

**SCOTTISH BORDERS COUNCIL**

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO  
CHIEF PLANNING OFFICER**

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF :** 19/01709/FUL

**APPLICANT :** Mr Graham Hodgson

**AGENT :** Hough Tullett

**DEVELOPMENT :** Change of use of land and road and plot layout to form extension to caravan park

**LOCATION:** Land West Of Pease Bay Holiday Home Park  
Cockburnspath  
Scottish Borders

**TYPE :** FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

| <b>Plan Ref</b>                       | <b>Plan Type</b>   | <b>Plan Status</b> |
|---------------------------------------|--------------------|--------------------|
| HT1193.2.100 REV A                    | Location Plan      | Refused            |
| HT1193.2.101 REV B                    | Proposed Site Plan | Refused            |
| HT1193.2.104 (Vehicle Restraint Plan) | Other              | Refused            |
| PBP 700                               | Landscaping Plan   | Refused            |
| PREMIERTECH AQUA                      | Brochures          | Refused            |
| 3G Effluent Disinfection Modules      | Brochures          | Refused            |

**NUMBER OF REPRESENTATIONS: 1**  
**SUMMARY OF REPRESENTATIONS:**

**CONSULTATIONS**

SBC Landscape: Object to the proposals. The Landscape Officer notes that a previous application for this site 18/01041/FUL was not supported. A reduced single tier layout was recommended at the time of that application, set further back from the road with planting recommended between the road edge and the development to screen the proposal from the road and the retaining wall, recommending that a revised scheme should be supported by a visualisation from the road.

The application is accompanied by a Landscape and Visual Assessment, Viewpoint photomontages, a ZTV (zone of theoretical visibility) and a Landscape Layout and Planting Plan. This proposal retains the two tier design layout as per the previous application with a reduction in unit numbers from 25 to 22 but no reduction in density or repositioning away from the road edge as recommended at the time of the previous application. The site remains heavily engineered to accommodate the plots on the steeply sloping coastal bluffs. Tree planting has been added along the western part of the site following the approach road and hedging along the boundary between the development's retaining walls and the road. Tree and shrub planting has been indicated between the units as per the most recently received Landscape Layout HN193.3.101 Rev B which also shows that a further 4 lodges have been removed. A total of 18 lodges now remain in the proposals and the woodland planting has been extended to meet them.

The ZTV indicates theoretical visibility of the development from the north east at sea, and from the eastern approaches of the Berwickshire Coastal path, the headland of Greenhaugh point, and at the high point on the A1187 before it descends towards the bay. It is notable too that the development will also be visible from a large portion of the beach and to a lesser extent from the SUW approach route along the cliff top ridge from Hawks Heugh and on reaching the minor public road that passes the site.

The Landscape Officer make the following observations in response to the Landscape and Visual Assessment prepared by Galpin landscape Architecture:-

1. At 1.9 the assessor states that further advice was given by the Landscape Officer in February 2019. This was the consultation response to the previous application (2018) provided by the Landscape Officer's predecessor, and there was no subsequent comment from the Landscape Officer.

2. Paragraph 4.1 'The proposed site would change from open scrubland to an extension of the existing caravan park'. It should be noted that 'gorse and other scrub on steep slopes and in exposed locations' (SNH LCT 110) is an important characteristic of this landscape.

3. Paragraph 4.4 'the development contained within the limitations of the bowl of the landform'. The existing development is largely contained within the level lower plain however this additional area would result in development spreading up the sides of the 'bowl', forming a spur off the existing developed area out with the bluffs and cliffs that immediately contain the existing site.

4. With regard to the comments in Paragraph 4.5 'the inclusion of suitable planting, that enhances the landscape character as well as encourages habitats' the Landscape Officer does not consider the proposed planting is sufficient to outweigh the negative effects of the heavy engineering required for this site within the Berwickshire Coast SLA.

5. Paragraph 4.37 'From the beach at Pease Bay, the proposed caravans would be seen behind and adjoining several lines of existing caravans'. In the opinion of the Landscape Officer, they would be seen behind and above the level of existing caravans, clearly extending development further up and westwards as per the comment at 2. The development would spread up the sides of the 'bowl' and outwith the currently contained area. The overall height of development may exceed ridge heights elsewhere in the bay and therefore form a new direction in terms of development.

6. With regard to the assessment of viewpoints and degree of significance, the visualisations for viewpoints 1 and 2 clearly show how this development will be visible in the views.

VP1 Southern Upland Way Footpath where it meets the public road heading west out of Pease Bay. From this VP the view extends across the bay over the existing caravan site towards coastal terraces above the cliffs and the Greenheugh Point headland. VP1 does not show the beach in the view, however one or two steps forward and the view would open up to include the beach and a wider expanse of coastline. In the opinion of the Landscape Officer, the visualisations for VP1 underplay the value of this viewpoint and the potential visibility of the gabion walls and road access. From this angle they would be much more evident than shown and would appear as a 'hard' engineered extension of the existing road due to its proximity and the scale of the retaining structure albeit that this would be softened in due course by hedging and screen planting. The visualisations from 1 - 10 years for VP1 show woodland planting to screen the development on the approach road. In some respects this would be welcomed however, in this location woodland planting adjacent to the road would obscure the dramatic views from and close to this VP and impact on the visual amenity of sensitive receptors using this route. The Landscape Officer agrees with the assessment of high sensitivity and high magnitude of change from this viewpoint.

