning Policy, with the site lying adjacent to, and some parts within, a medium-to-high risk area of flooding (0.5% annual probability or 1 in 200 year). SEPA also determined the proposed development fell within the definition of a ‘Most Vulnerable’ land use

classification and would therefore be required to be wholly located outside of the 1 in 1000-year flood event (or area of low-to-medium flood risk).

- 2.5.2 The proposals were redesigned and reduced in scale from providing 22 holiday lodges down to 18 lodges. Along with the amended design, detailed topographic information and an addendum to the Flood Risk Assessment was also submitted.
- 2.5.3 SEPA's response to the additional information was more positive than their initial response, noting that most of the development now lied outwith the 1 in 1000-year flood extent area. However, SEPA retained their objections citing concerns on the westernmost lodges and their relationship to the 1 in 1000-year flood extent area and required the finished floor levels of all lodges located in this area. Specifically, SEPA required detailed information on the finished floor levels of lodges in relation to the 1 in 1000-year flood extent as well as a detailed assessment which demonstrates lodges exist outside of the 1 in 1000 year floodplain of Pease Burn.
- 2.5.4 Additionally, SEPA's objection set out that insufficient information was provided with regards to the waste water drainage arrangements for the proposals. SEPA were concerned that discharge from the development could impact and compromise water quality in the area, particularly Pease Bay itself which is designated as a bathing area.
- 2.5.5 Additional information was submitted to the Council with regards to waste water treatment and arrangements, however SEPA did not respond to this additional information prior to determination. SEPA did provide comments following the refusal (dated 29th April) which no longer referred to the development being within an area of flood risk extent however it did note that:
- No information was submitted regarding to population increase and it was therefore unknown if the sewage works has the capacity for the increased population;
 - Concerns over the ability to treat increase in population efficiently;
 - A variation in the site license would be required for the additional population;
 - No provision for SUDs but GBR10 should be adhered to; and
 - Existing drainage plan showing any additional drains should be provided.
- 2.5.6 All responses received from SEPA with regards to the refused application are included at Appendix B of this Statement.

3.0 PROPOSED DEVELOPMENT

3.1 Description

3.1.1 The application seeks permission to extend the existing holiday park to the west onto a previously undeveloped plot of land. The full description of development is as follows:

"Change of use of land and plot layout to form extension to caravan park"

3.1.2 The proposed extension seeks to develop an additional 19 lodges, increasing the number of pitches to 349.

3.1.3 The holiday lodges would not be constructed into the ground using traditional foundations but instead would be on movable wheels, they would therefore be classed as caravans under the Section 29 of the Caravan Sites and Control of Development Act 1960 and Section 13 of the Caravan Sites Act 1968.

3.1.4 Section 13 clarifies the definition of a twin-unit caravan as:

"A structure designed or adapted for human habitation which:

- a) Is composed of not more than two sections separately constructed and designed to be assembled on site by means of bolts, clamps or other devices; and*
- b) Is, when assembled, physically capable of being towed by road from one place to another (whether by being towed, or by being transported on motor vehicle or trailer)"*

3.1.5 The proposed lodges would satisfy these legal requirements being constructed in two sections and will be assembled on site.

3.1.6 The lodges are proposed to be arranged over two tiers. The upper tier, containing 12 lodges, is set below the existing public road which would be supported by a Gravitax flex MSE vegetated retaining wall structure. The lodges on this tier are oriented at different angles to avoid a regimented appearance and minimise the overall footprint of the scheme.

3.1.7 The lower tier, containing 7 lodges, will be separated from the upper tier by another Gravitax flex MSE vegetated retaining wall structure.

3.1.8 The lodges are of a standard design with a maximum ridge height of 4.6m, or 5.2m when placed on site as they would be raised off ground level. The lodges feature an area of external decking along two elevations. The colours and textures of the lodges are intended to be in keeping with the surroundings. It is proposed that 12 of the lodges would be privately owned and the remaining seven would form part of the Holiday Park's hire fleet.

3.1.9 Most of the lodges on the upper tier are oriented at a right angle to the public road and to the Bay and curve along with the hillside. The three lodges on the eastern end of the top tier are

oriented on so the rear of the lodge faces the north east as a response to the needing to accommodate the access road. The lodges along the lower tier are oriented so the long elevation is parallel to the Bay. The privately owned lodges can accommodate up to four people and the hire fleet lodges can accommodate a maximum of six people.

