

**Archived:** 27 January 2021 10:50:26

**From:** [REDACTED]

**Sent:** Mon, 25 Jan 2021 10:15:55

**To:**

**Cc:**

**Subject:** RE: Proposed Local Development Plan Consultation

**Sensitivity:** Normal

**Attachments:**

[REDACTED]

---

**CAUTION:** External Email

Please find attached representation on behalf of Rural Renaissance Ltd in respect of land at Gattonside Mains, Gattonside.

Please acknowledge receipt.

Kind regards

Philip

**Philip Neaves**

Director

Felsham Planning and Development

1 Western Terrace

Edinburgh

EH12 5QF

[REDACTED]

[www.felshampd.co.uk](http://www.felshampd.co.uk)



VAT Registration No 152 7435 14

Company Registration Number SC267721

The information in this e-mail is confidential and may be legally privileged. It is intended solely for the addressee. Access to this e-mail by anyone else is unauthorised. If you are not the intended recipient, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is prohibited and may be unlawful. When addressed to our clients any opinions or advice contained in this e-mail are subject to Felsham Planning and Development terms and conditions of business.

## Scottish Borders Local Development Plan 2 Consultation

### Submission on behalf of Rural Renaissance Ltd

#### Gattonside Mains

January 2021

#### 1.0 Introduction

Felsham Planning and Development is planning advisor to Rural Renaissance Ltd. This representation is submitted in response to your Council's LDP Consultation. The representation promotes Gattonside Mains for a substantial element of residential development. We attach a plan showing the extent of the site, which has a capacity for 40-60 units depending on details of the layout and house types.

We believe that a case can be made to show that the site can be satisfactorily developed based upon:

- Well established building groups in Gattonside, including our client's very successful and popular Monkwood development which adjoins the site
- Logical extension of existing built form
- Good accessibility
- Good existing road structure
- Strong boundary planting and sense of enclosure

The objective has been to set out the case for such development within the context of the existing and proposed development plan policies and to set out a Statement Of Commitment at the outset to identify the structure of a future master plan proposal and to identify the key considerations that will need to be taken into account in developing that master plan. The plan notes various matters to be addressed, will include:

- Road capacity
- School capacity
- Affordable housing
- Open space and play provision

The SESPlan sets out:

- The overall approach to development of the area.
- The number and location of new houses over the next 15/20 years.

The SESPlan identifies the following strategic themes:

- Economic prosperity.
- Sustaining communities.
- Environmental quality.
- Sustainable transport.

These strategic themes are central to the allocation of land and consideration of development proposals. The strategy is:

- To provide sufficient housing land to facilitate an increase in the population of the area with growth distributed amongst settlements to sustain the local service role but conditioned by the capacity of the local environmental infrastructure.
- To ensure that the LDP adopts a phased approach to the release of housing land in order to regulate development.
- To use development activity where possible to promote social inclusion, notably through the provision of affordable and special needs housing.
- To seek to locate new development in locations which minimise the length and number of car trips.

#### 2.0 Background

Gattonside is situated to the north of Melrose on the north bank of the River Tweed. The site is located in the north-eastern corner of Gattonside, with open countryside to the north and west and the built form of the village to the south and east. It is a natural extension to the built form and the logical place for the further expansion of Gattonside, which is inevitable overtime. Given the site's inherent suitability and the inevitability that Gattonside will have to have further development as part of its ongoing contribution to the Scottish Borders housing land supply we see no reason why the site cannot be developed now.

The present land use is agricultural and the site is predominantly grazing pasture for livestock, although some of the fields grow cereals such as barley. The area is bounded to the north by Gattonside Mains Road and to the west by hedgerow which runs parallel to the route of the Southern Upland Way. Within the site is a framework of hedgerows punctuated by mature trees. This planting pattern is repeated around the boundary of the site and extends beyond the site.

There are 2 public rights of way close to the site. The Southern Upland Way runs along the western edge of the site. The other right of way leads north-east from the site through Goatbrae Plantation towards Earlston.

