2023

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN

VOL1POLICIES

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LOCAL DEVELOPMENT PLAN 2023

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FOREWORD

COUNCILLOR SIMON MOUNTFORD

SCOTTISH BORDERS COUNCIL EXECUTIVE MEMBER
FOR ESTATE MANAGEMENT AND PLANNING

I am pleased to introduce Scottish Borders Council's new Local Development Plan, which replaces the previous Local Development Plan that was adopted by the Council in 2016. Intended to address the development needs of the Scottish Borders community for the next 10 years, it has been informed by the results of the extensive consultation that accompanied the Main Issues Report in 2019.

The Plan will affect all Borderers on a daily basis, setting out where they can live, work, shop and socialise. It identifies the housing and economic needs of all the towns and settlements in the Scottish Borders as well as the policies that will guide and govern future development. In order to meet demand, it allocates seven new business sites, a wide range of new housing sites and five redevelopment sites.

Scottish Borders Council is committed to sustainable economic growth, so the Plan promotes net zero greenhouse gas emissions by 2045 and looks at how we can adapt to climate change. Importantly, there is also a strong emphasis on place making and design, so policies are intended to protect and enhance the Borders' built environment and natural heritage. Other key elements of the Plan include support for health and wellbeing and improved connectivity.

Many individuals, organisations and interested groups have contributed their opinions throughout the process of producing this Local Development Plan and I would like to thank everyone who has taken part. However, we recognise and regret that it has been impossible to satisfy the many conflicting desires that have been submitted.

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

1. INTRODUCTION

1.1 The Development Plan for the Scottish Borders comprises of two component parts. The SESPlan Strategic Development Plan (SDP) and the Local Development Plan (LDP) set out in this document. The SDP covers Edinburgh and the South East of Scotland and provides high level strategic guidance, setting a context which the LDP must address.

1.2 This LDP was prepared taking account of the Monitoring Statement 2018 which evaluated the performance of the adopted LDP 2016 and a range of issues which the LDP must address. It also took account of representations received from a wide range of parties as part of the consultation on the Main Issues Report 2018. An Environmental Report and Habitats Regulations Appraisal were prepared alongside the LDP with a purpose to identify, mitigate or remove any perceived significant adverse impacts on the environment.

1.3 The LDP has been prepared to guide the future use and development of land within the Scottish Borders. It sets out a series of policies and proposals indicating where development can or should not take place and provides guidance on the future provision of a range of subjects including housing, business and industrial use, transport, infrastructure and recreation. It seeks to deliver sustainability and promote a net zero economy, promote health and wellbeing, promote economic growth, regenerate town centres and give protection to the built and natural heritage. To further the promotion of the objective to ensure high standards of building design and site layouts, development proposals must adhere to the principles laid out in the Council's Supplementary Planning Guidance on Placemaking and Design 2010. The LDP provides a broad vision for the period up to 2031, with a focus on the period up to 2026.

1.4 The LDP consists of a written statement and proposals maps designed to be read in conjunction with each other.

The Plan is presented in two volumes, as follows:

VOLUME 1

1.5 Part one of Volume 1 confirms what the role of the LDP is in relation to planning for the Scottish Borders. It identifies: the changing context and new challenges to be met; policy background; vision, aims and spatial strategy; growing our economy; planning for housing; supporting our town centres and delivering sustainability and climate change agenda.

1.6 Part two of Volume 1 sets out a range of policies covering a wide range of subject matters which provide guidance for the processing of planning applications. Each policy has introductory text setting relevant background information for which the proceeding policy will address. Links are also given to other key policies within the Plan which should be cross referenced as well as other policy guidance documents the Council has produced or proposes to produce relevant to the subject matter. The policies are split into the following five categories:

- Placemaking and Design (PMD)
- Economic Development (ED)
- Housing Development (HD)
- Environmental Promotion and Protection (EP)
- Infrastructure and Standards (IS)

1.7 A series of Policy Maps are provided indicating a range of specific land use allocations and designations.

VOLUME 2

1.8 Volume 2 identifies profiles for all settlements across the Scottish Borders. For each settlement introductory text makes reference to Placemaking Considerations and, where possible reference is made to any Preferred Areas for Future Expansion, Key Infrastructure Considerations and any Changing Context for the settlement.

1.9 The settlement maps identify a range of land use allocations and designations. This includes a development boundary and where relevant, allocations for a range of uses including for example, housing, mixed use, business and industrial, redevelopment, key greenspaces to be protected, conservation areas and longer term development.

1.10 Each development allocation has a list of site requirements which identify matters to be addressed at the planning application stage. Each site allocated with housing potential has an indicative capacity figure suggesting the number of housing units the site could accommodate.

2. THE CHANGING CONTEXT AND MEETING THE CHALLENGES FOR THE SCOTTISH BORDERS

2.1 In preparing the LDP consideration must be given to the changing context and challenges of a range of planning related matters within the Scottish Borders which must be identified and addressed. SBC works closely with other government bodies and service providers to meet the challenges. The Local Development Plan facilitates policy though it cannot in itself ensure development.

SOCIO DEMOGRAPHICS

2.2 The Scottish Borders is the sixth largest Local Authority in Scotland in terms of land mass or area and has a population estimated at 115,270 in 2018. Over two thirds of the area is classed as accessible rural, with just under one third being remote rural. National Records of Scotland project that the population will increase by over 1.3% to 116,777 by 2026.

2.3 Table 1 shows population projections between 2014 and 2018. The table highlights that the population below the age of 45 has decreased whilst the population aged over 45 has increased. The marked increase of those aged 65 and older will have a continuing impact on health and social care services.

TABLE 1: POPULATION BY AGE (2014 TO 2018)

AGE GROUP	2014	2018	NET INCREASE/ DECREASE	POPULATION CHANGE (%)
0-15	19,069	19,046	-23	-0.1
16-24	10,447	10,238	-209	-2
25-44	23,246	22,325	-921	-4
45-64	34,948	35,558	610	1.7
65-74	14,762	15,863	1101	7.5
75+	11,568	12,240	672	5.8
TOTAL	**114,040**	**115,270**	**1230**	**1.1**

Source: National Records of Scotland (NRS)

2.4 Table 2 shows population projections between 2018 and 2026. The table forecasts an increasing ageing population with a reduction in the working age population. The 28.6% increase in the number of people aged 75 and older highlights there will be increasing pressure on health, housing and social care services.

TABLE 2: POPULATION BY AGE (2018 TO 2026)

AGE GROUP	2018	2026	NET INCREASE/ DECREASE	POPULATION CHANGE (%)
0-15	19,046	19,190	144	0.8
16-24	10,238	9,565	-673	-6.6
25-44	22,325	22,899	574	2.6
45-64	35,558	32,712	-2846	-8
65-74	15,863	16,672	809	5.1
75+	12,240	15,739	3499	28.6
TOTAL	**115,020**	**116,777**	**1757**	**1.5**

Source: National Records of Scotland (NRS)

2.5 In 2018 there were 54,413 households in the Borders, which is a 0.2% increase from 54,306 households in 2017. The Government projects that by 2026 this will have increased to 56,497, an increase of 3.8%. Based on the population projections additional housing will have to address the needs of the older population and the smaller sized households (1 to 2 people).

2.6 The Council monitors housing approvals and completions through the Housing Land Audit on an annual basis. Completion rates in the Scottish Borders have been low since the recession. The low completion rate is reflective of the low activity in the housing market in the Scottish Borders. In recent years a large percentage of completions recorded in the audits were affordable units built by Registered Social Landlords (RSL) and modest developments of houses in the countryside.

CORONAVIRUS AND GREEN RECOVERY

2.7 One of the main challenges for the LDP to take account of is the impacts of the Coronavirus (Covid 19) pandemic. The virus has dramatically changed the way we live and work and raises a number of uncertainties for the future. The virus will continue to have a substantial negative impact on the UK economy including retailing, business operations, town centres, rates of housebuilding and demand, the desire to travel on public transport and social distancing. Recovery will take place once all lockdown restrictions are lifted, although the exact long term impacts and timescales are unknown at this stage. Uncertainties will continue into the LDP adoption period and, at this stage, it is difficult to accurately forecast the full implications of the virus and what actions are necessary to mitigate its impacts.

2.8 The planning system has a crucial role to play within and beyond the immediate emergency. A high performing planning system will have a critical role in supporting our future economic and societal recovery and in addressing the climate emergency. The LDP must address these issues, and policies within the LDP allow contemplation of a range of material considerations at any given period. Consequently implications Covid 19 may be having on, for example, the economy, performance of town centres, business recovery, house building, health and well-being will be addressed as part of the decision making process for relevant planning applications.

HEALTH AND WELLBEING

2.9 The LDP has a role to play in ensuring that our planning of the physical environment is associated with individual health, social and economic gains. For example, a significant increase in homes within an area may have a knock-on effect for primary care provision. The mix of house types and tenures built, their access to green spaces, transport links, schooling and job markets need to be considered in terms of the health of the community. The LDP must continue to promote health and wellbeing by ensuring access to green spaces and recreational areas and providing opportunities for walking and cycling links including ease of access to schools.

2.10 The LDP has been prepared in consultation with a range of bodies including NHS Borders, and it is important that communications continue and are strengthened in order that any potential health care issues, for example impacts on local GP practices, can be identified and addressed at an early stage. Decisions regarding health care provision remain a matter for the NHS.

2.11 Good transport links must be developed between homes and job markets. There are a number of geographically isolated communities within the Borders which can cause challenges when accessing services. It is important to recognise the role of active travel in developing transport links between areas both within and outwith the Borders. This has important direct health benefits as active transport is seen to be useful in maintaining a healthy weight.

2.12 Scottish Planning Policy (SPP) contains a section on 'Specialist Housing Provision and other Specific Needs'. This requires planning authorities to prepare appropriate policies and consider specific site allocations to address any identified shortfalls in the Housing Need and Demand Assessment (HNDA) in respect of 'specialist housing'. This can take many forms including: accessible and adaptable housing, wheelchair/disabled housing and extra care housing.

2.13 The Planning (Scotland) Act 2019 requires the planning system to place increasingly greater emphasis on meeting the housing needs of disabled people. A working group, which comprises of Council Officers, is currently considering methods for incorporating the housing needs of disabled people into Council policy. At present demand is unknown, and therefore a policy cannot be prepared which states a generic required proportion of disability housing provision for all sites without a quantified justification. At present demand is generally met by housing developers and Registered Social Landlords on a case by case basis when the needs of a particular party is raised. This matter will be developed further by the working group, and in due course it is likely Supplementary Planning Guidance on housing for particular needs will be produced.

INFRASTRUCTURE, TRANSPORT AND SUSTAINABILITY

2.14 Transport and digital connectivity remain vital to the future development of the Borders. There is a continuing need to upgrade the main road network across the region and the LDP confirms the main routes where improvements are proposed. The Borders Railway has been successful in providing improved connection to Edinburgh. The Council continues to support the promotion of the Borders Railway extending south to Carlisle as well as an improved rail service for the Berwickshire communities with a rail halt at Reston.

2.15 Scottish Borders Council continues to campaign for the reinstatement of the railway line between Tweedbank and Carlisle via Hawick. Most recently funding for a feasibility study to assess the implications of reinstating the railway line has been confirmed as part of the Heads of Terms of Agreement for the Borderlands Inclusive Growth Deal. The Council has unanimously supported a motion to reinstate the railway line on the original route and continues to support that outcome. The Borders Transport Corridors Study is a Transport Scotland funded pre-appraisal report featuring twenty one potential transport options for the Scottish Borders. These options will be considered by the Council including the potential reinstatement of the former railway line from St Boswells to Berwickshire via Kelso.

2.16 The Scottish Borders is benefiting from the Digital Scotland Superfast Broadband rollout which was programmed to connect 94.9% of premises to Fibre to the Cabinet Broadband by the end of 2018 (this includes the additional 'Gainshare' funding). The remaining gap in provision which comprises remoter rural areas and premises which suffer from 'long lines' will be addressed by the Scottish Government's R100 programme. It is critical that the region also maximises the provision of Full Fibre Connectivity to Businesses and the wider community. Mobile phone coverage is an important complement to the rollout of Superfast Broadband. Ongoing investments by Mobile Network Operators will result in significant improvements across the Scottish Borders. Efforts are being made to ensure that this coverage will be as comprehensive as possible and that the region will benefit from 5G coverage in the future.

2.17 Infrastructure provision is required to enable future development. Scottish Water is committed to the provision of water and waste water facilities to serve development identified in the Plan. Developers will need to liaise with Scottish Water to discuss issues to be addressed, timescales for implementation and costs involved. Further extension to the national grid will be required to promote the potential for renewable energy production. New housing allocations can put a strain on education provision in some school catchment areas. Given the relatively limited number of houses required within the LDP period for the Scottish Borders as required within the SDP, it is not envisaged this should cause insurmountable issues and the officers continue to liaise with the Education and Lifelong Learning (SBC) regarding these matters.

2.18 On 25 September 2020, Scottish Borders Council declared a climate emergency, and through its Climate Change Route Map (CCRM) is seeking to ensure that it can help achieve the national target for Scotland of net zero greenhouse gas emissions by 2045. 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 net zero greenhouse gas emissions by 2045 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. There is reference to these objectives and how these can be achieved throughout the LDP. Chapter 8 refers to the delivery of sustainability and the climate change agenda.

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

3. POLICY BACKGROUND

3.1 National Planning Framework 4 (NPF4) became part of the statutory development plan in February 2023. It identifies national development which should be accommodated within LDPs and also sets out national planning policies. The development plan should be read as a whole.

3.2 The LDP was prepared during the era of strategic development plans in Scotland. Following the rejection of proposed SESplan 2 strategic development plan, SESplan 1 (2013) remained the strategic development plan until it ceased to be part of the development plan in February 2023. Consequently, the requirement for the LDP to comply with a strategic development plan no longer applies.

3.3 The Spatial Strategy for the Scottish Borders includes Strategic Development Areas (SDAs). Towns within these SDAs should provide the focus for retail, commercial and strategic opportunities. Improved connectivity from Edinburgh to the north and from Newcastle and Carlisle to the south are recognised as being essential for the future economic growth of the area. A range of placemaking and design principles are identified which new developments should adhere to. A strategic green network priority area will connect settlements in the Central Borders with Peebles and Innerleithen in the west. Former railway lines represent a network of redundant track beds which link many of the larger towns. The network offers considerable potential for walking and cycling access to town centres and a range of tourism sites. The Council is currently liaising with Dumfries and Galloway Council with a view to considering cross boundary relationships. This will help inform the preparation of Regional Spatial Strategies.

LOCAL DEVELOPMENT PLANNING POLICY

3.4 The LDP requires to set out detailed policy criteria and proposals in order to ensure appropriate development which can inform and guide decisions on planning applications. LDPs must accord with national planning requirements and take account of a wide range of other material considerations. The Development Plan process seeks to ensure the right development takes place in the right place. The Scottish Borders is an attractive place to live and work and the Council must continue to strike the balance between supporting sustainable economic growth and protecting the landscape and environment. The Council places a very strong emphasis on placemaking and design principles when assessing new development proposals.

CORPORATE OBJECTIVES

3.5 In November 2017, the Community Planning Partnership (CPP) published its Scottish Borders Community Plan (known as a 'Local Outcomes Improvement Plan' within the Community Empowerment (Scotland) Act 2015, and replaces the Single Outcome Agreement). Within the Community Plan, there are four themes (Economy, Skills and Learning; Health, Care & Well-Being; Quality of Life; Place) and fifteen outcomes spread across the four themes. Key partners within the Borders such as SBC, NHS Borders, Registered Social Landlords, Third Sector and Police are committed to actions that will impact positively on the outcomes in the Community Plan over the next ten years.

