

Forward Planning
Scottish Borders Council
Council Headquarters
Newtown St. Boswells
Melrose
TD6 0SA

5 January 2021

Dear Sir/Madam

Objection: Coldstream, Hillview North 1 (phase 1) (ACOLD011) and Hillview North (Phase 2) (ACOLD014).

McGregor Farms wish to object to the inclusion of sites ACOLD011 and ACOLD014 at Coldstream within the Proposed Scottish Borders Local Development Plan 2 (PLDP2). Both sites are identified for housing and are located to the north-east of Coldstream town centre. Coldstream Mains farm is situated to the north of the two sites whilst an industrial site exists to the south-east.

Our opinion is that the two housing sites are not effective, desirable or deliverable for housing.

This submission states, in our opinion, why the sites do not meet relevant planning policies, including the tests of effective housing land as stated in Planning Advice Note 2/2010 "Affordable Housing and Housing Land Audits". It is considered that consideration of these respective policies and tests provides a robust planning analysis of why housing is not appropriate at these two locations.

Policy Context

Scottish Planning Policy states that the planning system should allocate a generous amount of housing in each housing market area and maintain at least a 5 year supply (Paragraph 110). In order to do so, Scottish Borders Council should determine the "effectiveness" of housing land using tests from Planning Advice Note 2/210 (PAN) "Affordable Housing and Housing Land Audits" (Paragraph 55, PAN 2/2010). The PAN sets out criteria which respective sites should not conflict with. These tests require confirmation that the site should not create ownership conflicts, should be free from physical and infrastructure constraints, funding and marketing of the development should be agreed and it should be proven that housing is the sole preferred use of the land in planning terms.

Analysis of Policy

When comparing the characteristics of ACOLD011 and ACOLD014 against the PAN and key planning policies, it is apparent that the sites do not meet all of the tests within the PAN or key policy criteria/content.

As a result the sites respond poorly to the climate emergency, the national policy direction towards '20 minute neighbourhoods' and the desire for better placemaking.

This is due to the following limitations in relation to ownership, physical constraints, infrastructure and land use.

Ownership

We query whether it is feasible to create access to the site. All of the proposed access points involve land in different ownerships and the construction of roads to the sites. This process is expensive and legally complex. We therefore question whether appropriate and sufficient access is actually achievable.

We consider that there are more straightforward development options in Coldstream and Berwickshire that would not involve such complications, and that are therefore more straightforward to develop as a result.

We recognise that it has been noted that the extension off of the A6112 would impact on the industrial site. Our opinion is that this route will result in longer term problems, when road safety conflicts inevitably arise between residents and the operations of the future industrial development. Again, our opinion is that there must be better development land options than the two sites which avoid such issues.

Physical

- Both sites are on land that slopes eastward significantly and therefore the topography will necessitate greater earthworks, which is, in turn, a more expensive undertaking than on land which is flat elsewhere in the settlement and/or Berwickshire.
- In terms of flooding, SEPA flood maps show a risk of surface water impacts to the east of the sites in particular. This will require to be investigated and may affect the amount of development land available. There are other sites in Coldstream and across Berwickshire where flood risk is clearly not an issue.
- The land in question is prime quality agricultural land which is capable of producing a wide range of crops. In addition to damaging crop land, vegetation and natural habitats are also likely to be destroyed (for example at site boundaries). This is contrary to Policy ED10 "Protection of Prime Quality Agricultural Land and Carbon Rich Soils" within the Scottish Borders Local Development Plan. This policy states that *"development, except from renewable energy development, which results in loss of prime quality agricultural land will not be permitted unless the site is allocated, it meets an established need and no other site is available or the development is small scale and relates to a rural business."* In our opinion, there are alternative sites available in the Berwickshire area which are more suitable for housing and the prime quality land in question should not be developed upon.
- The distance to the respective sites from the town centre and other essential amenities is c. 2km, in addition the sites are uphill, and these factors combine to show that the sites are disconnected from the existing settlement. Within our Main Issues Report response we raised this significant issue, therefore we are dismayed to note that the Council are persisting with these allocations.

However, there is now new significant national policy direction which outlines the "20 minute neighbourhood" (Scottish Programme for Government). We note that a 20 minute neighbourhood should provide for: local shopping centres, local health facilities and services, local schools, local playgrounds and parks, sport and recreation facilities, ability to age in place, walkability, local public transport etc.

The advent of the COVID-19 crisis in 2020 has increased the importance of a sense of 'community' with increased emphasis placed on the use of local facilities. In addition, provision of services within 20 minutes "walk, cycle or wheel" is seen to be a key component in the transition to "net-zero" carbon emissions.