Gattonside is a linear settlement which is densely developed at the centre and thins towards the edges. The main components of the settlement are:

- A transition from the countryside to a densely built core.
- The visually dominating line of the main road that bi-sects the village.
- Mixed building forms on the flat land south of the B6360.
- Tight mixed building on the north of the B6365 rising into the hillside.
- Visible new development, largely to the west of the settlement which has a more ordered suburban form.
- Large and substantial buildings and groups of buildings on the village periphery or below the settlement boundary.

The Local Plan Inquiry Reporter in 2005 supported the development of site Gattonside Mains. The Local Plan Proposed Modifications, October 2007 identified this site as a Housing Addition EGT200.

The Consultative Draft Scottish Borders Local Plan Amendment 2008 allocated part of Gateside Meadow/Castlefield for housing as AGATT001. Our client welcomed the acknowledgement in the Consultative Draft Local Plan Amendment that part of the site is suitable for development and are surprised and disappointed that it is now deleted in favour of allocation AGATT007. This past allocation is confirmation of the site's inherent suitability for development.

We have undertaken an analysis of the effectiveness of the Scottish Borders Housing Land Supply (Appendix 1). This was based on an assessment of effectiveness, using the PAN 2 2010 definitions quoted above. We adjusted the Council's HLA 2019 assessment to include only those sites that are backed by a housebuilder or developer because these are the only sites that can be considered to be truly effective and marketable.

The key in any analysis of effectiveness is ownership. Ownership is specifically defined as follows:

*ownership: the site is in the ownership or control of a party which can be expected to develop it or to release it for development. Where a site is in the ownership of a local authority or other public body, it should be included only where it is part of a programme of land disposal;*

Ownership determines the prospects of a site being developed and therefore its effectiveness.

**Central Borders Housing Land Supply Analysis 2020**

Capacity =	6538
Number of sites housebuilder/developer led =	69
Number of units housebuilder/developer led =	4371
Number of sites where details unknown =	43
Number of units where details unknown =	1866
Percentage of units where housebuilder/developer led =	66.9
Percentage of units where details unknown =	28.5

PAN 2 2010 requires that housing land be assessed on the basis of defined Housing Market Areas (HMA), which will rarely if ever correlate to a local planning authority area and instead will be a sub-division of the local authority boundary. In Scottish Borders there are a number of such areas. In our submission, the question of the sufficiency of the land supply must be judged on a localised HMA basis not on a local authority wide basis. Therefore, it is not acceptable to conclude that if Scottish Borders overall has an effective 5-year land supply the shortfall in Central Borders can be ignored because it can be made up elsewhere. Each HMA is part of the development plan and has been identified as such by SESPlan. Each must have its own effective housing land supply. This confirms our conclusion that there is a shortfall in effectiveness in Central Borders that needs to be addressed.

Using a sporting analogy, if a total is required to be met within a specified timescale that total will change up or down as the timescale shortens because it will not be possible to achieve the final score necessary to win the game if the participant is not keeping up with the scoreboard throughout the requisite time period. If the participant falls behind the scoreboard the requisite total must go up in order to

meet the final score. This is the weakness of the averaged method of calculation of housing land supply because it takes no account of variations overtime. This weakness has been accepted by SPP Interim Policy, which is why the calculation of land supply is given as advice only and is not policy to be followed at all times.

Further, the reality of the HLS is that it is not an abstract concept. It is based on the number of homes that are needed for people to live in over the timeframe identified. If these homes are not built at a rate that is equal to, or greater, than an annualised average, it does not change the fact that they are still needed for the people waiting for them to be delivered.

To summarise:

1. Housing land supply is an absolute. There is a legal requirement to maintain a rolling 5-year land supply at all times.
2. Our assessment of the Central Borders land supply suggests that a third of the land supply is not back by a housebuilder and therefore fails the Scottish Government's effectiveness test. This amounts to 1866 units, which should be removed from the effective land supply.
3. The result of the removal of 1866 units from the effective land supply is the need to allocate alternative sites through the LDP
4. Any shortfall in Central Borders must be made up in Central Borders

In our submission, the Council's measurement of likely demand is flawed on two counts:

1. The housing market in the prime CBHA is only began to recover – as supported by private house completions based on value.
2. As the council allocates the sites and grants consent, if they have not granted consent in marketable locations there will be a shortfall in completions – it is self-fulfilling.