3.6 Community planning is the process by which Councils and other public bodies work with local communities, businesses and community groups to plan and deliver better services and improve the lives of people who live in Scotland. The Scottish Borders Community Planning Partnership is tasked with taking this forward in the Scottish Borders. With the introduction of the Community Empowerment (Scotland) Act 2015 the Scottish Government has asked each CPP to detail how they plan to tackle their own local challenges and improve outcomes in their area, with a particular focus on reducing inequalities. The Scottish Borders CPP published the Scottish Borders Community Plan in November 2017. This plan is a live document and is updated on an ongoing basis.

3.7 The Scottish Borders CPP works together, and with local communities and businesses on tackling the challenges and improving outcomes identified in the Community Plan. A number of the outcomes within the Plan have strong ties with spatial planning, and there is a desire to more closely align the work of community planning with spatial planning. A key theme highlighted in the recent planning review, is the need for community planning and development planning to work closer together, in order to meet the aspirations of local communities.

3.8 At a more local level Area Partnerships have been established to take forward the Community Empowerment Act's requirement for Locality Plans. Some inequalities and outcomes are not Borders-wide but much more localised to specific communities. Therefore there is one specific Locality plan for each of the following areas:

- Berwickshire
- Cheviot
- Eildon
- Teviot & Liddesdale
- Tweeddale

FIGURE 2: LOCALITY AREAS

The outputs from the five Locality Plans are addressed within the LDP where relevant to the planning process.

3.9 In February 2018, aligned to the Community Plan, SBC published its new Corporate Plan (Our Plan for 2018 -2023 and your part in it). The plan makes commitments under four themes; ensuring that we have great, accessible services; independent achieving people; a thriving economy and empowered communities. The commitments made within the Plan's theme include:

- Working with partners to create the best possible environment in which to do business, using the South of Scotland Enterprise Agency, Borderlands and City Deal (including delivering the Borders Innovation Park) to encourage inward investment, growth, diversification, innovation and job creation
- Supporting the case for the extension of the Borders Railway and the rail halt at Reston; and
- Working with partners to increase housing supply (both affordable and private sector) creating a sense of place, community belonging and increasing health and wellbeing.

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

4. VISION, AIMS AND SPATIAL STRATEGY

VISION

4.1 The Scottish Borders forms part of the Edinburgh City Region and within the proposed Strategic Development Plan the planning vision was set. It is considered this vision is up to date and relevant to the Scottish Borders and will guide the development of the policies and proposals in the Local Development Plan. It states for 2038:

> *"Sustainable growth has been achieved by carefully managing those assets that provide the most benefits and by making well designed, successful places where people can thrive. More people are able to afford a home in a place near where they work. A series of cross boundary transport projects have made travel by public transport easier and more people are cycling and walking to work. The economy continues to grow and the region remains an outstanding place to live, work and visit. Communities in the region are healthier and there is less inequality and deprivation."*

AIMS

SUSTAINABILITY AND CLIMATE CHANGE

4.2 On 25 September 2020, Scottish Borders Council declared a climate emergency, and through its Climate Change Route Map (CCRM) is seeking to ensure that it plays its part in achieving the national target for Scotland of net zero greenhouse gas emissions by 2045, in step with the national Climate Change Plan (updated in December 2020). The Council continues to promote and investigate ways to address climate change issues and adaptation in order to seek a net zero emissions economy. There is a continuing need to reduce private vehicular travel and greenhouse gas emissions as well as energy consumption and waste arisings; and to support renewable energy opportunities where possible. Heat mapping must be investigated and developed in order to explore opportunities for supply and demand of renewable energy, and new buildings must be designed to be resilient to the effects of climate change.

GROWING OUR ECONOMY

4.3 The LDP provides opportunities for economic growth (including the green economy/recovery) and job creation. It is vital there is a sufficient supply of business land across the Scottish Borders. Further land must be allocated in locations where a shortfall is identified and funding and delivery mechanisms must be put in place which will help ensure sites are fully serviced and are readily available for use. Sites allocated for specific uses, particularly those of a strategic nature, should continue to be safeguarded although further flexibility within policy should be allowed, where appropriate, to ensure there are adequate opportunities for businesses seeking to set up. Improvements to the road network and public transport must continue to be supported.

PLANNING FOR HOUSING

4.4 The LDP incorporates a generous supply of housing land for a range of users. Although there have been limited annual completion rates for mainstream housing, there has been a significant increase in housebuilding by Registered Social Landlords (RSLs) which has offered greater opportunities for affordable units. Given the limited take up of allocated housing sites, the high land supply within LDP1 and the limited number of new houses required for the Scottish Borders, LDP2 promotes an appropriate number of new housing sites to reflect the level of demand.

TOWN CENTRES

4.5 The role of town centres is changing particularly within the retail sector, most notably from an increase in online shopping which has reduced footfall within town centres. The LDP must adapt to this change and consider ways in which town centres can be regenerated and uses are promoted and supported which can improve vitality and viability and retain their focus as community and service centres.

RURAL ENVIRONMENT

4.6 In remote rural locations improved transport modes and the need for first class digital connectivity must continue to be addressed. Brexit may create some major challenges for rural landowners and the LDP seeks to encourage diversification of the rural economy by supporting appropriate economic development and tourism in the countryside.

BUILT AND NATURAL HERITAGE

4.7 The built and natural heritage are major component parts of the attractiveness of the Scottish Borders which must be protected and enhanced. There are a large number of listed buildings, conservation areas, landscape and biodiversity designations, and opportunities must continue to be explored to capitalise on these assets in the interests of tourism and economic development. The LDP continues to ensure new development is located and designed in a manner which respects the character, appearance and amenity of the built and natural heritage of the area and that good placemaking and design principles continue to be implemented.

4.8 To deliver the vision the main aims are summarised as follows:

COMMUNITIES

- Provide adequate land for mainstream and affordable housing
- Build sustainable communities which are attractive and distinctive
- Create places to live in accordance with good placemaking and design principles
- Encourage better connectivity by transport and improve digital networks

GROWING ECONOMY

- Provide an adequate range of sites and premises for business/industrial uses
- Promote economic development opportunities along the railway corridor
- Promote the regeneration of town centres to make them vibrant and viable focal points within our communities
- Maximise and promote the Scottish Borders' tourism potential and build a strong visitor economy
- Ensure the delivery of adequate infrastructure to satisfactorily serve developments

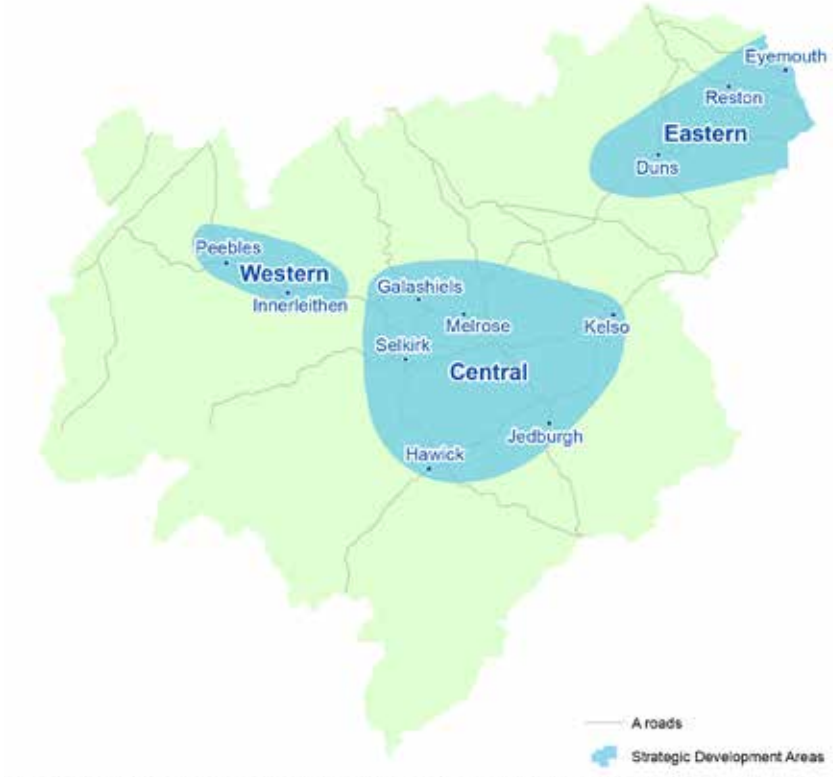
SUSTAINABILITY

- Protect and enhance the built and natural environment
- Promote development of brownfield sites
- Make provision for waste management
- Deliver climate change mitigation while ensuring climate change adaptation
- Protect key greenspaces within built up areas
- Encourage better connectivity
- Extend and improve green network opportunities and links

SPATIAL STRATEGY

4.9 The SDP requires strategic growth in the Scottish Borders to be directed to three Strategic Development Areas (SDAs) in Central, Eastern and Western Borders and Figure 3 identifies the Spatial Strategy for the Scottish Borders which includes the SDAs. Towns within these areas should provide the focus for retail, commercial and strategic opportunities. Improved connectivity from Edinburgh to the north and from Newcastle and Carlisle to the south, are recognised as being essential for the future economic growth of the area.

FIGURE 3: STRATEGIC DEVELOPMENT PLAN SPATIAL STRATEGY



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4.10 The Central SDA focuses around the main towns of Galashiels, Melrose, Earlston, Kelso, Jedburgh, Hawick and Selkirk. This area has the largest population within the Scottish Borders and is the primary area for future growth. It is at the centre of the roads transportation network and is also served by the Borders Railway and the Galashiels Transport Interchange. The Central SDA is supported by the Eastern and Western SDAs which perform secondary roles within the spatial strategy.

4.11 The Eastern SDA is focused on Duns and Eyemouth. Duns is the main administrative centre for the area and future development potential would be enhanced by the delivery of the railway station at Reston. Eyemouth is located on the extreme eastern edge of the Scottish Borders with an easy access onto the A1. It continues to function as a working fishing port with an important tourism role. This part of the growth area would benefit from the dualling of the A1. The coastal economy at Eyemouth is important to the local area. There has been a change in context at Eyemouth over recent years in that there is now the opportunity for the town to offer a key location for emerging offshore renewable energy projects.

4.12 The main part of the Western SDA are the settlements of Peebles, Innerleithen and Walkerburn which are located along the A72. The success of outdoor recreational facilities at Glentress has helped tourism in the area and helps the status of Peebles as a recognised buoyant town centre. Peebles remains an attractive area for prospective house builders partly due to its proximity to Edinburgh. However, potential flood risk and the need for a second bridge over the River Tweed prior to any new housing land allocations being released on the south side of the River Tweed, limit options at this point in time.

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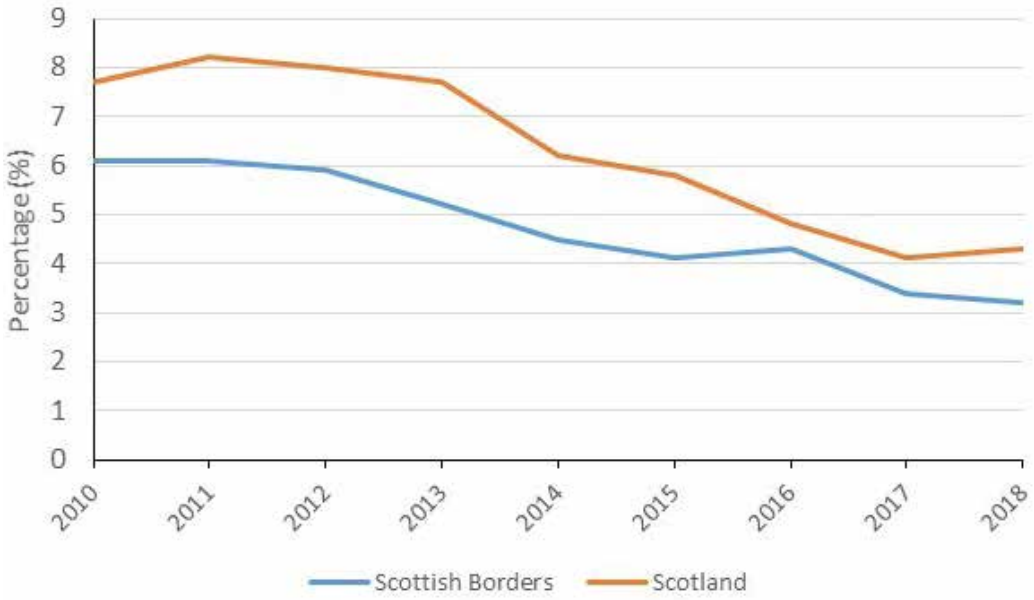
5. GROWING OUR ECONOMY

5.1 National planning policy promotes sustainable economic growth and the planning system has a role to play in ensuring the right development in the right place and promoting strong, resilient and inclusive communities. In order to attract businesses and investment, the LDP has a role to play in promoting development which will increase employment opportunities, economic activity and sustainable growth. This includes the Council's continuing support and promotion for improving digital connectivity throughout the Scottish Borders and recognising the economic benefit that renewable energy development can bring. The Covid 19 pandemic will continue to have an impact on the economy, and the LDP must ensure there is an emphasis on supporting sustainable economic growth to combat the virus impacts where possible.

5.2 The economically active workforce in the Borders numbered 54,000 in 2018, with 41,900 being employees and 10,000 self-employed. The main employment sectors were health and social work, retail, construction, education, agriculture, manufacturing, tourism and public administration. There continues to be a reliance upon traditional rural activities focused upon agriculture, forestry and fishing. All of these industries face continuing challenges to their competitiveness with a consequential impact on the economic viability of the rural area.

5.3 Unemployment has declined steadily over the last 8 years in the Scottish Borders by 2.9%, but rose slightly in 2016. Unemployment levels in the Scottish Borders are back to levels seen pre-2008 before the economic downturn. The figures are compared with those for Scotland in Figure 4 below, confirming that the Scottish Borders is performing well in comparison to the national average. Wage levels for Scottish Borders residents are lower than the Scottish average, with the average weekly wage for full-time workers being £527 in 2018, 94% of the Scottish average.

FIGURE 4: UNEMPLOYMENT (2010 TO 2018) (% OF ECONOMICALLY ACTIVE)



Source: NOMIS (Office for National Statistics)

5.4 The Council carries out an annual business and industrial land audit of allocated business and industrial sites. The most recent 2018-19 audit confirms there is an adequate supply of business and industrial land in most parts of the Scottish Borders, but there is continued low take-up through development. Distribution of available land is important and there is a recognised need to allocate further business and industrial land within the Peebles area in particular and Galashiels. Furthermore, with the investment in the Borders Railway the provision of high amenity business land in the Central Borders is an essential component to gain maximum economic benefit to the Scottish Borders.

5.5 As required by the SDP the LDP identifies, safeguards and delivers a sufficient supply of business and industrial land taking account of market demands and existing infrastructure. Policy ED1: Protection of Business and Industrial Land categorises all allocated and safeguarded sites into one of two categories which identify preferred uses within them. However, these offer some flexibility of uses in certain circumstances, although care must be taken that sites are not diluted by a proliferation of non-business/industrial uses.

5.6 One of the main challenges of the LDP was to find new land for business and industrial use in the vicinity of Peebles. There are significant constraints in identifying both business/industrial and housing land in this area. Peebles remains a highly attractive town for prospective development and the LDP has considered options for both short and longer term purposes. Due to the ongoing uncertainty as to when or indeed if a new bridge will be built, any proposals identified to the southern side of the town can only be longer term options. A 4.9 ha site has been identified for business and industrial land at Eshiels.

