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## **DRAFT SUPPLEMENTARY PLANNING GUIDANCE: HENDERSYDE, KELSO PLANNING BRIEF**

**Report by Service Director Regulatory Services**

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### **PLANNING AND BUILDING STANDARDS COMMITTEE**

**29 FEBRUARY 2016**

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#### **1 PURPOSE AND SUMMARY**

- 1.1 This report seeks approval of the Supplementary Guidance in the form of a draft Planning Brief for Hendersyde, Kelso (Appendix A) to be used as a basis for public consultation for a 12 week period.**
- 1.2 The site is allocated for housing within the Proposed Local Development Plan. The site requirements contained within the Plan state a planning brief in the form of Supplementary Guidance will be prepared for the site. The Council has prepared this draft brief in order to lay down how the site could be developed, creating a development vision, identifying opportunities the site offers, addressing potential constraints, identifying required development contributions and encouraging good quality new development. The brief will provide guidance to any developer or any other interested party and will be a material consideration when determining planning applications.
- 1.3 A new Local Development Plan is in the process of being adopted; as a result the Hendersyde Planning Brief will initially be Supplementary Planning Guidance. Once the Local Development Plan is adopted the Planning Brief will be formal Supplementary Guidance and part of the Local Development Plan.

#### **2 RECOMMENDATIONS**

- 2.1 I recommend that the Planning and Building Standards Committee:**
- (a) Approves the Planning Brief as a basis for public consultation for a 12 week period, and that if there are any substantive comments then they should be reported back to this committee;**
  - (b) Agrees that if there are no substantive comments arising from consultation that the brief should be delegated for approval to the Service Director of Regulatory Services as Supplementary Guidance as a part of the Local Development Plan, once the Local Development Plan has been adopted.**

#### **3 BACKGROUND OF THE SUPPLEMENTARY PLANNING GUIDANCE**

- 3.1 The site at Hendersyde is located to the north east of Kelso within the settlement boundary adjacent to Hendersyde Park. The site was originally identified as part of a longer term housing site within the adopted Local Plan 2011 (SKELS002). Within the Proposed Local Development Plan 2013, the western part of this site which is the subject of this brief has been brought forward and allocated for housing as Hendersyde - Phase 1 (AKELS022).
- 3.2 The site is a greenfield site and is currently used as arable agricultural land. The site area is 5.4ha and has an indicative capacity of 120 units. It is intended that access to the site would be taken from the B6461 and the site will have a pedestrian link to Broomlands Primary School and Kelso town centre.
- 3.3 The site is subject to a planning application (13/00259/PPP) for residential development. The application was agreed by the Planning and Building Standards Committee but there are still legal requirements to be concluded in relation to development contributions. This brief will give guidance for the subsequent reserved matters application when it is submitted.
- 3.4 Any responses received during the 12 week public consultation will be considered in the finalisation of the brief. The public consultation will include the local community council and national stakeholders including Scottish Water, the Scottish Environment Protection Agency, and Historic Scotland.

## **4 IMPLICATIONS**

### **4.1 Financial**

There are no substantive cost implications arising for the Council from the recommendations included in this report.

### **4.2 Risk and Mitigations**

The key risks are considered to be:

#### Risk of not providing guidance

- (i) The lack of guidance would cause uncertainty to the developers and the public and be a barrier to effective decision making by the Council. This could result in an ad hoc and inconsistent decision making with the policies in the Local Plan not being taken fully into account.
- (ii) Failure to produce the planning brief would reflect badly on the Council's commitment to improve the design of new development.
- (iii) It is considered that the failure to approve the planning brief for Hendersyde, Kelso would have resource impacts in the Development Management Section, potentially resulting in delays processing planning applications. In addition, it may ultimately impact on the quality of development and the thorough assessment of the environmental impact of development.

## Risk of providing guidance

There are no perceived risks related to the adoption of the guidance by the Council.

### 4.3 **Equalities**

An Equalities Impact Assessment has been carried out on this proposal and it is anticipated that there are no adverse equality implications.

### 4.4 **Acting Sustainably**

#### (a) **Economic Growth**

The proposed development will assist in promoting building a strong, stable and sustainable economy which provides prosperity and opportunities for all.

#### (b) **Social Cohesion**

The proposed development will help to meet the diverse needs of people in the local communities.

#### (c) **Protection of the environment**

In accordance with the Environmental Assessment (Scotland) Act 2005 a screening assessment of the Supplementary Guidance has been undertaken in order to identify whether there will be potentially significant environmental effects. The screening exercise was undertaken using the criteria specified in Schedule 2 of the Act and no significant environmental issues were found.

### 4.5 **Carbon Management – Climate Change (Scotland) Act 2009**

The draft brief promotes measures to maximise the efficient use of energy and resources, including the use of renewable energy and resources and the incorporation of sustainable construction techniques.

### 4.6 **Rural Proofing**

It is anticipated there will be a positive impact on the rural area from the proposals contained in this mini planning brief.

### 4.7 **Changes to Scheme of Administration or Scheme of Delegation**

There are no changes to be made.

## **5 CONSULTATION**

- 5.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Chief Officer Human Resources and the Clerk to the Council have been consulted and any comments received have been incorporated in the final report where appropriate.

**Approved by**

**Brian Frater**  
**Service Director Regulatory Services**

**Signature .....**

**Author(s)**

Name	Designation and Contact Number
Laura Hill	Planning Officer (Forward Planning)

**Background Papers:** None

**Previous Minute Reference:** N/A

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