Our previous submissions to various LDP documents have made the argument that the Central Borders Housing Market Area is too large and needs to focus on areas where there is known demand and need to be well located to the new Borders railway. Gattonside Mains fulfils these criteria.

We attach two graphs, which are based on data from scot.gov, which illustrate the SBC's inferior performance and over reliance on affordable housing. There are too many sites in the CBHMA, in remote settlements including Hawick and Jedburgh, which cannot be developed due to "market failure", the result of development costs increasing beyond the price of the house. Development costs have been affected by the green agenda on the building regs, increased standards from infrastructure providers and roads authority and increased levels of bureaucracy required from planning authorities. While prices in the South of the CBHMA have barely increased.

### 3.0 Planning Policy

Implicit in the allocation of the land by the previous Local Plan Inquiry Reporter and within previous drafts of the Local Plan, is acceptance that the site is suitable for development. Nevertheless we have assessed the proposal against current policy used for considering new development. Having undertaken that assessment we have concluded that the site is suitable for development and that it should be included in the list of development sites required to be prepared by the LDP Reporter.

Policy G1 QUALITY STANDARDS FOR NEW DEVELOPMENT sets the standards that all proposals must accord with. The policy has 15 criteria.

Criterion 1, 4 and 11 deals with the appropriateness of the proposal within the character of the surrounding area, wider Scottish Borders architectural styles and the scale and massing of proposals. The details of the materials and building styles will reflect those of the surrounding area and neighbouring properties. Gattonside is a small village and has a mix of built form. It has a village character, with a mix of old and new buildings. It does not have any local facilities. The design principles of the site have been informed by the character and setting of Darnick in relation to Melrose.

Criterion 2 requires that the proposal is capable of being accommodated within the application site. The layout maintains the existing pattern of development that has been so successful, both in design and marketing, and will allow for a housing that is in keeping with the scale of housing development within the wider village. It therefore satisfies criterion 2.

The natural features or habitats of the site are to be retained, thereby satisfying criterion 3. There will be no impact on the biodiversity of the area and that of the neighbouring community woodland. Landscaping and open grassed areas are proposed as part of the proposals and therefore the proposal accords with this criterion.

Criterion 5 deals with the sustainable construction, materials and design of the proposals. The layout of the proposals has been designed to utilise the available solar energy by being orientated to the south. Materials used in construction will be of the highest standard and ensure proper insulation of the houses for energy efficiency. Rural Renaissance Ltd use their group company JS Crawford Builders to construct all of their housing proposals and can utilise the companies bulk supply chain, delivery networks and local suppliers to ensure sustainable construction in accordance with this criterion.

In accordance with criterion 6, 7 and 8, the proposals incorporate hard and soft landscaping to integrate housing into the wider area. The proposal is absorbed into the landscape visually by virtue of a strong and comprehensive landscape structure that incorporates existing landscape assets within and on the edges of the site, which will link positively to the surrounding landscape. New landscaping of largely native species will increase bio-diversity on the site.

The proposal will incorporate sustainable urban drainage systems (SUDs) and is in accordance with criterion 9.

Criterion 12 deals with the materials, colours and textures of the proposal and their appropriateness within the surrounding area. The proposal will incorporate the local tile, render and window pallet of materials and therefore accords with this policy.

The proposal will be designed to enable access for people with mobility difficulties and accords with criterion 13.

Policy G5 and G6 relate to developer contributions. All contributions will be made in accordance with the agreed S75.

POLICY NE4 – TREES, WOODLANDS AND HEDGEROWS aims to protect trees, woodlands and hedgerows from inappropriate development. The application site minimises the impact on the existing trees, woodlands and hedgerows.

Policy H1 deals with affordable housing. It is proposed that affordable housing will be delivered in accordance with policy.

POLICY Inf4 – PARKING PROVISIONS AND STANDARDS. The proposal is in accordance with this policy.

