

LAND SOUTH OF EBBA STRAND COLDINGHAM SANDS 22/01357/FUL and 23/00008/RREF

RESPONSE TO LOCAL REVIEW BODY REQUEST FOR FURTHER INFORMATION – COMMENTS ON THE IMPACT OF NATIONAL PLANNING FRAMEWORK 4 ON THE PLANNING APPLICATION AND SUBSEQUENT REVIEW

The relevant policies from NPF4 are noted below, with officer commentary on their relevance, and a conclusion below.

Relevant NPF policy	Commentary
Policy 1: Tackling the climate and nature crises	<p>This policy requires significant weight to be given to the global climate and nature crises when considering all development proposals.</p> <p>Annex A of NPF4 advises that the document should be read as a whole. When considering the principle of rural housing proposals such as this, this policy should therefore be considered alongside such policies as 2 (Climate mitigation and adaption), 5 (Soils), 16 (Quality homes) and 17 (Rural housing).</p>
Policy 2: Climate mitigation and adaption	<p>Criterion a) requires development proposals to be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible. The proposed site is not well served by public transport although local services can be found in Coldingham and to a lesser extent at St Abbs.</p> <p>Criterion b) requires developments to be sited and designed to adapt to current and future risks from climate change. The site is thought to be at risk of coastal erosion/ land slippage. The proposal does not therefore meet the siting requirements of this policy. As rehearsed in the report of handling it has been suggested that rock armour could be utilised which, in principle, may be capable of meeting the additional design requirements of the policy. However, no detail has been provided and the proposal raises other implications, including in terms of landscape and visual impact that would also require careful consideration in the event any such proposal was forthcoming. In any event, the policy is clearly worded to require both siting and design allow adaption to the future risks from climate change. The proposed development does not satisfy the former of these requirements.</p>
Policy 3: Biodiversity	<p>This requires, at part (a) and (c) that all developments contribute to biodiversity enhancement. It is likely this could be satisfied by the agreement of a biodiversity enhancement scheme that could be secured by planning condition.</p>
Policy 4: Natural places	<p>This policy aims to protect, restore and enhance natural assets, including designated sites and areas of landscape quality.</p> <p>The policy confirms that the precautionary principle will be applied in accordance with relevant legislation and Scottish Government guidance. This supports the position taken in the report of handling</p>

	<p>for the application, whereby a precautionary approach was deemed to be required in relation to the protection of sites internationally designed for ecological protection.</p> <p>Regarding impacts to the Berwickshire Special Landscape Area (SLA), the policy states that development will only be supported where development will not have significant adverse effects on the integrity of the area or the qualities for which it has been identified. In designating the Berwickshire Coast SLA, the Council's Local Landscape Designations SPG 2012 places particular emphasis on the qualities of Coldingham Bay, which it describes as very attractive, and refers to the surrounding cliff features of the Bay as a distinctive section of the coast. The report of handling for the application details the potential impact of rock armour that has been proposed to address land stability risks. As it has not been demonstrated that the development would not have significant adverse effects on the qualities for which the SLA was identified within the SPG, the proposed development is considered to be contrary to Policy 4.</p>
<p>Policy 5: Soils</p>	<p>Criterion a) is potentially relevant to all developments, whilst b) relates to sites such as this which are recorded as Prime Quality Agricultural Land (PQAL) by the James Hutton Institute. However, as the report of handling concluded, a cursory examination of the site confirms that it would not be appropriate to apply such provisions to this particular site.</p>
<p>Policy 9: Brownfield, vacant and derelict land and empty buildings</p>	<p>This policy intends to promote the reuse of brownfield, vacant and derelict land and to reduce the need for greenfield development. It also concerns contaminated land.</p> <p>The application site largely comprises natural hillside. A portion of the site has been affected by the depositing of materials some decades ago. This area has become naturalised and there is no discernible remaining legacy from this that would benefit from amelioration.</p> <p>Overall, the proposed development is considered to be largely contrary to this policy. It would partially comprise greenfield development and the benefits of developing land that has previously been altered would be not outweigh the adverse effect of this.</p>
<p>Policy 10: Coastal development</p>	<p>This policy sets out policy criteria for development proposals in developed and undeveloped coastal areas. It states that LDPs should identify such areas. The current LDP identifies coastal areas but, other than in its designation of settlements, does not distinguish between developed coastal areas and undeveloped coastal areas. The proposed site is outwith any recognised settlement boundary and, moreover, is ostensibly undeveloped. In the absence of any other guidance for identification, it is concluded that the proposed site must be considered undeveloped coast. This means criterion b) applies.</p>

