



31st December 2020



Chief Planning and Housing Officer
Council Headquarters
Newtown St Boswells
Melrose
TD6 0SA

Dear Mr Aikman

**Scottish Borders Council: Proposed Local Development Plan
Settlement Profile Hawick (p.370 – 383)**

I am writing to you as the owner of the following 'sites' identified in the above proposed LDP:

AHAWI027
BHAWI001
BHAWI002
BHAWI004

The total area of these sites is 21.68 hectares (53.57 acres). This is a significant amount of our existing agricultural farm land. I would like to raise the following observations that I feel should be taken into consideration before any decisions are made:

1. Listed Building:

- a. Within the LDP (p.370) it states "In the Hawick Conservation Area there is a variety of building types, styles and periods, reflecting the history, diversity and development of the town. Buildings are chiefly of stone with slate roofs and contain a range of interesting architectural details. All these elements contribute to the distinctiveness of the Conservation Area and should be respected when development or alteration are proposed."
- b. Burnhead Farmhouse is a substantial B listed farmhouse centred on an original Peel Tower dating from the 16th Century, with later Victorian additions. Burnhead Tower (also known as Hobbie Elliot's Tower and Burnhead House) is a B listed category tower according to the source, Historic Scotland¹. Category B

¹ Source ID: 340486, Historic Scotland Designation Reference: LB8376,

means a building of regional or local importance, a major example of a particular style or period, which may have been altered. This tower also comes under Historic Environment Scotland², so I do not see how this should even be considered to have a business and industrial area built within close proximity of a building of significance to the local community and long history of the town.

- c. As stated in the LDP (p.375) BHAWI004, “ Burnhead Tower, a category B listed tower house, lies to the north east of the site. Mitigation measures must ensure there is no impact upon the setting of the tower house.” How and what mitigation measures can be put into place? Having building and industry close by will bring pollution and contaminants in the air, which in turn will have a detrimental effect on all buildings that are in close proximity. There will also be an increase in traffic to the area which in turn brings its own pollution and waste, adding to potential damage through pollutants to a Scottish historical site. Added to this, there is the added problems of natural drainage which could possibly cause subsidence, which may not be seen immediately but slowly over time to a building that is over 500 years old.
- d. The National Planning Framework 3 recognises the contribution made by our cultural heritage to our economy, cultural identity and quality of life. Planning has an important role to play in maintaining and enhancing the distinctive and high-quality, irreplaceable historic places which enrich our lives, contribute to our sense of identity and are an important resource for our tourism and leisure industry.
- e. A quote from the Historic Environment Policy for Scotland (HEPS) states that “decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.” It goes on to note that “decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.”

2. Existing Brownfield Sites:

- a. The LDP (p.370) states that there is a total of eleven redevelopment sites identified in this plan to encourage the reuse of previously developed land. Is there any explanation as to why there is a desire to build on greenfield sites when these brownfield sites have not been utilised first?
- b. There are the following areas brownfield sites identified:
 - i. Business and Industrial: BHAWI003 – Galalaw II. This is a business and industrial site as defined in Policy ED1.
 - ii. Mixed Use: MHAWI001 – Galalaw. The site and layout should aim to retain areas of significant biodiversity value.

² Canmore ID: 55295

- iii. Business and Industrial Safeguarding: zEL48 – Galalaw (Safeguarded site)
- iv. Business and Industrial: zEL60 – Galalaw Business and Industrial Land Proposal

- c. As is stated on p. 376 of the LDP and as sited in 2.b.ii. above, this site should aim to retain areas of significant biodiversity and yet there is consideration to build on areas that already have this and are not brownfield sites, namely BHAWI001, BHAWI002, and BHAWI004 and AHAWI027
- d. The sites as sited in 2.b.i,iii, and iv, are all existing business and industrial areas that should be considered before any other areas of natural biodiversity are destroyed for good.

3. Proximity to Burnfoot Estate:

- a. One definition of the term 'brownfield site' means real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.
- b. It is a well-documented geographical fact that people living near brownfield sites are significantly more likely to suffer from poor health than those living in areas with little or no brownfield land.
- c. It seems that little consideration has been taken into the thought of the Burnfoot estate residents, and those in and around this area.

4. Burnfoot Estate:

- a. A simple search on open source websites on the internet says this about the Burnfoot estate: 'that it is the poorest part of Hawick, with relatively high rates of social deprivation in several areas. It also has more than its fair share of antisocial behaviour.'
- b. Developing the surrounding area on two open sides to this estate is not conducive to reducing the issues that exist within the estate. Currently many of the residents have views and quick access to the country side and the surrounding areas. Encroaching into these limited green and unspoilt agricultural areas will not only reduce residential accessibility, but the vistas and unspoilt feel, which can have detrimental physical and mental health issues to those affected by this potential planning.

5. Ancestry and History:

- a. The farm of Burnhead has been in my family since 1484, which I have been fortunate to have inherited recently. My family and I took the decision to move our lives to the Scottish borders after a recent visit on the news of our

inheritance to get a feel for the area. We immediately felt at home in the area due to the outstanding beauty of the surrounding countryside and really appreciated the local hospitality. We sold our house in Suffolk and moved our children to one of the local border schools, a massive upheaval for all of us. The house has been rented out for the past 12 years, and we have invested much time and expense in a short while, in an effort to bring it back to its former condition, which includes the 16th Century tower.

