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From: [REDACTED]

Sent: Mon, 25 Jan 2021 16:57:36 +0000ARC

To:

Subject: 27137 - Proposed LDP2 Representation - Land South West of Whitehaugh, Peebles

Sensitivity: High

Attachments:

[REDACTED]

CAUTION: External Email

Dear sir / madam,

Please see attached for a representation made on behalf of Taylor Wimpey UK Ltd to the consultation on the Proposed Local Development Plan (2020), in relation to land to the south west of Whitehaugh, Peebles.

Our representation seeks changes to the Spatial Strategy text in Volume 1 of the Proposed LDP2 as well as the Settlement Profile text and allocations for Peebles (in Volume 2) and amends to the settlement boundary / proposals map for Peebles. This is to allow the currently safeguarded site (ref: SPEEB003) be brought forward for allocation within the emerging LDP2 as a housing site comprising c.106 homes.

Please confirm to us that you have received this representation and that it will be considered by the Council as part of the ongoing Proposed LDP2 preparation process.

Kind regards,

[REDACTED]  
Planning Associate



[REDACTED]  
[W: www.bartonwillmore.co.uk](http://www.bartonwillmore.co.uk)  
68/70 George Street, Edinburgh, EH2 2LR



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# Land to East of Kittlegairy View, Peebles LDP2 MIR Reference APEEB054 Technical Transport Note

## ***Introduction***

ECS Transport Planning has been commissioned by AWG Property Ltd (AWG) and Taylor Wimpey UK Ltd (Taylor Wimpey) to prepare a Technical Transport Note demonstrating that transportation constraints outlined by Scottish Borders Council (SBC) would not restrict mixed use development within the lifetime of the Local Development Plan 2.

This note should be considered alongside the accompanying 'Representation to SBC LDP Proposed Plan' being prepared by Barton Willmore (January 2021).

## ***Development Traffic***

The two access junctions to the neighbouring Taylor Wimpey site were surveyed during the AM and PM peak periods on Wednesday 18th January 2017. Surveying the two access points allowed the total generation from the site to be calculated and divided by the total number of properties (344) to calculate a trip rate for the proposed development site.

Based on the trip rates calculated from the neighbouring site, it is estimated that the proposed site could generate a maximum of 137 and 131 (two-way) vehicle movements during the weekday AM (08:15-09:15) and PM (16:15-17:15) peak hours, respectively, which are expected to coincide with the peak background traffic periods.

It was agreed with SBC as part of a previous Transport Assessment undertaken as part of a planning application that traffic would be distributed based on turning movements at the neighbouring residential development, Kinsmeadows (Taylor Wimpey). Once applied to the network, the development will increase two-way movements on Tweed Bridge by 125 and 110 during the AM and PM peaks, respectively, which subsequently results in two-way flows increasing on High Street by 82 and 69, during the AM and PM peaks respectively.

## ***Tweed Bridge – ECS Transport Planning Review and Conclusion***

Particular focus has been given to Tweed Bridge in recent years and capacity has been raised as a limiting factor on further development within the town, particularly to the south of the river. A secondary vehicular river crossing has long been an aspiration for SBC, however, recent technical assessments have demonstrated that the bridge has considerable reserve capacity to accommodate further development south of the river prior to a second bridge being required. To this end, through studies undertaken in promotion of the site, and in relation to the previous planning application, ECS assessments confirms that there is sufficient spare capacity on Tweed Bridge to accommodate the proposed site without the requirement of a secondary crossing. This conclusion is supported by a separate transport planning consultant, Transport Planning Limited. The following provides details of the study undertaken by SBC and presents justification from two separate transport planning organisations

confirming that the SBC capacity assessment of the bridge is flawed and does not follow the recognised requirements of the Design Manual for Roads and Bridges.

Studies undertaken on the capacity of Tweed Bridge, instructed by Scottish Borders Council, included future Local Development Plan (LDP) sites and concluded that once all of the current LDP sites have been built out, a second bridge would be required prior to further development south of the river.

SBC assumed that the bridge had a two-way capacity of 1,250 vehicles which is taken from the Design Manual for Roads and Bridges (DMRB) Volume 5 and relates to a 6.1m wide Urban All-Purpose Road 4 (UAP4). This road type is classified as a busy high street carrying predominantly local traffic with frontage activity including loading / unloading and unrestricted parking. However, Tweed Bridge is not a busy High Street and is considered to support a mix of traffic. Furthermore, there is no frontage access activity and benefits from parking and loading restrictions. As a result, it would be more appropriately classified as an Urban All-Purpose Road 3 (UAP3). As a result, a more appropriate value for the capacity of the bridge would be 1,500 vehicles two-way, as previously contested in LDP submissions.

It should be noted that a link capacity of 1,500 is still a cautious approach as this continues to refer to a width of 6.1m, when the width of the bridge is actually greater than 8m, therefore, in reality, the capacity of the bridge is essentially 2,166 (7.3m classification for a UAP3 Road).

Even if SBC disagree with altering the classification of Tweed Bridge from UAP4 to UAP3, applying the correct carriageway width to the bridge would result in a link capacity of 1,900 two-way movements (based on a 7.3m carriageway width for an UAP4 Road). Nonetheless, this study will review traffic on the bridge in relation to a 1,500 two-way link flow capacity.

Four independent surveys have been undertaken in recent years and these results are available within the public domain. The surveys have been undertaken on a typical weekday during school terms times to ensure a robust assessment. Given that residential developments generate most traffic during the AM and PM peak periods which is due to residents departing for work in the morning and arriving from work in the evening, focus is given to the composite peak.

In 2014 traffic was recorded as 1040 and 1048 two-way during the AM and PM peak hours, respectively. The results from 2014 are based on a week-long survey and represent the busiest day. In 2016 traffic was recorded as 1083 and 911 two-way during the AM and PM peak hours, respectively. In 2018 SBC commissioned a 7 day survey and weekday average results were presented as 1130 and 1086 two-way flows during the AM and PM peak hours, respectively. The final study commissioned by the applicant was also a seven day survey and the average results indicated an average two-way flow of 1097 and 951 during the AM and PM peaks, respectively. The results show that over a circa 5 year period flows on the bridge have been fairly steady. Whilst variation in traffic is fully appreciated and recorded flows on the bridge are subject to change on a daily basis, it should be noted that more and more people are choosing to travel by sustainable means and more employers are offering flexible working hours and / or home working options which could explain why recent development in the area hasn't increased background traffic.

Generation from the development site has been calculated by determining the volume of trips from nearby residential developments. The calculations, which are agreed with SBC, confirm that the development site will increase traffic on the bridge by 125 and 110 two-way movements during the AM and PM peaks, respectively.

Based on the highest survey results, November 2018, the introduction of the development traffic would increase two-way movements on the bridge to 1,255 and 1,196 during both peaks, respectively. There are questions over the deliverability of the March Street Mills and Rosetta sites, but it would appear the Persimmon South Parks site will be occupied in the near future. If traffic from all three of these sites were included in the flows, the AM and PM two-way movements would increase to 1,327 and 1,263, respectively.

It should be noted that the 1,250 two-way flow capacity has been based on a busy high street with frontage activity. The carriageway width of the bridge is in excess of 8m and it does not operate as a high street with frontage activity, therefore, a more appropriate capacity is considered to be 1,500 two-way vehicles. For the avoidance of doubt, the 1,500 vehicle capacity is based on a 6.1m carriageway and is therefore still overly robust.

SBC has raised doubts over the 1,250, threshold and suggested that a value between 1,250 and 1,500 may be more appropriate. Furthermore, at the Persimmons South Parks planning committee meeting, when questioned about the capacity of the bridge SBC were quoted as highlighting a theoretical capacity of 1,500. This confirms there is spare capacity on the bridge which is considered sufficient to support any daily fluctuation in traffic flow.

#### ***Tweed Bridge – Transport Planning Limited Review and Conclusion***

Given the sensitivity of Tweed Bridge, AWG and Taylor Wimpey instructed a second independent transport consultant, Transport Planning Limited, to undertake a review of the capacity of Tweed Bridge. The study has been enclosed with this note.

Transport Planning Limited stated the following:-

When considering traffic (lane) capacity the relevant standard is reference TA79/99 of the Design manual for Roads and Bridges. Within this standard, road classifications are given, the two most relevant to Tweed Bridge being 'Urban All Purpose (UAP) 3 and 4.

- UAP 3 classification is: - Variable standard road carrying mixed traffic with frontage access, side roads, bus stops and at-grade pedestrian crossings.
- UAP 4 classification is: - Busy high street carrying predominately local traffic with frontage activity including loading and unloading.