VP2 on the Berwickshire Coastal Path east of the bay. From this viewpoint the whole of Pease Bay would be visible including the existing caravans, beach, wooded deans and steep cliffs. The site lies central to the view from where it would be visible following the public road up towards the plateau. For this viewpoint the Landscape Officer considers there will be a higher magnitude of change than that assessed as the development will be central to the view and the extensive earth works and retaining structures will increase the visibility of the development from this angle. The planting proposed will have little effect in reducing visibility within the 5 year timescale if at all.

It should be noted that there will also be considerable impacts on views from the public road where it is likely that receptors will see the inside of the curve of the retaining walls at potential 3.5/4.5m height and where the views towards the wooded dean of the Cockburnspath burn, headlands and sea are likely to be obscured to some extent by this development. The Landscape Officer would be concerned that the potential need for a crash barrier along the road edge would be highly visible and incongruous in this rural location from the public road and from viewpoint 1.

The Landscape Officer considers the following comment made by her predecessor remains applicable despite the changes that have been made to this proposal; that the site would be 'significantly more visible and intrusive from the public road and Southern Upland Way as compared to the much larger existing site which is largely contained within the flat coastal plain' as it does to the Berwickshire coastal path too.

The Landscape Officer is of the opinion that this development will sacrifice views on the approach roads to Pease Bay from both east and west and from the approaches on the Berwickshire Coastal path and the Southern Upland way with adverse effects on visual amenity and on the character of the SLA. The Landscape Officer does not support this application.

SBC Roads Planning (first response): No objection to the principle of this development, but express concerns regarding the gradients of the road within the site and the new junction which is to be formed. Due to the large level difference on the site, in order to fully consider this proposal, the Roads Planning Officer shall require an engineering detail to be submitted showing levels at the new junction. Moreover, a long section of the access showing proposed gradients is required. Floor levels of the proposed caravans should also be submitted along with the levels and gradients of the parking areas throughout the site. An assessment into whether or not a vehicle restraint system would be required along the public road should also be submitted for consideration. If this application was to be granted approval, Approval in Principle (AiP) and Technical Approval (TA) would be required for the gabion baskets which form a retaining feature for the public road. If a vehicle restraint system was to be found necessary, this would also require the same approvals. The future maintenance of any retaining features would remain the responsibility of the landowner and they would not be adopted as part of the public road network.

SBC Roads Planning (second response): In general the submitted information is acceptable and covers the points raised in the first consultation. It has been suggested that a tensioned cable will be used as a vehicle restraint system, however the normal system utilised is the open box type and it is likely that after an appropriate assessment has been undertaken this would be required. Should the application be supported, conditions would be required covering the formation of the access, a scheme of details for vehicle restraint system and AIP and Technical Approval for the gabion retaining walls.

SBC Access Officer: Two of Scotland's Great Trails, the Southern Upland Way and the Coastal Path, utilise the public road adjacent to the site. No rights of way or core paths are located within the site.

SBC Ecology: No objection, subject to conditions requiring a Species Protection Plan for bats, badger, breeding birds and reptiles; a Landscape and Biodiversity Enhancement Plan and a Construction Environment Management Plan (CEMP), including standards outlined in British Standard 42020: 2013 - Biodiversity Code of Practice for Planning and Development and good practice (Guidance for Pollution Prevention GPP5: Works and maintenance in or near water).

The Ecological Impact Assessment considers that there is no connectivity to statutory designated sites. Habitats within the site were of local value or less including poor semi-improved grassland and areas of gorse scrub and bracken. Areas of semi-natural woodland occur on the northern boundary along the Cockburnspath burn. The site lies on steeply sloping ground and works would involve cut and fill to locate the cabins. Pollution Prevention measures will be required to ensure that impacts from sediment and pollution do not affect the adjacent burn and marine environment. It is possible that SEPA will require a CAR Construction Site Licence, given the steeply sloping ground adjacent to a watercourse.

The habitats within and adjacent to the site are considered as poor foraging habitat, given the exposed land coastal location. No trees or potential roost sites are considered to be within the site boundary.

No information on proposed lighting is provided. Further details are required to inform a lighting scheme that safeguards the adjacent woodland/ potential bat foraging habitat. No evidence of otter, badger or red squirrel was recorded. Precautionary mitigation is proposed for badger. Gorse and bracken habitats within the site are suitable for nesting birds. The report suggests the site is of low value for reptiles, although they may occur within the site. Biodiversity enhancements are proposed including creation of wildflower areas and planting of native trees. The wildflower measures are not included in the submitted Landscape and Planting plan (Drawing No. PBP 700). This should be updated to include these measures under a Planning Condition.

