

[REDACTED]

From: [REDACTED]
Sent: 25 January 2021 16:41
To: localplan
Subject: PROPOSED LOCAL DEVELOPMENT PLAN OBJECTION - SITE BSHI001

CAUTION: External Email



23rd January 2021

[REDACTED]
Lead Officer, Forward Planning
Scottish Borders Council
Newtown St Boswells
Melrose TD6 0SA

Dear [REDACTED]

PROPOSED LOCAL DEVELOPMENT PLAN OBJECTION – SITE BSHI001

With reference to the above site proposed for Business and Employment Use, I would like to object to its inclusion for this or any other development use. I understand that many local residents and Peebles Community Council have objected citing a number of policies.

There are two specific reasons for my objection as below:

1. Precedence in the assessment of applications for Business Use outwith settlement boundaries

I would like to specifically raise the precedent that the Council itself has set when assessing similar applications for business development in countryside locations in the Tweeddale area.

Council officers have conceded that the proposed site at Eshiels is not “ideal”, and we would argue that allocation of this site has not been justified with any supporting business case, or detailed analysis of potential alternatives, and therefore, had it been brought forward as an application it would undoubtedly be refused.

In particular, I would draw the Councils and Reporter’s attention to applications - [17/00087/FUL](#) and [18/01377/FUL](#) - which were made by an established local business for class 5 & 6 mixed business use in a countryside location in Tweeddale. These applications were submitted with a full business plan and information on almost 30 other potential sites that had been examined by the applicant and found to be unsuitable for a variety of reasons. Despite officers accepting that there was a strong business case by an established local business wishing to expand, the applications were assessed by SBC Planning Officers, and refused for a number of reasons as cited below:

“LDP policies direct development to appropriate locations, primarily within development envelopes and, in the case of business development, to land allocated for that purpose. Any other proposal is required to justify the need for the location proposed.

Policy PMD4 states that where development envelopes are defined on proposals maps, they indicate the extent to which towns and villages should be allowed to expand during the Local Plan period. As such, proposals for new development out with the specified boundaries and not on allocated sites should normally be refused.

The policy does, however, allow that an approval might be granted exceptionally, where strong reasons can be given that it is a job-generating development in the countryside that has an economic justification under policy ED7 or HD2 or that it is a development that it is considered would offer significant community benefits that outweigh the need to protect the development boundary. In either case, the development must also be able to meet the determining criteria of the specific policy.”

“The “*community benefit*” test for the purposes of this policy is whether the proposed use is one that delivers significant benefits to the community that it might not be possible to accommodate within a settlement. Examples given in the LDP for community uses are schools, community centres or a health centre. This proposal does not appear to meet the specified examples nor is a community benefit advanced.

A case needs to be made for the particular location of the development.”

“Policy ED7 aims to allow appropriate employment generating development in the countryside whilst protecting the environment and to ensure that business developments, amongst others, are appropriate for their location. In order to be supportive of business development in the countryside, the council should be satisfied that, amongst other things, there is an economic and/or operational need for the proposal to be located on sites in the proposed location and that the business could not be accommodated within an identified settlement.

The application site is an undeveloped field, some 700m out with the defined boundary of Dolphinton. The land is not allocated for industrial use nor indeed for any other use. The business use described encompasses both Class 6 storage use and Class 5 industrial use, which have no requirement to be sited and operated in the countryside. Such premises would ordinarily be expected to be accommodated within a specified settlement envelope, preferably within an industrial estate, rather than undeveloped rural greenfield sites.”

“Whilst the applicant’s desire for a new site is acknowledged, it is still necessary to assess the location of the chosen site and the likely impacts arising from that choice. The fact that the site is highly visible is likely to accentuate those impacts, bringing into question whether this is the most appropriate site for the development being proposed. The fact that landscaping and bunding is proposed will go some way to mitigate that visibility but a significant time period will be required for the trees to grow in order to provide sufficient screening. Until that planting is substantially mature, the site will remain prominent.

The applicant has, quite reasonably, identified a site within immediate proximity to the trunk road but this proximity in itself does not justify the selection of this precise site over any and all other potential sites. It is an argument that could be applied to a number of sites. Ahead of the identification of a greenfield site, it would have been necessary to have first identified suitable brownfield land within the vicinity, such as the quarry or a farm steading.”

“In summary, although the applicant wishes to relocate in order to allow the business to grow, the supporting case for the choice of site appears is not sufficiently justified. There is little justification to support this application site over any other area of land within the wider area. Nor does the case override

the LDP policies which aim to protect the countryside from unjustified and inappropriate development. The applicant has not demonstrated that there is an economic and/or operational need for the particular countryside location of the site and therefore the proposal is contrary to the requirements of policy ED7.”

“In conclusion to the above narrative the Planning Officer recommended refusal for the following reason:

“The proposed business premises for a mixed Class 5 and Class 6 business operation does not comply in principle with adopted Local Development Plan 2016 policies PMD4, HD2 or ED7 in that the applicant has not demonstrated any overriding economic and/or operational need for it to be located in this particular countryside location and therefore the proposed development would represent unjustified, sporadic and prominent development in the open countryside.”

It should be noted that all of the above relates only to the business part of the applications and not the dwelling house, which was also part of the same applications.

The policies which these were assessed against remain for the Proposed Local Development Plan 2020, and therefore the site at Eshiels should undergo the same robust assessment. The inability to fully assess capacity within existing employment sites (e.g. Cavalry Park and South Park) and/or locate a site within or adjacent to, the settlement boundary of Peebles, does not provide a basis for allocating an unsuitable greenfield site within the countryside.

Further details on the above can be found at

<https://eplanning.scotborders.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PG27F1NTHQX00>

2. Settlement coalescence

With the proposed allocation of a large mixed use site at Nether Horsburgh to expand the village of Cardrona, and the expansion westwards in Innerleithen, the Council should be mindful of the future likelihood of settlement coalescence between Peebles/Cardrona/Innerleithen. Over the past 50 years settlement coalescence has occurred in the Melrose/Darnick/Newstead/Tweedbank area, and similarly in Penicuik/Milton Bridge. The development of a business park at Eshiels, would essentially create ribbon development along the A72 corridor from Peebles to Walkerburn, with the potential for settlement coalescence within a few decades.

Although the Proposed LDP is for 10 years, a longer term vision for the area is paramount if it is not to be incrementally despoiled by urbanisation. To avoid the risk of long term environmental damage, it would make more sense in terms of planning policy to allocate part of the mixed use land allocation proposed at Nether Horsburgh, or to more efficiently utilise the capacity at Cavalry Park (which is not fully utilised and has scope for expansion) for Business and Employment purposes.

I would respectfully request that on this basis, and in response to the other strong objections which have been submitted by the local community, the site **BESHI001 Eshiels** be removed from the Proposed Local Development Plan.

Yours sincerely

Rajiv Bhatia