There are other definitions for other road types contained within the standard but these relate to e.g. inter urban routes / dual carriageways and do not apply.

The Tweed Bridge in Peebels has no active frontage meaning that servicing is unlikely to happen on it and that also means that the absence of stopped service vehicles (which would be common in UPA4) would not impeded traffic flow, so the ultimate capacity of the bridge must, therefore, be higher than a street like, for example, Peebles High Street.

Given Peebles High Street reflects the criteria for UPA4, the classification of the bridge should be UPA3. Furthermore, other criteria contained within UPA3 which would tend to limit lane capacity, such as side roads, also do not apply across the bridge.

Based on the above, Transport Planning confirmed given the width of the bridge (7.3m or more), the single lane capacity from Table 2 of TA79/99 is 1300 vehicles per hour and the standard also assumes

that the capacity of the carriageway (i.e. both directions) is split in the ratio of 60/40 so the total carriageway capacity would be  $((1300/6)*10)$  2166 vehicles per hour.

Following a review of traffic surveys, Transport Planning Limited confirmed that the bridge is currently operating at circa 55% of its 2166 capacity.

Transport Planning conclude the review by recognising that in 2012 a report entitles Peebles Transport Study, Report by Director of Environment and Infrastructure, Environment & Infrastructure Committee, 8<sup>th</sup> November 2012 noted the capacity of the bridge as being a projected 1250 vehicles per hour. Transport Planning Limited considered this an underestimation given the information contained in the relevant standards as identified above.

### ***Tweed Bridge – Summary***

In summary, the link capacity of the Tweed Bridge is not a constraint to further development of the proposed site. A conservative approach has been taken to the classification of the bridge which suggests a link capacity of 1,500 vehicles, whereas, the capacity in reality could be 2,166 two-way vehicles if classified correctly with the measured width.

As highlighted, there has long been a local belief that a new bridge is required, however, assessments undertaken by both ECS Transport Planning and Transport Planning Ltd demonstrates that it is not necessary to support the development site.

SBC's classification of the bridge is incorrect and has even been questioned by their own Roads Department. Based on the opinion of two reputable transport consultants, the stance taken by SBC Roads Services on the need for a new bridge is clearly incorrect and in reality, the bridge does have capacity to accommodate additional traffic. Accordingly, to continue to restrict housing development on the south side of the river is not justified in technical terms.

### ***High Street***

The B7062 Kingsmeadows Road / A72 / High Street Mini-Roundabout junction is a key node in the area providing access towards Glasgow in the north west, Edinburgh in the north and Galashields in the east, all of which are likely to be key areas of employment for future residents of the proposed development site.

In general terms the junction operates well, however, tidal flows and platooning vehicles during peak commuter peaks are causing fluctuating queues on all approaches to the junction. Due to the nature of the High Street, there is not a constant demand from this arm of the junction.

Constant flow can be disrupted by vehicles parking and by the controlled crossing at the eastern end of the street, which results in platoons of vehicle approaching the junction at the same time. Whilst these queues are not particularly excessive, and are generally moving or rolling queues, the queues fluctuate on each approach throughout both peak hours. Furthermore, there is a spike in demand for a circa twenty minute period during the AM period associated with residents on the north travelling to the south to access the school, but there is no obvious congestion.

A review of the mini-roundabout junction survey video footage confirms the platooning effect of the High Street. On the A72 about ½ a mile west of Peebles at Neidpath Castle there are traffic lights on the

narrow bends, these are permanent and also cause a platoon of traffic to arrive in the town, and this sometimes consist of about 10 cars although the average would be 5.

Journey times were recorded during peak periods to determine the operation of High Street and Tweed Bridge. Generally, during the AM peak period, it takes no more than an additional 30 seconds for vehicle to travel from the Edinburgh Road junction, along the High Street and to the south side of the Tweed Bridge regardless of the direction of travel and including any delay caused by the High Street Pedestrian Crossing. An insignificant delay including short queues that form at the mini-roundabout at the western end of High Street.

The journey times recorded do not highlight any significant queuing issues or slow-moving sections, with exception of a spike at school start times.

It is considered that High Street operates satisfactorily, and the minor traffic associated with the development (circa 1 two-way movement per minute) could be easily accommodated on the network.

If successfully consented the developer will have a responsibility to contribute towards town centre upgrades.

### **Summary**

A study of the wider network has identified that Tweed Bridge has sufficient link capacity to accommodate the committed and proposed development traffic.

Platooning vehicles due to upstream signals, pedestrian crossings and servicing on High Street has been identified, which creates minor fluctuating queues at the B7062 Kingsmeadows Road / A72 / High Street Mini-Roundabout during peak commuter periods. However, journey times confirm that the platooning effect does not cause significant delay.

A study commissioned by SBC concluded that a secondary bridge would be required to support further development to the south of the River Tweed. The study was based on the incorrect classification of Tweed Bridge which considerably underestimated the available capacity. Assessments undertaken by two separate reputable transport consultants confirm that if based on the correct classification, there is more than sufficient capacity to accommodate the development site without the need for an additional bridge.

On that basis, there is no valid roads / transport related reason why the site should not be allocated and cannot come forward for development now.

# **LAND SOUTH WEST OF WHITEHAUGH, PEEBLES**

**REPRESENTATION TO THE SCOTTISH  
BORDERS PROPOSED LOCAL  
DEVELOPMENT PLAN 2 (2020)**

JANUARY 2021

**BARTON WILLMORE**

68-70 George Street | Edinburgh | EH2 2LR

T: 0131 220 7777

colin.lavety@bartonwillmore.co.uk

Document Ref : 27137

Desk Top Publishing and Graphic Design by  
Barton Willmore

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| Revision:      | -            |
| Author:        | PJ           |
| Checked by:    | IH           |
| Authorised by: | CL           |
| Issue Date:    | January 2021 |



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Appendix 1 – Technical Transport Note by ECS

# EXECUTIVE SUMMARY

**This representation has been prepared by Barton Willmore on behalf of Taylor Wimpey UK Ltd ('Taylor Wimpey') with respect to their land interests on land to the south west of Whitehaugh, Peebles ('the Site'). It provides a response to Scottish Borders Council's ('SBC') Proposed Local Development Plan 2 ('Proposed LDP2'), which is currently being consulted upon.**

**Taylor Wimpey consider that the Site, which is safeguarded for 106 units as a 'Potential Longer Term Housing Site' in the adopted Local Development Plan ('LDP1') and also included within the Proposed Local Development Plan 2 ('Proposed LDP2') (ref: SPEEB003), is free from significant constraints and deliverable within the plan period of LDP2. As such, it should be allocated to deliver c.106 high quality, energy-efficient homes (25% of which will be affordable homes) within a well connected site which will round off the settlement edge to the south of Peebles.**

**The Site is located within the strong housing market of Peebles, well connected to shops and services, and its allocation will help SBC deliver on their housing land requirements.**

**The Site is located within a 20 minute walking distance (1.7km) from the centre of Peebles, can benefit from potential pedestrian linkages and is also within walking distance from the local Primary and Secondary schools. The Site has potential to create a well landscaped proposal, which is lead by placemaking principles and contains a significant component of open space to provide health and well-being benefits and deliver on the emerging NPF 4's goal for creating '20 minute neighbourhoods', with local services and employment locations possible within walking distance of homes.**

**SBC identify in their Proposed LDP2 that they support the delivery of sustainable development which ensures high quality design via good placemaking principles, as well as promoting economic stability and growth (paragraph 2.18). The Scottish Government's Position Statement for National Planning Framework 4 ('NPF4') emphasises that "Our homes make an essential contribution to our health and quality of life and we recognise that good housing is the cornerstone of strong communities".**

**The SBC Site Assessment prepared for the LDP2 preparation process was positive about the suitability of the Site to accommodate new housing, with all constraints raised being capable of being addressed at a detailed design / planning application stage. However, it ultimately appears not to have been allocated due to concern from SBC Roads that the existing bridge over the River Tweed does not have sufficient capacity to accommodate additional traffic and that a new bridge should be provided prior to future development on the south side of Peebles. This approach from SBC is also reflected within the Proposed LDP2's Spatial Strategy text and Settlement Profile for Peebles.**

**Taylor Wimpey have commissioned two separate, respected Transport Consultancies to assess the existing and future capacity of the Tweed Bridge in relation to another site it is promoting within Peebles. Both disagree with the Council's assessment (due to differing interpretations on how the existing bridge should be classified and its capacity figure determined) with the most recent of the assessments finding that "A study of the wider network has identified that Tweed Bridge has sufficient link capacity to accommodate the committed and proposed development traffic".**