- b. The LDP is potentially taking our children's future away which doesn't finish there, it will impact future generations also. As has already been said above, this has been in my family for over 500 years, passed down through generations. There will also be the loss of earnings that we will be relying on heavily to maintain and upkeep the tower, house and out buildings. A building as old as this does not come without its own problems and almost becomes a project or hobby (an expensive one) to preserve it to a respectable and decent standard that can be appreciated by those wishing to visit the historic site.
- c. It is with great disappointment and anxiety that this area has been added to the proposed LDP and that the impact that future developments may bring to not only us as recent residents but all those long-standing residents in the immediate vicinity to these sites.

6. Prime Agricultural Land:

- a. As pointed out in the opening sentence, there is a large area of land that has been identified for business and industrial growth. These sites are currently prime agricultural land. The [REDACTED] have been tenants of Burnhead Estate since 1795, and continue to farm approximately 120 acres of land. With approximately 45% of this land identified for development, [REDACTED] will have to make decisions on whether it is still a viable option to continue to farm this land due to the expenses in overheads that are involved in providing food to the community.
- b. From the UK Soil Observatory website, the agriculture land that is naturally suited to mainly permanent pasture, and is designated by the James Hutton Institute as being Grade 4:1, which is described as "land capable of producing a narrow range of crops", of which [REDACTED] has continued to manage successfully over the past years.
- c. Although the land is farmed by [REDACTED], there are many individuals and businesses that rely on local agriculture as a form of income. This includes agricultural contractors, farm staff (some casual labourers), tree surgeons and foresters, fencers and dykers, vets and feed specialists, and then those involved in the upkeep of farm housing and buildings such as joiners, plumbers, stone masons and roofers. This is a thriving community that is slowly being reduced due to agricultural land being taken away.

- d. The land varies in height from approximately 130m to 190m above sea level. This would result in major earthworks to be excavated to prepare any land for building which would not only ruin the surrounding area but would cause major drainage problems which are already to some extent challenging.
- e. The wetland area is already an issue and is a result from the construction of the A7 road. Although in the planning, it makes mention of drainage, I find it hard to understand where all the excess water and waste will be directed to (much of it possibly pollutant). This is a biodiverse area of flora and fauna and any form of building or construction is likely to destroy this natural environment.
- f. The farmland has electricity lines crossing the sites as well as water and gas pipelines. This could potentially be a major disruption to the surrounding communities if these were affected by any construction or re-routing.

7. Views and A7 Approach to Hawick:

- a. As previously mentioned, my family and I have only recently moved to this picturesque area of the Scottish borders. The view from the A7 road heading southbound to Hawick is an ever-changing panoramic scene of natural beauty as the weather and seasons change. This would be ruined for all motorists by building business and industry on the approach to this border town. It would be an unwelcoming site and deter many visitors and tourists from stopping to explore this welcoming community.
- b. I have been told that Hawick has had somewhat of a bad reputation amongst the border towns. With industrial areas being built up on the outskirts, rather than making use of the already existing brownfield sites, is only going to add to that reputation. I am aware that there are professional business men and women who are endeavouring to attract visitors to the town, through various ventures such as walking and cycling. If industry is the first thing visitors are welcomed by, their effort and energy will go by wasted. This land should be left for all to enjoy and make use of.
- c. There are already views of the Galalaw industrial park that is supposedly hidden by trees and hedging, which is an unattractive eye sore on the journey into the town.
- d. According to the LDP (p.376) MHAWI001, "A landscape and ecological strategy should be prepared to restore and create habitats and wildlife corridors and to create high quality landscape setting for the development. The developer should provide for the long-term management and maintenance of these areas." Two points immediately come to mind from reading that sentence. Firstly, why is there a need to create something that already exists naturally. There is a natural habitat and there are wildlife corridors, these will be destroyed with any type of construction and will never be put back to the way nature intended. Secondly, the word 'should' has very ambiguous meanings. This should be replaced with

‘will’ or ‘must’, as it is clear that long term management and maintenance should be provided, but it seems that if it doesn’t happen, there will be no accountability. This is obvious from my comments at 7.c. as this area must be maintained but is not.

8. Scottish Planning Policy (SPP):

The following should be considered and are taken directly from the SPP.

- a. SPP 137. The planning system should: promote the care and protection of the designated and non-designated historic environment (including individual assets, related settings and the wider cultural landscape) and its contribution to sense of place, cultural identity, social well-being, economic growth, civic participation and lifelong learning.
- b. SPP 138. Strategic development plans should protect and promote their significant historic environment assets. They should take account of the capacity of settlements and surrounding areas to accommodate development without damage to their historic significance.
- c. SPP 139. Local development plans and supplementary guidance should provide a framework for protecting and, where appropriate, enhancing all elements of the historic environment.
- d. SPP 141. Where planning permission and listed building consent are sought for development to, or affecting a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic interest.
- e. SPP 142. Enabling development may be acceptable where it can be clearly shown to be the only means of preventing the loss of the asset and securing its long-term future.

9. Final Point:

- a. Scottish Planning Policy 80 states the following “Development on prime agricultural land, or land of lesser quality that is locally important should not be permitted except where it is essential:
 - i. As a component of the settlement strategy or necessary to meet an established need, for example for essential infrastructure, where no other suitable site is available; or
 - ii. For small-scale development directly linked to a rural business; or

- iii. For the generation of energy from a renewable source or the extraction of minerals where this accords with other policy objectives and there is secure provision for restoration to return the land to its former status".
- b. The above three points clearly state that agricultural land should not be developed except where essential, and with so many existing brown field sites within the town (see para.2), how can there be a reason to destroy green field areas without due consideration. It seems that little thought has gone into the long-term problems that are going to be encountered with expanding the town into these potential sites.

Please take the time to think about the impact on the local community and how this could be avoided by using existing brownfield sites, rather than creating new ones.

Yours faithfully

Giles Mahon