	<p>Criterion b) states that development proposals in undeveloped coastal areas will only be supported where they are necessary to support the blue economy, net zero emissions or to contribute to the economy or wellbeing of communities whose livelihood depend on marine or coastal activities, or they are for essential infrastructure, where there is a specific locational need and no other suitable site. None of these criteria apply therefore the proposed development is contrary to Policy 10.</p>
<p>Policy 14: Design, quality and place</p>	<p>This requires that developments improve the quality of an area in their design impacts, and that they meet the six qualities of successful places. As rehearsed within the report of handling, the design approach for the dwellinghouse itself is not unacceptable in its own right. However the wider development of this tight site, including the potential use of rock armour, would give rise to the landscape and visual impact concerns set out within the report of handling. In these regards, the proposed development is considered contrary to Policy 14.</p>
<p>Policy 16: Quality Homes</p>	<p>This policy sets out the circumstances where new housing developments may be supported. Of relevance to this proposal is criterion f) which sets out the criteria for new homes on sites such as the application site which are not allocated for housing in the Local Development Plan. None of the criteria - including, for the reasons set out below, criterion iii - are considered to apply. The proposed development is not supported by this policy.</p>
<p>Policy 17: Rural homes</p>	<p>Criterion a) of this policy sets out circumstances where NPF4 offers support for new rural homes. None are considered to apply in this instance:</p> <ol style="list-style-type: none"> I. The site is not allocated for housing in the LDP. II. The development does not reuse brownfield land where a return to a natural state has not or will not happen without intervention. Whilst a quantity of material was deposited on the site some decades ago the site has since naturalised. III. The development does not reuse a redundant or unused building. IV. Nor does it use a historic environment asset. V. The dwellinghouse is not required to support a rural business. VI. Nor is it for a retiring farmer. VII. It would not subdivide an existing dwelling. VIII. Nor is there any evidence it would reinstate or replace a former dwellinghouse on the site. <p>Criterion b) and d) do not offer support the proposal.</p> <p>Criterion c) relates to remote rural areas as defined by the government's Urban Rural Classification data. The site is not defined as remote rural by this data so the criterion does not apply.</p> <p>Finally, Policy 17 also directs LDPs to set out tailored approaches to rural housing. In the Scottish Borders, the Council's Local</p>

	Development Plan 2016 policy HD2-A (Building Groups) provides a well-established, locally tailored basis by which to consider rural housing proposals. For the reasons outlined in the report of handling and the first reason for refusal, the proposed development was deemed to be contrary to Policy HD2-A. This position is unchanged.
Policy 18: Infrastructure first	This requires that impacts on infrastructure be mitigated. The glossary defines the meaning of infrastructure. It includes education. As noted in the Report of Handling, impacts to local education could be addressed by a legal agreement.
Policy 23: Health and safety	This policy concerns a broad range of issues including health, air quality and noise. There is no known conflict with this policy.

Conclusion

The principle of the proposed development is not supported by NPF4 since rural housing in the countryside requires compliance with criteria in Policy 17 which this proposed development does not meet. Further, Policy 10 places significant protection to coastal areas, and particularly undeveloped coastal areas. These NPF4 policies reinforce the first reason for refusal.

NPF4 policies 1 and 2 place greater weight upon the climate crisis and lifecycle greenhouse gas emissions and do not support a development such as this which would result a car dependent residences. These new provisions should be considered when weighing the overall planning balance.

Finally, the proposed development is also contrary to NPF policies 4, 9 and 14 for the reasons detailed above, reinforcing the third reason for refusal.