SBC Flood Risk: Review of the application shows that the site is located within SEPA's 1:200 year flood map and is at risk of flooding from the Cockburnspath Burn. However, consultation has taken place with SBC Flood & Coastal Management team and drawings provided with the application confirms that no caravans will be sited within the 1:200 year fluvial floodplain. The flood risk team therefore have no objection to the application on the grounds of flood risk.

SBC Economic Development: Economic Development would support the proposal as it fits with the Scottish Borders Tourism Strategy 2013-2020.

SBC Environmental Health: No response at the time of writing.

Community Council: Object to the proposals and outline numerous positive and negative aspects to the development.

Positives:

- 1 Maintains current tourism and encourages further visits to the area, although see negatives below.
- 2 Tourists may use the local bus service which is under threat, although a lengthy walk is required to access this in Cockburnspath village and there is no transport offered by Verdant Leisure, to bus services or local Cockburnspath services.
- 3 Gabions and natural planting welcomed as is the addition of planting adjacent to neighbouring property (Old Linhead).

Negatives:

- 1 There is a modest increase in local employment, although often on less than favourable contract basis. The Community Council understand that Verdant Leisure offer zero hours contracts and contracts for only 11 months of the year, thus effectively making employment less attractive for local people, which increases reliance on seasonal workers. Many workers have to reapply for their jobs after a month's closure of the park in February each year, with no guarantee of re-employment. It does not therefore, in our opinion, contribute in any sustainable manner to permanent local employment and cannot be seen to add any significant value to job creation.
- 2 Pease bay road is busy already, with farm tractors, slurry deliveries, combines, and tourism, alongside larger loads when moving caravans/lodges etc. to the present substantial caravan site, with many users who are unaccustomed to single track roads, nor to the resulting restricted visibility caused by the bends and differing gradients of the road. Additional unmarked passing places have already been made by the present traffic (if this application is granted, another marked passing place close to the bend but further up should perhaps be considered). This is the only possible route for large vehicles to access the caravan site as the road on the other side of the site is far too steep and narrow. We note that the traffic analysis was made in November, not the busiest time for the road usage, which escalates hugely between May and September and we would request that a further study be carried out during summer months. Despite the poor timing of the original survey, the usage is high. The Community Council note the access arrangements to this proposed development, which occurs on a steep part of the road, with reduced visibility, and would welcome the Roads Dept views on this.
- 3 Cove Farm now operate a wigwam development, also accessed by the Pease Bay road, and this is well used, especially during summer and holiday months. There is the potential to extend this development in time, thereby increasing road traffic.
- 4 This is also a busy pedestrian route for local dog walkers, walkers, runners, and cyclists etc. and is actually a part of the Southern Upland Way, as well as the coastal path, and can be linked to

the National cycling routes. The Community Council are surprised that the Access Officers have not objected, or raised concerns on this basis. The Community Council would suggest that consideration should be given to the creation of a pavement/cycle path between the existing road and vehicles to avoid potential harm to pedestrians on the road.

In view of all the above, the Community Council have concerns about how much of an increase there will be to traffic using the road from the new application, as it will inevitably impact with the necessity for increased supplies for the shop/recreation centre etc. as well as further initial construction traffic.

5 There is little direct support to the local economy from the present site, as many residents of the park stay in the park, which has its own entertainment and shop. Negligible numbers of holidaymakers from this site frequent Cockburnspath village and its services, so there is little economic benefit to the local area, despite what is stated in the application details. It often seems that Verdant Leisure discourage people from leaving the site.

6 Proximity to potential slurry pit could be a concern, and nuisance.

7 Proximity to neighbours at Old Linhead - the additional caravans come very close to this property and although there has been an attempt to screen through planting, this will take some years to establish.

8 Increased visibility of the park from the Pease Bay road, although we note that from the coast there is no skyline impact - not really surprising as the land continues uphill the other side of the road.

9 Protection of Cockburnspath Burn, its water supply and waterfall must be guaranteed. The Burn runs inside the parcel of land for this development close to the proposed positioning of the caravans.

10 Will sewage fall to the existing treatment plant, or are further measures required? This is not clear from the application.

11 Potential impact on Cove car parking and Cove Harbour visits - already a source of complaints locally.

12 Noise can, during the summer months, be heard from Pease Bay, in Cockburnspath. The effects on Old Linhead will be much more severe and in our opinion would severely detract from their quality of life and enjoyment of residential amenity, including their house and garden. The extension is simply too close to them.

13 These are not caravans, but lodges and encourage 11 month per year habitation.

14 There is no attempt to encourage renewable energy e.g. solar power.

In conclusion, we object to this proposed development.

SEPA (first response): Object on the grounds that it may place buildings and persons at flood risk contrary to Scottish Planning Policy. The application site (or parts thereof) lies adjacent to the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at risk of flooding. This development falls under the most vulnerable land use classification according to SEPA Vulnerability Guidance. This means that it needs to be situated outwith the 1 in 1000 year flood extent. A detailed Flood Risk Assessment (FRA) is required in line with SEPA technical guidance to demonstrate that the development is outwith the 1 in 1000 year flood plain, in line with Scottish Planning Policy.