**Taylor Wimpey consider that its assessments provide evidence that both sites it has land interests in within the south of Peebles are capable of being delivered within the lifetime of LDP2 without causing capacity issues on the bridge or adversely impacting the local road network or road safety.**

**This representation includes an Indicative Masterplan to demonstrate that a high quality and sustainable modern residential neighbourhood can be provided on the Site which is capable of delivering on the placemaking principles set out in the Proposed LDP2 and Scottish Planning Policy ('SPP').**

**Taylor Wimpey consider that the Proposed LDP2 takes an incorrect and improper approach to determining its Housing Land Requirement ('HLR') and does not identify sufficient effective allocated housing sites – failing to comply with Scottish Planning Policy and the requirements of its adopted Strategic Development Plan, SESPlan 1 (2013).**

**The result is that the Proposed LDP2 will result in a significant shortfall of effective housing land, which should be addressed by allocating effective sites in strong market areas. The Site is considered effective and its delivery within the lifetime of LDP2 can help SBC ensure a five year effective housing land supply is maintained at all times. This will be on a Site which is already supported in principle by SBC through its LDP safeguarding and will help resist pressure to deliver housing on speculative sites put forward in Peebles via planning applications.**

**The level of investment in homes and jobs that would be provided through the proposed allocation of the Site will also boost economic growth in the area, support local services and contribute significantly to assisting the local economy's long-term recovery from the COVID-19 global health emergency.**

**In light of the above, Taylor Wimpey respectfully request that this currently safeguarded site (ref: SPEEB0003) be brought forward for development and allocated within the emerging LDP2. The text of the Spatial Strategy of the Proposed LDP2 should be amended to state support for some development in the south of Peebles can be accommodated, with the stated site requirements for the allocation within the LDP2 Settlement Profile for Peebles (in Volume 2) also amended accordingly.**

# 1.0 INTRODUCTION

1.1 This representation has been prepared by Barton Willmore on behalf of Taylor Wimpey UK Ltd ('Taylor Wimpey') to propose land to the south west of Whitehaugh, Peebles ('the Site') be allocated for c.106 new homes within Scottish Borders Council's ('SBC') Proposed Local Development Plan 2 ('Proposed LDP2').

1.2 The Site is already identified as a 'safeguarded' potential longer term housing site within the adopted SBC Local Development Plan ('LDP1') with an indicative capacity of 106 units (LDP1 Reference: SPEEB003). However, it is considered that the Site is effective, that there are no fundamental constraints to its development and that it is ready to come forward for development within the lifetime of the LDP2.

1.3 Although the Site is being promoted separately, it is considered that the land south west of Whitehaugh would form a logical continuation to another Taylor Wimpey proposal, on land 'East of Kittlegairy View' (Reference: SPEEB005) which is also being promoted by Taylor Wimpey through this Proposed LDP2 consultation process.

**"Delivering sustainable development and ensuring high quality design from all developments via good placemaking principles are key requirements which the LDP supports. The LDP promotes a low carbon future to help achieve climate change route mapping targets set out by the Scottish Government. It promotes economic stability and growth whilst protecting the built and natural intrinsic qualities of the Scottish Borders." (para. 2.18)**

## AIMS AND VISION OF THE PROPOSED LDP2

1.4 The Proposed LDP2, published for consultation on 2 November 2020, sets out its clear Vision for sustainable growth to have been achieved in its area by 2038 through appropriately managing its beneficial assets and making well designed, successful places where people can thrive and afford a home in a place near where they work (pg. 19).

1.5 The Vision also seeks for a series of cross boundary transport projects having made "travel by public transport easier and more people are cycling and walking to work". Continued growth in the local economy and reduced health inequalities and deprivation are also sought.

1.6 SBC's commitment to showing leadership in sustainability and delivering on the Climate Change (Scotland) Act 2009 to deliver the Government's climate change programme is emphasised throughout its Proposed LDP2. Paragraph 8.4 explains that "the Council is formally committed to embedding sustainable development in its strategies, policies and service delivery and has set up a Sustainable Development Committee".

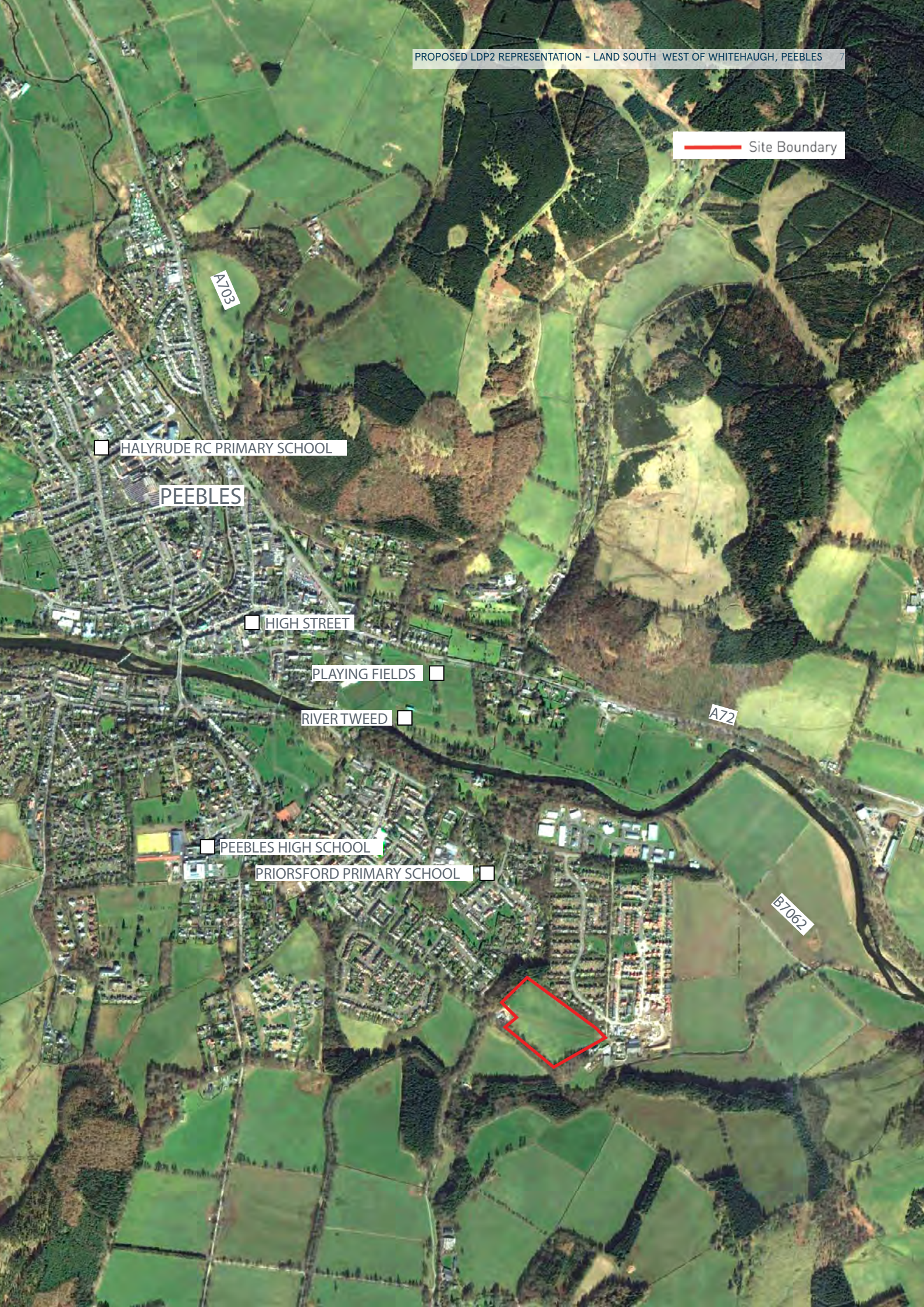
1.7 While the Vision and Aims of the Proposed LDP2 are appropriate and admirable, Taylor Wimpey consider that much more needs to be done within the lifetime of the emerging LDP2 to meet their resulting long term goals. This should be encouraged via support towards capturing the direct and indirect economic benefits of delivering new homes to the area, as well as land for employment or community uses within walking or cycling distance of residential areas through the town.