5.7 The Borders Railway 'Maximising the Impact: A Blueprint for the Future' (November 2014) seeks to ensure economic development opportunities are maximised along the railway corridor. The LDP2 must seek to identify and promote these opportunities. A Tweedbank Spatial Framework (November 2017) has been prepared for Tweedbank, including the Tweedbank Expansion site to the north of the railway station (MTWEE002). This site has the capacity to accommodate a range of uses and has excellent development opportunities given its attractive setting, its proximity to the railway station and its location within an area with a proven housing market demand. The

Spatial Framework sets out some initial ideas and is being developed further via Supplementary Planning Guidance. A Masterplan (January 2018) has also been prepared for sites within the centre of Galashiels. This is a useful document outlining a number of potential primarily longer term redevelopment opportunities and options to help regenerate the town centre. The new Great Tapestry of Scotland building in Channel Street is currently under construction and is expected to be open in 2021. It is anticipated this will act as a key catalyst in regenerating the town centre. There is also a need to find further business and industrial land in Galashiels, although land at Tweedbank will offer some opportunities.

5.8 A number of regeneration projects are being carried out in towns across the region including Hawick, Jedburgh, Eyemouth, Selkirk and Galashiels. These comprise of Council and local community led initiatives. Measures include Town Action Plans which incorporate a range of proposals and Conservation Area Regeneration Schemes. In Hawick, for example, some of the key areas of progress include the Hawick Business Growth project with £3.6million of Scottish Government funding; relocation of Business Gateway to Tower Mill; the completion of Hawick Town Centre Marketing Pilot; the Borders Railway Extension Feasibility Scoping Study report; progress on the design and consultation of Hawick Flood Protection Scheme; and a range of Tourism Marketing activity.

5.9 In order to help promote and encourage development interest a Simplified Planning Zone at Tweedbank has been approved. In essence this means new proposals within the Business Park can be constructed, subject to satisfying certain development criteria, without the need to submit formal planning applications. Recently approved Supplementary Planning Guidance for the Business Park seeks to safeguard land and buildings for specific business types and to help improve the utilisation of the business and industrial land.

5.10 The City Region Deal offers opportunities to fund and deliver infrastructure in more innovative ways in years ahead. The Borderlands Initiative is a national cross border project which SBC will develop in partnership with Dumfries and Galloway, Cumberland, Westmorland and Furness, and Northumberland. It seeks to deliver improved infrastructure, transport and communication links, economic growth and employment opportunities. The creation of a new South of Scotland Enterprise Agency covering Dumfries and Galloway and the Scottish Borders offers a once in a generation opportunity to drive inclusive economic growth, skills and innovation across the region. The new agency will be a key part of Team South of Scotland, working to deliver the agreed Regional Economic Strategy.

5.11 Whilst the outcome and any consequent impacts of Brexit remain uncertain, it is likely that there will be changes to the rural economy and land uses. This may include the need for more farm diversification proposals and likely significant pressures for forestry planting. Consequently, within the decision making process the LDP gives more weight to any economic development benefits for new business, leisure and tourism developments in the countryside.

5.12 Carlisle Airport has recently opened for passenger traffic and may provide economic opportunities for the southern parts of the Scottish Borders. In particular, Newcastleton is well located in relation to the airport and consideration requires to be given and developed with regards to potential opportunities this may offer for the local community.

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6. PLANNING FOR HOUSING

BACKGROUND

6.1 National Planning Framework 4 (NPF4) sets out a minimum all tenure housing land requirement (MATHLR) of 4,800 over the plan period of ten years (480 per year on average). The Council adopts this figure as its local housing land requirement (LHLR) for the ten years 2023/24 to 2032/33 and there is sufficient housing land planned for to meet that requirement. Appendix 2 provides further context to the local housing land requirement, contributions to the requirement and the monitoring of housing land supply. The LDP will seek to encourage and facilitate increased levels of development activity and housing completions, particularly in respect of affordable housing.

6.2 The Council produces an annual Housing Land Audit (HLA) in order to monitor housing completions and housing land supply. The most recent 2021 HLA recorded 298 completions in the years 2020/21. The average rate of completions for the past five years was 288 units per year. Table 3 below shows the historical completion rate between 2016/17 and 2020/21.

TABLE 3: HISTORICAL COMPLETIONS (2016/17 to 2020/21)

AUDIT PERIOD	2016/17	2017/18	2018/19	2019/20	2020/21	Total
Completions	250	222	345	324	298	1,439

Source: Housing Land Audit 2021

6.3 The Strategic Housing Investment Plan (SHIP) is the key document for identifying strategic housing projects to assist in delivering the Scottish Government's affordable housing programme to meet a wider range of housing needs within the community. The four local Registered Social Landlords (RSL) partners who play a key role in delivering affordable housing projects across the Scottish Borders are Eildon Housing Association, Berwickshire Housing Association, Waverley Housing and Scottish Borders Housing Association. The RSLs have a programme of delivery for new affordable housing and the LDP must continue to help allocate and support the delivery of SHIP sites.

6.4 The Council's Local Housing Strategy 2017-2022 identifies a number of issues to be addressed, including availability of further affordable housing, provision of housing for the elderly, the poor accessibility of housing to allow younger people to remain in the Borders and the need for the supply of housing to reflect demand (i.e. the right housing in the right place). There are many synergies between the role and objectives of the Council's Housing and Planning Services and new departmental restructure will ensure closer working practices which have been of benefit in the process of preparing the LDP.

6.5 Whilst the western area has a considerable amount of undeveloped allocated housing land it should be noted that much of this is within Innerleithen and Walkerburn. Historically Peebles has a vibrant market for housing development and the development industry will continue to seek further land in this area to meet demand. However, due to a number of physical and infrastructure constraints further housing site options are limited. Consequently consultants were appointed to prepare a study to identify both potential short and long term housing options and their findings have influenced the housing proposals in Tweeddale within the LDP.

6.6 To ensure an adequate and effective housing land supply there is a requirement to ensure that there is a likelihood that sites allocated within the LDP will be developed. For any sites which have been allocated within the LDP for a significant period of time with no development interest from either the landowner or the development industry then the sites were considered for removal. The Council wrote to the owners of a number of such longstanding allocations seeking evidence of the likelihood of future development. As a result of this and the LDP Examination, a total of eight sites have not been carried forward into this LDP, and the mixed-use site (MGREE001) is now a business and industrial allocation.

6.7 Thirteen new allocations with an indicative capacity are included within the LDP, comprising twelve housing sites and one mixed use site. It should be noted that (AGREE009) was included within the 2021 HLA established housing land supply, as a windfall site. Therefore, the indicative site capacity for 38 units cannot be counted in the new allocations being taken forward, to avoid double counting the site. The new sites provide a total indicative capacity of 482 units (excluding AGREE009). This will provide additional flexibility to the sites being carried over from the previous plan and ensure that the LDP provides a range of sites in terms of size, tenures and density throughout the whole of the Scottish Borders. The LDP also identifies potential longer-term sites which could be brought forward if required within the LDP period, subject to addressing any constraints.

6.8 The sites included within the LDP are situated in or around existing settlements. In the longer term it may be that ideas come forward for new 'stand-alone' settlements in high demand areas. As a result of the complexity of the work involved in preparing the infrastructure and design of any new settlements and that the housing land requirements are satisfied, there are no new settlements included within the LDP. However, the Council is open to considered and evidenced proposals of this kind being put forward by developers or landowners so that early consideration can begin.

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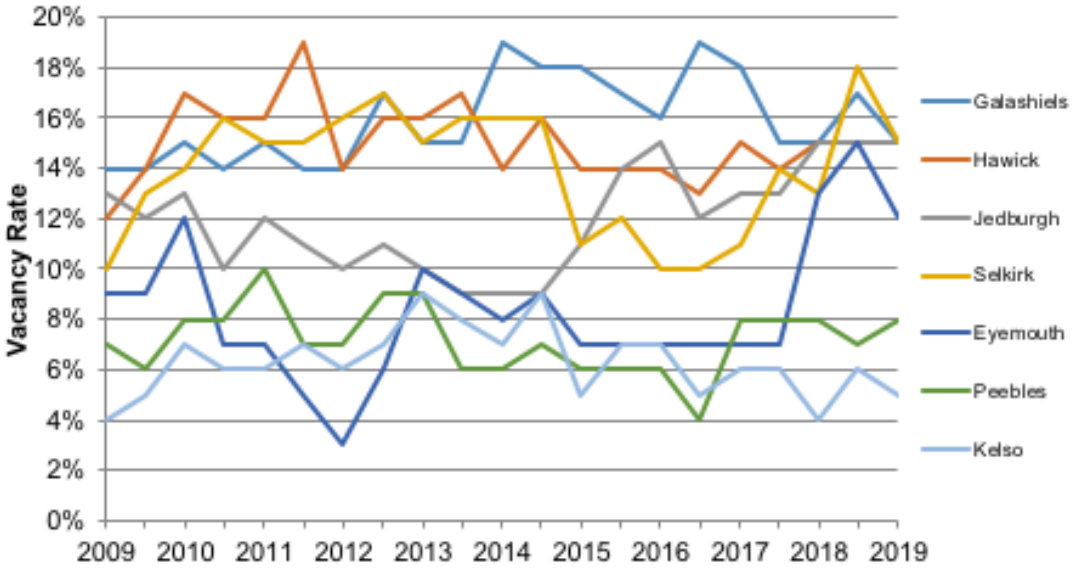
7. SUPPORTING OUR TOWN CENTRES

7.1 Town centres are a key element of the social and economic fabric of Scotland. SPP encourages the improvement of town centres to create distinctive and successful places which are a focus for a mix of uses including retail, housing, leisure, entertainment, recreational, cultural entertainment and community facilities. The Town Centre First Principle 2014 (produced by the External Advisory Group) asks that the Scottish Government, Local Authorities, the wider public sector, businesses and communities put the health of town centres at the heart of proportionate and best-value decision making, seeking to deliver the best local outcomes regarding investment and de-investment decisions, alignment of policies, targeting of available resources to priority town centre sites, and encouraging vibrancy, equality and diversity. For proposals which attract significant footfall a sequential `town centre first' approach to site selection remains fundamental.

7.2 The LDP acknowledges that town centres make a significant contribution to the SESplan area as centres for employment, services and civic activity and identifies a network of centres. New retail development can act as a catalyst to further investment in addition to creating employment opportunities and associated growth. The LDP supports uses in town centres that generate significant footfall such as retail and commercial, leisure, offices, community, cultural facilities and opportunities for town centre living. Consideration should also be given to the evening and night time economy in town centres.

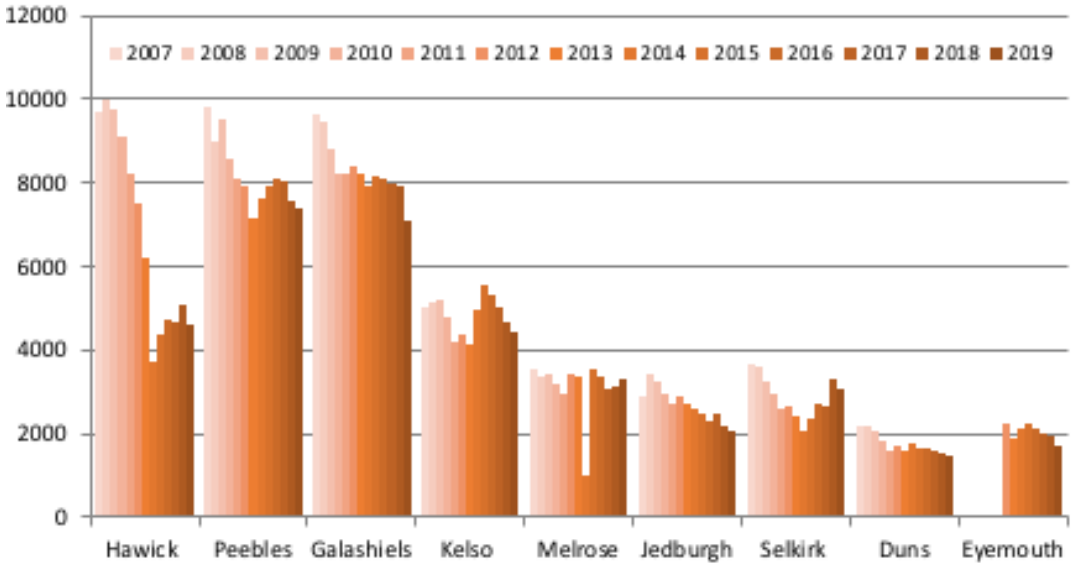
7.3 The Council carries out regular town centre surveys in order to monitor, for example, vacancy rates, footfall and the current uses of premises. These surveys are an important part of the monitoring process and Figures 5 and 6 are examples of outputs from these surveys.

FIGURE 5: RETAIL UNIT VACANCY RATES OF SEVEN LARGEST TOWNS (SUMMER 2009 TO SUMMER 2019)



Source: Retail Survey Report (summer 2019)

FIGURE 6: AVERAGE TOWN CENTRE WEEKLY FOOTFALLS (2007 – 2019)



Source: Town Centre Footfall Surveys (autumn 2019)

7.4 The role of town centres is changing, due to factors such as an increase in online shopping. The decline in the performance of town centres within the Scottish Borders can be seen within Figures 5 & 6, particularly with regards to some towns. The economic downturn has an impact across the country and these trends are not unique to the Scottish Borders. Retail and town centre policies must adapt to changing circumstances. In recent years the LDP has amended the retail policy to adapt to such changes and reduced the size of some designated Core Activity Areas. Although these changes have helped to a degree the LDP has reviewed and amended town centre and Core

Activity Area policy. It is the role of the LDP policies to ensure that our town centres remain a vibrant focus for communities, not just as retail hubs but also as service centres. The Covid 19 pandemic is likely to have an adverse impact on the performance of town centres although, at this stage, there is some uncertainty as to what the extent of this will be. Weight must therefore be given to the need to stimulate economic activity in our town centres within the planning application decision making process.

7.5 Policy ED3: Town Centres and Shopping Development within the LDP generally allows a wide range of uses within town centres. However, on ground floor properties within town centres, Policy ED4: Core Activity Areas in Town Centres has a more stringent approach to ensuring uses are key catalysts in increasing footfall and economic activity and in turn prevent the gradual loss of essential town centre activities which are important to the vitality and viability of the town centres. The policy promotes and seeks to safeguard retail uses and supports food and drink outlets and certain office uses which are considered appropriate complementary uses. The policy does however offer a degree of flexibility which can be applied to decision making across the Scottish Borders for any relevant planning application. This allows consideration of, for example, how the particular town centre is performing, cognisance of current vacancy and footfall rates, opportunities for joint shopping trips and the longevity and marketing of the vacant retail unit. If a town centre is performing well there may be little justified need to lose retail premises. However, if there are significant factors which result in town centres underperforming, there may be a case for allowing alternative uses.

7.6 Due to the changing role of town centres and the consequent underperformance of some of them, a one year pilot study was put in place in order to monitor its impacts which could be taken forward into the LDP. The main changes implemented by the pilot study related to the core activity areas. In Hawick the core activity area was removed and whilst retaining the core activity area in Galashiels, the study allowed a wider range of uses. With reference to considering the length of the vacancy of premises, for all Borders towns it stated that if premises have been vacant for six months and evidence is submitted which confirms they have been adequately marketed for a substantial period of that time, then that will carry much weight in the decision making process.