SEPA also object to the proposal until appropriate information regarding waste water drainage is submitted and satisfies any concern. SEPA note the proximity to Pease Bay, a designated bathing water under the Bathing Water Directive. Any discharge from the development must not compromise water quality. SEPA strongly recommend that the local SEPA team is contacted to discuss the most appropriate options for the site and identify the information requirements which will allow SEPA regulatory team to be content that the proposed waste water drainage arrangements are consentable.

SEPA (second response): After reviewing the supplied topographic information (drawing titled "Hillside development, Pease Bay Holiday Park", 09/10/2019) SEPA note that the majority of planned development lies outwith the 1 in 1000 year flood extent. However, the westernmost lodges are still a concern. SEPA flood maps are indicative only and should not be used to inform development plans. SEPA therefore maintain their objection until a detailed flood risk assessment demonstrates the lodges exist outwith the 1 in 1000 year floodplain of the Pease Burn. SEPA require the finished floor levels of the lodges in relation to the 1 in 1000 year flood extent. This may however, serve only to indicate that this location is unsuitable for some of the westernmost lodges.

Transport Scotland: No objection.

Visit Scotland: No response at the time of writing.

## REPRESENTATIONS

In addition to the local Community Council, one member of the public objected to the application. The following issues of concern were raised:

- no community benefit
- the site has its own shop and facilities and few local employees
- no details on waste and water supply
- how will Cockburnspath Burn be protected?
- overdevelopment of an area of natural beauty
- noise
- flood risk
- risk of landslip
- no surface water drainage proposals
- vehicle restraint system would be like a motorway barrier, not suitable for an area of natural beauty
- timing of submission of application not conducive to public consultation
- impact on internet connection
- road is poor standard and condition/ state of repair and unsuited to accommodating increased traffic
- the traffic survey provided was carried out off-season, in November, when traffic levels are low
- traffic speeds elsewhere on public road are higher than traffic survey found
- heavy vehicles and walkers use the road

## PLANNING CONSIDERATIONS AND POLICIES:

Local Development Plan 2016:

PMD1: Sustainability  
PMD2: Quality Standards  
ED7: Business, Tourism and Leisure Development in the Countryside  
ED8: Caravan and Camping Sites  
ED10: Protection of Prime Quality 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 Species  
EP3: Local Biodiversity  
EP5: Special Landscape Areas  
EP13: Trees, Woodlands and Hedgerows  
EP14: Coastline  
EP15: Development Affecting the Water Environment  
EP16: Air Quality  
IS5: Protection of Access Routes  
IS7: Parking Provision and Standards  
IS8: Flooding  
IS9: Waste Water Treatment and SUDS

Other Considerations:

Biodiversity Supplementary Planning Guidance 2005  
Landscape and Development Supplementary Planning Guidance 2008  
Local Biodiversity Action Plan Supplementary Planning Guidance 2001  
Local Landscape Designations Supplementary Planning Guidance 2012  
Placemaking and Design Supplementary Planning Guidance 2010  
Waste Management Supplementary Guidance 2015

Scottish Planning Policy 2014  
Scottish Borders Tourism Strategy and Action Plan 2013-2020

**Recommendation by** - Paul Duncan (Assistant Planning Officer) on 23rd April 2020

## BACKGROUND

Planning permission is sought to extend Pease Bay Holiday Park. The proposals encompass the change of use of the proposed site, engineering works, and the formation of a new vehicular access, internal road and 18 plot caravan/ holiday lodge layout.

This follows an earlier application for a similar 25 plot extension of the holiday park (planning reference 18/01041/FUL) which was later withdrawn. Those proposals were unacceptable in a number of areas, including landscape harm within the Berwickshire Coast Special Landscape Area (SLA). The agent was advised that these issues may be insurmountable. The agent was encouraged to engage in formal pre-application discussions should they consider an alternative scheme to be viable, but declined to do so.

Following SEPA objection on grounds of flood risk, the original 22 plot extension proposed at the outset of this application was the subject of a late revision. The applicant now proposes an 18 plot extension. This is considered and assessed below unless where otherwise stated.

## PROPOSED SITE

The proposed site is an undeveloped, north-facing hillside located west of Pease Bay holiday park. It mainly comprises semi-improved grassland, with areas of gorse scrub and bracken. The site is bound to the north by the Cockburnspath burn, and to the south by an unclassified public road that connects with the A1 at a roundabout north of Cockburnspath.

Pease Sands beach and holiday park are located to the east and north-east of the proposed site. Holiday lodges extend up to the far south-east corner of the site but the holiday park is mostly occupied by static caravans. The holiday park benefits from its own on-site shop and entertainment complex.