**1.8 LDP1 was adopted with an identified shortfall in housing land, with the Reporter of its Examination requiring Supplementary Guidance ('SG') to be prepared to allocate additional housing land. In line with the Aims of LDP2, this should not be repeated for this Plan.**

1.9 A generous and ambitious amount of new housing allocations – in appropriate, sustainable locations – should be identified to help deliver well connected, energy efficient neighbourhoods and to capture the economic benefits of new house building and sustainable economic growth in general.

**1.10 Taylor Wimpey consider that the LDP2 should be more directly proactive in planning for, and responding to, the recovery from the COVID-19 pandemic at the heart of its Spatial Strategy and policies. Key to this is through the allocation of new housing and employment sites, consistent with its Vision and Aims, which will assist economic recovery and can provide a healthy and sustainable new residential environment – such as the proposed Site.**

— Site Boundary



HALYRUDE RC PRIMARY SCHOOL

PEEBLES

HIGH STREET

PLAYING FIELDS

RIVERTWEED

PEEBLES HIGH SCHOOL

PRIORSFORD PRIMARY SCHOOL

A703

A72

B7062

# 2.0 BACKGROUND CONTEXT & SITE HISTORY

## THE SITE AND PLANNING CONTEXT

2.1 The Site comprises a c. 4.1 hectare parcel of land located on the south eastern urban edge of Peebles. It is located south west of the roundabout which joins Whitehaugh Park and Kittlegairy View, and comprises improved grassland, currently in use for sheep grazing.

2.2 Glen Road runs adjacent to the south and eastern boundaries of the Site, providing connection to the B7062, and the A72 and A703 beyond, providing connections toward Glasgow and Edinburgh respectively. The Site lies adjacent to the Kingsmeadows site (Site ref: TP7B in LDP1), which has been successfully promoted and delivered by Taylor Wimpey, demonstrating their proven track record of delivering and selling housing in Peebles.

2.3 The Site is located within a 20 minute walking distance away from the shops and services of Peebles Town Centre and there is potential to strengthen the active travel routes between the centre and south of the town.

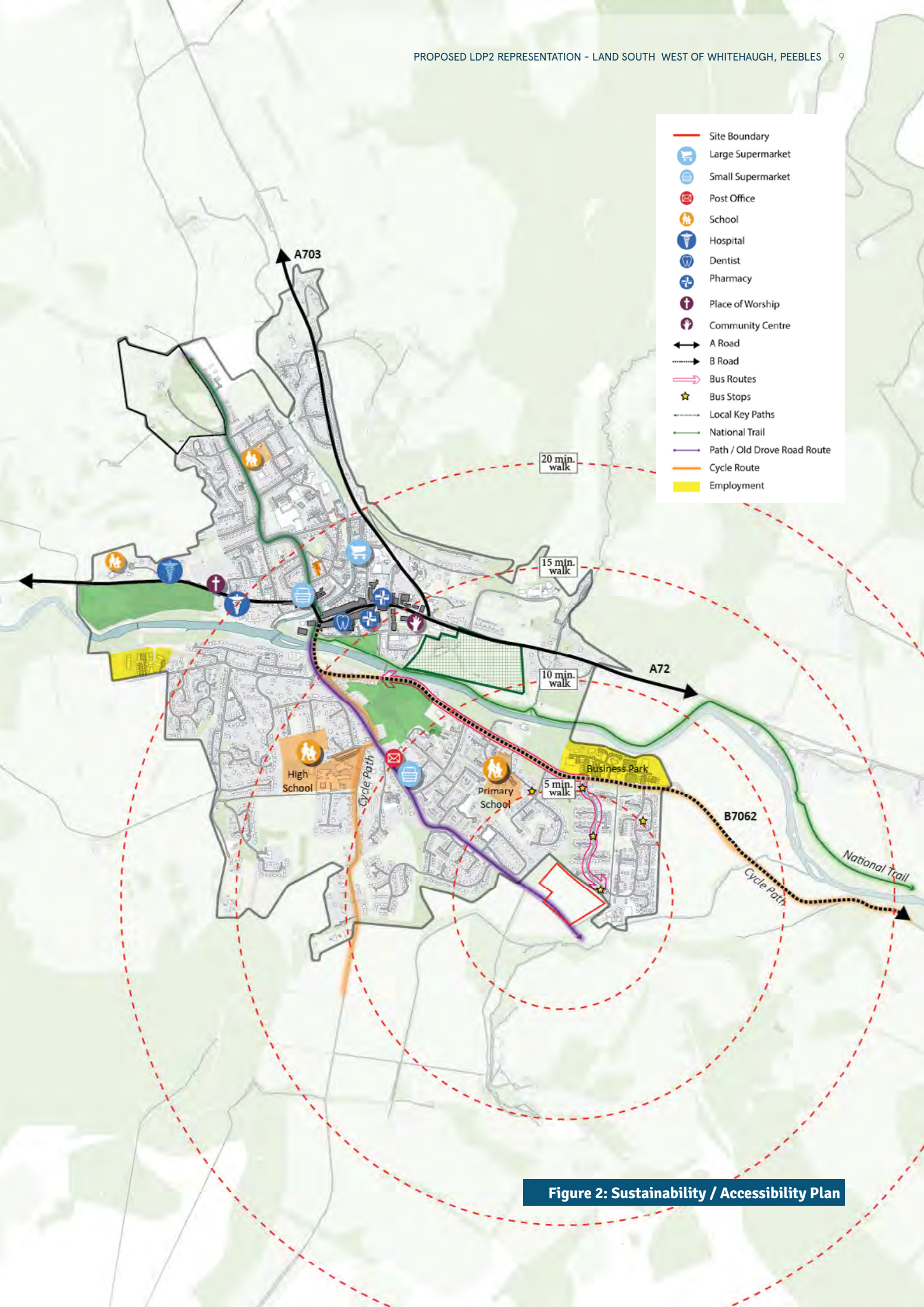
2.4 Future development of the Site would therefore represent a logical expansion to a multi-phase development in the south east of Peebles which can deliver the Scottish Government’s emerging concept for support for ‘20-minute neighbourhoods’. The Site benefits from a sustainable location, with a bus stop located on the roundabout directly to the east of the Site (c. 50m walk) and within 500m walk of Priorsford Primary School and Cavalry Business Park.

2.5 The Site has previously been promoted through the LDP1 preparation process, prior to being identified by LDP1 for safeguarding for potential longer-term housing (Site ref: SPEEB003) for a capacity of 106 homes.

2.6 The Site has also been promoted through the Call for Sites and Main Issues Report Stages of LDP2.



Figure 1: Location Plan



**Figure 2: Sustainability / Accessibility Plan**

## NATIONAL AND REGIONAL PLANNING CONTEXT

2.7 Whilst the SBC Proposed LDP 2 will be adopted under the provisions of the current Planning System, the Planning System is undergoing a period of change following the passing of the Planning (Scotland) Act 2019 ('2019 Planning Act') in June 2019. Taylor Wimpey therefore consider it is vital that the Proposed LDP2 should be future proofed to meet the ambitions of the new System.

2.8 The original aims of the Planning Review which led to the 2019 Planning Act, set out in 'Empowering Planning to Deliver Great Places' in May 2016, included an outcome for the delivery of more high quality homes. The Scottish Government's White Paper / Position Statement of June 2017, 'Places, People and Planning', stressed that "Providing more good quality homes is a high priority for this Government, and we must enable different approaches to delivering the housing we need now and in the future" (pg. 2).

2.9 The 2019 Planning Act (as passed) made provision for the new National Planning Framework 4 ('NPF4') to incorporate / supersede Scottish Planning Policy ('SPP'), which will form the top, National tier of the Development Plan under the new Planning System. The Act includes the requirement for NPF4 to include "targets for the use of land in different areas of Scotland for housing" and to explain how it will meet a number of outcomes, including "meeting the housing needs of people living in Scotland" and "improving the health and wellbeing of people living in Scotland".

2.10 The NPF4 Position Statement was published in November 2020, setting out the Government's current thoughts, aims and ideas of what is likely to be within the draft NPF4 which is due to be published for consultation in autumn 2021.

2.11 The NPF4 Position Statement makes clear the need the Government's aim to "rebalance the planning system so that climate change is a guiding principle for all plans and decisions" and "focus our efforts on actively encouraging all developments that help to reduce emissions" (pg. 2).