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8. DELIVERING SUSTAINABILITY AND CLIMATE CHANGE AGENDA

8.1 National Planning Framework 4 (NPF4) states that "the global climate emergency means that we need to reduce greenhouse gas emissions and adapt to the future impacts of climate change". It identifies six overarching spatial principles which will play a key role in delivering the United Nations' Sustainable Development Goals. Part of the NPF4 national spatial strategy is that "Scotland's future places will be net zero, nature-positive places that are designed to reduce emissions and adapt to the impacts of climate change, whilst protecting, recovering and restoring our environment". NPF4 Policy 1 gives significant weight to the global climate and nature crises and Policy 2 will ensure that emissions from new development are minimised as far as possible.

8.2 The Climate Change (Scotland) Act 2009 requires all public bodies to contribute to the achievement of the emissions reduction targets in the Act, and to deliver the Government's climate change action programme. More recently, the Climate Change (Emissions Reduction Targets) (Scotland) Act 2019 has set a legally binding target for Scotland of net zero emissions of greenhouse gases by 2045; with interim targets of 75% by 2030; and 90% by 2040. While these targets are to be achieved through coordinated actions taken across all sectors involving the public and private sectors, individuals as well as organisations, planning has an important role in all cases.

8.3 The update to the Climate Change Plan (December 2020) states at paragraph 2.5.2 that: "planning is a key delivery mechanism for many of the policies within this climate change plan update, across all sectors. By making the right choices about where and what development should take place in the future, planning can help to reduce emissions whilst improving the wellbeing of communities and the quality and resilience of places across Scotland". The need to mitigate the causes of climate change and the need to adapt to its short- and long-term impacts should be taken into account in all decisions within the planning process. The generation of energy from renewable sources and low carbon technologies can help reduce dependence on fossil fuels and reduce the output of harmful emissions.

8.4 NPF4 is supportive of promoting renewable energy and also identifies the need to support other key sustainability principles of social, economic and environmental considerations. It seeks to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably. Developments should be designed so that their use and layout help reduce the need to travel by car and should include clear and direct links to public transport nodes, where possible. These matters will continue to be embedded into LDP policy when assessing new development proposals. The Council will continue to promote key strategic walking, cycling and recreational routes. The draft Borders Transport Study 2018 identifies a series of transport corridor options which will be considered and developed further. The Council is promoting the installation and use of electric vehicle charging points.

8.5 On 25 September 2020, Scottish Borders Council declared a climate emergency. In order to set out a clear plan of action to reduce emissions of greenhouse gases within our region, the Council approved its Climate Change Route Map on 17 June 2021. This sets a strategic direction for the Council and its partners and communities in the region, to move forward to a net zero emissions economy by 2045 in line with the national target set by the Scottish Government. The Climate Change Route Map defines a holistic approach - a whole Borders collaborative approach – to the achievement of the Council's net zero emissions target, within which the generation of renewable energy in place of the burning of fossil fuels will play a leading and significant role.

8.6 In August 2019, the Council committed to implementing the United Nations' Sustainable Development Goals. The Council is formally committed to embedding sustainable development in its strategies, policies and service delivery and has set up a Sustainable Development Committee to oversee this process. By doing so, the Council is ensuring that it has a clear, coherent, and overarching ethical framework for its activities. This brings benefits to its organisation and supports its efforts to optimise outcomes. The Council's commitment to sustainable development is manifest in its pledge to drive and monitor the implementation of the United Nations' Sustainable Development Goals as they relate to local government. Such a commitment recognises the increasing urgency that we live and use resources in ways which do not compromise the quality of life for future generations.

8.7 To support implementation, the Committee's role will be required to ensure that appropriate practice is adopted and followed in how the Council undertakes the full range of its activities and will report annually to Council on progress.

8.8 The Council produced the Scottish Borders Low Carbon Economic Strategy 2023 in 2013, and developed a new Home Energy Efficiency and Affordable Warmth Strategy in 2018, both of which set out a series of strategic aims, initiatives and priority actions. The Local Housing Strategy (2017-22) also has a requirement to consider and address housing's contribution to Climate Change. The Scottish Government has placed a duty on councils to deliver and implement Heat and Energy Efficiency Plans. The Council will consider further an appropriate approach to ensure delivery of its objectives. The Energy Efficient Scotland (EES) programme seeks to follow the Scottish Government's promotion of addressing climate change issues and reductions in fuel

poverty. In partnership with the Council, Changeworks has set up an EES pathfinder project in Peebles. The project has four separate elements: development of a Local Heat & Energy Efficiency Strategy; taking an area based approach to community engagement; working with the non-domestic sector (through a Peebles High School project and impartial advice to local businesses); and supporting fuel poor households to make homes warmer and cheaper to heat with energy efficiency home improvements such as insulation.

8.9 The Scottish Government's Zero Waste Plan seeks to make the most efficient use of resources by minimising demand and maximising re-use, recycling and recovery. The SDP states LDPs will support proposals which encourage recycling and recovery of waste where these are in accordance with the Zero Waste Plan and take account of the environmental, transport, economic and amenity factors. The Council will continue to promote waste treatment to meet the targets of the Zero Waste Plan. Opportunities for co-location with other uses which can make use of any recovered heat will be supported. Planning consent has recently been granted to develop a waste transfer station at the Council's site at Easter Langlee in Galashiels.

8.10 Flood risk remains a primary issue to be addressed as part of the LDP process. This includes updating policy requirements and ensuring SEPA and the Council's Flood Risk and Coastal Management section are consulted on all sites submitted for consideration for inclusion within the Plan.

8.11 In 2016, Local Flood Risk Management Plans (LFRMP) were published and set the duties Local Authorities need to carry out within Flood Risk Management in the 2016-22 cycle. Scottish Borders Council is the Lead Local Authority for the Tweed Local Flood Risk Management Plan and during this period has delivered flood studies for Peebles, Broughton, Innerleithen, Newcastleton and Earlston as well as Surface Water Management Plans for Peebles, Galashiels and Newcastleton. SBC will also deliver the Hawick Flood Protection Scheme, Berwickshire Coast Shoreline Management Plan, Eyemouth Coastal Study, Hawick Natural Flood Management Study, Galashiels Natural Flood Management Study and Hawick Surface Water Management Plans within this cycle. The flood studies will essentially act as pre-scheme preparation and will outline potential mitigation options. The options that are chosen by the Council to take forward as potential mitigation measures will be placed into a national list and prioritised against the Scottish Government's flood scheme criteria.

8.12 The Selkirk Flood Protection Scheme was officially opened in 2016 and provides protection to approximately 600 properties. The Hawick Flood Protection Scheme is ongoing and is currently at the detailed design stage with an expected completion date of 2021 / 2022. The Scheme is expected to provide a 1 in 75 year level of protection from the River Teviot within Hawick.

8.13 NPF4 states that we will need to respond to a growing nature crisis, and to work together to enable development that addresses the social and economic legacy of the coronavirus pandemic, the cost crisis and longstanding inequality. NPF4 Policies 3 and 4 protect biodiversity and natural assets, which in turn play a crucial role in carbon reduction.

8.14 The Council's policy for woodlands and forestry is contained in the Scottish Borders Woodland Strategy and includes locational guidance to encourage the planting of appropriate trees in the right places. The Scottish Government has set targets for woodland creation to help achieve climate change objectives and ensure ongoing supply to the timber industry and the south of Scotland, including the Scottish Borders. This is an important area for this project because of its soils, climate and proximity to markets. The Council is encouraged to consider a strategic approach to ensure that these anticipated, large scale, land use changes balance the needs of business, local communities and the wider environment to maximise the benefit for the people of the Scottish Borders.

8.15 A Feasibility Study for a proposed Scottish Borders National Park commissioned by a local campaign group has been submitted to the Council for consideration along with their Position Statement issued in September 2017. As part of the consultation on the Main Issues Report a question was posed to seek public opinion on the proposition for a National Park, its possible boundaries and operational model. There were mixed responses to the proposal, although there were more offering support; and there was a wide range of suggested sites across the region for the designation. The designation of a National Park is ultimately a matter for Scottish Ministers following an assessment and recommendation by NatureScot. Whilst the support of the Council for such a proposal would be a material consideration for Scottish Ministers it is unlikely to be the key determining factor in their final decision. The Council will consider this matter further in due course which would involve investigating what would be involved in establishing a designation and considering site options. As a position has not yet been decided by the Council or Scottish Ministers, the LDP cannot make any formal designations nor policy references at this point in time.

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9. LOCAL DEVELOPMENT PLAN POLICIES AND POLICY MAPS

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PLACEMAKING AND DESIGN (PMD)

Delivering sustainable development and ensuring high quality design for all developments via good placemaking principles are key themes throughout the LDP. This policy section promotes low carbon technologies and economic growth whilst protecting the built and natural intrinsic qualities of the Scottish Borders.

Good design is at the heart of sustainable communities. The Plan acknowledges that quality design is not just about the aesthetic improvement of the environment, but is as much about improved quality of life, equality of opportunity and economic growth.

Policies PMD1: Sustainability and PMD2: Quality Standards are relevant to all development proposals. Policy PMD1 identifies a series of sustainability principles which underpin all LDP policies. Policy PMD2 promotes high quality design and site layout. It also supports attractive modern and innovative design provided it contributes positively to the surrounding environment. It lays down criteria tests to be applied in terms of sustainability, accessibility, placemaking and design, green space, open space and biodiversity. This policy section includes criteria for proposals within allocations, adjoining development boundaries and for infill development. Particular reference should be made to the Council's SPG on Placemaking and Design in assessing applications.

PLACEMAKING AND DESIGN (PMD)

POLICY PMD1
SUSTAINABILITY

1.1 The Climate Change (Emissions Reductions Targets) (Scotland) Act 2019 creates a statutory framework for delivery of greenhouse gas emissions reductions in Scotland. The Act sets out ambitious targets to reduce emissions and the Local Development Plan has a key role to play by helping encourage the reduction of building and transport related emissions, encouraging the use of renewable energy sources and sustainable development.

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

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

1.4 All of the policies contained within the Plan should be read against Policy PMD1.

POLICY PMD1: SUSTAINABILITY

In determining planning applications and preparing development briefs, the Council will apply the following sustainability principles which underpin all the Plan's policies and which developers will be expected to incorporate into their developments:

a) the long term sustainable use and management of land
b) the preservation of air and water quality
c) the protection of natural resources, landscapes, habitats, and species
d) the protection of built and cultural resources
e) the efficient use of energy and resources, particularly non-renewable resources
f) the minimisation of waste, including waste water and encouragement to its sustainable management
g) the encouragement of walking, cycling, and public transport in preference to the private car
h) the minimisation of light pollution
i) the protection of public health and safety
j) the support to community services and facilities
k) the provision of new jobs and support to the local economy
l) the involvement of the local community in the design, management and improvement of their environment.

PLACEMAKING AND DESIGN (PMD)

POLICY PMD2

QUALITY STANDARDS

1.1 The aim of the policy is to ensure that all new development, not just housing, is of a high quality and respects the environment in which it is contained. The policy does not aim to restrict good quality modern or innovative design but does aim to ensure that it does not negatively impact on the existing buildings, or surrounding landscape and visual amenity of the area. In some locations, the local environment will be more sensitive to change than in others. The policy aims to help tackle the causes and impacts of climate change, reduce resource use and moderate the impact of development on the environment.

1.2 The policy is also aimed at providing guidance to developers in advance of them submitting schemes. The Council is continuing to develop more detailed Supplementary Planning Guidance and a programme of planning briefs for allocated sites is ongoing.

1.3 The Scottish Government has signalled its clear intention to raise the quality of new development. Relevant documents include PAN 68 – Design Statements and PAN 77 – Designing Safer Places. Further guidance on good design can be found in Scottish Government Policy Statements 'Designing Streets' and 'Creating Places'. The Government has identified the six qualities of successful places as:

- Healthy,
- Pleasant,
- Connected,
- Distinctive,
- Sustainable, and
- Adaptable.

1.4 Street design underpins the Government's resolve to move away from a prescriptive standard-based approach to promote innovative design to allow our streets to become safe, vibrant and attractive places. Parking needs to be accommodated by a variety of means to lessen the visual impact. The main focus must be on creating a positive successful sense of place which encourages more people to walk and cycle to local destinations.

1.5 It is acknowledged that local authorities, particularly via Building Standards, have a key role in helping to meet the Scottish Government's future target for nearly carbon zero homes and buildings. In terms of Building Standards, the 2015 edition of Section 6 of the Technical Standards deliver the intended 21% aggregate reduction in carbon emissions on the 2010 standards (a 45% reduction compared to the 2007 standards). The 2003 Building (Scotland) Act allows Scottish Ministers to regulate for the purpose of furthering the achievement of sustainable development. This is achieved through the Building Regulations whereby sustainability is embedded into the Technical Standards. Mandatory parts of the standards deliver sustainability in a number of areas such as energy efficiency, surface water drainage, sound insulation, durability and protection of buildings, access and water saving measures.

1.6 The standards also offer the possibility for developers to go beyond these minimum standards and obtain recognition for achieving higher performance standards in areas such as further reduction of carbon dioxide levels, low and zero carbon technologies, grey water recycling, smart heating controls, building flexibility and adaptability, enhanced sound insulation, recycling facilities and security. Low and zero carbon technologies include renewable energy sources such as solar panels, micro wind, heat pumps, combined heat and power, district heating infrastructure, and equipment such as mechanical ventilation and heat recovery which uses fossil fuels but results in significantly lower carbon dioxide emissions overall.

1.7 The Council supports the development of heat networks and the efficient use of renewables and will develop further work on heat mapping. Policy PMD2 will operate in conjunction with National Planning Framework (NPF4) Policy 19: Heating and Cooling.

1.8 The Council has produced Supplementary Planning Guidance on Renewable Energy which confirms the Council's support and promotion of a range of renewable energy technologies. The Council has also set up a Sustainable Development Committee which will work to develop ideas for promoting low carbon design and implementing sustainable development throughout the Scottish Borders. This is likely to incorporate requirements for example, on-site electric vehicle charging points.