We note in Policy PMD1 that, Scottish Borders Council is "*committed to embedding sustainable development within its strategies, policies and service delivery. The Council pledges to implement the United Nations Sustainable Development Goals as they relate to local government. This commitment recognises the increasing urgency that we live and use resources in ways which does not compromise the quality of life of future generations*".

Further, it is stated that "*The aim of this policy is to encourage economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place in accordance with Scottish Planning Policy. It is not to allow development at any cost.*"

Under Policy PMD1, which is stated to 'underpin' all the Plan's policies, the Council will consider certain sustainability principles in the preparation of development briefs and determining planning applications, the principles include: long-term sustainable use and management of land; preservation of air and water quality; the encouragement of walking, cycling, and public transport in preference to the private car etc.

Our significant concern is that the allocation of the ACOLD011 and ACOLD014 sites is contrary to the aims of this new national policy guidance as well as the aims of Policy PMD1. The allocation of these sites in this disconnected location within the settlement brings the potential for c.200 homes all of which are located up-hill and up to 2km away from key services in Coldstream- for example the dental surgery and medical practice.

We question how an elderly resident will access the High Street and/or the health centre/dental surgery? And private car use will be avoided? We note that cycle paths/paths are referred to within the site requirements. These may be provided but we question how much they will be used when it involve a long uphill trip back from the local amenities.

- We cannot see the logic in this approach when there are alternative more accessible sites. In relation to private car use, we are aware that the roads planning officer has proposed three access routes, however we are uncertain that these roads have the capacity and suitability to support higher volumes of traffic, particularly any route through Hill View or Priory Bank/Hatfield Loan.
- The disconnection of the sites from the town centre is also against Policy PMD2 "Place Making and Design, Quality Standards" and the main issue "Supporting our Town Centres". The Scottish Borders Placemaking Supplementary Guidance states that "*it is important that new sites relate and form an integral component of the local area, socially and physically.*" We think this is a critical point in relation to ACOLD011 and ACOLD014, Scottish Borders Council appear not to have given due weight to placemaking considerations when allocating/proposing these respective sites. We cannot see how development of these sites meets the placemaking considerations within the existing Local Development Plan and associated Supplementary Guidance:

- development at these locations will not have a positive sense of place in relation to the existing settlement at Coldstream, instead it will sit divorced from the settlement poorly related to the existing built character and beyond a mature planting belt;
- development will not be compatible with the surrounding land uses, the amenity of residents will be dominated by traffic and noise associated with the farm and the industrial estate. Housing development will be an “island”. This can be contrasted with sites closer to the settlement centre or in other settlements, with no neighbouring land use conflicts (please see the detailed section on “*Land Use-conflict with farming operations*”);
- delivery of housing in this location will necessitate the creation of artificial boundaries. Is it not preferable to locate development elsewhere, using existing mature planting as a backdrop?;
- it is unclear how path/cycle linkages will be provided. This is a key issue since Section 2 of the PLDP2 details that the population in the Borders is ageing and that the continued growth of the plus 65 population will bring sustained pressure on health and social care services. However, these housing sites are located far removed from the town centre and key medical facilities. Why not allocate housing sites where walking is a realistic possibility, whether this be elsewhere in Coldstream or elsewhere in Berwickshire? We would suggest that this issue also affects prospective residents with mobility issues. The allocated and proposed housing developments in question bring the risk of increasing social isolation, as opposed to bolstering Coldstream and its key facilities/services; and
- our opinion is that there are alternative housing sites possible in Coldstream and elsewhere in the Borders, where meaningful connections to existing open spaces and path linkages are realistic- for example there is a field located close to the health centre/dental surgery and within a short, flat, walk of the town centre facilities (known as Ladies Field). Development at ACOLD11 and ACOLD014 will be challenged to realistically connect to such links.

Infrastructure

In terms of infrastructure which exists on the site, the need for diversion of a water main requires to be investigated. Our understanding is that this is a major requirement and could affect the viability of the sites as development options, particularly in a challenging housing market. Again, there are likely to be development options elsewhere, that do not require such major, costly infrastructure works.

As the site is greenfield there is no other infrastructure existing, and the development of housing would therefore require all infrastructure to be provided to support housing. Again, we would question whether the sites can be considered effective if long sections of roads, sewage and water pipes, and major earthworks etc. are required? It appears more logical to allocate sites that are easier to develop, easier in Coldstream or elsewhere in Berwickshire. Currently, our opinion is that the respective development sites do not meet this critical criteria in determining “effective” housing sites.