- 3.1.10 Access to the site will be achieved via a new access road which emanates from the public road to the south of the site. A crash barrier and post and rail fence is proposed to be included along the southern boundary of the site atop the retaining wall structure.
- 3.1.11 With regards to parking, a car park is located approximately mid-way along the upper tier which will serve to the lodges situated on the lower tier and some of the lodges on the upper tier. Lodges on the upper tier will include parking adjacent to each lodge. Overall, parking has been made to accommodate 28 vehicles.
- 3.1.12 Access to the lower tier will be achieved via a staircase from the car park on the upper tier. Pathways will also be included which connect the lower tier with the existing holiday park.
- 3.1.13 Further details on the design and layout of the proposed development can be found in the submitted suite of drawings.

4.0 PLANNING POLICY CONTEXT

4.1.1 At the national level, planning policy is governed by the Scottish National Planning Framework and also Scottish Planning Policy.

4.2 National Planning Framework 3 (NPF3)

4.2.1 NPF3 is the long-term strategic plan for Scotland which culminates plans and strategies for economic development, regeneration, energy, environment, climate change, transport and digital infrastructure to provide a vision for Scotland's development over the next 20 to 30 years.

4.2.2 Paragraph 1.7 notes that Scotland's coasts have an unprecedented opportunity to secure growth in key sectors, including tourism. Throughout the NPF, tourism is noted as being one of the Scottish Government's key sectors which has significant opportunities for growth.

4.2.3 Paragraph 2.2 notes the Scottish Government's ambition to build upon success, accelerate economic recovery and provide jobs. Tourism is one of several key sectors which is specifically identified as having opportunities for growth.

4.2.4 Paragraph 2.8 explicitly supports growth in priority sectors and promotes a place based approach to development.

4.2.5 With regards to rural areas, Paragraph 2.24 also supports the growth and investment in the tourism sector.

4.2.6 Paragraph 4.4 notes that, whilst there is great scope to develop the tourism sector, the environment acts as more than just a recreational resource and that the sustainable management of materials and the environment (including the water environment) is both an issue and opportunity.

4.3 Scottish Planning Policy (SPP)

4.3.1 The purpose of SPP is to set out national planning policies which reflect the Scottish Minister's priorities for the operation of the planning system and for the development and use of land. The Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. The content of the SPP is a material consideration that carries significant weight. Consequently, the SPP states that proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising.

4.3.2 The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- The preparation of development plans;
 - The design of development, from initial concept to delivery; and
 - The determination of planning applications and appeals.
- 4.3.3 The SPP sets out that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising.
- 4.3.4 With regards to development in rural areas, Paragraph 79 gives support to delivering sustainable development linked to tourism and leisure, whilst ensuring the character of the area, the service function of small towns are protected and enhanced. It also supports protecting, enhancing and promoting access to cultural heritage, natural heritage, including green infrastructure, landscape and the wider environment.
- 4.3.5 Within the section 'Supporting Business and Employment', Paragraph 92 states that national policy supports the many and varied opportunities for planning to support business and employment. Planning should address the development requirements of businesses and enable key opportunities for investment to be realised.
- 4.3.6 Paragraph 93 states that the planning system should promote business development that increases economic activity whilst safeguarding and enhancing the natural and built environment. It also states that due weight should be given to the net economic benefit of a proposed development.
- 4.3.7 Paragraph 94 requires plans to align with relevant local economic strategies in order to meet the needs and opportunities of indigenous firms and inward investors, once again affirming that tourism is a key sector for Scotland's growth.
- 4.3.8 Paragraph 105 notes that planning authorities should consider the potential to promote opportunities for tourism in their development plans, which would include new developments or the enhancement of existing premises.
- 4.3.9 Paragraph 202 sets out that development management decisions should take account of potential effects on landscapes and the natural and water environment. It also advises developers to advise that developers to minimise adverse impacts through careful planning and design, considering the services that the natural environment is providing and maximising the potential for enhancement.
- 4.4 Local Development Plan**
- 4.4.1 The Local Development Plan consists of the Local Development Plan Volume 1: Policies and Local Development Plan Volume 2: Settlement Profiles, both of which were adopted on 12th May 2016.

4.4.2 We are also aware that the Council are have prepared a Proposed Local Plan, which is an update to their currently adopted Local Plan. A representation period has recently completed on the Proposed Local Plan, closing on 25th January 2021. Given the stage in the Local Plans development, only limited weight can be attributed to the policies within.