#### 4.0 Development Potential

We believe that a case can be made for the suitability of the full extent of its land holding in this area to be developed for approximately 40 - 60 units.

It is proposed to extend the village in a north-westerly and westerly direction between the edge of the village and Gattonside Mains Road.

Design principles will be adopted which aim to promote the intrinsic qualities of the site as well as minimising potential impacts on landscape character, ecology and visual amenity.

The design principles will take full account of the requirements of Scottish Government guidance and the development plan and aim:

1. To respect the topography and visibility of the site from other principle viewpoints within the national scenic area.
2. To promote a layout which reflects the settlement pattern and urban form of Gattonside.
3. To respect and integrate features important to local ecology.
4. To respect and integrate archaeological features.
5. To provide footpath routes within the site and connect into the surrounding area.
6. To take advantage of the orientation of the site to promote sustainable development.
7. To provide a landscape structure that forms the backbone of development and enhances the integration of the site into the surrounding area.
8. To provide a good quality housing environment with a range of house types and layouts reflecting the existing village pattern.

The proposals will incorporate the following sustainability principles:

- The slopes fall generally southwards and could incorporate passive solar gain through orientation.
- Valued environmental assets on site should be safeguarded.
- Locally sourced materials and contractors will be used.
- Housing for varying needs standards should be adopted.
- Renewable energy generation should be incorporated.
- Ease of access to the local path network should encourage walking and cycling.

Environmental quality and ease of pedestrian movement will be at the heart of any proposals. There are foot and cycleway circulation and links to existing footpaths including the Southern Upland Way.

The existing field line will be respected. The hedgerows will be regenerated and new planting made. This enhances the habitat opportunities of the site, enriches the bio-diversity and greater landscape structure will re-enforce the existing pattern. The effect will be to increase the feeding and breeding opportunities for wildlife and encourage bio-diversity.

The major part of Gattonside village is designated a conservation area. The quality and components of this have been studied and reflected in the proposal.

Factors affecting development are addressed as follows:

- Access: The preferred main access into the site is from Montgomery Terrace from the south of the site. However, there is an option to access from B6360, the main road through Gattonside.
- Services: All services required for development are available on site. The manner in which surface run-off is dealt with throughout the development will be subject to agreement on Sustainable Urban Drainage Systems (SUDS).

#### 4.0 Suitability for Substantial Residential Development

PAN 2 2010 *Housing Land Supply and Affordable Housing* sets out criteria for considering suitability, availability and viability of housing allocations. Gattonside Mains meets all the criteria, as follows:

- **Ownership** - The site is in the ownership or control of a party who can be expected to develop it or release it for development within 5 years.
- **Physical** - The site is free from constraints relating to slope, aspect, flood risk, ground stability or vehicular access which would preclude its development.
- **Contamination** - The previous use has not resulted in contamination.
- **Deficit Funding** - No public funding is required.
- **Marketability** - The site can be developed in the 5 year period to contribute to the effective land supply. There is current strong housebuilder interest from a number of parties. This is a crucial part of demonstrating effectiveness.
- **Infrastructure** - The site is free from infrastructure constraints and any required infrastructure commitments can be readily delivered without impacting on viability.
- **Land Use** - Housing is an acceptable use for the site in planning terms and within the context of the site and Gattonside.

Scottish Planning Policy was revised in June 2014 and deals with the question of ineffective sites by including a presumption in favour of sustainable development. SPP paragraph 29 identifies 13 sustainability principles. These include giving due weight to net economic benefit, supporting good design and the six qualities of "successful places", and "making efficient use of existing capacities of land, buildings and infrastructure." When assessed against the SPP criteria for sustainable development Gattonside scores well:

1. The site boundaries are contiguous with the settlement boundary.
2. Development will satisfy local need.
3. It offers the opportunity for residential development of appropriate scale in relation to the existing settlement and to the identified housing need.
4. There will be no coalescence.
5. Landscape and townscape character are protected. The site is effectively a *blank canvas* and, in line with current Scottish Government policy, this is a place making opportunity.
6. Development complements the existing character of the settlement and the adjoining land.
7. Existing natural features are retained as far as possible and will be supplemented by further boundary planting. The site topography is rolling and it is better suited to housing, which requires smaller build platforms and less earth moving.
8. The site of the proposed development is sustainable.
9. Environmental quality is protected.
10. Development will be of high quality, including buildings, layout and relationship to existing settlement. It will reflect best practice and incorporate *Designing Streets* principles.
11. There will be a mix of house types, sizes and tenure.
12. There will be no loss of sports, recreation or amenity space and amenity space will be enhanced.
13. Evidence is provided to show that the site is deliverable.