Two of Scotland's Great Trails, the Southern Upland Way and the Berwickshire Coastal Path pass by the site. Both routes follow the coastal cliffs from the village of Cove to the north of the site. There are long, wide views across Pease Bay to Greenheugh Point and to the proposed site from hillocks that sit above the bay. Heading south, the footpath descends by steps into the steeply sloping cleuch of Cockburnspath Burn. Further south, the path passes the nearest dwellinghouse to the site, 'Old Linhead', before the routes join the public road which bounds the site to the south.

The proposed site is located within Berwickshire Coast Special Landscape Area (SLA).

## PROPOSED DEVELOPMENT

Significant engineering works would be required to form the two platformed tiers of plots, retained by three banks of gabion baskets. A total of 18 plots (described variously as being for holiday lodges or caravans) are now proposed following the aforementioned late revision. A new internal road would run parallel with the public road alongside the upper tier of plots (nos 1-11). A new vehicular access to the site would be formed off the unclassified road in the south-east corner of the site, near the closest existing holiday lodge. The new access will require significant engineering works to achieve suitable gradients into the site. Plots 12-18 would sit on lower ground, accessed by steps, and would share a 10 bay communal car park located between plots 6 and 7.

A new footpath would connect the new development with the existing holiday park.

A vehicle restraint system is proposed off the public road, due the steep drop created by the required engineering works.

## ASSESSMENT

Principle

Local Development Plan (LDP) policy ED8 (Caravan and Camping Sites) is the principal policy to be considered with regard to this proposal, but Policy ED7 (Business, Tourism and Leisure Developments in the Countryside) is also relevant. Policy ED8 is supportive of proposals for caravan park extensions in locations that can support the local economy and the regeneration of towns, and that accord with the Scottish Borders Tourism Strategy and Action Plan.

The applicant's supporting statement provides some brief commentary on the potential economic benefits of the development but is based on the original 22 plot scheme. This simply states that the development could bring £0.5m into the local economy and create 6 FTE employment opportunities. No further detail or supporting evidence is provided. It is not clear how the figure of £0.5m has been arrived at or whether this is an initial or recurring contribution to the local economy. Similarly, it is unclear how 6 FTE jobs would be created.

Policy ED8 makes a clear distinction between caravan site developments which are close to towns, and those in more remote countryside locations as is proposed here. The policy favours caravan site developments within or on the edge of towns which support local shops, services and regeneration objectives. The nearest town or village here is Cockburnspath, around a mile from the site, where shop and service provision is very limited. Coldingham and Eyemouth are a significant distance from the site. The Community Council note that the existing holiday park benefits from its own shop and entertainment complex. Whilst this makes the holiday park more attractive to visitors, it is likely to reduce visitor demand for existing shops and businesses outwith the holiday park.

The existing holiday park is understood to provide a mix of short-stay holiday rentals and longer term holiday homes for purchase. The application does not specify how the proposed lodges would be marketed. It is generally accepted that caravans occupied as holiday homes provide less economic impact than short-stay holiday rentals where visitors are rotated and are likely to spend more money in the local economy.

In summary, the application does not explain how local economic benefits would be realised, and does not evidence the extent of such benefits. Given the distance to nearby towns, it is not clear whether the development would support regeneration of local towns. The potential economic benefits of the proposed development, particularly longer term local economic benefits, are therefore unclear but would appear to be relatively modest.

The supporting statement appends a letter from the First Minister to the British Holiday and Home Parks Association. This outlines the Scottish Government's support for the tourism industry. Policy ED8 acknowledges the importance of tourism to the Borders economy, but seeks to ensure such developments balance other impacts. The policy requires all proposals to be of the highest quality and in keeping with their local environment. The pre-amble specifically notes that caravan developments can be particularly visually intrusive in coastal locations. The Berwickshire coast is a key tourism and economic asset for the surrounding area. Visually intrusive development has the potential to harm this asset, resulting in longer term economic harm. This must be factored into any assessment of potential economic benefits.

Policy ED8 states that decision making will be guided where appropriate by the advice of Visit Scotland, who regularly comment upon tourism related planning applications within the Scottish Borders. Visit Scotland were consulted on this application and the earlier withdrawn application, but have declined to comment on either. The Council's Economic Development team have however lent their support to the application.

In correspondence received shortly before determination, the applicant noted the importance of the development proposal to the sustainable future of Pease Bay Holiday Home Park, especially as it tries to recover from the impact of Covid-19. The immense challenges for the tourism industry arising from the current situation are appreciated, but it is unclear how long this will continue or how it will affect the domestic tourism industry in the longer term. It would not be appropriate to attach significant weight to this consideration given the long term effects of the proposed development.

Were this application supported, it would be appropriate to control the occupancy of the proposed holiday lodges by planning condition to ensure they were not used as permanent residences.

Landscape and Visual Impacts



The proposed site is located within the Berwickshire Coast Special Landscape Area (SLA). The Local Landscape Designations SPG describes the cliffs and bays of the Berwickshire Coast SLA as one of the most dramatic sections of Scotland's east coast. The coastal landscape around Cockburnspath is described as wild, dramatic, and expansive, with steeply sloping landform providing pleasing, secluded landscapes with attractive colours. The SPG recommends that development along the coastal edge is carefully considered.