4.4.3 A review of the documents has found the following policies to be of relevance to the application:

- PMD1: Sustainability;
- PMD2: Quality Standards
- ED7: Business Tourism and Leisure Development in the Countryside;
- ED8: Caravan and Camping Sites;
- ED10: Protection of Prime Agricultural Land and Carbon Rich Soils;
- HD3: Protection of Residential Amenity;
- EP1: International Nature Conservation Sites and Protected Species;
- EP2: National Nature Conservation Sites and Protected Sepcies:
- EP5: Special Landscaped Areas;
- EP13: Trees, Woodland and Hedgerows:
- EP14: Coastline
- EP15: Development Affecting the Water Environment;
- IS5: Protection of Access Routes;
- IS7: Parking Provision and Standards;
- IS8: Flooding; and
- IS9: Waste Water Treatment and SUDS.

4.4.4 With regards to the Council's Proposed Local Plan update, the same policies apply.

4.5 Other Relevant Guidance and Documents

4.5.1 The Council, and other parties, have adopted a number of planning guidance and advice which is also relevant to the proposed development, this includes:

- Biodiversity Supplementary Planning Guidance (2005)
- Landscape and Development Supplementary Planning Guidance (2008)
- Local Landscape Designations Supplementary Planning Guidance (2012)

- Placemaking and Design Supplementary Guidance (2010);
- Sustainable Urban Drainage Systems Supplementary Planning Guidance (2020);
- Waste Management Supplementary Guidance (2015);
- Scottish Borders Tourism Strategy and Action Plan (2017); and
- Insight Department: Scottish Borders Factsheet 2019 (Jan 2021)

4.5.2 We are aware that an update to the Scottish Borders Tourism Strategy and Action Plan is being prepared, however, it is understood that the scope of this has expanded to now develop a pan-South of Scotland Tourism Action Plan, a draft of which is not available at the time of writing.

4.5.3 Given its recent publication, the Scottish Borders Factsheet is of relevance. The document sets out that the Scottish Borders experienced a growth in overnight tourism over the 2017-19 period, rising by 9% when compared to the 2016-18 period. This growth was largely driven by domestic visitors. In terms of spending, on average, the total overnight spending was £72m in the 2017-19 period, a 25% increase from the previous period. Overall tourism expenditure increased by 13% over the same period. It also found indications that there was a rise in visitors' average length of stay.

4.5.4 In relation to visitor accommodation, the 2017 Tourism Action Plan aims to ensure the regions accommodation offers are in direct relation to consumer demand and also to ensure that a range of accommodation types are available to meet the evolving market demand and expectations.

5.0 PLANNING ASSESSMENT

5.1.1 Planning law requires that all applications for planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. The above referred to advice contained in Scottish Planning Policy is also a material consideration in the determination of the application.

5.2 Economic Case

5.2.1 Policy ED8 supports proposals for extensions to caravan parks in locations which support the local economy and the regeneration of towns in accordance with the Scottish Borders Tourism Strategy and Action Plan. Policy ED8 also states that the Council's decision will be guided by advice from Visit Scotland. We do note that Visit Scotland did not provide any advice on the refused application and we kindly request that a response is sought from them with regards to this application.

5.2.2 Policy ED8 in the emerging Local Plan is largely worded the same as it is presently.

5.2.3 Policy ED7 is also relevant as it relates to proposals for tourism and leisure developments in the countryside. The Policy broadly supports developments of this type which are also in line with the Council's Tourism Strategy and Action Plan.

5.2.4 Tourism is noted as a key sector within the NPF and SPP which should be supported and has significant potential for growth, with a 2018 report from the Scottish Government estimating that tourism contributes £6bn to the Scottish economy annually and employs approximately 207,000 people, equating to 8% of total employment.

5.2.5 Tourism is also a key sector for the Scottish Borders. Data obtained from Visit Scotland demonstrates that the Scottish Borders is experiencing growth in the number of tourists staying in the area and there are also indications that their length of time is also increasing. This in turn is leading to an increase in tourist expenditure.

5.2.6 The existing site has 330 pitches in total, with 30 of these allocated for hire fleet units. 292 of the pitches are occupied by private owners and four pitches are used to house members of staff. This leaves only four vacant pitches remaining that can be occupied by private owners. There is therefore a limited supply, and the client has experienced significant demand, both the hire fleet and privately owned pitches, Hence, there is a need to develop and provide additional pitches. Regarding the existing hire fleet units, during the peak holiday periods (summer / school holidays) utilisation and occupation of these is nearly 100%. Occupancy in off-peak season ranges between 40-100% with weekends often being busier than midweek days.