The above assessment is enhanced by the site's proximity to public transport and to the primary road network.

The following factors will be considered in developing the detailed planning case:

- The potential contribution to the strategy and policies of the Development Plan and other national and local policy objectives.
- The relative accessibility of the site to a choice of transport options.
- The availability of infrastructure, including education and community facilities.
- The provision of choice across the housing market area.
- The design, quality and density of development that can be achieved.
- The individual and cumulative effects of the proposed development.
- It will not have a significant adverse effect on any natural or built heritage interests or any national or international environmental designations.
- There are no other significant environmental dis-benefits or risks, for example flooding.

The Council has identified a series of criteria for assessing development sites, and these are set out in the Call for Sites Proforma. Our comments on the detail of the relevant factors are as follows:

- Preserving the green network - This proposal continues that development pattern and is the natural next phase of development for the village. The aim of this submission is to show how development can be accommodated without compromising wider development plan policy.
- Suitability for development – The site lies on the edge of the village close to shops, community facilities and transport facilities serving Melrose.
- Impact on character of existing settlements (landscape and townscape character)-the site is visually self-contained.
- Impact on local amenity and integration with natural environment-the site is visually self-contained. There is no reason for the existing relationship with the surrounding countryside to be changed.
- Effect on school provision – recent experience obtaining consent for our client at Darnick confirms that there is adequate school capacity in the Melrose catchment.
- Availability of public transport – there is relatively good accessibility to buses serving Melrose and the wider area. The site is close to the Waverley Rail Line.
- Accessibility to town centres – there is good accessibility to Melrose and to Galashiels.
- Protection of natural and built heritage resources (including archaeology) – there are no such resources known to exist within the site. We would expect planning conditions to address this matter.
- The capability of incorporating renewable energy sources or energy conservation measures into the proposal – Energy conservation is a matter of design and should be identified as a key consideration in the anticipated future master plan.
- Flooding and drainage –the council acknowledges that there is no flood risk.