POLICY PMD2: QUALITY STANDARDS

All new development will be expected to be of high quality in accordance with sustainability principles, designed to fit with Scottish Borders townscapes and to integrate with its landscape surroundings. The standards which will apply to all development are:

SUSTAINABILITY

a) in terms of layout, orientation, construction and energy supply, the developer has demonstrated that appropriate measures have been taken to maximise the efficient use of energy and resources, including use of renewable energy and resources, such as heat networks (as detailed in NPF4 Policy 19) and the incorporation of sustainable construction techniques in accordance with supplementary planning guidance. Proposals must demonstrate that the current carbon dioxide emissions reduction target has been met with at least half of this target met through the use of low or zero carbon technology
b) it provides digital connectivity and associated infrastructure
c) it provides for Sustainable Urban Drainage Systems in the context of overall provision of green infrastructure where appropriate and their after-care, accessibility, maintenance and adoption
d) it encourages minimal water usage for new developments
e) it provides for appropriate internal and external provision for waste storage and presentation with, in all instances, separate provision for waste and recycling and, depending on the location, separate provision for composting facilities,
f) it incorporates appropriate hard and soft landscape works, including structural or screen planting where necessary, to help integration with its surroundings and the wider environment and to meet open space requirements. In some cases agreements will be required to ensure that landscape works are undertaken at an early stage of development and that appropriate arrangements are put in place for long term landscape/ open space maintenance
g) it considers, where appropriate, the long term adaptability of buildings and spaces

PLACEMAKING & DESIGN

h) it creates developments with a sense of place, based on a clear understanding of the context, designed in sympathy with Scottish Borders architectural styles; this need not exclude appropriate contemporary and/or innovative design
i) it is of a scale, massing, height and density appropriate to its surroundings and, where an extension or alteration, appropriate to the existing building
j) it is finished externally in materials, the colours and textures of which complement the highest quality of architecture in the locality and, where an extension or alteration, the existing building
k) it is compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form
l) it can be satisfactorily accommodated within the site
m) it provides appropriate boundary treatments to ensure attractive edges to the development that will help integration with its surroundings
n) it incorporates, where appropriate, adequate safety and security measures, in accordance with current guidance on 'designing out crime'

ACCESSIBILITY

o) street layouts must be designed to properly connect and integrate with existing street patterns and be able to be easily extended in the future where appropriate in order to minimise the need for turning heads and isolated footpaths
p) it incorporates, where required, access for those with mobility difficulties
q) it ensures there is no adverse impact on road safety, including but not limited to the site access
r) it provides for linkages with adjoining built up areas including public transport connections and provision for buses, and new paths and cycleways, linking where possible to the existing path network; Travel Plans will be encouraged to support more sustainable travel patterns
s) it incorporates adequate access and turning space for vehicles including those used for waste collection purposes
t) development sites need to be able to promote travel by sustainable travel modes in locations which maximise the extent to which travel demands are met first through walking, then cycling, then public transport and finally through use of private cars

GREEN SPACE, OPEN SPACE & BIODIVERSITY

u) it provides meaningful open space that wherever possible, links to existing open spaces and that is in accordance with current Council standards in advance of the proposed Supplementary Planning Guidance on Greenspace. In some cases a developer contribution to wider neighbourhood or settlement provision may be appropriate, supported by appropriate arrangements for maintenance
v) it retains physical or natural features or habitats which are important to the amenity or biodiversity of the area or makes provision for adequate mitigation or replacements

Developers are required to provide design and access statements, design briefs and landscape plans as appropriate.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

This policy is relevant to most policies within the Plan.

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Biodiversity
Designing out Crime in the Scottish Borders
Developer Contributions
Green Space
Landscape and Development
Placemaking and Design
Privacy and Sunlight Guide
Renewable Energy
Replacement Windows and Doors
Sustainable Urban Drainage
Use of Timber in Sustainable Construction
Waste Management

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Biodiversity
Developer Contributions
Greenspace
Landscape and Development

PLACEMAKING AND DESIGN (PMD)

POLICY PMD3
LAND USE ALLOCATIONS

1.1 This policy applies to all the allocated land use proposals as shown on each of the settlement maps. The aim of the policy is to ensure that sites allocated in the Local Development Plan are developed for their intended use and that any alternative use is subject to appropriate justification (Appendix 1 sets out the site assessment process and this is further amplified in the Environmental Report). This is important as the housing allocations are needed to meet the Local Housing Land Requirement as set out in Appendix 2. The identified business and industrial sites are required to meet future demand for business growth within the Scottish Borders. Examples of the types of uses that might be considered to offer significant community benefits and that could justify an exemption could include a health or sporting facility, school or employment use. Within the planning application decision making process weight must be given to any economic benefits which alternative land uses may help to address with regards to any adverse impacts due to Covid 19 and their contribution to stimulating the Borders economy.

1.2 Where sites are identified for mixed use, a range of uses will be appropriate. There may be some instances where the Council expects a particular mix of uses and these will be outlined in a Planning Brief and/or the site requirements detailed within the Local Development Plan. Allocated mixed use sites may include uses such as offices, workshops, retail (subject to the sequential test) and community uses. These needs will be assessed on a site by site basis and included within site requirements and relevant Planning Briefs where appropriate.

1.3 The Plan also identifies redevelopment opportunities in various settlements which have potential to be developed for a range of uses. The redevelopment sites are those identified through the Local Development Plan process, but are not intended to represent a comprehensive picture of all the potential opportunities. The requirements of developing redevelopment sites (normally brownfield sites) may be guided by Planning Briefs.

1.4 All housing allocations within the Local Development Plan have detailed site requirements and/or an approved Planning Brief which sets out the broad vision for the site. The Council is progressing a programme of planning and development briefs which, following consultation and Council approval, will become Supplementary Planning Guidance and a material consideration in determining planning applications. In some cases, developers may choose to prepare their own briefs and provided these meet the standards employed in the Council-prepared Briefs, these will normally be acceptable.

POLICY PMD3: LAND USE ALLOCATIONS

Development will be approved in principle for the land uses allocated within each of the settlement profiles and settlement maps.

Development will be in accordance with any Council approved Planning Brief provided it meets the requirements for the site and its acceptability has been confirmed in writing by the Council.

Sites proposed for redevelopment or mixed use may be developed for a variety of uses subject to other Local Development Plan policies. Where there is evidence of demand for specific uses or a specific mix of uses, these may be identified in a Planning Brief and the site requirements detailed within the Local Development Plan.

Within new housing allocations other subsidiary uses may be appropriate provided these can be accommodated in accordance with policy and without adversely affecting the character of the housing area. Planning Briefs and site requirements detailed within the Local Development Plan may set out the range of uses that are appropriate or that will require to be accommodated in specific allocations.

Any other use on allocated sites will be refused unless the developer can demonstrate that:

a) it is ancillary to the proposed use and in the case of proposed housing development, it still enables the site to be developed in accordance with the indicative capacity shown in the Land Use Proposals table and/or associated planning briefs, or
b) there is a constraint on the site and no reasonable prospect of its becoming available for the development of the proposed use within the Local Development Plan period, or
c) the alternative use offers significant community benefits that are considered to outweigh the need to maintain the original proposed use, and
d) the proposal is otherwise acceptable under the criteria for infill development.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy PMD5 Infill Development
Policy ED1 Protection of Business and Industrial Land
Policy ED3 Town Centres and Shopping Development
Policy EP1 International Nature Conservation Sites and Protected Species
Policy IS8 Flooding (and Settlement Profiles)

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

PLACEMAKING AND DESIGN (PMD)

POLICY PMD4

DEVELOPMENT ADJOINING DEVELOPMENT BOUNDARIES

1.1 The aim of the policy is to ensure that most development is located within defined Development Boundaries. Any development proposals outwith but adjoining the Development Boundary would have to comply with one or other of the rigorous exceptions criteria contained within this policy. This is important as the housing allocations are needed to meet the Local Housing Land Requirement as set out in Appendix 2.

1.2 The policy recognises that within the lifetime of the Local Development Plan, it is inevitable that unanticipated or windfall developments will arise immediately adjoining the Development Boundary and that on occasion these might be acceptable provided they are in line with the Plan's other policies. Examples of developments offering significant community benefits might be a school, community or health centre. In the case of a village, there might be community support for housing development that could help provide a population to support local services.

1.3 For clarification, any development for affordable housing must meet the requirements of Policy HD1, namely, there must be evidence that the proposed development meets an identified housing need for the settlement and that it will provide housing defined as affordable under the Council's Supplementary Planning Guidance on Affordable Housing. Proposals for single houses should be assessed against the criteria contained within Policy HD2.

1.4 This policy is supported by Scottish Planning Policy (SPP) which states Local Development Plans should make provision for most new urban development to take place within, or in planned extensions to, existing settlements.

POLICY PMD4: DEVELOPMENT ADJOINING DEVELOPMENT BOUNDARIES

Where Development Boundaries are defined on settlement maps, they indicate the extent to which towns and villages should be allowed to expand during the Local Development Plan period. Development should be contained within the Development Boundary and proposals for new development adjoining this boundary, and not on allocated sites identified on the settlement maps, will normally be refused.

Exceptional approvals may be granted provided strong reasons can be given:

a) it is a job-generating development in the countryside that has an economic justification under Policy ED7, OR
b) it is an affordable housing development that can be justified in terms of Policy HD1, OR
c) it is a development that it is considered would offer significant community benefits that outweigh the need to protect the Development Boundary.

AND the development of the site:

a) represents a logical extension of the built-up area, and
b) is of an appropriate scale in relation to the size of the settlement, and
c) does not prejudice the character, visual cohesion or natural built up edge of the settlement, and
d) does not cause a significant adverse effect on the landscape setting of the settlement or the natural heritage of the surrounding area, and
e) is capable of achieving a satisfactory access.

The decision on whether to grant exceptional approvals will take account of:

a) any indicators regarding restrictions on, or encouragement of, development in the longer term that may be set out in the Settlement Profile;
b) the cumulative effect of any other developments outwith the Development Boundary within the current Local Development Plan period;
c) the infrastructure and service capacity of the settlement.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy ED7 Business, Tourism and Leisure Development in the Countryside
Environmental Promotion and Protection policies particularly EP1-EP5 and EP13.

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Affordable Housing
Biodiversity
Countryside Around Towns
Developer Contributions
Landscape and Development
Local Landscape Designations
New Housing in the Borders Countryside
Placemaking and Design
Trees and Development
Renewable Energy

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Affordable Housing
Biodiversity
Countryside Around Towns
Developer Contributions
Landscape and Development
New Housing in the Borders Countryside
Placemaking and Design
Planning for Particular Needs Housing
Trees and Development

PLACEMAKING AND DESIGN (PMD)

POLICY PMD5

INFILL DEVELOPMENT

1.1 The purpose of the policy is to be generally supportive to suitable infill development provided it meets certain criteria. Such development should be judged on a case by case basis and the policy is intended to ensure careful assessment is carried out. The policy applies to all areas within the Development Boundary, not just areas where the predominant use is residential. It may apply to areas of mixed use, town centres or areas of established business and industrial use, or utilities and their landholdings which, due to changes to technology and new practices may become surplus to requirements.

1.2 Policy HD3 (Protection of Residential Amenity) will be applicable for development on garden ground or 'backland' proposals, development on gap sites and redevelopment of brownfield sites to safeguard the amenity of residential areas.

1.3 In the case of a gap site, a proposal should be tested against a range of policies including the key policies identified to be cross referenced as listed.

1.4 The policy complies with Scottish Planning Policy (SPP) which acknowledges the contribution of infill development to the housing land supply but provides for its careful control, particularly within residential areas. SPP also supports the principle that settlements must be able to absorb and sustain the individual and cumulative effects of infill development and care must be taken to ensure that no over-development takes place.

POLICY PMD5: INFILL DEVELOPMENT

Development on non-allocated, infill or windfall, sites, including the re-use of buildings within Development Boundaries as shown on settlement maps will be approved where the following criteria are satisfied:

a) where relevant, it does not conflict with the established land use of the area; and
b) it does not detract from the character and amenity of the surrounding area; and
c) the individual and cumulative effects of the development can be sustained by the social and economic infrastructure and it does not lead to over-development or 'town and village cramming'; and
d) it respects the scale, form, design, materials and density in context of its surroundings; and
e) adequate access and servicing can be achieved, particularly taking account of water and drainage and schools capacity; and
f) it does not result in any significant loss of daylight, sunlight or privacy to adjoining properties as a result of overshadowing or overlooking.

All applications will be considered against the Council's Supplementary Planning Guidance on Placemaking and Design. Developers are required to provide Design Statements as appropriate.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD3 Land Use Allocations
Policy ED1 Protection of Business and Industrial Land
Policy HD3 Protection of Residential Amenity
Policy EP3 Local Biodiversity and Geodiversity
Policy EP11 Protection of Greenspace
Policy IS5 Protection of Access Routes
Environmental Promotion and Protection policies EP7-EP10

In cases of any part intrusion into the open countryside, other policies will apply including Policy PMD4 – Development adjoining Development Boundaries, Policies ED7, HD2, Environmental Promotion and Protection policies.

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

ECONOMIC DEVELOPMENT (ED)

National planning policy promotes sustainable economic growth and this policy section confirms the role the LDP has in ensuring the right development in the right place, and promoting strong, resilient and inclusive communities. In order to attract businesses and investment the policies promote development which will increase employment opportunities, economic activity and sustainable growth. This includes the Council's continuing support and promotion of improving digital connectivity throughout the Scottish Borders.

This policy section seeks to ensure the identification, safeguarding and delivery of a sufficient supply of business and industrial land taking account of market demands and existing infrastructure. As required by the Blueprint for the Border Railway opportunities are promoted along the railway corridor. Support is given to a wide range of renewable energy proposals within appropriate locations and criteria tests are laid down for considering a wide range of development types within rural areas.

Retailing patterns continue to fluctuate and the role of town centres is changing. Policies seek to regenerate town centres allowing more flexibility of uses where appropriate. This section supports the `Town Centre First Principle` which seeks to ensure the health of town centres is at the heart of decision making. For proposals which attract significant footfall a sequential town centre first approach to site selection remains fundamental.

Within the planning application decision making process weight must be given to any adverse economic impacts due to Covid 19 and the need to stimulate the Borders economy.

ECONOMIC DEVELOPMENT (ED)

POLICY ED1
PROTECTION OF BUSINESS AND INDUSTRIAL LAND

1.1 The aim of the policy is to ensure that adequate supplies of business and industrial land are retained for business and industrial use and are not diluted by a proliferation of other uses. The policy recognises the financial difficulty in bringing forward new business and industrial land in a rural area such as the Borders where, in the provision of business land, there is a market failure situation. For clarity, Class 4 covers offices, light industry and research and development, Class 5 is general industrial and Class 6 is storage and distribution.

1.2 The policy has split all allocated sites into two categories. The first category relates to High Amenity Business Sites and seeks to protect these rigorously for Class 4 Use. The second category relates to Business and Industrial Sites where Use Classes 4, 5 and 6 would be permitted. Both categories are identified in Table 1 which confirms which category each allocated site falls within. The policy recognises that there may be circumstances whereby ancillary uses could be supported within both categories if it enhances the quality of the estate as an employment location and is specifically intended to support and provide services for those working there. Examples of this would be a crèche/day nursery, trade counters and small scale convenience shops.

1.3 In the case of Business and Industrial site allocations, as well as the aforesaid ancillary uses, uses other than Class 4, 5 and 6 may be considered if certain tests are met. Proposals other than Class 4, 5 and 6 would require to be assessed to establish first and foremost if suitable alternative sites are available. 'Marketable' is defined in Scottish Government guidance and means that the site is ready for development.

1.4 Consultation with the Council's Economic Development Service, Scottish Enterprise (SE) and the South of Scotland Enterprise Agency will often be necessary to assist decision making by providing evidence on matters such as demand, business cases and land availability. In order to support existing town and village centres, mainstream retailing is not considered to be an appropriate use on industrial estates other than those uses set out in paragraph 1.2 above. Within the planning application decision making process weight must be given to any adverse economic impacts due to Covid 19 and the need to stimulate the Borders economy.