- 5.2.7 The expansion of the site will also help aid in the recovery of the tourism sector post COVID-19. The client, and wider tourism sector in general, anticipates a significant uplift in demand for UK staycations and the extension to the park would allow the client to meet projected demand.
- 5.2.8 Based on the composition of the proposed development, there is the potential for an additional 90 people to be present which would make a positive contribution to the local economy through visits to local shops, attractions, pubs and restaurants.
- 5.2.9 Whilst there would be economic benefits arising from the development of the additional lodges, it is recognised that most of these benefits will be realised from the hire fleet lodges. The existing site contains 30 hire fleet units which provide approximately 1,500 bookings per annum, with an average of four people per booking (the hire fleet can accommodate up to six people) which equates to approximately 6,000 visitors per year. Based on these observed trends and maximum occupancy, the addition of seven hire fleet units could potentially attract between 1,400 to 2,100 additional holiday makers per year to the area.
- 5.2.10 The existing site employs 20 to 30 people, depending on the time of year. Additional employment is anticipated to be generated on site. With the creation of additional groundskeeping positions, maintenance staff to cater for the additional hire fleet units and an increase in administration / catering staff. It is anticipated that the equivalent of 3.5 full time positions could be created as a result of the proposed development. There is also the potential for additional seasonal based jobs to be created at peak demand times.
- 5.2.11 In addition to this direct employment, the proposals will also help support jobs indirectly via supply chains and provides a boost to the local economy through patrons to the site using local services and facilities and providing a customer base to other local facilities, such as pubs.
- 5.2.12 With reference to the Officer's report on the refused scheme, we note that the Council's Economic Development team broadly supported the proposals. Given there is an additional unit proposed in this design versus the refused one, we would consider that this application would result in greater economic benefits.

5.3 Principle of Development

- 5.3.1 Policy ED8 is the principal policy relating to the proposed development. The Policy favours the expansion of existing holiday, leisure and caravan parks which are either within or on the edge of settlements, we note that the Policy does explicitly identify Pease Bay Holiday Park as an operational site. The Policy requires all proposals to:
- Be of the highest quality and in keeping with the local environment;
 - Be acceptable in terms of impacts to infrastructure; and

- Be in locations free of flood risk.

- 5.3.2 Policy ED7 is also relevant as it relates to proposals for tourism and leisure developments in the countryside. The Policy broadly supports developments of this type in appropriate countryside locations.
- 5.3.3 The application seeks permission to develop 19 additional lodges, taking the overall number of lodges to 349 at Pease Bay Holiday Park. These additional lodges are proposed to be split between 12 privately owned units and the remaining seven proposed to be hire fleet units.
- 5.3.4 The application site is located adjacent to an existing Holiday Park which is specifically identified as an operational site within the Council's adopted Policy. The existing Holiday Park, and proposed expansion site, is situated in a rural location which is considered an appropriate location by the Policy ED7.
- 5.3.5 Additionally, with reference to the Officers report on the refused application, whilst aspects of the refused design were considered to be inappropriate, we do note that the overall principle of development was considered to be acceptable, subject to the inclusion of an appropriate planning condition which would control occupancy, in this location and that the Council's Economic Development Team broadly supported the proposals.
- 5.3.6 In conclusion, the principle of the proposed development in this location is considered to be acceptable for the site, subject to other considerations which are discussed further in this section.

5.4 Landscape

- 5.4.1 The site falls within the Berwickshire Coast Special Landscape Area (SLA). Policy EP5, which relates to SLA's, states that the Council will seek to safeguard landscapes quality and will have particular regard to the landscape impact of any proposed developments, this includes visual impact. The Policy continues and states that proposals which have a significantly adverse impact will only be permitted where the landscape impacts are clearly outweighed by social and economic benefits of national or local importance.
- 5.4.2 Policy EP14 is also of relevance as it refers to proposed developments which are in coastal locations. The Policy notes that the coastline within the plan area are designated for their high nature and landscape values, and that development in these locations will only be permitted in certain circumstances including: The proposal is appropriate under other Local Development Plan policies; or the development requires a coastal location and the benefits of development outweigh any damage to the landscape character or nature conservation value of the site assessed under other relevant policies.