2.12 The Position Statement lists a wide range of potential policy changes, subject to further consideration on their contents and potential inclusion within NPF4. However, it does commit to the following aims (of key relevance to this representation) within the spatial strategy for NPF4:

- Application of the concept of 20 minute neighbourhoods, with new and existing residents being able to access goods and services through high quality walkable and accessible environments (pg. 13);
- Using a focus on neighbourhoods and local living to form places which adapt to the impacts of climate change (pg. 13);
- Actively plan for and support the delivery of "good quality, energy efficient, zero carbon housing" – "Our strategy (pg. 15);
- Integrate land use and transport to embed the Sustainable Travel Hierarchy in decision making (pg. 8);
- Prioritise emissions reduction (pg. 8);
- Strengthening support for development in town centres to help transition away from car-dependent developments towards those that enable walking, cycling, wheeling and public transport accessibility (pg. 2);
- Stimulating new models of low carbon living in our rural areas as well as our towns and cities, by facilitating further investment in digital infrastructure, building in more space for people to work remotely and creating community hubs (pg. 2);
- Support a sustainable and green economic recovery from the impacts of COVID-19 (pg. 22); and
- Achieve higher quality design and re-imagine city and town centres so that they can adapt and be vibrant, creative, enterprising and accessible places to live, work and visit (pg. 31).



2.13 In terms of the housing delivery elements, the Position Statement explains further that its spatial strategy “will do more to guide housing to sustainable locations in a way which still allows for a local approach to be taken to address local issues and opportunities” and “also consider the long term changes that we can expect, including: sustainable rural living, prioritising sustainable and accessible locations; prioritising new homes on brownfield land where appropriate; redevelopment of existing buildings; city and town centre regeneration; and more people working remotely or more locally in the future” (pg. 15).

2.14 Page 14 also explains the aim to promote high quality design and development in sustainably accessible locations that attract investment, create opportunities and alleviate fuel and transport poverty.

2.15 Page 18 details that “An infrastructure-first approach should be an integral part of site selection to assist with development viability and minimise the need for the construction of new infrastructure and its associated costs to the public and private sectors.”

**2.16 Taylor Wimpey consider that their Site offers the potential to deliver on the 20 minute neighbourhood concept whilst also delivering new, high quality and energy efficient homes in the Scottish Borders, offering new and existing residents an increased choice of homes for those who want to live within and contribute to the community and economy of the Borders.**

2.17 Scotland has many distinct areas, creating their own unique opportunities and challenges and therefore the measures outlined in NPF4 need to be applied sensibly to suit the needs of local areas. Whilst it may be impractical to eliminate car ownership and usage completely in rural locations such as the Scottish Borders, directing homes to locations which allow local residents to walk to local services, shops and employment, such as that offered by the Site, will be vital to the long term growth and sustainability of such regions.

**2.18 Through the utilisation of high quality placemaking, design and delivery of active travel connections, the Site can deliver on such aims in Peebles, whilst using innovative measures to avoid the need for major new capital infrastructure (such as a new bridge crossing), and its strain on public funds, unless an acute need emerges in future.**

2.19 An additional change as part of our emerging planning system is the introduction of Regional Spatial Strategies (‘RSSs’) in place of Strategic Development Plans. Whilst the form and nature of these have not yet been fully established, SBC have been in discussions with the SESplan authorities and Dumfries and Galloway Council about being part of one or more RSS.

2.20 SBC, and the Site, are currently still covered and guided by the adopted SESplan 1. This identifies the Western Borders, including Peebles, as a Strategic Development Area (‘SDA’). Paragraph 77 emphasises that Peebles is one of the focused areas of growth within the SDA (with 1,000 units committed for the Western Borders SDA). Providing the right conditions for economic prosperity in this area is also noted as a key priority in light of the area’s continued erosion of its employment base in its traditional farming, manufacturing and textile industries.

## 3.0 RESPONSE TO THE PROPOSED LDP2

**3.1** The Spatial Strategy illustrated in Figure 3 of the Proposed LDP2 encourages strategic growth within the three Rural Growth Areas and in particular the Western Borders/Peebles - recognising Peebles as a buoyant town centre and with demand from house builders to develop housing in the area. However, SBC indicate that prior to any new housing land allocations being released on land to the south of the River Tweed, potential flood risk issues and the need for a second bridge over the River need to be addressed.

**3.2** To date, Taylor Wimpey have seen no evidence that SBC is progressing any efforts to plan for any future additional bridge provision beyond LDP2, or that it has taken the time to effectively assess the existing bridge's capacity. It is considered that the Proposed LDP2 shows a lack of ambition to demonstrate Peebles' capability to deliver sustainable modern development which acts as an exemplar for the utilisation of active travel and public transport connections, in turn encouraging residents to reduce vehicular trips and emissions for day-to-day journeys. In particular, the Site would represent the definition of the 'right development in the right place' – complying with placemaking principles and integrating with the form and community of Peebles.

**3.3** Importantly, based on technical assessment undertaken on behalf of Taylor Wimpey, they fundamentally disagree that the Tweed Bridge does not have the capacity to serve any new development in the town. There is sufficient capacity on the bridge to accommodate further development and there would not be unreasonable environment nor safety impacts on Peebles High Street as confirmed through commentary provided by ECS Transport. This outcome therefore supports the proposals for housing development (and their allocation within the LDP2) on the southern side of the River Tweed. Please refer to the next chapter of this representation for further detail on how the Site can deliver appropriate technical responses to all perceived site constraints.

**3.4** The stated aims for Proposed LDP2 include Planning for Housing (pg. 20), which outlines that SBC consider LDP2 promotes an appropriate number of housing sites to reflect demand due to limited uptake on allocated sites, high land supply within the adopted LDP and limited new housing requires as identified through HNDA2.

**3.5** As explored further in the next chapter, Taylor Wimpey consider that the Proposed LDP2 takes an incorrect and improper approach to determining its Housing Land Requirement ('HLR') and identifying sufficient effective allocated housing sites – failing to comply with Scottish Planning Policy and the requirements of its adopted Strategic Development Plan, SESPlan 1 (2013). This will result in a significant shortfall of effective housing land and additional housing land needs to be allocated to avoid planning for a shortfall of homes for SBC's residents.

**3.6** Accordingly, in order to assist SBC in ensuring that its HLR and 5 year effective land supply is delivered going forward through the Proposed LDP2, we therefore recommend that the Site is changed from its longer term safeguarding status and is brought forward as a housing site allocation within LDP2 with capacity for c.106 homes, 25% of which will be affordable homes.

**3.7** Allocating the Site for development would help to contribute towards the overall levels of housing delivery, increased affordable housing completions, more developer contributions to vital infrastructure and ultimately additional economic activity within the Scottish Borders at a time when the entire country will be looking to recover from the economic damage caused by the COVID-19 pandemic.

**3.8** For the reasons set out in the following sections, it is considered that all the respective site requirements within the Proposed LDP2 Settlement Profile could be met - an outcome reaffirmed by the Proposed LDP2 Site Assessment - and there are feasible solutions to resolve any technical constraints, largely relating to a second road bridge over the River Tweed and to potential heritage matters.

## PLACEMAKING AND DESIGN

3.9 The Proposed LDP2 recognises the importance of ensuring sustainable and high-quality design all development through good placemaking principles.

3.10 Policy PMD2: Quality Standards sets out the standards which will apply to all development. We agree with the contents of Policy PMD2 and the next chapter demonstrates in further detail how the Site can deliver a development which conforms to sustainability, placemaking and design, accessibility and green space open space and biodiversity requirements.

3.11 The Site is located outwith the Peebles Development Boundary as identified in the LDP Proposals Map, which indicates the extent by which towns and villages should be allowed to expand in the plan period. It states: "Development should be contained within the development boundary and proposals for new development adjoining the boundary, and not on allocated sites identified on the settlement maps, will not normally be considered acceptable".

3.12 Detailed design of the Site for any future planning application will be able to demonstrate compliance with the six criteria for successful places and Designing Streets / Designing Places, complement the character of the surrounding area, enhance legibility and pedestrian connectivity through the Site and towards the centre of Peebles and provide attractive and usable open spaces.

3.13 It is anticipated that vehicle access to the Site will be taken from the roundabout adjoining Whitehaugh Park with Kittlegairy View. In addition, it is envisaged that pedestrian and cycle access through the Site will be enhanced, linking with the path running adjacent to the east and south of the Site.

3.14 The Site can provide a mix of house types at an appropriate density to meet the needs of the local community and afford choices to prospective residents. This could include the provision of detached, semi-detached and terraced dwellings, as well as incorporating 25% affordable housing. An early Indicative Masterplan, submitted with the representation to the Main Issues Report stage is shown as Figure 3, below. It illustrates an option for pedestrian / vehicular site access and provision of a landscape buffer to the path / old drove road to the south.