Local Development Plan policy EP5 (Special Landscape Areas) states that for developments which may affect SLAs, the Council will seek to safeguard landscape quality and will have particular regard to landscape impact, including visual impact. Policy EP14 (Coastline) provides specific protection to Berwickshire's undeveloped coastline. More generally, policy PMD2 (Quality Standards) requires all development to be of high quality in accordance with sustainability principles, designed to fit in with Borders landscape surroundings.

The proposed development would see the undeveloped hillside transformed by cut and fill earthworks to create two arced tiers of densely arranged holiday lodge/ caravan plots. The Council's Landscape team note that the gorse and scrub of the existing undeveloped site are important characteristics of the surrounding landscape.

In objecting to the earlier application for an extension of 25 plots, the Landscape team raised particular concern at: the extensive engineering works; siting the proposed plots across two separate tiers, with the upper tier close to the public road; the extent of retaining structures required; and the density of the proposed development.

The revised proposals generally retain the same design approach and layout, but over a reduced area of the site. The plots would extend across two tiers, three banks of gabion baskets would be required for retaining purposes, and the density of the developed area is largely unchanged. The Landscape team consider that the development proposals remain reliant on an inappropriate, heavily engineered approach and note that the plots have not been repositioned away from the road edge.

As noted above, two of Scotland's Great Trails, the Southern Upland Way and the Coastal Path, pass the site and share the public road adjacent to the site with other road users. The proposed development would therefore be visually prominent at close range for various key public visual receptors. The applicant's Landscape and Visual Assessment report identifies these viewpoints as having a high sensitivity. The Landscape team agree.

To mitigate the visual impact of the development, landscape planting is proposed. This includes a substantial planted buffer area to the far east of the site, between Old Linhead and plot 11. This would eventually screen the development from views at the point where the Southern Upland Way and Berwickshire Coastal Path join the public road. This would only be achieved by compromising the expansive views down the valley, which as the Landscape team note, would be obscured by planting. The applicant has provided photomontages which demonstrate this effect (VP1 - Southern Upland Way). The intrusive visual effect of the development would come into view beyond the planted buffer.

Since the Landscape team responded to the earlier application, the need for a vehicle restraint system has been identified. The proposals now include a vehicle restraint system to prevent vehicles exiting the public road down to the lower level of the site. Whilst the proposals refers to the use of a high tension wire, the Roads Planning team expect that a more orthodox open box restraint (i.e. crash barrier) will be required. This is likely to be required along the public road for the full length of the developed parts of the site, and where the vehicular access and internal road enter the site on high, made-up ground. Crash barriers are more commonly associated with heavily trafficked areas and are not normally seen within more remote parts of rural Berwickshire. Being designed with utility in mind, they have a somewhat harsh visual aesthetic and as the Landscape team suggest, would have an incongruous appearance at this location. The proposed high tension wire would also be a significant visual impact concern. The applicant proposes that a hedge could be planted in front of the restraint. This would be likely to undermine or compromise it. Discussions with Roads Planning have confirmed that this would not be appropriate. The adverse visual intrusion of a lengthy section of crash barrier at this location would be very high. Repositioning the development away from the road edge may have avoided the need for a vehicle restraint system.

The application includes a Zones of Theoretical Visibility study (ZTV) which identifies locations from which the development, or parts thereof, would theoretically be visible, including more distant locations. This would include the following key public visual receptor locations: Pease Sands beach; the western, northern and eastern approaches of the Southern Upland Way and Berwickshire Coastal Path; promoted coastal paths on the headland of Greenhaugh point (as illustrated within the applicant's photomontage VP2 Coastal Path); and the A1107 Coldingham Tourist Road.

The existing caravan site is considered to have a high adverse visual and landscape impact, but is well contained by landform as it sits within the lower plains of the bay that surround Pease Sands. The Landscape team express concern that this new development would spread up the sides of the 'bowl' around Pease Bay, extending away from the existing developed area in the form of a spur. The heavy engineering and density would exacerbate this. Proposed planting would have a limited mitigating effect. This would harm views from Pease Sands beach, Greenheugh Point, and in likelihood, the dramatic northerly coastal views from the A1107 Coldingham Tourist Road.

It is concluded that the proposed development would have a very significant adverse effect on visual amenity and on the character of the Berwickshire Coast Special Landscape Area.

### Road Safety

Policy PMD2 requires developments to have no adverse impact on road safety and adequate vehicular access.

Vehicular access to the site would be taken from a new junction with the unclassified public road. The public road connects with the A1 at a roundabout near Co'path and with the A1107 Coldingham Tourist Road. The road is steep and winding in places. It crosses a ford on the farm side of the holiday park.