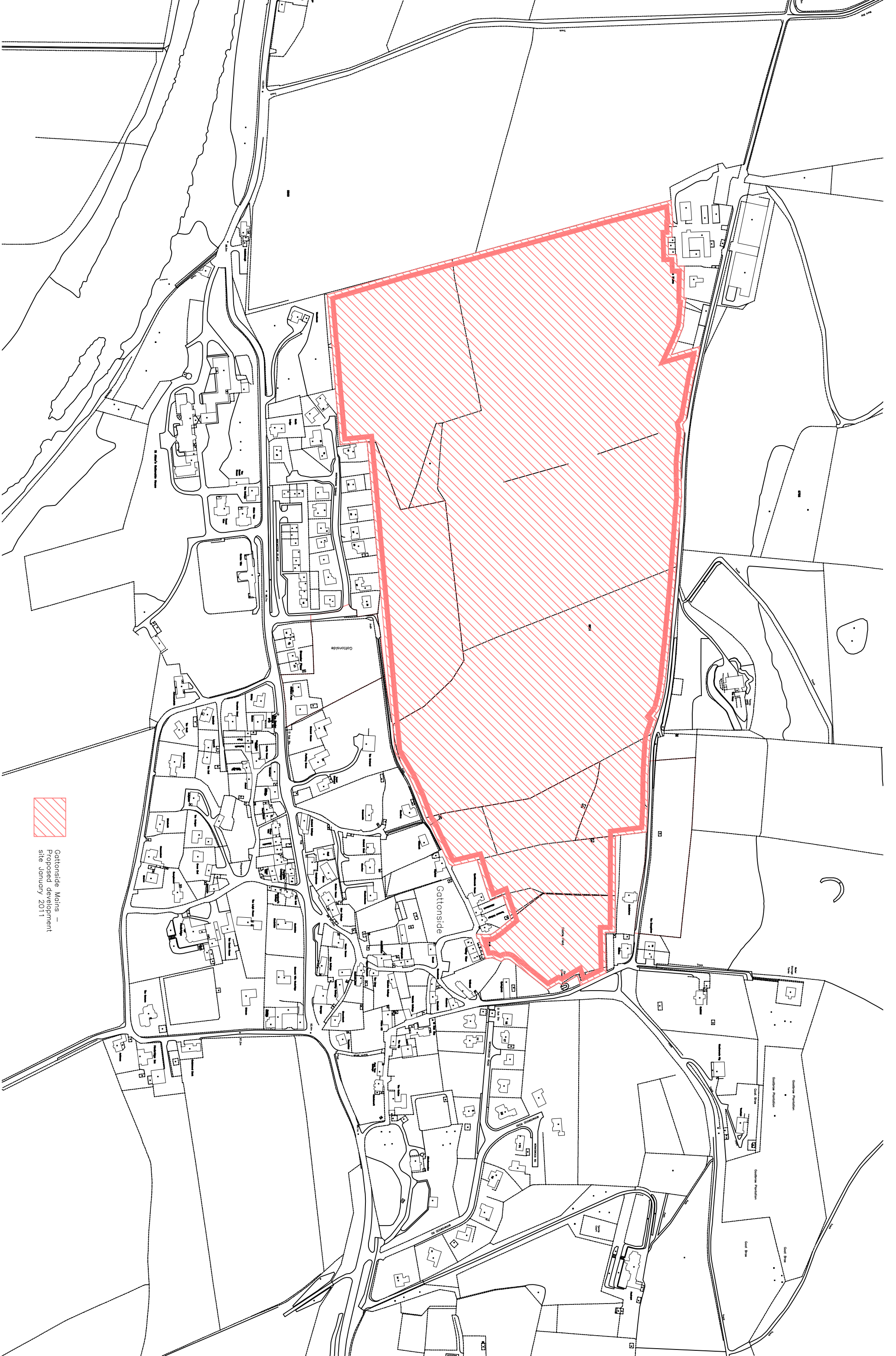
## 6.0 Conclusion and Action Sought

Having regard to the above assessment the proposal will meet the aims and objectives of the development plan by:

- Ensuring sufficient new housing land is available allowing for a phased approach to the release of housing land;
- Meeting the economic prosperity and environmental quality strategic objectives;
- Locating development which minimises number and length of car journeys by providing new homes adjacent to a transport corridor;
- The contribution to the strategy and policies of the Development Plan and other national and local policy objectives;
- Delivering a proposal within a 5 year timeframe, or within such timeframe that it helps reduce the pressure on the planning authority to deliver it's already allocated sites;
- The provision of choice across the housing market area;
- The design, quality and density of development that can be achieved;
- The proposal will not have a *significant adverse effect* on any natural or built heritage interests or any national or international environmental designations;
- The proposal can support the existing services in the village;
- The proposals can contribute to the facilitation of improved facilities in the village and in neighbouring villages; and
- There are no other significant environmental dis-benefits or risks, for example flooding.