- 5.4.3 One of the key policies which supports the proposed development is ED8, subject to the proposed development being of the highest quality and in keeping with its environment. The impact of the proposed development on the SLA was one of the reasons for refusal on the previous application, with the decision notice specifically stating that the siting and design of the proposals would harm the landscape quality of the Berwickshire Coast.
- 5.4.4 This proposed development is accompanied by a Landscape and Visual Impact Appraisal report (LVIApp), prepared by Eden Environmental, which sets out to demonstrate the designs accordance with the above mentioned policies as well how the new design addresses the detailed comments raised by the Council's Landscape Officer (as summarised in section 3.2 of this statement).
- 5.4.5 The LVIApp has assessed the impacts on visual amenity the proposed development on nearby receptors. Overall, the proposals are considered to have a negligible to small adverse impact magnitude of change on receptors. For one receptor, Old Linhead, the proposals are considered to have a negligible to minimum adverse magnitude of change initially, however this would result a negligible to beneficial magnitude of change over time. Full details of this are found in the LVIApp.
- 5.4.6 The LVIApp also assessed the cumulative landscape impacts the proposed development would have on the surroundings. In brief, it concluded that the landscape character is already heavily influenced by the existing Holiday Park and the proposed development, when considered with the already modified landscape, would have a negligible effect.
- 5.4.7 Significant amendments have been made to the design which have specific implications on the landscape impacts of the proposed development, these are summarised in this section and explained in detail in the submitted LVIApp.
- 5.4.8 The design retains a two-tier design to accommodate the lodges as this is considered to be necessary in order to make the development viable, and it is demonstrated in landscape and visual terms to be acceptable as through the LVIApp.
- 5.4.9 One of the key changes to the design is there is now less reliance on cut and fill to accommodate the proposed lodges. The proposals do still utilise cut and fill as a construction technique, however, this has been reduced when compared to the previously refused scheme.
- 5.4.10 Whilst the siting of the lodges is broadly similar to what was previously proposed, the final site levels across the upper tier have been revised slightly, which has also reduced the amount of cut and fill required to accommodate the lodges.
- 5.4.11 Additionally, less reliance on cut and fill has also resulted in the distribution and amount of retaining wall structure to be significantly reduced when compared to the refused application. Previously, there were three sections of retaining wall: one separating the public road from the

upper tier of lodges, one separating the upper and lower tier of lodges and another separating the lower tier from the Burn.

- 5.4.12 The external terraces for lodges sited on the lower tier are now proposed to be built on stilts, thereby further reducing the need for cut and fill in this area and also eliminating the need for the retaining wall structure between the lower tier and the Burn.
- 5.4.13 The external terraces for the lodges on the upper tier will also be supported by stilts which will retain more of the natural hillside and subsequently reduce the height of the retaining structure which separates the upper and lower tiers. Because of this reduction in height, the majority of the structure is now obscured from view by the lodges on the lower tier. The length of this section of retaining structure has also been reduced when compared to the previously refused design.
- 5.4.14 The external terraces of the on the lower tier are now partially supported by stilt structures which allow for more of the existing hillside to be retained and also allow for additional planting to be included across the site which softens the impact of the development from a landscape perspective.
- 5.4.15 The type of retaining wall structure has also been carefully considered as part of this design. Rather than be the “traditional” rock filled gabions or cast reinforced concrete, the retaining walls would be constructed using the Flex-MSE vegetated wall system. These consist of “sandbags” filled with soil and sand, keyed together to provide a solid retaining wall system which can also be hydroseeded and have shrubs planted on top, allowing them to be completely covered in vegetation allowing for additional screening. The application is submitted along with a brochure and supporting images which show this retaining wall system post construction and then post-hydroseeding.
- 5.4.16 A Landscape Plan and Planting Schedule has been produced in support of the application which identifies areas suitable for additional tree and vegetation planting which would offset any vegetation loss as a result of development and mitigate any landscape impacts. Mitigation measures outlined in this include:
- Increasing tree planting to the west of the site and along the northernmost boundary. Trees are also proposed to be planted between lodges and also around the car park;
 - Adding appropriate shrub and creeper vegetation along the top of and on the retaining wall structure;
 - Adding scrub and gorse planting around the stilt structures and to the Bay facing elevation of the lodges; and
 - Increasing scrub and shrub planting along the strip of land beside the existing public road.

- 5.4.17 The layout of the upper tier has been amended slightly so the lodges and access road curve away from the existing public road creating a new space where vegetation could be planted to allow for more screening of the development from the public road.
- 5.4.18 There has also been a slight revision to the access road arrangement along the upper tier whereby this now kinks away from the retaining wall in the vicinity of the proposed parking area. This presents the opportunity to more effectively screen this area from view with vegetation and planting.
- 5.4.19 The road layout has slightly altered in the western section of the upper tier to curve further away from the public road when compared to the previous application. This not only retains more of the hillside but also allows for additional planting opportunities should it be found to be necessary.
- 5.4.20 Typical colours for lodges in this kind of development would ordinarily be green or browns, with the most common colour being Sierra Brown – this is also the most prominent colour on the existing Holiday Park. We propose a similar colour palette to this.
- 5.4.21 In conclusion, the proposed development has sought to address the concerns raised on the previous scheme by the Council's Landscape Officer and the submitted Landscape and Visual Impact Appraisal considers this revised scheme, along with the outlined mitigation measures and planting, would not conflict with the Council's relevant policies.