Figure 3: Indicative Masterplan

3.15 Existing trees surrounding the Site boundary can be retained and enhanced, providing an appropriate new settlement edge to Peebles, whilst protecting visual amenity of existing residents and respecting the required setback distances from the Scheduled Monument.

3.16 In addition, Taylor Wimpey has a strong track record of home building within Peebles with the adjacent Kittlegairy View / Kingsmeadows, Ederston Ridge (as Bryant Homes) and Whitehaugh Park (as Taywood Homes) being examples of successful and sustainable new neighbourhoods that they have delivered over the last two decades.

### AFFORDABLE HOUSING

3.17 Policy HD1: Affordable Housing requires the provision of affordable housing, which will be assessed against local housing needs, the location and size of the Site and the availability of other such housing in the local area.

3.18 In terms of affordable housing, it is acknowledged that the Council's standard approach to affordable housing is for 25% of the development to be affordable housing, ideally provided on site. Taylor Wimpey contend allocating the Site for development would help contribute to increased affordable housing completions, as they are committed to delivering development in accordance with these requirements.

### SETTLEMENT PROFILE FOR PEBBLES

3.19 The Settlement Profiles in the Proposed LDP2 elaborate on some of the key infrastructure considerations in the towns and villages within the Scottish Borders. For Peebles, it includes the requirement to provide a second bridge over the River Tweed. For the reasons set out in Section 4, Taylor Wimpey disagree with the statement on page 467 that flooding and traffic congestion issues restrict the development of any sites on the southern side of the River Tweed and consider the allocation of housing sites on the southern side of Peebles can be achieved without the need for a new bridge.

3.20 For the reasons set out in the following chapter, it is considered that all the respective site requirements within the Proposed LDP2's safeguarding for the Site could be met (an outcome which was reaffirmed by SBC's Site Assessment) for its allocation and delivery, with the exception of the delivery of the second bridge crossing – which Taylor Wimpey do not consider is yet required to accommodate new development to the south of the River Tweed during the lifetime of LDP2.

## 4.0 TECHNICAL RESPONSE

4.1 The Site is considered in detail within SBC's Proposed LDP2 Site Assessment. Its conclusion states that the Site is 'an acceptable site for development' although it notes some site specific considerations and supporting studies which will need to be addressed at a future stage of planning.

4.2 Taylor Wimpey contend that any potential constraints outlined by SBC within the Proposed LDP2 Settlement Profile can be overcome and that any other site requirements could be met to allow for the development of the Site within the Plan period.

4.3 This chapter provides Taylor Wimpey's technical responses to the following key site considerations, as raised within the Site Assessment, to demonstrate why it is considered an appropriate and effective housing site:

- Flooding & Surface Water Drainage;
- Roads, Access and Bridge Capacity;
- Biodiversity;
- Settlement Boundary and Sustainability;
- Landscape Designations;
- Environmental Designations;
- Scheduled Monument; and
- Archaeology.

### FLOOD RISK AND SURFACE WATER MANAGEMENT

#### 'A flood risk assessment is required to assess the flood risk from the Haytoun Burn.'

4.4 Our initial assessments indicate there is a low risk of fluvial flooding within the Site, as the Haytoun Burn flows approximately 75m south of the Site boundary (from west to east) and is located 8-10m lower than the level of the Site, with wooded banks sloping up steeply to the Site. Accordingly, it is high unlikely that the Site will ever be subject to flooding and a Flood Risk Assessment ('FRA') can be provided in due course to confirm this.

4.5 If required by the findings of any detailed FRA, buffers for sufficient mitigation can be put in place to further prevent any potential flooding within the Site. Both foul and storm water drainage, together with SuDS treatment and storm water attenuation, if necessary, can all be dealt with, within the proposed Site boundary. This would fully address this requirement.

### ROADS, ACCESS AND BRIDGE CAPACITY: 'Provision of a new bridge linking north and south of the River Tweed'

4.6 The Site Assessment scores the Site as having "good" access to public transport, "good" access to employment and "good" access to services. However, SBC indicate that development in this location, together with other sites to the south Peebles beyond the River Tweed, would require a new bridge crossing. In particular, the Council consider the existing bridge does not have the capacity to accommodate traffic generated by the development of the Site.

4.7 Taylor Wimpey have to date commissioned two separate, respected Transport Consultancies (ECS Transport and Transport Planning) to assess the existing and future capacity of the Tweed Bridge. Both disagree with the Council's assessment (due to differing interpretations on how the existing bridge should be classified and its capacity figure determined) with the most recent of the assessments finding that "A study of the wider network has identified that Tweed Bridge has sufficient link capacity to accommodate the committed and proposed development traffic".

4.8 ECS have prepared an accompanying Technical Transport Note (2021) – included as Appendix 1 to this representation – which sets out a summary of their technical studies to date regarding the bridge. Although this was prepared in support of another site, it finds that there is no valid roads / transport related reason why sites currently safeguarded for housing development should not be allocated and cannot come forward for development now. This Appendix should be referred to for full details on this matter.

4.9 A key aspect is that SBC's earlier assessments outlined their understanding that the bridge has a 2-way capacity of 1,250 vehicles, which is based on standards applied to a 6.1m wide 'urban allpurpose road' on a busy high street that includes loading/ unloading'. However, in reality, ECS Transport contend that the width of the bridge road is 8m, with no active frontage and therefore the capacity, in ECS Transport's opinion, should more correctly be updated to 1,500 Vehicles (as a conservative approach) or perhaps to 2,166 vehicles in reality (based on a UAP43 7.3m carriageway width).

4.10 The appendix finds that "As highlighted, there has long been a local belief that a new bridge is required. However, assessments undertaken by both ECS Transport Planning and Transport Planning Ltd demonstrates that it is not necessary to support the development site. SBC's classification of the bridge is incorrect and has even been questioned by their own Roads Department. Based on the opinion of two reputable transport consultants, the stance taken by SBC Roads Services on the need for a new bridge is clearly incorrect and in reality, the bridge does have capacity to accommodate additional traffic. Accordingly, to continue to restrict housing development on the south side of the river is not justified in technical terms."

4.11 A new bridge crossing for Peebles will also require a significant financial capital investment to be delivered and SBC has not sought for it to be part of any City Region Deal and has not included it in its capital funding programme. Being reliant on construction of a new bridge will hinder the delivery of new homes and economic growth for Peebles. Taylor Wimpey consider that their technical analysis provides valid evidence that delivery of the Site will not cause capacity issues on the bridge or adversely impact the local road network and road safety.

4.12 It is also considered that there is potential for the SBC's focus on finding funding for a new bridge to change in the future, due to other achievable improvements such as promoting greater use of public transport, and the national focus on reducing car travel and emissions to respond to the ongoing climate emergency. The Site will meet the Scottish Government's emerging 20 minute neighbourhood concept and can promote health and wellbeing through improving active travel linkages to the centre of Peebles.

4.13 Rather than delay the delivery of needed new homes on a high quality, sustainable and connected site, due to a precautionary approach to change a position that it not currently critical to the road network, the emerging LDP2 should allocate the Site now and look to embed support of active travel and innovative travel solutions. Finding suitable alternative travel solutions will also preserve the focus of SBC's financial resources to be on post-COVID economic recovery.

4.14 Accordingly, traffic associated with the development of the Site could be accommodated over the bridge and its delivery would not result in detrimental impacts to the surrounding road network.

4.15 The Site is well located in relation to existing public transport services. Kingsmeadows Road is served by two regular bus services which provide direct links to Peebles town centre and include an express service to Edinburgh. Other services from Peebles town centre provide links to Edinburgh and towns in the Scottish Borders such as Melrose, Galashiels, Biggar (South Lanarkshire) and West Linton.

4.16 There are bus stops on Whitehaugh Park, including one located adjacent to the Site on the existing turning circle at the south east corner of Whitehaugh Park that would be easily accessible by foot for future residents of this Site and would ensure that all areas of the Site are within 400m of the public transport network. We therefore contend that this matter is not a constraint to the development of the Site.

4.17 The Site also has good links for pedestrians and cyclists, through a network of local paths and dedicated cycle lanes to the bridge over the Tweed and the local schools, thus providing safe walking routes to all local amenities. It should be noted that Cavalry Park Business Centre is only a short walk from the Site (550m) and the town centre is approximately 1.5km away. The primary school and secondary school, which serve this area of the town are also within a 20 minute walk of the Site, with a nursery close by in Cavalry Park Business Centre.

