

**Archived:** 25 January 2021 13:01:02

**From:** [REDACTED]

**Sent:** Sun, 24 Jan 2021 23:27:12

**To:**

**Subject:** LDP - Representation from Oxton & CHannelkirk Community Council

**Sensitivity:** Normal

**Attachments:**  
[REDACTED]

---

CAUTION: External Email

Dear Sir/Madam,

In response to the consultation on the Proposed LDP, please find attached the representation from Oxton and Channelkirk Community Council.

Regards

[REDACTED]

OCCC

## **Representation by Oxton & Channelkirk Community Council on the SBC Proposed Local Development Plan 2020.**

On behalf of the Community, Oxton and Channelkirk Community council are writing to express our objection to the selection of site AOXTO010 (Netherhowden) for rezoning as residential land.

We are aware that a number of residents have submitted their own objections, and we are supportive of these.

### **Background**

Through the development of the LDP and the precursor Main Issues Report (MIR) the community has engaged in the consultation process. As part of this a community meeting and community survey was conducted. This process showed that community was overwhelmingly supportive of further housing development in Oxton with two of the potential sites identified as a clear preference, both having been put forward by the landowner. The first, with the vast majority of community preference, was site AOXTO009 (Luckencroft) and the second site AOXTO010 (Netherhowden). The details of this were provided to SBC and are available in the consultation responses to this (Response 328).

In addition to the sites indicated in this consultation, the community council advised that there has been an ongoing discussion for a number of years over the potential location for a new school in the village. The need for a new school building is driven by a combination of the size and age of the building, with a growing community of young families – partly as a result of new infill housing. Clearly a further housing development would increase pressure on the school in this regard. In the past lengthy discussions have been held with SBC over potential locations for this school, and in terms of the LDP assessment site AOXTO0011 and AOXTO009 had both been discussed as possible locations.

In the development of this LDP a site meeting at Nerthowden was held with residents and SBC to discuss the site selection. Whilst some concerns were addressed during this meeting, and others via follow up correspondence, the community consider a number of these issues remain unresolved.

### **Issues with LDP Proposed Rezoning Proposal**

The LDP proposes to rezone site AOXTO010 as housing which we believe:

- Underplays some significant issues with site AOXTO010.
- Overplays some issues with site AOXTO009 which resulted in this site being discounted.
- Ignores the wishes of the community, which favours site AOXTO0009.
- Does not consider the need for a new school in future years and the preferred location of this on site AOXTO11 which would be near site AOXTO0009.

In addition to the LDP and Main Issues Report, subsequent to the site visit we were provided with a summary of the various sites produced by the Forward Planners, including the factors which drove SBC's decision (email dated 27/11/2020 from [REDACTED]).

### **Objection to Site AOXTO010 (Netherhowden)**

The site has been assessed as suitable, but we are of the view that this assessment is flawed and the site should be discounted for the following reasons:

- a) Connectivity with the rest of the village.
- b) Environmental concerns and compliance with historic LDP zoning restrictions.

c) Roadway provision

Expanding on each of these points:

- a) The summary provided by SBC states that “it is considered that this site would assist in supporting the existing services within the settlement.” It is difficult to see how this conclusion has been drawn as the site will have a far from optimal footway (see point c) to the village. The position of the site also means there is no cause to pass through the village and support the village services and risks becoming a dormitory estate on the edge of the village. This was a key reason for the community not preferring this site during consultations.
- b) Previous LDP’s have always included the statement *“Development to the north and east of the settlement will be resisted where it would have significant effect on the international nature conservation value of the Leader Water or impact on the countryside setting of the settlement as viewed from the A68 trunk road.”*. In the Proposed LDP the *“and East”* had been removed which could only be presumed to have been done to support the inclusion of this site. Following discussion with councillors this has been reinstated, however as the zoning of site OXTO010 is due East of the existing boundary this is in direct contradiction. It is clear from the list of environmental issues that the siting has the potential to impact on the Tweed SAC/SSSI by virtue of its location to the East of the village.
- c) The roads statement for this, site which was used to determine the suitability, is *“A footway and street lighting will be required from the site along the minor road to link in with Station Road (Main Street). Widening of the minor road carriageway will also be required.”* However on the site visit when it was pointed out that there is insufficient space to widen the road, let alone include a footpath and lighting, the explanation given was that passing places or minimal widening in part would suffice, along with the use of the existing service laybys for passing. With regard to the footway we were advised that the passing places and roadway would be adequate as the footway. This also does not address the lack of footway from the road end at Station road westwards to the centre of the village. This is far from optimal and of questionable safety. More importantly this is not what the Proposed LDP states, nor is this the information that was provided to the councillors for consideration when they approved the Proposed LDP.

On the basis of the above we are of the view that the Netherhowden site is not suitable, and that the information presented to councillors on the siting and roads and on which the Proposed LDP was endorsed was inaccurate.

Site AOXT00009 (Luckencroft)

During the site visit, and in subsequent correspondence, the reasons for the decision to exclude this site were given. The deciding factors were stated as:

- a) Supporting services
- b) Development would not integrate well with the rest of the village
- c) Part of the site is affected by the HSE zoning
- d) The roads planning officer does not support the development.