The Community Council is concerned about the increase in traffic on the minor road, in combination with a separate tourism development at Cove Farm. Heavy vehicles use the road. There is also objector concern at the road's state of repair. As noted above, the road is used by the Southern Upland Way and the Berwickshire Coastal Path. The Roads Planning team do not object to the additional traffic levels generated on the public road or wider road network. Transport Scotland also offer no objection in terms of traffic impacts on the A1 trunk road and the aforementioned roundabout.

As noted above, were this application supported, a planning condition would be needed to secure the agreement and installation of a suitable vehicle restraint system, likely to be an open box restraint (i.e. crash barrier). A condition would also be required to allow the technical assessment of the proposed gabion basket retaining walls for the public road. The acceptability of this system is yet to be established.

### Vehicular Access

The new junction would be located in the south east corner of the site. The site plan shows visibility splays of 34m westward and 32m eastward. The Roads Planning team are satisfied that the proposed vehicular access proposals raise no road safety concerns.

### Parking

Policy IS7 of the Local Development Plan requires that car parking should be provided in accordance with the Council's adopted standards.

Plots 3-11 would each be served by two adjacent head-in parking bays. Plot 1 and plots 12-18 would share a communal 10 bay parking area. No dedicated turning area is proposed.

Roads Planning are satisfied by the provision of parking proposed within the site and raise no concerns at the absence of dedicated turning.

### Ecology

Ecological interests include the nearby Pease Bay Coast Site of Special Scientific Interest (SSSI) located around 270m to the north, and the Cockburnspath Burn, which bounds the site to the north. Potential

environmental impacts could arise during the construction phase (e.g. pollution/ sediment discharge to the burn) and operational phases (e.g. lighting of the site may impact bats) as well as by the loss of habitats. There is also objector concern that landslips may occur.

The applicant submitted an Ecological Impact Appraisal with the application. This found no connectivity to the SSSI, and judged habitats within the site itself to be of low ecological value. No evidence of protected species were found but breeding birds are likely to feed on scrub during the breeding season.

Potential construction impacts could be managed by a suitable Construction Environment Management Plan (CEMP). This could be required to incorporate comments from an engineer on objector concern regarding possible landslips. On a largely precautionary basis, the Ecology Officer recommends that potential impacts on protected species could be mitigated by means of a Species Protection Plan for bats, badger, breeding birds and reptiles. The Ecology section also recommend agreement of an updated Landscape and Biodiversity Enhancement Plan.

Were this application to be supported, it would be appropriate to attach conditions to secure these measures. Subject to such conditions, the proposed development is considered to satisfy policies EP1 (International Nature Conservation Sites and Protected Species), EP2 (National Nature Conservation Sites and Protected Species) and EP3 (Local Biodiversity).

#### Residential Amenity

Policy HD3 (Residential Amenity) states that development that is judged to have an adverse impact on the amenity of residential areas will not be permitted.

The nearest dwellinghouse to the site is 'Old Linhead', located a short distance to the north-west of the site. The planted belt proposed in the western portion of the site would separate the nearest plot from Old Linhead. Given the distances involved, there are no privacy concerns. Certain residential amenity issues such as noise and dust can however extend across a wider area, and this has been raised as a concern by the neighbouring objector and by the Community Council. The Environmental Health team have not responded to the consultation request but their response to the earlier application raised no concerns at such potential nuisance impacts. Given the distances involved, such impacts are not anticipated. The proposals are considered to satisfy policy HD3.

#### Flood Risk

Policy IS8 of the Local Development Plan states that development will not be permitted if it would be at significant risk of flooding.

A small, peripheral portion of the proposed site is located within SEPA's 1 in 200 year flood risk area. The original 22 plots and roads infrastructure were outwith this area.

A greater part of the site is understood to be within SEPA's 1 in 1000 year flood risk area. Scottish Planning Policy 2014 (SPP) defines this as being at low to medium risk of flooding and states that a flood risk assessment may be required for the most vulnerable uses. SEPA's land use vulnerability guidance identifies caravans and chalets as being within the most vulnerable use category.

SEPA were originally consulted on potential flood risk arising from the 22 plots scheme. SEPA consider the development to fall under the most vulnerable land use classification and require the development to be situated outwith the 1 in 1000 year flood extent. SEPA therefore objected and sought a detailed Flood Risk Assessment (FRA) to establish whether the development would meet these requirements. The Council's Flood Risk section were also consulted but did not object or require the submission of a FRA. In their last formal response, SEPA maintained their objection on flood risk grounds and noted that a decision to approve the application contrary to their objection may trigger a referral to the Scottish Ministers. The late revision to the proposals has omitted 4 plots thought to be at particular risk of flooding, reducing the scheme to 18. The applicant contacted SEPA directly seeking comment shortly before determination. At the time of writing, SEPA have not responded. In the absence of further comments from SEPA, their objection stands and this would amount to a reason for refusing the application. Were this the sole issue outstanding, it would be appropriate to await their response but as there are fundamental concerns with these proposals, it is not appropriate to delay determination any further.