**'A vehicular link will be required between the end of Glen Road and Kingsmeadows Road via the Whitehaugh land. The upgrading of Glen Road adjacent to Forest View will be required.'**

4.18 We disagree that a vehicular link would be required between the end of Glen Road and Kingsmeadows Road. As demonstrated through the Indicative Masterplan provided, vehicular access to the Site can be achieved in the north east corner of the site via a connection to the existing turning roundabout at the southern end of Whitehaugh Park. This would be the best technical solution to respond to the topography of the area.

4.19 The main access road will be of sufficient width to provide access to emergency vehicles (typically 6m) and this would also provide access to bus services which serve Whitehaugh Park. In addition, the recent Kingmeadows development by Taylor Wimpey also facilitates linkages (pedestrian/cyclist and vehicular) to Whitehaugh Park and serves as an alternative route between the Site and the main road network.

4.20 The Site will have road links west towards Peebles Town Centre, Edinburgh, Glasgow etc. and east towards the Border towns of Innerleithen, Selkirk, Galashiels, and those further afield. The B7062 will be capable of coping with any traffic generated by the development regardless of which direction vehicles travel in.

4.21 With changes taking place in commuting habits and more home working taking place, plus the fact that commuters from Peebles travel in numerous directions, we do not see the Site being constrained by the existing transport links and road network and we disagree that an additional access via Glen Road is required.

## BIODIVERSITY

### 'The Site would have a potential minor impact on biodiversity'

4.22 Previous surveys, conducted to assess biodiversity value and potential for habitat for European Protected Species, indicate there is no evidence of protected species using the Site. In addition, owing to the intensive agricultural use of the land, the habitats on the Site are considered to be of low ecological value. We therefore agree that the overall ecological value of the Site is low, and that there would be a minor, if any, impact on biodiversity.

4.23 Any potential impacts (suggested to be minor by SBC) could be comfortably addressed to ensure that adequate mitigation is provided, if required, to enhance the existing biodiversity within the Site. As such, we contend that there are no ecological constraints to the residential development of this Site.

### 'Further assessment on nature conservation will also be required and mitigation put in place.'

4.24 As above, we contend there are no ecological constraints which would affect the development of this Site for residential purposes. However, appropriate assessment – such as a Preliminary Ecological Appraisal – would be provided in support of any future planning application.

## SETTLEMENT BOUNDARY AND SUSTAINABILITY

### 'Enhancement of the woodland along the north east side of the site and landscape buffer around each side of the site. The long term maintenance of landscaped areas must be addressed.'

4.25 Woodland along the north east side of the Site can be enhanced and appropriate landscape buffers provided. This would be subject to detailed design at the appropriate planning stage and maintained post-delivery through a factoring arrangement to ensure the proposed landscaping and open spaces remains at the highest quality at all times.

### 'Provision of amenity access within the development for pedestrians and cyclists. Links to the footpath network to be created and amenity maintained and enhanced.'

4.26 The Site has good links for pedestrians and cyclists, through a network of local paths and dedicated cycle lanes to the bridges over the Tweed and the local schools, thus providing safe walking routes to all local amenities. The development of the Site for residential use would present opportunities to provide amenity access within the development to pedestrians and cyclists, as well as opportunities to link with the local path network and to the town centre, delivering on the concept of 20-minute neighbourhoods that is being promoted through the emerging NPF4.

## LANDSCAPE CONSIDERATIONS

4.27 There are a number of Site requirements identified with relation to landscape, as set out below.

### 'Careful consideration of the design and scale within the development to mitigate the potential impact on the nearby monument.'

### 'Consideration should be given to the design of the overall site to take account of the Special Landscape Area.'

### 'Enhancement of the woodland along the north east side of the site and landscape buffer around each side of the site. The long term maintenance of landscaped areas must be addressed.'

4.28 To address these requirements at a detailed planning and design stage, Taylor Wimpey can arrange for separate assessments to be prepared in support of any future planning application to consider landscape, visual impact and heritage matters alongside potential opportunities for additional landscaping features that could enhance the existing landscape offer within/adjacent to the Site.

4.29 Whilst it is noted that there is sufficient separation between the Site and the setting of any historical designations (including the Scheduled Monument), the Indicative Masterplan shows appropriate landscape buffers are possible along the southern and eastern boundaries to create visual separation between both areas - in direct response to the above requirement - and to further enclose the Site.

4.30 The Site is enclosed by established woodland and greenspace, which means that any built form will be sheltered within this natural environment.

4.31 The Site can be designed and developed to respect its landscape features and local built heritage. These considerations, therefore, should not inhibit the delivery of residential development on the Site within the plan period of LDP2.

## ENVIRONMENTAL DESIGNATIONS

### ‘Mitigation measures are required to prevent any impact on the River Tweed Special Area of Conservation/Sites of Special Scientific Interest.’

4.32 Taylor Wimpey’s environmental consultants have already considered potential impacts from the development of this (and other nearby sites) on the Haystoun Burn and subsequently the River Tweed SAC and SSSI. Consequently, any potential development of the Site would include detailed assessments to demonstrate that there would be no significant adverse impact on the qualifying objectives associated with the respective SAC and/or SSSI and that suitable mitigation could be provided (if required) to address any respective requirements.

4.33 This outcome accords with this requirement and we therefore do not consider that the proximity of the River Tweed SAC/SSSI could be considered a constraint to the development of the Site.

## SCHEDULED MONUMENT

### ‘Development should not take place within the setting of the nearby Scheduled Monument but rather that area should be left as open space.’

4.34 The Site is located over 150m to the north of the nearby Scheduled Monument, which is also separated from the Site by a tree-lined landscape buffer, an access track and an agricultural (grazing) field. Combined, these attributes provide sufficient separation and disassociation between the Site and the Scheduled Monument to preserve its setting. Moreover, given that the field containing the Scheduled Monument is not proposed to be developed, any potential buffer requirements around it comfortably be met.

4.35 The Indicative Masterplan identifies that such a landscape buffer could be introduced to the south of the Site. This outcome would create enhanced landscape and visual screening opportunities to further protect the setting of the Scheduled Monument and should prevent any detrimental impacts - fully according with the respective site requirements.

## ARCHAEOLOGY

### ‘Assessment of the archaeological site on the Sites and Monuments Record should be undertaken and appropriate mitigation measures carried out.’

4.36 To address this requirement, Taylor Wimpey will arrange for an assessment of the Sites and Monuments Record to be carried out in support of any future planning application. Appropriate mitigation measures will be carried out as required. This requirement is not considered to inhibit the residential development of the Site.

## LDP2’S APPROACH TO HOUSING IN PEEBLES

4.37 SESplan 1 (2013) is the SDP that is in force for the Borders at present. SESplan 1 and its subsequent Supplementary Guidance (‘SG’) on Housing Land (adopted in 2014) set a HLR of 74,840 homes to be built across the City Region between 2009 - 2019, 107,560 homes between 2009 - 2024 (SG, table 3.1) and 155,544 up to 2032 (sg, para.3.2).

4.38 SESplan 1’s HLR for SBC was identified as 9,650 homes between 2009 – 2019 and 3,280 between 2019 -2024. The HLR for between 2009 – 2024, therefore, totals 12,930 homes.

4.39 SBC highlight in the Proposed LDP2 that their position on housing land supply is based on HNDA2’s figures, prepared to inform SESplan2. The Proposed LDP2 defines a HLR of 7,288 homes to be provided within the Scottish Borders in the period between 2012/13 – 2030/31 (based on a HST derived from HNDA2). This number of homes represents 56% of the figure sought across SESplan 1’s timescale.

4.40 Taylor Wimpey consider that the approach taken by SBC to define its HLR to be incorrect and contrary to SPP and case law. The whole strategy of the Proposed LDP2’s approach to delivering housing land should be reconsidered and restarted to meet the HLR set out within the approved SDP.

4.41 Diagram 1 of SPP (pg. 30) clearly illustrates that LDPs for local authorities are to meet a HLR that has come from the SDP that forms its Development Plan (which in turn has utilised the latest HNDA available to it).