TABLE 1

TYPE OF SITE	STRATEGIC DEVELOPMENT AREA	SETTLEMENT	SITE NAME
High Amenity Business Sites	Central	Newtown St Boswells	Tweed Horizons Expansion (BNEWT001)
		Hawick	Land to South of Burnhead (BHAWI004)
		Kelso	Wooden Linn II (BKELS006, Part A)
		Selkirk	Riverside 6 (zEL15); Riverside 8 (BSELK003)
		Tweedbank	Lowood (MTWEE002, 2.3ha); North of Tweedbank Drive (zEL59);
	Western	Innerleithen	Land West of Innerleithen (MINNE003, 0.5ha)
		Peebles	Cavalry Park (zEL2), March Street Mill (MPEEB007, 0.1ha)
Business and Industrial Sites	Central	Earlston	Mill Road (zEL57); Station Road (zEL56); Townhead (BEARL002); Turfford Park (zEL55)
		Galashiels	Easter Langlee Industrial Estate (zEL38); Galafoot (BGALA002); Huddersfield Street Mill (zEL41); Langhaugh (BGALA003); Netherdale Industrial Estate (zEL40); Wheatlands Road (zEL42); Land at Winston Road (BGALA006)
		Hawick	North West Burnfoot (BHAWI001); Gala Law (Safeguarded Site) (zEL48); Gala Law (zEL60); Gala Law North (BHAWI002); Burnfoot (zEL49), Weensland (zEL62), Mansfield Road (zEL50), Liddesdale Road (zEL52); Loch Park Road (zEL51); Gala Law II (BHAWI003)
		Jedburgh	Wildcat Gate (zEL31); Wildcat Wood and extension (BJEDB001); Hartrigge Park (zEL32); Edinburgh Road (zEL33); Bankend South Industrial Estate zEL34); Bongate South (zEL35); Bongate North (zEL37)
		Kelso	Pinnaclehill Industrial Estate (BKELS005); Extension to Pinnaclehill Industrial Estate (zEL206); Wooden Linn (BKELS003); Spylaw Road/ Station Road (zEL205); Wooden Linn II (BKELS006, Part B)

TYPE OF SITE	STRATEGIC DEVELOPMENT AREA	SETTLEMENT	SITE NAME
		Newtown St. Boswells	Waverley Place (zEL36);
		Selkirk	Riverside 2 (zEL11); Riverside 5 (BSELK002); Riverside 7 (BSELK001)
		St Boswells	Charlesfield (zEL3); Extension to Charlesfield (zEL19)
		Tweedbank	Tweedbank Industrial Estate (zEL39)
	Eastern	Chirnside	Berwick Road (zEL25); Southfield (zEL1)
		Duns	Cheeklaw (zEL26); Peelrig (zEL8)
		Eyemouth	Gunsgreenhill (BEYEM001); Hawk's Ness (zEL6); Acredale Industrial Estate (zEL47), Eyemouth Industrial Estate (zEL63)
	Western	Eshiels	Land at Eshiels (BESHI001)
		Innerleithen	Traquair Road (zEL200), Traquair Road East (zEL16)
		Peebles	South Park (zEL46), South Park (zEL204)
	Landward	Broughton	Former Station Yard (zEL43)
		Coldstream	Lennel Mount North (BCOLD001), Hillview Industrial Estate (zEL28); Coldstream Workshops (zEL27)
		Greenlaw	Duns Road Industrial Estate (zEL22); Land South of Edinburgh Road (BGREE005)
		Lauder	North Lauder Industrial Estate (BLAUD002), Lauder Industrial Estate (zEL61)
		Morebattle	Croft Industrial Estate (BMORE002); Croft Industrial Estate Extension (BMORE001)
		Newcastleton	Moss Road (zEL44)
		Swinton	Coldstream Road (zEL45)
		Westruther	Land South West of Mansefield House (BWESR001)
		West Linton	Deanfoot Road (zEL18)
		Whitsome	Waste Transfer Station (zEL24)
		Town Yetholm	Land North West of Deanfield Place (BYETH001)

POLICY ED1: PROTECTION OF BUSINESS AND INDUSTRIAL LAND

The Council aims to maintain a supply of business and industrial land allocations in the Scottish Borders (see Table 1). There is a presumption in favour of the retention of industrial and business use on High Amenity Business and Business and Industrial sites.

1. HIGH AMENITY BUSINESS SITES

The Council rigorously protects high amenity business sites for Class 4. Other high quality complementary commercial activity may be acceptable as well as non-industrial business / employment generating uses if it can be demonstrated that it enhances the quality of the high amenity business sites as an employment location, and provides a specific service for those businesses operating on the wider business site.

2. BUSINESS AND INDUSTRIAL SITES

Development for uses other than Classes 4, 5 and 6 on business and industrial sites in the locations identified in Table 1 will generally be refused. Uses other than Class 4, 5 or 6 can be considered if they are ancillary/complementary uses to the business and industrial site. Employment generating uses other than Class 4, 5 and 6 can only be considered where no suitable alternative site(s) are available and the following criteria can be satisfied:

a) The loss of business and industrial land does not prejudice the existing and predicted long term requirements for industrial and business land in the locality, and
b) The alternative land use is considered to complement the business/industrial land allocation and offer significant benefits to the surrounding area and community that outweigh the need to retain the site in business and industrial use, or
c) There is a constraint on the site whereby there is no reasonable prospect of it becoming marketable for business and industrial development in the future, or
d) The predominant land uses have changed owing to previous exceptions to policy such that a more mixed use land pattern is now considered acceptable by the Council.

In the case of both high amenity business sites and business and industrial sites development must:

a) respect the character and amenity of the surrounding area, and be landscaped accordingly, and
b) be compatible with neighbouring business and industrial uses.

Shops and outright retail activities which are not considered to be complementary nor ancillary uses to the estate will not be allowed on High Amenity and/or Business and Industrial sites. For the purposes of this policy, retailing associated with existing businesses, linked directly to the existing use of the unit (e.g. manufacture; wholesale) should comprise no more than 10% of the total floor area. Vehicle sales may be allowed on Business and Industrial Sites if a satisfactory case is submitted.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD3 Land Use Allocations
Policy PMD5 Infill Development
Policy ED3 Town Centres and Shopping Development
Policy EP1 International Nature Conservation Sites and Protected Species
Policy IS8 Flooding

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

ECONOMIC DEVELOPMENT (ED)

POLICY ED2

EMPLOYMENT USES OUTWITH BUSINESS AND INDUSTRIAL LAND

1.1 The aim of the policy is to ensure that within development boundaries of settlements, business and industrial uses (Use Classes 4, 5 and 6) are generally restricted to business and industrial sites identified under Policies ED1 and PMD3, land use allocations for mixed uses or redevelopment opportunities identified under policy. This is to assist in protecting residential amenity and to retain town centres for more appropriate uses such as shopping, leisure and professional services.

POLICY ED2: EMPLOYMENT USES OUTWITH BUSINESS AND INDUSTRIAL LAND

Within the defined development boundary there will be a general presumption against business and industrial uses outwith business and industrial, mixed use or redevelopment sites (Policies ED1 and PMD3). Any proposal for business and industrial development outwith development boundaries will be required to:

a) justify the need for that location, and
b) demonstrate significant economic and/or employment benefit, and
c) demonstrate that it can co-exist satisfactorily with adjoining uses.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD3 Land Use Allocations
Policy PMD5 Infill Development
Policy ED3 Town Centres and Shopping Development
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy HD3 Protection of Residential Amenity

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

ECONOMIC DEVELOPMENT (ED)

POLICY ED3

TOWN CENTRES AND SHOPPING DEVELOPMENT

1.1 This policy aims to guide new shopping development to town and village centres and encourage an appropriate mix of uses within these centres. This will help protect and enhance the vitality and viability of these centres, particularly those town centres identified within the Local Development Plan Settlement Maps.

1.2 Scottish Planning Policy (SPP) sets out national policy for town centres and requires that decision making is guided by a network of centres which will, depending on circumstances, include town centres, commercial centres and other local centres and may take the form of a hierarchy. The Strategic Development Plan does not identify any Strategic Town Centres within the Scottish Borders. The 'Town Centre First Principle' asks that the Scottish Government, local authorities, the wider public sector, businesses and communities put the health of town centres at the heart of decision making, seeking to deliver the best local outcomes regarding investment decisions, alignment of policies, targeting of available resources to priority town centre sites, and encouraging vibrancy, equality and diversity. For proposals which attract significant footfall a sequential `Town Centre First' approach to site selection remains fundamental.

1.3 There are some small scale, edge of town or out of town, retail clusters in the Borders but no commercial centres of the size and importance to justify inclusion in the hierarchy. Development will be directed to the identified Town Centres in preference to edge of centre locations which, in turn, will be preferred to out of centre locations. However, in out of centre locations preference will be given to a retail cluster or park if the assessment of a retail development proposal points towards the cluster or park being a commercial centre. This takes appropriate account of the preferred order of locations set out in the sequential approach within SPP. Decision making will be guided by the role in the network of centres, whether the centre is a regeneration priority and by the results of any vitality and viability studies. Development proposals will also be assessed against any relevant Development Briefs.

1.4 The role of the town centre is changing mainly due to increasing internet shopping and competition from out of centre floorspace combined with reduced expenditure growth rates. These are making the economics of delivering successful town centres increasingly challenging. Within the planning application decision making process weight must also be given to any adverse economic impacts on the performance of town centres due to Covid 19 and the need to stimulate the Borders economy. Several town centres in the Scottish Borders have experienced major change in the composition and structure of their retail markets in recent years, partly due to strategically significant major retail developments. The Council's Town Centre Footfall Survey found the average weekly footfall across eight surveyed settlements (Duns, Galashiels, Hawick, Jedburgh, Kelso, Melrose, Peebles and Selkirk) between 2007 and 2019 to have fallen by 28%. It should be noted that some town centres (eg: Kelso, Melrose and Peebles) are performing significantly better than others. Footfall increased by 12% in 2015 however the general trend shows a decline in the Scottish Borders. The average retail vacancy rate in the Scottish Borders is 12% (June 2019) which matches the national trend.

1.5 It is important that planning policy recognises the changing role of town centres and reflects that they are community and service centres as well as retail locations. As well as class 1 shop uses, appropriate development could include financial, professional and other services (class 2), food and drink (class 3), offices (class 4) and commercial leisure and entertainment (including cinemas and theatres), residential, particularly flats above ground floor level, healthcare, education and tourism related uses. The preferred order of locations set out in the sequential approach will be applied to proposals for a range of uses which generate significant footfall, as well as retail, commercial and leisure uses.

1.6 Proposals for retail related development within rural areas should be assessed not only against this policy, but also against Policies IS1 (Public Infrastructure and Local Service Provision) and ED7 (Business, Tourism and Leisure Development in the Countryside).

Figure ED3a
Policy ED3

Former Hawick Core Activity Area

Scottish Borders COUNCIL

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POLICY ED3: TOWN CENTRES AND SHOPPING DEVELOPMENT

To protect town centres, town centre locations will be preferred to edge-of-centre locations which, in turn, will be preferred to out-of-centre locations. An out-of-centre location will only be considered where there is no suitable site available in a town centre or edge-of-centre location.

For the avoidance of doubt, the Council will apply the preferred order of locations set out above to appropriate uses generating significant footfall, including community and cultural facilities, offices, libraries, and education and healthcare facilities as well as retail and commercial leisure uses. It will also ensure that different uses are developed in the most appropriate locations.

TOWN CENTRES:

The Council will seek to develop and enhance the role of town centres. A network of centres and growth of the retail sector will be supported by directing shopping development to the following town centres: Duns, Eyemouth, Galashiels, Hawick, Innerleithen, Jedburgh, Kelso, Melrose, Peebles and Selkirk.

The Council will support a wide range of uses appropriate to a town centre. Proposals for shopping development and other town centre developments will generally be approved within defined town centres provided that the character, vitality, viability, and mixed use nature of the town centre will be maintained and enhanced.

Town centre enhancement, including the provision of new retail facilities and complementary non-retail uses, will be encouraged in centres both within the hierarchy and other centres which:

a) are Council priorities for area regeneration because of special economic difficulties and/or population decline,
b) are subject to significant retail spending leakage,
c) play an important role in areas planned for substantial development under the development strategy.

The Council will encourage the use of town centres during the evening provided residential amenity is protected.

Any proposed development which would create an unacceptable adverse impact on the town centre will be refused.

Within Hawick, proposals for residential development on the ground floor of the former Core Activity Area will only be supported in exceptional circumstances taking cognisance of matters such as length of vacancy and opportunities for gaining access to the premises above. The former Core Activity Area for Hawick can be viewed in Figure ED3a.

OUT-OF-TOWN CENTRE DEVELOPMENT:

Retail proposals in out-of-centre locations will be assessed in accordance with NPF4 Policy 28. The Council will have regard to the following considerations, where relevant, in assessing applications for out-of-centre development other than retail proposals:

a) the individual or cumulative impact of the proposed development on the vitality and viability of existing town centres,
b) the availability of a suitable town centre or edge-of-centre site,
c) the ability of the proposal to meet deficiencies in shopping provision which cannot be met in town centre or edge-of-centre locations,
d) the impact of the proposal on travel patterns and car usage,
e) the accessibility of the site by a choice of means of transport,
f) the preference for commercial centres in the preferred order of locations, including appropriate retail clusters and parks, over other out-of-centre locations,
g) the extent to which a proposal would constitute appropriate small scale shopping provision designed to serve the needs of local rural communities,
h) the location of the proposal. Sites will be located within existing settlements, and within them preference will be given to applications on vacant or derelict sites, or on sites deemed to be surplus to requirements.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD5 Infill Development
Policy PMD4 Development adjoining Development Boundaries
Policy ED1 Protection of Business and Industrial Land
Policy ED2 Employment Uses outwith Business and Industrial Land
Policy ED4 Core Activity Areas in Town Centres
Policy ED5 Regeneration
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy HD3 Protection of Residential Amenity
Policy EP9 Conservation Areas
Policy IS1 Public Infrastructure and Local Service Provision
Policy IS4 Transport Development and Infrastructure
Policy IS7 Parking Provisions and Standards
Policy IS16 Advertisements

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design
Replacement Windows and Doors
Shop Fronts and Shop Signage
Snack Bar Operations Guidance

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

ECONOMIC DEVELOPMENT (ED)

POLICY ED4

CORE ACTIVITY AREAS IN TOWN CENTRES

1.1 Policy ED3 Town Centres and Shopping Development generally allows a wide range of uses within town centres in the Scottish Borders. However, on ground floor properties within the central part of town centres Policy ED4 identifies Core Activity Areas. The aim of these Areas is to encourage public activity within the central parts of these town centres. These Areas ensure a range of commercial uses to encourage development which increases footfall in town centres and in turn prevents the gradual loss of essential town centre activities in locations where this is regarded as important to the vitality and viability of the centre. Within the planning application decision making process weight must be given to any adverse economic impacts on the performance of core activity areas due to Covid 19 and the need to stimulate the Borders economy.

1.2 Policy ED4 and the settlements it relates to were reviewed as part of the preparation of the LDP. Policy ED4 previously related to ten towns which all had designated Core Activity Areas. However, within these towns there was a very wide range of performance levels which can be seen via reference to for example, vacancy rates, length of vacancies, levels of footfall and town centre health checks. Cognisance was also taken of the Council's one year Town Centre Core Activity Area Pilot Study. The aim of this Study was to examine ways to revitalise and reinvigorate town centres. The Study removed the Core Activity Area for Hawick, allowed a wider range of uses in Galashiels, gave more flexibility to uses when premises have been vacant for six months and gave guidance on what is meant by a 'significant positive contribution' to the core retail function as referred to within Policy ED4.

1.3 Policy ED4 confirms the Core Activity Areas for Hawick and Stow have been removed and that Class 2 uses are now supported in Duns, Eyemouth, Galashiels, Jedburgh and Selkirk. The Galashiels Core Activity Area has been reduced in size to include only Bank Street and part of Market Street. Channel Street and Douglas Bridge have been removed from this designation. As the Core Activity Areas for Kelso, Melrose and Peebles continue to perform at a comparatively high level, there is less requirement to add more flexibility of uses.

1.4 In terms of Kelso, Melrose and Peebles, proposed changes from Class 1 to Class 2 could be supported where the proposal contributes positively to the core activity of the area and will be assessed against the following:

- How the proposed use would contribute to joint shopping trips,
- Footfall contribution,
- Current vacancy and footfall rates,
- Length of vacancy,
- Ability to retain active shop frontage,
- Community benefit.