5.5 Flood Risk and Drainage

- 5.5.1 Policy IS8 relates to flooding and seeks to direct development to areas which are free from significant flood risk. Development will not be permitted if it would be at significant risk of flooding from any sources, or would materially increase the probability of flooding elsewhere. With some exceptions, development proposed to be located in areas with a 0.5% risk of annual flooding and will be required to supply an assessment which outlines the flood risk and any mitigation measures, if found to be required.
- 5.5.2 Policy IS9 relates to waste water treatment standards and sustainable urban drainage systems (SUDs). With regards to waste water, the Policy sets out the Council's preferred methods of dealing with waste water, with the order of priority being:
- Direct connection to the public sewer; or failing that
 - Negotiating developer contributions with SEPA to upgrade the existing network and sewerage capacity at waste treatment works; or failing that
 - Reach an agreement with Scottish Water and SEPA to provide permanent or temporary alternatives to a sewer connection (including the possibility of a standalone treatment plant) until sewer capacity becomes available; or failing that

- For development in the countryside (i.e. not within or immediately adjacent to publicly sewered areas), the use of private treatment plants 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.
- 5.5.3 With regards to SUDs and surface water management, the Policy states that new developments (on either greenfield or brownfield sites) are to comply with the current best practice to SUDs to the satisfaction of the Council, SEPA and any other interested parties. Proposals should be accompanied with a drainage strategy which includes treatment and flood attenuation measures along with details for the long term maintenance of any features.
- 5.5.4 Policy EP15 aims to ensure that proposed developments do not adversely effect any of the complex components which comprise the water environment. Development proposals which would result in a significant adverse effect on the water environment though impacting its natural or physical characteristics, or its use for recreation, will be refused. Decision making on this aspect will be guided through an assessment of: water pollution as a result of the nature of any surface or waste water discharge; flood risk within the site or wider catchment; compliance with the current best practice for SUDs.
- 5.5.5 As set out previously in this statement, one of the reasons for refusal on the refused application was that it was considered to be contrary to the above policies and therefore are of particular relevance in this application. It is of relevance that SEPA accepted previously submitted flood related evidence and did withdraw their objection with regards to flood risk following the applications refusal.
- 5.5.6 Taking Flood Risk (Policy IS8) first, we recognise that the northern parts of the site and some of the units are classed as having a medium to high risk of flooding from fluvial sources (Cockburnspath Burn) based upon information provided by SEPA. In line with the Policy's requirement, the application is accompanied by a detailed Flood Risk and Drainage Statement.
- 5.5.7 Engagement with SEPA confirmed that there are no available flood levels for Cockburnspath Burn. The submitted cross sections demonstrate that the lodges would be located a minimum of 6m above the assumed bed level for the Burn. It is reasonable to conclude that the lodges will be sited above the 1 in 200 year flood levels (including allowances for climate change) and would also be above the 1 in 1000 year flood level. Therefore, the lodges would be located in an area of low flood risk.
- 5.5.8 With regards to Policies IS9 and EP15, the submitted Flood Risk and Drainage statement sets out in detail and proposed to drain surface water from the access road and lodges into filter drains which would be located along side the access road and path. These filter drains will convey surface water to a new outfall which discharges into Cockburnspath Burn.

- 5.5.9 Surface water is proposed to drain into Cockburnspath Burn at unrestricted rates as attenuation measures are not considered to be required given the small increase in impermeable area and the close proximity to the sea.
- 5.5.10 With regards to waste water, the drainage consultants engaged with SEPA in Autumn 2020 in order to address their previously raised concerns. Unfortunately, in the wake of cyber attacks, we understand that SEPA's ability to consult on proposed developments and progress new licence applications is severely restricted.
- 5.5.11 It is proposed to include a new package treatment plant within the site to accommodate the increase in foul drainage generated by the lodges. This new plant is proposed to replicate the water quality requirements which are set by the existing Holiday Park's license. The treated effluent will be disinfected before being discharged into the bay through the outfall from the existing Holiday Park. The submitted Flood Risk and Drainage Report includes a Drainage Plan.
- 5.5.12 The Flood Risk and Drainage report recommends that a drainage management and maintenance schedule be submitted to the Council prior to development commencing.
- 5.5.13 It is therefore considered that this proposed development is in accordance with the relevant policies relating to flood risk management and drainage.