4.42 The methodology used to undertake housing land supply calculations for LDPs has also been confirmed through the recent Court of Session judgement for MacTaggart and Mickel et al. v Inverclyde and Scottish Ministers (2020). This judgement found that:

4.43 “SPP is phrased in a manner whereby it is not the housing supply target which is to be met but the HLR (see eg SPP paras 118 and 119). The purpose of the generosity allowance is to provide a margin to ensure that there is a plentiful supply of land (ibid para 116). The HLR is set by the SDP. It cannot be changed by the LDP in the manner accepted by the reporter. It cannot be read in a different manner to suit a particular point of view (see Tesco Stores v Dundee City Council 2012 SC (UKSC) 278, Lord Reed at para 19). The fact that a certain number of houses have been completed does not result in the generosity margin being removed from the number of these completions, as they feature as part of the HLR. That would only be legitimate if it was the HST and not the HLR that was to be achieved. It follows that the reporter’s calculations in that regard are erroneous and do not accord with SPP or the SDP” (para. 62).



4.44 This clearly gives the view of the Scottish Courts that the HLR is set by the SDP for authorities within City Regions and not through direct use of numbers derived from a HNDA.

4.45 HNDA2 was signed off as robust and credible in March 2015. The Proposed SESplan 2 was rejected by Scottish Ministers in May 2019. The last two local authorities within the SESplan City Region to have Examinations completed on their (now adopted) LDPs were East Lothian and West Lothian. The respective dates for the publication of their Report of Examinations were 27 September 2018 and 4 September 2018. The housing land supply calculations for both were based on the HLR from SESplan 1, despite HNDA2 figures being available for three and a half years. They correctly reflected the approved SDP.

4.46 The Reporter for West Lothian's Proposed LDP2 Examination considered this matter in some detail and was particularly clear in their view, stating:

4.47 "It is not the role of the HNDA to set targets; an HNDA is part of the evidence base which informs strategic policy decisions on where new housing should be located; decisions which SPP requires to be made by the SDP, not by LDPs." (pg. 65)

**4.48 "Notwithstanding that a replacement SDP has been prepared and this is currently subject to examination, the adopted SDP continues to be SESplan 1, and it is that document with which the proposed plan must be consistent. Whilst I note the council's concern that the adopted SDP housing supply targets are derived from HNDA1, I consider that the emerging position within the proposed SESplan 2 can be given, at best, negligible weight at this stage. HNDA2, which forms part of the evidence base to inform policy decisions within the proposed SESplan 2, cannot be used to make policy decisions or adjustments to housing figures within the proposed LDP. The proposed plan must accord with the adopted SDP."**

**4.49 "For the above reasons, I find the proposed plan's relatively extensive references to HNDA2, and the nuancing of the policy approach which this implies in relation to housing need, demand and supply issues, to be unjustified and misplaced." (pg.65)**

4.50 In terms of SBC's current position on housing allocations and meeting its HLR, the Proposed LDP2 only identifies 16 new sites for housing, providing an indicative capacity of 567 homes, to serve the area until 2030/31. SESplan 1 set a HLR of 12,930 homes between the years 2009 and 2024.

**4.51 Housing completion figures set out in subsequent versions of SBC's Housing Land Audits ('HLAs') indicate that a total of 3,646 homes have been delivered between 2009-24, leaving a remaining SESplan HLR of 9,284 homes still to be provided for within Scottish Borders up to 2024 – a target which is only for up to c. 3 years into the 10 years for which LDP2 needs to identify sufficient effective housing land.**

**4.52 The HLA identifies that there is currently an effective housing land supply of 3,679 homes up to 2023/24. Therefore, even if all of that were to be delivered, alongside all of the new allocations within the first 3 years of the Plan period, SBC's LDP2 would still have a shortfall of 5,038 homes (5,605 – 567) on the SESplan HLR at 2024, with three quarters of the LDP2 period still to run and additional / extrapolated SESplan HLR figures up to 2032 still to be applied.**

4.53 SBC's entire established land supply, as detailed in the 2019 HLA, will only provide 9,176 homes.

4.54 Of the 16 new sites / 567 homes included by the Proposed LDP2 as new allocations to serve the housing needs of the area until 2030/31, only one of these new sites is within Peebles (land south of Chapelhill Farm for 150 homes). This is despite Peebles being the major settlement within the Western Borders SDA set by SESplan and despite SBC acknowledging in its Spatial Strategy that the town is an attractive area for prospective house builders / house buyers.

4.55 In light of the Proposed LDP2's significant shortfall in meeting the HLR of the adopted SDP, it is clear that greater steps should be made by LDP2 towards meeting this requirement through the allocation of additional, effective housing sites.

4.56 To improve the robustness of the housing land supply, these new allocations should be in strong market areas where people want to live – such as in Peebles – and on sustainable and appropriate sites that can embed principles of 20-minute neighbourhoods and reduced vehicular travel through active travel and public transport connections. Taylor Wimpey's proposed Site can deliver these aims and help SBC get closer towards delivering the effective housing land it needs to meet its HLR.

## 5.0 CONCLUSION

5.1 Taylor Wimpey are seeking for land under their control to the south west of Whitehaugh, Peebles, to be allocated as an effective housing site within the emerging LDP2.

5.2 The principle of residential development on the Site has already been established through its inclusion as a 'safeguarded' longer term housing site within the adopted SBC LDP1, which identified a potential site capacity for 106 homes. This safeguarded status has been retained in the Proposed LDP2.

5.3 The Site was subject to positive assessment through SBC's Site Assessment process as part of the preparation for the Proposed LDP2, with almost all comments raised being capable of being addressed or demonstrated during a detailed planning / design stage. Taylor Wimpey consider that an appropriate, attractive and high-quality residential environment can be provided on the Site.

5.4 The only issue that appears to have prevented the Site's allocation within the Proposed LDP2 is SBC's perceived technical constraints relating to transportation considerations and the ability of the capacity of the existing bridge over the River Tweed to accommodate traffic relating to any new development in the south of Peebles.

**5.5 Two separate technical studies commissioned by Taylor Wimpey - by both ECS Transport Planning and Transport Planning Ltd - demonstrate that provision of a new bridge crossing is not necessary to support the allocation and development of the Site. Based on the opinion of two reputable transport consultants, the stance taken by SBC Roads Services on the need for a new bridge is considered to be incorrect and that, in reality, the bridge does have capacity to accommodate additional traffic from sites proposed in the south of Peebles through the LDP2. Overall, to continue to restrict housing development on the south side of the river is not considered to be justified in technical terms.**

5.6 The Site is capable of being integrated effectively with the surrounding area and public transport / active travel links to the centre of Peebles, meeting the aims of the Scottish Government's emerging concept of sustainable 20-minute neighbourhoods. The detailed design stage can set out an attractive residential environment which responds to considerations in SBC's Site Assessment, minimises the need for vehicular travel and adheres to place making principles set out by SPP in the Proposed LDP2.

**5.7 Taylor Wimpey consider that the SBC has taken an incorrect approach to defining and providing for an adequate housing land supply within the Proposed LDP2. The failure to plan for meeting the HLR set of by the adopted SDP (SESplan 1) is considered to be contrary to SPP and case law and is expected to lead to housing land shortfalls of well in excess of 5,000 homes. The whole strategy of the Proposed LDP2's approach to delivering housing land should be reconsidered and restarted to aim to meet the HLR set out within the approved SDP - through the allocation of additional, effective housing sites such as Taylor Wimpey's land to the south west of Whitehaughs.**

5.8 The Site is effective for delivery within the lifetime of LDP2 – promoted by a national house builder within a strong housing market area, and on land that is not subject to any constraints which cannot be appropriately mitigated at detailed design stage. In fact, the Site presents a genuine short to medium term option for delivery, capitalising on the momentum already generated by Taylor Wimpey during its adjacent development at Kingsmeadows.

**5.9 Accordingly, the allocation of this Site within the LDP2 is considered to be acceptable given that it has been demonstrated that any potential constraints relating to landscape, heritage and bridge capacity can be overcome. We therefore respectfully request that the Site (Reference: SPEEB003 – Land South West of Whitehaugh) is allocated as a housing site within LDP2.**

5.10 The specific changes required to facilitate this request will be:

- Replacing the safeguarding of the Site as a long term opportunity within LDP2 Settlement Profile for Peebles (in Volume 2) with a residential allocation for 106 homes and inclusion of the Site within the settlement boundary on the associated Proposals Map;
- Revision of the site requirements for SPEEB003 to update these and remove requirement for a second bridge crossing; and
- Revision of paragraph 4.12 to replace the last sentence with a line that explains that housing growth to the south of the river is being accommodated within this LDP2 to meet its housing land requirements but that improved bridge infrastructure might be required to accommodate further growth beyond the LDP2 period.



Barton Willmore  
68/70 George Street  
Edinburgh  
EH2 2LR  
[www.bartonwillmore.co.uk](http://www.bartonwillmore.co.uk)

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