Funding and Marketing

Given the evident challenges of delivering housing at ACOLD011 and ACOLD014 we consider it questionable as to how the sites will be sold to a housing developer. Coldstream has a challenging housing market and it seems illogical to allocate difficult to market housing sites when there are more marketable sites elsewhere in Coldstream and Berwickshire.

Is it realistic to expect a housing developer to purchase a site which is located between an operational farm and an industrial estate, then have to consider how to build multiple access routes (which require further land outwith the allocation), divert a water main, undertake considerable earthworks, assess flood risk, consider noise and air quality, and consider lengthy infrastructure connections, whilst operating in a marginal housing market area?

We consider it more sensible to allocate easier housing sites in other areas of Coldstream and/or Berwickshire. Such sites should avoid such major constraints, therefore ensuring that they are as effective as possible and in line with SPP requirements.

Land Use- Conflict with farming operations

The development of ACOLD011 and ACOLD014 would severely affect farming operations at Coldstream Mains Farm.

The farm is the base for one of the Borders largest agricultural operations the site has 8000 tonnes of grain storage and 4500 tonnes of potato cold storage. To manage this operation requires:

- **440 heavy goods movements per year** to export from the site
- to bring material into the site requires **1230 tractor and trailer movements per year**.
- Additionally there are all the normal supply deliveries associated with a busy farm business and movements of Plant & Machinery at the site.
- At harvest time there is **24/7 operation of plant & grain drying equipment (remainder of the Year 5am – 10pm operations)**

Our strong opinion is that the above vehicular movements, site operations, noise and odours mean that deliverability of housing at the respective sites is seriously in question. In particular there is clearly road safety and health and safety issues due to:

- prospective residents gaining access when not permitted;
- mixing with delivery traffic/site operations;
- being subject to noise; and
- being subject to odour/air quality issues.

The advent of the COVID-19 pandemic has provided an illustration of matters which would be likely to arise should housing be built at the ACOLD11 and ACOLD14 sites. In particular, the prospect of conflict between members of the public looking to access the farmland for recreation and coming into conflict with farming operations.

The Council's key PLDP policy, PMD2 'Quality Standards' states the "six qualities of successful places" as identified by the Scottish Government. Two of these qualities are "Safe and pleasant" and "Easy to move around". Policy, PMD2 therefore has a section on 'Accessibility' where it is stated that development should make sure:

*"q) it ensures there is no adverse impact on road safety, including but not limited to the site access
r) it provides for linkages with adjoining built up areas including public transport connections and provision for buses, and new paths and cycleways..."*

It is clear to us that the prospect of c.200 houses located adjacent to the farm is going to bring a significant adverse impact on health and safety, particularly where many of the residents can reasonably be expected to be either very young or elderly. A working farm is not a safe location for members of the public to be seeking outdoor recreation but this has proven to be precisely where members of the public have sought to seek access through during the COVID-19 pandemic.

Overall farming operations and industrial use do not complement housing allocations sensitively and conflicts will arise. Our opinion is therefore that there are better housing options elsewhere in Berwickshire that avoid the above issues.

Conclusions

To summarise, we are confident that this representation has made a strong, robust case that ACOLD011 and ACOLD014 do not meet the tests of "effectiveness" displayed within PAN 2/2010 and, as a result, are not in line with the requirements of Scottish Planning Policy.

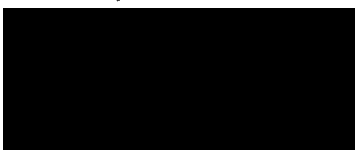
In addition, the sites are contrary to key Scottish Borders Local Development Plan policies including, Sustainability (PMD1), Quality Standards (PMD2) and Prime Quality Land (ED10).

We are aware that Scottish Borders Council has put forward recommendations to ensure delivery of landscape mitigation and enhancement of the development sites. However we think that development would result in a large isolated housing development in very close proximity to an industrial site and major agricultural operation. Our opinion is that these sites represent a poor choice when there are other better sites elsewhere in Berwickshire.

We are also significantly concerned by the adverse health and safety implications of housing being located adjacent to our substantial farming operations. There are prospective conflicts in relation to noise, air quality, traffic movements and pedestrian safety. The latter of which has proven to be a significant problem during the COVID pandemic.

As a result Scottish Borders Council or the Reporter should take the opportunity to revisit the spatial strategy for this area of the Borders to ensure that allocations which are better in line with the regional policy aspirations are allocated prior to adoption of LDP2. We are of the strong opinion that the PLDP cannot be taken seriously in its aims to support action in the climate emergency and to deliver better placemaking if illogical, isolated and dangerous housing allocations are then proposed.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Colin S McGregor