We do not believe that these were valid reasons to exclude this site for the following reasons:

- a) Whereas the Netherhowden site is called out as supporting the village services the benefits of this site are not mentioned, which are overwhelmingly more positive:
- a. There is already an existing footway from the playing fields to the village centre, and there are therefore no constraints on purchase of gardens/private and to create a pathway. This would be a full footway, unlike site AOXTO010 which would require residents to walk along the road to reach a footway along both the Netherhowden road and the eastern section of Station Road.
  - b. This site is closer to the village centre, school and playing fields than site AOXTO010
  - c. Access to the site by road would require driving through the village centre. Experience with the community shop is that this is more likely to be supported by this 'passing trade', and therefore help to ensure the site is more integrated to the village.
  - d. Should the school move to the preferred location for this (site AOXTO011) this site would have even better access to facilities.
- b) Integration with the village is cited as an issue on the basis of the site extending the village southwards. However:
- a. This would be supported by the LDP, which is only to resist development to the North/East.
  - b. The extent of the development would extend no further south than the southerly edge of Justice Park and no further west than the westerly edge of St Curthbert's.
- c) HSE zoning. This is cited as an issue, but it is not clear why the HSE zoning has been considered as a reason to exclude this site as the issues this presents are not insurmountable:
- a. The site had been suggested for 25 houses, which under the HSE PADHI assessment methodology is a Sensitivity Level 3 site.
  - b. The zones for the high pressure gas main provided by SGN are inner – 15m, middle – 26m, outer – 27m. Only a small proportion of the south west corner of the site is in the 'inner' zone and would be excluded for development. The majority of the site falls into the middle/outer.
  - c. As the proposed development is <30 houses then the HSE PAHDI assessment for 25 houses in the middle/outer zones is DAA – Do Not Advise Against.
  - d. Discussion with SGN indicated that further assessment of the pipe could reduce this constraint, particularly considering the location on the site would most likely be given over to gardens rather than structure.
  - e. Even if a small area of the site were excluded for development this can be contrasted against site AOXTO010 which has a large number of mature trees which would also constrain that site to a similar, if not greater, extent. Therefore this constraint is not material.  
A map is provided in Annex A.
- d) Roads concerns:
- a. The junction in the village has been cited as a concern, however the officer has assessed the same junction as part of site AOXTO011 and included the additional statement *"That said, the visibility restrictions appear to control traffic speeds to acceptable levels for the situation."* and that *"drivers appear to edge out from The Loan and treat the junction with the respect it demands so that road safety seems to not be unduly compromised."* On the same basis the junction would therefore be acceptable for this site.

- b. The access along the Loan and parking is cited as an issue, which we acknowledge would need to be addressed. The roads office has stated *“There are no obvious solutions to these concerns and additional traffic would exacerbate the situation”*. We make the following observations on this:
- i. Site AOXT0011 has exactly the same concerns with this stretch of road, but the roads officer in this case offered the following solution: *“One solution would be to widen the carriageway on the west side of the initial length of The Loan to facilitate onstreet parking and two-way traffic flow past the parked cars. This would require a retaining structure, would impact on an embankment and hedging adjacent to the road and would appear to affect third party land.”* So a viable solution does exist but was omitted from the assessment of this site. We note this would require the acquisition of 3<sup>rd</sup> party land, but site AOXT0010 has similar issues with 3<sup>rd</sup> party land acquisition and we were informed that this is not a material consideration for the sites.
  - ii. A second road to the west of St Cuthbert’s connecting Main Street to the North of the new housing could also be provided. This would reduce the level of additional traffic on The Loan. This may need to be in the [REDACTED] but SGN have confirmed that a cushioned road can be used in this area.
  - iii. Provision of additional parking at the north end of the playing fields (an extension of the current parking) could also be included, which would be a viable option to reduce the on-street parking along the Loan.

A combination of the 3 above measures would alleviate the parking constraints and provide sufficient road width for two cars for most if not all of the length of the road from the development to the junction.

On the basis of the above we are of the view that the Luckencroft site (AOXT0009) is suitable, and none of the reasons cited for excluding the site are valid.

In making these arguments in support of Luckencroft it should be noted that the Community Council would not support the inclusion of multiple sites in Oxton. As has been noted by SBC in rejecting multiple other sites a statement has been included that *“The main road into Oxton, over the Leader Water and via Station Road has its limitations which means that Oxton does not lend itself to any significant extent of development”*. During the site visit SBC explained that this statement was included for sites AOXT011-18 to note that Oxton only has the capacity for a single site due to this constraint.

### Conclusion

In conclusion:

- We support the development of additional housing in Oxton, as does the majority of the community.
- We are supportive of residents in their objections to site AOXT0010 being included in the LDP.
- We have explained our reasons to object to the inclusion of site AOXT0010 in the LDP, on the basis of the suitability of the site and the process by which it was selected.

- We believe that site AOXTO009 has not been objectively assessed and would be a suitable site to include in the LDP had it been.
- The inclusion of site AOXTO009 would be in line with the wishes of the overwhelming majority of the community.

We would welcome the opportunity to discuss the content of this objection with the Reporter.

Yours Sincerely



Jon Newton

*On behalf of Oxtou & Channelkirk Community Council*

*24 January 2021*