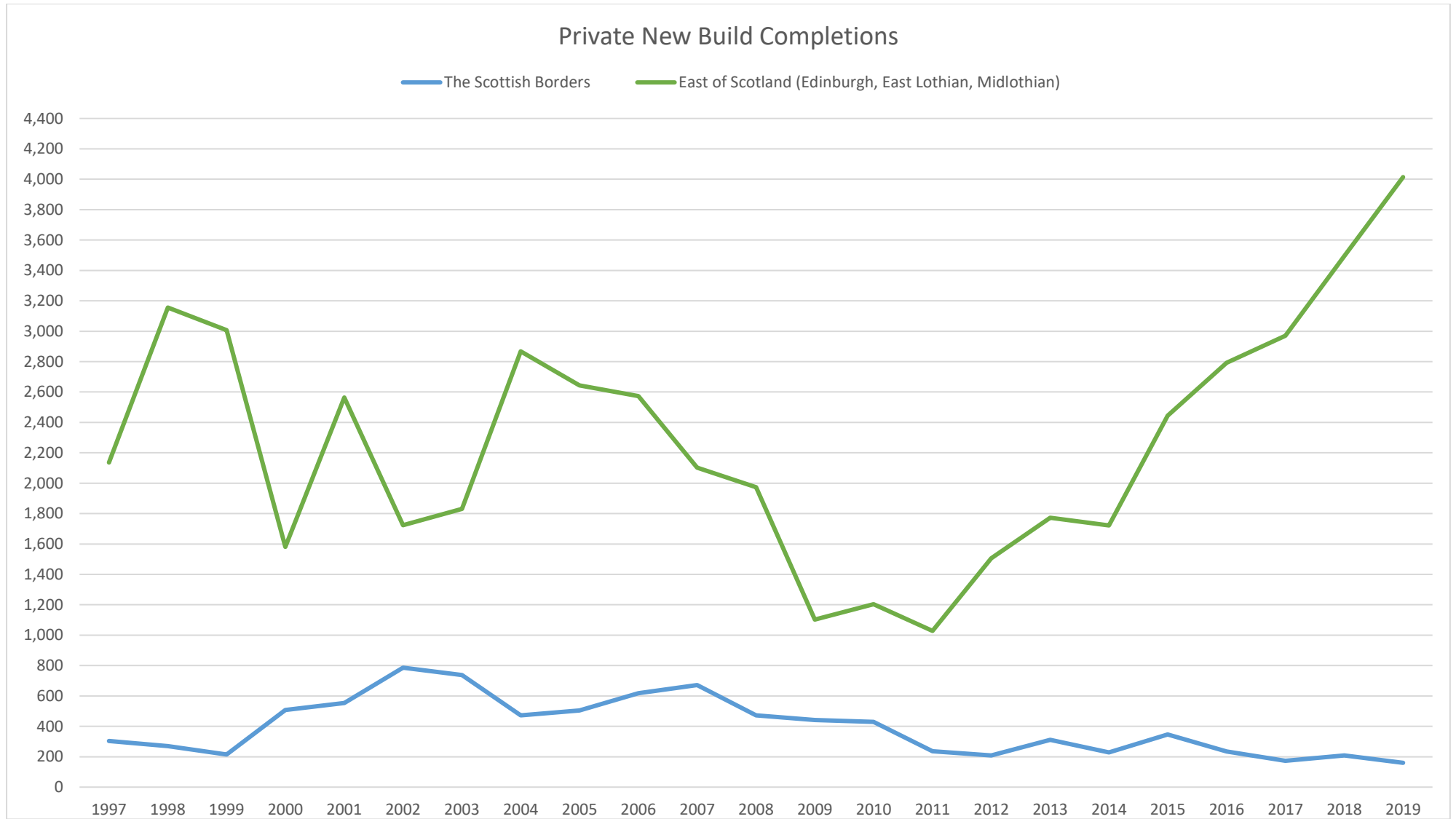
There is a clear requirement for the Local Development Plan to identify further housing land supply in the Central Borders Housing Market Area, and within the area identified as rest of central housing market area. Allocation of the subject site to the full extent shown on the attached plan will help to meet the 5 year housing land supply shortfall.

Accordingly, our client requests that Gattonside Mains should be included in the list of allocated sites within the Local Development Plan.