5.6 Design

- 5.6.1 Policy PMD2 requires all new development to be of a high quality in accordance with the Council's sustainability principles, be designed to fit in the Scottish Borders Townscapes and integrate with the landscape surroundings. The Policy sets out a number of standards that proposals will be assessed against in relation to sustainability, placemaking & design, accessibility and greenspace, open space & biodiversity. Standards which apply to all development include:
- The developer has demonstrated appropriate measures have been taken to maximise the efficient use of resources;
 - It provides for sustainable urban drainage systems;
 - It provides appropriate soft and hard landscaping, including structural or screen planting where necessary;
 - It creates development with a sense of place based on a clear understanding of the context;
 - It is compatible with and respects the character of the surrounding area;
 - It can be satisfactorily accommodated within the site;

- 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 replacement.

5.6.2 Policy HD3 seeks to ensure residential amenity is protected, any proposed development which is judged to have an adverse impact on this will not be permitted. Proposals will be assessed against: The principle of development; and the details of the development in terms of its scale, form, type, impacts on existing and proposed properties, the amount of traffic generated and the level of visual impact.

5.6.3 Policy ED8 also requires that all proposals for the expansion of caravan parks to be of the highest quality as well as be inkeeping with their local environment.

5.6.4 The lodges are of a design which are typical for their intended use and will look the same as those which are located on the existing park. The lodges are rectangular structures that accord with the Caravan Act 1960 and with ridge heights of 5.2m (once the platforms are taken into account) in total. The lodges will feature amenities which are typical to holiday parks and which patrons expect; bedroom area, living room area, small kitchen facilities and a bathroom. The lodges will also feature small external terraces.

5.6.5 The submitted plans show that the proposed lodges can be accommodated within the site, and the lodges are distanced and oriented in a manner which would ensure sufficient privacy, lighting and amenity for any users.

5.6.6 The lodges are proposed to be built on terraces with their external areas now supported on stilt structures where necessary which allow for the existing hillside and vegetation to be retained. Additional planting is also proposed to blend the development into the hillside and also to replicate the characteristics of the surrounding area.

5.6.7 As mentioned in the landscape section, the LVIApp has set out a proposed colour scheme which the lodges could be painted in which are considered to be appropriate for the area and would therefore be more inkeeping with the surrounding environment.

5.6.8 We note that there were no objections to the layout and siting of the refused application in design terms, only on impacts on landscape which we have discussed previously.

5.7 Highways, Access and Parking

5.7.1 In addition to the standards outlined in section 6.4, Policy PMD2 requires all proposed developments to ensure there are no adverse impacts on highways safety and that they incorporate adequate access and turning arrangements for vehicles. They also need to ensure access is achievable for the those with mobility issues.

5.7.2 Policy IS5 seeks to protect and keep open any route with access rights. Developments which would have an adverse impact on an access route will not be permitted unless a suitable

diversion or appropriate alternative route is provided by the developer in agreement with the Council.

- 5.7.3 Policy IS7 requires all development proposals to provide vehicle and cycle parking in accordance with approved standards.
- 5.7.4 A crash barrier is proposed to be installed along the southern border of the site to ensure sufficient highways safety is provided for users of the public road. We note that this was discussed in the refused application but was never implemented into its final design.
- 5.7.5 Due to the site's topography, a staircase is required to access the lower tier from the car park and upper tier. Alternative pedestrian access to the lower tier can be achieved through the existing holiday park from the east.
- 5.7.6 The proposed access arrangements to the site will emanate from a public road which is also designated as a Core Path Link (route 189). Whilst it is not intended to block or divert this route from public access, measures would be outlined within a construction management plan to ensure appropriate access arrangements along the route can be maintained during the construction phase.
- 5.7.7 The proposed access arrangements are considered to be appropriate to cater to the proposed development. It is pertinent to note that the proposed access point is the same as the previous application and we note that the Council's Highways Team did not object to the previous application with regards to any traffic increases.
- 5.7.8 We also note that the Council found the access arrangements acceptable on the refused design, and it is therefore of significance that the access arrangements are the same for this application.

5.8 Other Technical matters

- 5.8.1 Other technical matters which are of relevance to the application are set out in this section
- 5.8.2 Policy EP1 states that development proposals which are likely to have significant effects on any designated or proposed Natura sites (including all Ramsar sites) will only be permissible in certain circumstances such as there being no alternative solutions and that the proposals have imperative reasons of overriding public interest.
- 5.8.3 Additionally, Policy EP1 states that, in instances where any proposed developments are sited where there is a likely presence of a European protected species, the Council must be satisfied that there are no satisfactory alternatives, there are overriding reasons of public interest and that the development is not detrimental to the maintenance of the population of the protected species.