1.5 With regards to the length of vacancy test as referred to in paragraph 1.4, criteria tests from the Town Centre Core Activity Area Pilot Study have been carried forward into Policy ED4. Within Kelso, Melrose and Peebles, premises which have been vacant for at least six months require the following marketing information to be submitted to support any proposal for Class 2 use:

- adequate marketing of the property in its existing use class must have taken place for a substantial period of the six months (ie: no less than five months),
- premises must have been advertised by at least one property agent who deals in commercial property,
- details of the nature of the marketing, including for example, details of publications used, distribution area of the publications and press advertisement,
- submission of property selling details which should include property/site, address, size, location, description, services, planning/current, reference to potential uses, terms, leasehold rent or freehold sale price, viewing arrangements,
- details of all expressions of interest and all offers received, including rental interest, with explanations as to why such offers were not accepted. In circumstances where the premises are currently occupied, the assessment should indicate clearly why the occupier wishes to vacate the premises,
- independent valuation confirming the selling or lease price was reasonable (this is to ensure instances where no third party interest was lost due to unrealistic overpricing).

1.6 Reference to the term '*significant positive contribution*' to the core retail function as stated within Policy ED4 relates to proposals within the Core Activity Areas of Kelso, Melrose and Peebles. It requires consideration of the following:

- the economic benefits of the proposals, including consideration of the general positive contribution to the economic or social vitality of the town centre,
- the footfall it is likely to generate,
- how active the frontage is in terms of how it can help improve the public perception of successful town centres in terms of safety, comfort, sociability and liveliness.

1.7 Decision making will be guided by research or studies on vitality and viability by the Council or developers.

POLICY ED4: CORE ACTIVITY AREAS IN TOWN CENTRES

To provide flexibility and maintain vitality and viability in the retail core of the town centre. Core Activity Areas have been identified in Duns, Eyemouth, Galashiels, Jedburgh, Kelso Melrose, Peebles and Selkirk.

Use classes 1, 2 and 3 are seen as appropriate uses within these ground floor Core Activity Areas.

However, changes from Class 1 to Class 2 uses in Kelso, Melrose and Peebles will be allowed where a proposal makes a positive contribution to the core retail function and satisfactory marketing information is submitted in relation to premises that have been vacant for a minimum of six months.

Community and cultural facilities could be supported in certain circumstances, where it can be demonstrated that the proposal would make a positive contribution to the vitality and viability of the town centre. Residential development on the ground floor of Core Activity Areas will generally be resisted and could only be supported in exceptional circumstances taking account matters such as town centre performance and the need for more flexibility of uses, economic likelihood of premises being retained as a commercial use and opportunities to gain access to upper floors.

In order to encourage interest, vibrancy and vitality to the Core Activity Area, applications must demonstrate the provision of active frontages.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy ED3 Town Centres and Shopping Development

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design
Replacement Windows
Shop Fronts and Shop Signage
Snack Bar Operations Guidance

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

ECONOMIC DEVELOPMENT (ED)

POLICY ED5

REGENERATION

1.1 In line with national policy, the Council is progressing a place based approach to town centre regeneration. The Council has developed a Scottish Borders Town Centre Regeneration Action Plan, which focuses on prioritising regeneration in those towns, which have key economic, social and environmental challenges. The Council has been working with business and community groups with individual towns to develop specific town or locality place based economic regeneration plans.

1.2 The Local Development Plan allocates redevelopment opportunities across the Borders, although these allocations are not exhaustive. The aim of this policy is to encourage redevelopment of such allocations for a variety of uses including housing, employment or retailing which will support the opportunity of bringing such land back into productive use and to enhance the surrounding environment. This policy also relates to non-allocated brownfield sites.

1.3 The Council has also been proactive in stimulating direct investment for town centre regeneration with a range of economic and business initiatives. These include support for physical redevelopment such as Townscape Heritage Initiatives, Conservation Area Regeneration Schemes and related traffic management/ public realm schemes. Redevelopment has also included regeneration of key sites within towns such as the town centre site in Galashiels for the Great Tapestry of Scotland and the redevelopment of the former Armstrong's store in Hawick. Support has also focused on wider business development activity, events and marketing support to stimulate footfall and spend in town centres.

1.4 South of Scotland Enterprise (SOSE) will continue this place-based approach to drive the local economy of the Scottish Borders and the South of Scotland with the aim of enhancing the area to be more attractive to businesses, investors, visitors and residents.

POLICY ED5: REGENERATION

Development on allocated and non-allocated brownfield sites will be approved in all cases where the following criteria are satisfied:

a) where relevant, it does not conflict with the established land use of the area; and
b) it does not detract from the character and amenity of the surrounding area; and
c) the individual and cumulative effects of the development can be sustained by the social and economic infrastructure and it does not lead to over-development or 'town and village cramming'; and
d) it respects the scale, form, design, materials and density in context of its surroundings; and
e) adequate access and servicing can be achieved, particularly taking account of water and drainage and schools capacity; and
f) it does not result in any significant loss of daylight, sunlight or privacy to adjoining properties as a result of overshadowing or overlooking.

All applications will be considered against the Council's Supplementary Planning Guidance on Placemaking and Design. Developers are required to provide Design Statements as appropriate.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD3 Land Use Allocations
Policy ED1 Protection of Business and Industrial Land
Policy HD3 Protection of Residential Amenity
Policy EP3 Local Biodiversity and Geodiversity
Policy EP11 Protection of Greenspace
Policy IS4 Transport Development and Infrastructure
Policy IS5 Protection of Access Routes
Environmental Promotion and Protection policies EP7-EP10

In cases of any part intrusion into the open countryside, other policies will apply including policies PMD4, ED7, HD2 and Environmental Promotion and Protection (EP) policies.

ECONOMIC DEVELOPMENT (ED)
POLICY ED6
DIGITAL CONNECTIVITY

1.1 Advanced digital connectivity infrastructure and enhanced mobile network coverage are essential to an area as large and dispersed as the Scottish Borders to help achieve economic productivity and growth. It can also help to reduce the need to travel, particularly business travel and therefore contributes to a reduction in CO_2 emissions and meeting climate change targets.

1.2 The Scottish Government is committed to delivering world class, future-proofed digital infrastructure across the whole of Scotland with a commitment to investing £600m to extend superfast broadband access to 100% of premises across Scotland by the end of 2021. The Scottish Government believes that world class standards today require speeds of between 100Mbps and 1Gbps. Fibre solutions are believed to provide the backbone of a future proofed infrastructure capable of accommodating future demand at increasing speeds, for decades to come.

1.3 As at the end of September 2017, 82.7% of premises in the Scottish Borders had been connected to fibre enabled cabinets or exchanges. More than 130 new superfast broadband cabinets and exchange upgrades had been delivered, connecting over 31,800 premises in the Scottish Borders.

1.4 The aim of the policy is to encourage and improve digital connectivity in the Scottish Borders.

POLICY ED6: DIGITAL CONNECTIVITY

The Council will support proposals which lead to the expansion and improvement of the electronic communications network in the Borders, provided it can be achieved without any unacceptable detrimental impact on the natural and built environment. This includes delivery of core infrastructure for telecommunications, broadband and other future digital infrastructure.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS-REFERENCED:

Policy PMD2 Quality Standards

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

ECONOMIC DEVELOPMENT (ED)

POLICY ED7
BUSINESS, TOURISM AND LEISURE DEVELOPMENT IN THE COUNTRYSIDE

1.1 The Scottish Borders is a very distinctive place which is largely rural in character with considerable natural and cultural heritage. The Council however considers that opportunities exist at appropriate locations outwith settlements where economic activity and diversification can take place. This may include development linked to tourism and farm diversification which can not only protect but also enhance the Scottish Borders natural and cultural heritage. In addition, the Scottish Government acknowledges that one of the core values of the planning service is to play a key role in facilitating sustainable economic growth, particularly the creation of new jobs and the strengthening of economic capacity and resilience within communities.

1.2 The aim of the policy is to allow for appropriate employment generating development in the countryside whilst protecting the environment and to ensure that business, tourism, and leisure related developments are appropriate to their location. This policy will be applied to any applications that involve economic diversification in rural areas, for example diversification of agricultural land. Any diversification must involve land uses that are complementary to or appropriate for the area.

1.3 Developments that involve both business/industrial and housing uses will be assessed against this policy and Policy HD2: Housing in the Countryside. Proposals for housing development will not be treated as farm diversification and will be assessed under the Policy HD2: Housing in the Countryside. Furthermore, where the proposal is for a guest house or a bed and breakfast, that proposal will also be assessed against Policy HD2.

1.4 The policy recognises that some tourism related developments may not be able to be easily accommodated within settlements and may be satisfactorily located in certain countryside locations subject to compliance with environmental policies. Decision making will be guided by reference to the VisitScotland Tourism Development Plan as well as the Scottish Borders Tourism Strategy and Action Plan, which require all tourism developments to be of high quality, sustainable and customer focussed. The Council will also take into consideration where appropriate advice from VisitScotland. Other current strategies or any others which are produced within the Plan period that are relevant will also apply.

1.5 The policy also relates to farm diversification as well as timber processing facilities. Forests rarely serve only a single purpose and at their best provide a combination of benefits such as timber production, opportunities for recreation, enhancement of the landscape and the creation of new habitats. The Council recognises both the importance of forestry as a long-term land use, and the need to balance the economic value of forestry with a need to protect the environment. Forestry may provide an appropriate form of farm diversification, particularly in the uplands, and can often be a suitable form of land cover for land restoration, for example, quarries or waste

disposal sites. The Forestry Commission's 'The UK Forestry Standard' (2017), provides a series of guidelines, and outlines the context for forestry in the UK. The document also sets out the Government's approach to sustainable forest management, defines standards and requirements, as well as a basis for regulation and monitoring. The Scottish Borders Woodland Strategy, and its associated Technical Note are also relevant.

1.6 In relation to any proposal that may come forward for a new timber processing facility, where possible, the Council will seek that the new development be accessible to the strategic road and rail network, with preference given to the line of the former Waverley Railway, and the Kielder Branch line.

POLICY ED7: BUSINESS, TOURISM AND LEISURE DEVELOPMENT IN THE COUNTRYSIDE

Proposals for business, tourism or leisure development in the countryside that assist in strengthening communities and retaining young people in rural areas will be approved and rural diversification initiatives including farm buildings will be encouraged provided that:

a) the development is to be used directly for agricultural, horticultural or forestry operations, or for uses which by their nature are appropriate to the rural character of the area; or
b) the development is to be used directly for leisure, recreation or tourism appropriate to a countryside location and, where relevant, it is in accordance with the Scottish Borders Tourism Strategy and Action Plan;
c) the development is to be used for other business or employment generating uses, provided that the Council is satisfied that there is an economic and/or operational need for the particular location, and that it cannot reasonably be accommodated within the Development Boundary of a settlement;
d) where a new building is proposed, the developer will be required to provide evidence that no appropriate existing building or brownfield site is available, and where conversion of an existing building of architectural merit is proposed, evidence that the building is capable of conversion without substantial demolition and rebuilding.

In addition the following criteria will also apply:

a) the development must respect the environment and the amenity and character of the surrounding area,
b) the development must have no significant adverse impact on nearby uses, particularly housing,
c) the impact of the expansion or intensification of uses, where the use and scale of development are appropriate to the rural character of the area,
d) the development meets all other siting, and design criteria in accordance with Policy PMD2, and
e) the development must take account of accessibility considerations in accordance with Policy IS4.

Where a proposal comes forward for the creation of a new business including that of a tourism proposal, particular weight will be given to the economic business case and its potential to create employment and rural prosperity. A business plan including a marketing strategy that supports the proposal and that is relevant to the locality will be required to be submitted as part of the application process.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy ED3 Town Centres and Shopping Development may be relevant where an ancillary retail use is involved.
Policy ED8 Caravan and Camping Sites
Policy ED9 Renewable Energy Development
Policy ED10 Protection of Prime Quality Agricultural Land and Carbon Rich Soils
Policy HD2 Housing in the Countryside
Policy IS1 Public Infrastructure and Local Service Provision
Policy IS4 Transport Development and Infrastructure
Policy IS7 Parking Provision and Standards
Policy IS8 Flooding
Policy IS16 Advertisements

Many of the environmental policies will be relevant particularly those involving the protection of landscape assets.

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Green Space
Landscape and Development
Local Landscape Designations
Placemaking and Design
Scottish Borders Woodland Strategy (2005) and Technical Note (2012)

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Greenspace
Landscape and Development
Placemaking and Design

ECONOMIC DEVELOPMENT (ED)
POLICY ED8
CARAVAN AND CAMPING SITES

1.1 The Scottish Borders is an attractive part of Scotland and has been traditionally known as the gateway to Scotland. It has successfully been attracting increasing numbers of tourists from both the rest of the United Kingdom as well as overseas and this is confirmed within the Scottish Borders Tourism Strategy and Action Plan. In relation to caravan and camping sites the Tourism Strategy and Action Plan also highlights the growing demand for holiday homes as well as the continued growth in demand for static caravans.

1.2 Therefore the purpose of this policy is to support new caravan and camping facilities for genuine holiday/tourism use in locations that are environmentally acceptable and that fit with wider tourism, economic and regeneration objectives. Decision making will be guided where appropriate by advice from VisitScotland. Caravan and camping sites are an important part of the network of visitor accommodation options but they can be visually intrusive in countryside or coastal locations. Within or close to towns caravan and camping sites can complement regeneration. This policy seeks to ensure that high standards of placemaking and design must be applied to caravan proposals.

1.3 This policy will apply to units that meet the criteria of a caravan under the Caravan Sites and Control of Development Act 1960, and supplemented by section 13 of the Caravan Sites Act 1968, i.e. a caravan is defined as any structure designed or adopted for human habitation which is capable of being moved from one place to another (whether by being towed or by being transported on a motor vehicle or trailer).

1.4 It should be noted that in some cases, some caravans as defined by the above Act have been referred to as lodges; therefore any application for a proposal that meets the above definition will be assessed against this policy. However, for proposed lodges that do not fall within the above definition, those proposals will be assessed against Local Development Plan Policy ED7 Business, Tourism and Leisure Development in the Countryside.

1.5 In relation to this policy, it also aims to protect existing caravan and camping sites with a tourism function from development which would be considered to have a significant and sustained adverse impact on tourism. Currently within the Scottish Borders the main caravanning and camping sites are:

Blackadder Holiday Park, Greenlaw	Scoutscroft Holiday Centre, Coldingham
Tweedside Caravan Park, Innerleithen	Kirkfield Caravan Park, Yetholm
Chesterfield Caravan Site, Cockburnspath	Carfraemill Chalet and Caravan Park, Lauder
Angecroft Caravan Park, Ettrick Valley	Lilliardsedge Holiday Park and Golf Course
Crosslaw Caravan Park, Coldingham	Crossburn Caravan Park, Peebles
Gibson Park Caravan Club Site, Melrose	Riverside Caravan Park, Hawick
Eyemouth Holiday Park	Lauder Camping and Caravanning Club Site, Oxton
Honey Cottage Caravan Park, Ettrick Valley	Springwood Caravan Park, Kelso
High View Caravan Park, Coldingham	Rosetta Camping and Caravanning Resort, Peebles
Jedburgh Camping and Caravanning Club Site	Victoria Park Camping and Caravanning Site, Selkirk
Pease Bay Holiday Home Park, Cockburnspath	Thirlestane Castle Camping and Caravanning Park, Lauder
Jedwater Caravan Park, Jedburgh	

POLICY ED8: CARAVAN AND CAMPING SITES

(A) NEW AND EXTENDED CARAVAN AND CAMPING SITES

The Council will support proposals for new or extended caravan and camping sites for genuine holiday purposes in locations that can support the local economy and the regeneration of towns, and are in accordance with the Scottish Borders Tourism Strategy and Action Plan. Developments on appropriate sites in proximity of settlements that can help support local shops and services will be favoured over isolated countryside locations.