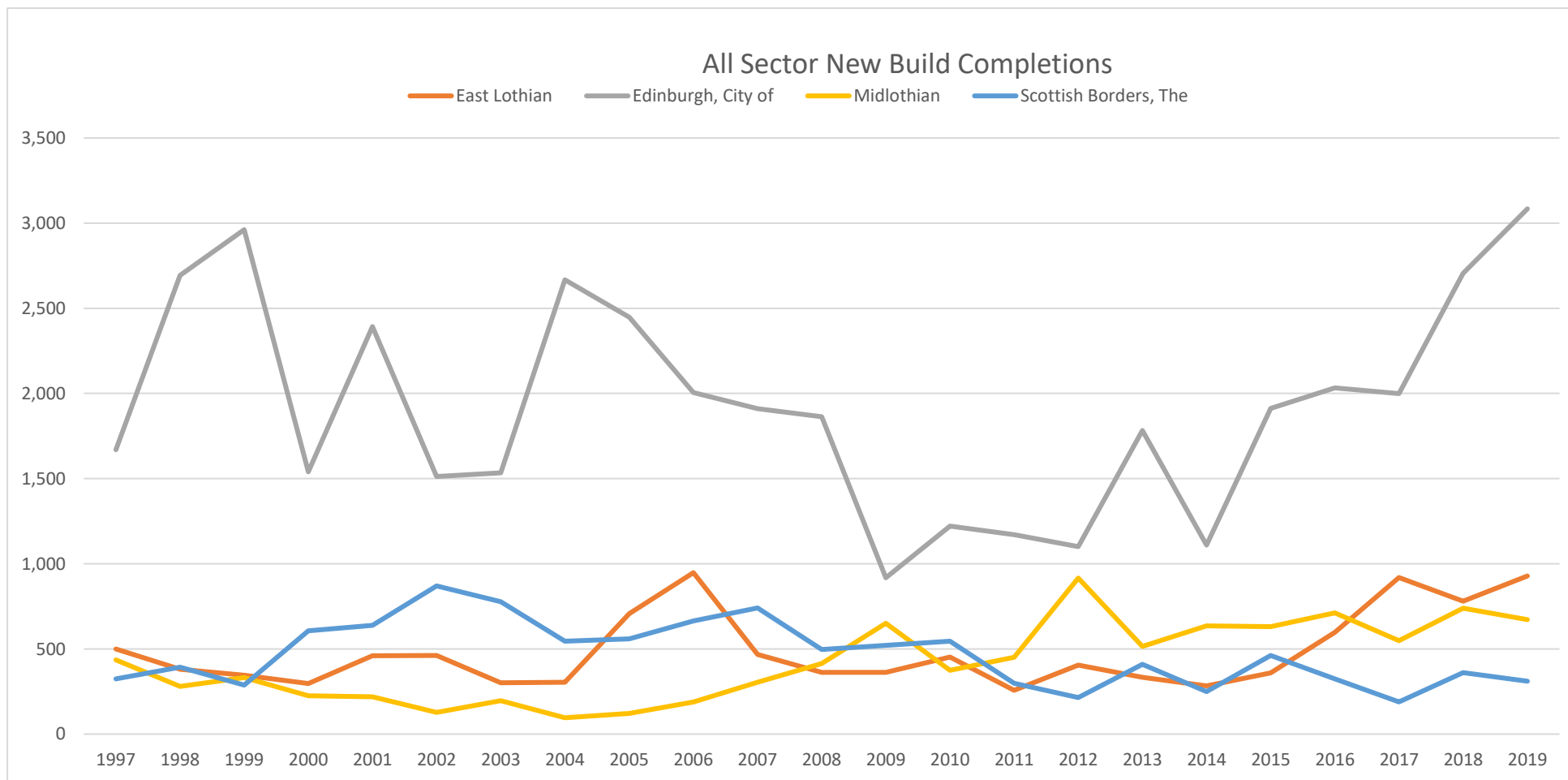


Gattonside Mains -  
Proposed development  
site January 2011





Source ([Housing statistics quarterly update: new housebuilding and affordable housing supply - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/housing-statistics-quarterly-update/new-housebuilding-and-affordable-housing-supply/pages/10-to-15.aspx))



Source ([Housing statistics quarterly update: new housebuilding and affordable housing supply - gov.scot \(www.gov.scot\)](https://www.gov.scot/publications/housing-statistics-quarterly-update-new-housebuilding-and-affordable-housing-supply/pages/2-introduction.aspx))

### Scottish Borders Private vs Social Housing