## Access Rights

There are no rights of way or Core Paths within the site, but two of Scotland's Great Trails - the Southern Upland Way and the Coastal Path - utilise the public road adjacent to the site. Neither would be directly affected by the proposals, though as noted above coastal views from the routes would be compromised by the proposed development.

## Waste Water Drainage

Policy IS9 of the Local Development Plan states that the preferred method of dealing with waste water (i.e. foul waste) associated with new developments would be the direct connection to the public sewerage system. For development in the countryside, the use of private sewerage may be acceptable provided negative impacts to public health, the environment, watercourses or ground water can be avoided. Policy EP15 is also relevant in this regard. This policy aims to ensure development does not adversely affect the water environment, including burns and coastal waters.

No detailed waste water proposals were submitted with the application, causing SEPA to object to the application. The Community Council were also concerned in this regard. SEPA noted that Pease Bay is a designated bathing water under the Bathing Water Directive and recommended discussions with the local SEPA team to establish the most appropriate options for the site. Further information was submitted late in the application process but the local SEPA team do not appear to have been consulted. Waste water would be treated by a separate new sewage treatment plant with discharge to the Cockburnspath Burn following UV light treatment. The development would not connect to the existing treatment plant. At the time of writing, SEPA have not been able to respond to the information provided. As there are fundamental concerns with the proposals, it would not be appropriate to await their response and delay determination. The remaining SEPA objection on this point is therefore a further reason for refusing the application.

## Surface Water Drainage

There are no proposals for surface water drainage. It may be that the applicant proposes to allow surface water to drain naturally to the sea via the burn, but this is not stated. Whilst it would be preferable for these proposals to be specified within the application, it is likely that such arrangements could be agreed at a later date, by planning condition, should the application be supported. It is not considered that the absence of this information amounts to a reason for refusing the application.

## Water Supply

A private water supply is proposed. Environmental Health have not responded to the consultation request at the time of writing, but their response to the earlier withdrawn application remains relevant. This indicated that a planning condition could be utilised to ensure the supply has sufficient quantity and quality and will not impact on other water supplies. Were this application to be supported, it would be appropriate to attach a condition and accompanying informative similar to those recommended at that time.

## Bin Storage

LDP policy PMD2 (Quality Standards) criterion (e) requires all development to provide appropriate internal and external provision for waste storage. Bin storage can have a significant visual impact and a sensitive, discreet approach often requires careful planning. No details have been provided for the management of waste. This information could be secured by planning condition were the application to be supported, but this would preclude an integrated, fully planned approach. The absence of this information would not justify refusing the application.

## Other Matters

It is acknowledged that demand from rural developments can affect local internet connections. This would not normally be a reason for a refusing a planning application.

Concern has been raised at the timing of application. It is for the applicant to consider when to submit an application.

The application was submitted with an erroneous location plan which omitted a portion of land to the east of the site, excluding plot 18 (formerly plot 22) and footpaths to the existing holiday park. This land is within the control of the applicant. The applicant has since chosen to submit a revised location plan to address this issue.

The proposed site is classified as Prime Agricultural Land by the James Hutton Institute. The land within the site is steeply sloping semi-improved grassland and does not meet this standard in practical terms.

SEPA provided regulatory advice for the applicant within their original consultation response as a CAR licence may be required. Were this application supported, it would be appropriate to provide this information to the applicant by means of an applicant informative.

#### **REASON FOR DECISION :**

The proposals are contrary to Local Development Plan policies PMD2 (Quality Standards), EP5 (Special Landscape Areas) and EP8 (Caravan and Camping Sites). The siting and design of the proposed development would have a significant adverse landscape and rural visual impact that would harm the landscape quality of the Berwickshire Coast Special Landscape Area. It has not been demonstrated that any economic benefits would outweigh this harm.

The proposed development is contrary to Local Development Plan policy IS8 (Flood Risk) as the site is within an area of flood risk and would potentially place persons and property at an unacceptable risk due to flooding.

The proposed development is contrary to Local Development Plan policy IS9 (Waste Water Treatment and SUDS) and EP15 (Development Affecting the Water Environment) as it has not been demonstrated that waste water can be dealt with without negative impacts to public health, the environment, and the quality of the nearby burn and coastal waters.

#### **Recommendation: Refused**

- 1 The proposals are contrary to Local Development Plan policies PMD2 (Quality Standards), EP5 (Special Landscape Areas) and EP8 (Caravan and Camping Sites). The siting and design of the proposed development would have a significant adverse landscape and rural visual impact that would harm the landscape quality of the Berwickshire Coast Special Landscape Area. It has not been demonstrated that any economic benefits would outweigh this harm.
- 2 The proposed development is contrary to Local Development Plan policy IS8 (Flood Risk) as the site is within an area of flood risk and would potentially place persons and property at an unacceptable risk due to flooding.
- 3 The proposed development is contrary to Local Development Plan policy IS9 (Waste Water Treatment and SUDS) and EP15 (Development Affecting the Water Environment) as it has not been demonstrated that waste water can be dealt with without negative impacts to public health, the environment, and the quality of the nearby burn and coastal waters.

**“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.**