- 5.8.4 Policy EP2 sets out that any proposals which are likely to have a significant adverse effect (directly or indirectly) on a SSSI or habitat which supports a nationally important species will not be permitted unless the development will not adversely impact the integrity of the site and the development offers substantial benefits of national importance which outweigh the conservation value of the site.
- 5.8.5 Policy EP3 seeks to safeguard local biodiversity. The Policy states that development that would have an unacceptable adverse impact on any 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 conservation value.
- 5.8.6 The application is submitted with an ecological Appraisal, the same which supported the previously refused application. The report found that the site was of local to low value and that there was no evidence of protected species on the site, however they did note that the gorse and bracken habitat could be suitable for nesting birds and suggested a condition for the developer to submit an appropriate species protection plan prior to the commencement of development. They also suggested a Construction Environment Management Plan be submitted to the Council prior to the commencement of development to ensure freshwater habitats are protected. The Council's Ecology Officer did not object to the previous scheme.
- 5.8.7 Policy EP13 states that the Council will refuse development that would cause the loss or serious damage to any woodland resource (trees, woodland and hedgerows) unless the public benefits of the development clearly outweigh the loss of landscape, ecological, recreational or other value. Any developments which do impact on woodland resources should seek to minimise any adverse impacts on the biodiversity value of the woodland resource; where there is an unavoidable loss of the woodland resource, ensure appropriate replacement planting is provided where possible; and also adhere to any planning agreement sought to enhance woodland resource.
- 5.8.8 In order to accommodate the proposals, there will be the removal of some small scrub and shrubs, however, as set out previously with regards to landscape impacts, the proposals seek to include significant amounts of vegetation and planting which is considered would more than offset the removal of this.

6.0 SUMMARY AND CONCLUSIONS

- 6.1.1 The application seeks to extend the existing Pease Bay Holiday Park to the west and develop 19 lodges over two tiers. The application follows on from a previous application, reference 19/01794/FUL, which was refused by the Council on landscape, flood risk and foul drainage grounds.
- 6.1.2 Following the refusal, the applicant has revised the scheme and sought input from a specialist landscape consultant to review the stated reasons for refusal, assess the old scheme and input specific design and mitigation into the new scheme to reduce the visual effects the proposed development would have on the landscape and visual amenity of the area. This includes:
- Amending the siting and proposed levels of lodges;
 - Amending the road layout to allow for more vegetation planting;
 - Utilising stilt structures to support the external terraces of the lodges thereby allowing more of the hillside to be retained when compared to the previous scheme;
 - Revisiting the amount, distribution and type of retaining wall which would be needed to accommodate the proposed lodges, which has led to a significant reduction when compared to the previous scheme;
 - Suggesting colour palettes for the lodges which are appropriate to the surrounding environment; and
 - Increase the areas where planting and vegetation could be placed to soften the visual impacts of the proposed development.
- 6.1.3 The current application has addressed the issues previously raised by the Council's landscape officer and is now considered to be policy compliant.
- 6.1.4 The concerns regarding flood risk have been addressed through the submission of an appropriate assessment which demonstrates the proposed development will not be at risk of flooding from fluvial sources.
- 6.1.5 Regarding foul drainage, the applicant initially consulted with SEPA however this was unable to be progressed due to a cyber attack on their systems. It is now proposed to include a new package treatment plant, which would replicate the water quality requirements set by the existing Holiday Park's license. The treated effluent will be disinfected before being discharged into the bay through the outfall from the existing Holiday Park. The submitted Flood Risk and Drainage Report includes a Drainage Plan.

- 6.1.6 Tourism is recognised as a significant sector, the growth of which is supported in national and local planning policy. The hire fleet on the existing Holiday Park is operating at nearly full capacity at peak seasons and cannot accommodate the projected demand in holiday makers. The expansion of the site is crucial in supporting the sector in general and in the post-COVID recovery, and responds to significant demand which is anticipated for UK staycations. The increase in holiday makers to the site will make a significant contribution to the local areas economy and should be given significant weight in the determination of this application.
- 6.1.7 Given all of the above, it is considered the proposed development has addressed the issues previously raised and it is considered it would bring significant and long term benefits to the local area.
- 6.1.8 In light of all these reasons, we consider that planning permission should be granted.