All proposals must meet the following criteria:

a) must be of the highest quality and in keeping with their local environment and should not cause unacceptable environmental impacts;
b) must be acceptable in terms of impact on infrastructure; and
c) must be in locations free of flood risk.

Where a proposal comes forward for the creation of a new or extended site, a business plan that supports the proposal and that is relevant to the locality will be required to be submitted as part of the application process.

(B) EXISTING CARAVAN AND CAMPING SITES

The Council will protect existing caravan and camping sites where their loss is likely to have a significant and sustained adverse impact on tourism.

Proposals that result in the loss of an existing caravan or camping site may be supported where:

a) it can be adequately demonstrated that the existing tourism facility is financially unviable, and
b) it can be adequately demonstrated that all reasonable attempts have been made to sell the site as a 'viable concern', and
c) it can be adequately demonstrated that the loss of the tourism function will not have an adverse impact on the tourist character of the area,
d) the site sits within the settlement and is enclosed by neighbouring development,
e) the site could not reasonably be returned to agricultural, forestry or recreational use; and
f) where relevant, it does not conflict with the established land use of the area; and
g) it does not detract from the character and amenity of the surrounding area; and
h) the individual and cumulative effects of the development can be sustained by the social and economic infrastructure and it does not lead to over-development or 'town and village cramming'; and
i) it respects the scale, form, design, materials and density of its surroundings; and
j) adequate access and servicing can be achieved, particularly taking account of water and drainage and schools capacity.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy HD3 Protection of Residential Amenity
Policy IS1 Public Infrastructure and Local Service Provision
Policy IS8 Flooding

Many of the environmental promotion and protection policies will be relevant particularly for applications in countryside locations.

All applications will be considered against the Council's Supplementary Planning Guidance on Placemaking and Design.

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Landscape and Development
Placemaking and Design
Trees and Development

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Landscape and Development
Placemaking and Design
Trees and Development

ECONOMIC DEVELOPMENT (ED)

POLICY ED9
RENEWABLE ENERGY DEVELOPMENT

1.1 NPF4 seeks to encourage, promote and facilitate all forms of renewable energy development onshore and offshore. This includes energy generation, storage, new and replacement transmission and distribution infrastructure and emerging low-carbon and zero emissions technologies including hydrogen and carbon capture utilisation and storage. It encourages local development plans to realise their area's full potential for electricity and heat from renewable, low carbon and zero emission sources by identifying a range of opportunities for energy development. Information on the legislative and national policy context for addressing the climate crisis is provided in Chapter 8: Delivering Sustainability and Climate Change Agenda.

1.2 In responding to the climate emergency, the Council's Climate Change Route Map (2021) defines a holistic approach - a whole Borders collaborative approach – to the achievement of the Council's net zero emissions target, within which the generation of renewable energy in place of the burning of fossil fuels will play a leading and significant role. Scottish Borders Council is proactive in supporting a diverse range of renewable energy types.

1.3 The Council promotes and supports its Low Carbon Economic Strategy which develops a series of key themes and objectives suggesting priority actions which will lead to a resilient, lower carbon future for the area. A Sustainable Development Committee has been set up within the Council to ensure a corporate approach is taken to embedding sustainable development within its strategies, policies and service delivery.

1.4 The aim of Policy ED9 is to support renewable energy, to guide development to appropriate locations, and to advise on the factors to be taken into account in considering proposals. The policy takes account of Government requirements which emphasise the role of local authorities and the planning system in meeting national renewable energy targets. The context for Policy ED9 is provided in NPF4 including Policy 11. This supports the principle of renewables in tackling the climate emergency and sets out the balance of considerations that should apply. This support would not extend to National Scenic Areas within Scottish Borders.

1.5 Following adoption of this Local Development Plan, the Council intends that the Supplementary Guidance on Renewable Energy 2018 will become Supplementary Planning Guidance. As a result, it will no longer have development plan status. This document incorporates the Ironside Farrar "Update of Wind Energy Landscape Capacity and Cumulative Impact Study" (November 2016). In December 2013, the Council prepared separate Supplementary Planning Guidance entitled "Landscape and Visual Guidance for Single and Groups of 2 or 3 Wind Turbines in Berwickshire."

1.6 The above guidance may be used to assist in the assessment of renewable energy proposals. However, as the national policy context within which these were prepared has now been superseded, some aspects of the guidance will no longer be applicable. These documents will be of less relevance on matters where there are inconsistencies with NPF4 and the adopted Local Development Plan.

POLICY ED9: RENEWABLE ENERGY DEVELOPMENT

Development proposals for all forms of renewable, low-carbon and zero emissions technologies will be supported. These include:

i. wind farms including repowering, extending, expanding and extending the life of existing wind farms;
ii. enabling works, such as grid transmission and distribution infrastructure;
iii. energy storage, such as battery storage and pumped storage hydro;
iv. small scale renewable energy generation technology;
v. solar arrays;
vi. proposals associated with negative emissions technologies and carbon capture; and
vii. proposals including co-location of these technologies.

Development proposals will be assessed in accordance with NPF4 Policy 11 paragraphs b) to f) and other relevant provisions of NPF4.

Waste to energy schemes involving human, farm and domestic waste will be assessed against Policy IS10 Waste Management Facilities.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy ED1 Protection of Business and Industrial Land
Policy ED10 Protection of Prime Quality Agricultural Land and Carbon Rich Soils
Policy HD3 Protection of Residential Amenity
Policy EP1 International Nature Conservation Sites and Protected Species
Policy EP2 National Nature Conservation Sites and Protected Species
Policy EP3 Local Biodiversity and Geodiversity
Policy EP4 National Scenic Areas
Policy EP5 Special Landscape Areas
Policy EP7 Listed Building
Policy EP8 Historic Environment Assets and Scheduled Monuments
Policy EP9 Conservation Areas
Policy EP10 Gardens and Designed Landscapes
Policy EP12 Green Networks
Policy EP13 Trees, Woodlands and Hedgerows
Policy EP14 Coastline
Policy EP15 Development Affecting the Water Environment
Policy EP16 Air Quality
Policy IS10 Waste Management Facilities
Policy IS12 Development Within Exclusion Zones

THE FOLLOWING GUIDANCE SHOULD ALSO BE REFERRED TO, ALTHOUGH IT SHOULD BE NOTED THIS LIST IS NOT EXHAUSTIVE:

Supplementary Planning Guidance on Renewable Energy (SBC 2018)
Ironside Farrar Landscape Capacity and Cumulative Impact study (SBC 2016)
SPG on Landscape and Visual Guidance on Single and Small Groups of Wind Turbines in Berwickshire (SBC 2013)
SPG on Local Landscape Designations (SBC 2012)
SPG on Biodiversity (SBC 2005)
Low Carbon Economic Strategy (SBC 2013)
Scottish Borders Local Biodiversity Action Plan (SBC 2001)
Borders Landscape Assessment (SBC 1995)
Onshore Wind Turbines (Scottish Government web page advice)
Wind Farm Developments on Peat Land (Scottish Government web page advice)
Guidelines for Landscape and Visual Impact Assessment (third edition 2013)
The Assessment and Rating of Noise from Wind Farms (ETSU-R-97)
Assessing the Cumulative Impact of Onshore Wind Energy Developments (SNH 2012)
Siting and Designing Windfarms in the Landscape (SNH 2009)
Visual Representation of Wind Farms (SNH 2017 Version 2.2)

ECONOMIC DEVELOPMENT (ED)

POLICY ED10
PROTECTION OF PRIME QUALITY AGRICULTURAL LAND AND CARBON RICH SOILS

1.1 Paragraph 80 of Scottish Planning Policy (SPP) states that development on prime quality agricultural land, or land of lesser quality that is locally important, should not be permitted except for a limited number of specified circumstances. Prime quality agricultural land is a valuable and finite resource which needs to be retained for farming and food production. In allocating sites for development, the Council has aimed to avoid such land. Carbon rich soils, such as peat, are an important carbon store and its use and extraction can contribute to climate change. Paragraph 205 of SPP states that where peat and other carbon rich soils are present applicants should assess the likely effects of development on carbon rich soil emissions. Where peatland is drained or disturbed there is a liable release of carbon dioxide into the atmosphere. The policy seeks to prevent the permanent loss of prime quality agricultural land and carbon rich soils. In order to take proper account of the terms of SPP, proposals for renewable energy developments, including proposals for wind energy development, will be required to accord with the objectives and requirements of Policy ED9 rather than meet the requirements of this policy.

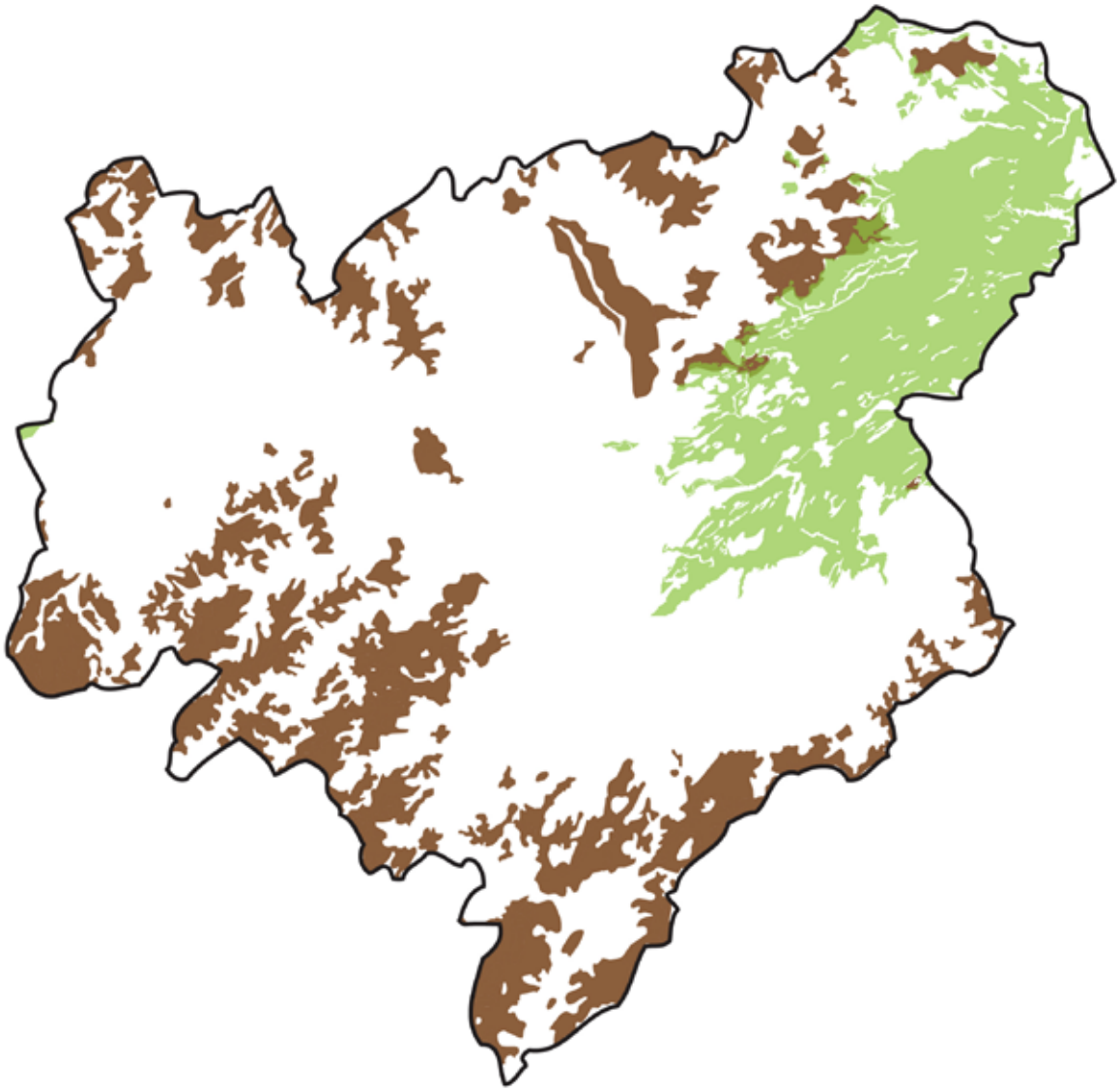
1.2 Certain developments of a temporary nature may be acceptable if adequate provision can be made for restoration of the soil once the development is removed. However, as it may take many years to restore the agricultural land to its former quality, this should not be encouraged. Prime quality land is defined as classes 1, 2 and 3.1 of the Macaulay Institute Land Classification for Agriculture system.

1.3 Figure ED10a identifies the core resources of agricultural land and carbon rich soils. Further information on what constitutes "land of lesser quality that is culturally or locally important for primary use" in the context of the Scottish Borders will be provided in Supplementary Planning Guidance. Proposals should avoid areas of deepest peat and minimising impacts on soils and mitigation measures should be addressed. A peat (or soil) survey should be provided, where required to demonstrate that the areas of highest quality soil or deepest peat have been avoided. In addition a soil or peat management plan may be requested when required to demonstrate that any unnecessary disturbance, degradation or erosion has been minimised, which includes proposed mitigation measures. Reference should be made to SEPA's Development Plan Guidance Notes (Soils).

Figure ED10a
Policy ED10

Carbon Rich Soils
Prime Quality Agricultural Land

Scottish Borders Council



Carbon Rich Soils

Prime Quality Agricultural Land

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POLICY ED10: PROTECTION OF PRIME QUALITY AGRICULTURAL LAND AND CARBON RICH SOILS

Development, except proposals for renewable energy development, which results in the permanent loss of prime agricultural land, land of lesser quality that is culturally or locally important for primary use, or significant carbon rich soil reserves, particularly peat, will not be permitted, unless:

a) the site is otherwise allocated within this local plan
b) the development meets an established need and no other site is available
c) the development is small scale and related to a rural business.

Proposals for mineral extraction on prime agricultural land or land of lesser quality that is culturally or locally important for primary use will be permitted where there is secure provision for restoration and the layout and design of the proposal minimises the amount of protected land that is required.

Proposals for renewable energy development, including proposals for wind energy development, will be permitted if they accord with the objectives and requirements of Policy ED9 on renewable energy development.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy ED9 Renewable Energy Development
Policy HD2 Housing in the Countryside

ECONOMIC DEVELOPMENT (ED)

POLICY ED11
SAFEGUARDING OF MINERAL DEPOSITS

1.1 Scottish Planning Policy confirms the important contribution minerals make to the economy, providing materials for construction, energy supply and other uses, and supporting employment. Consequently the Local Plan should safeguard mineral resources and facilitate their responsible use. The aim of Policy ED11 is to ensure that minerals are not unnecessarily sterilised through inappropriate development. The policy criteria relates to land both within and outwith the Scottish Borders.

POLICY ED11: SAFEGUARDING OF MINERAL DEPOSITS

The Council will not grant planning permission for development that will sterilise mineral deposits of economic value unless:

a) extraction of the mineral is likely to be environmentally and socially unacceptable, or
b) there is an overriding need for development, and prior extraction of the mineral cannot reasonably be undertaken.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS-REFERENCED :

Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy ED9 Renewable Energy Development
Policy ED10 Protection of Prime Quality Agricultural Land and Carbon Rich Soils
Policy HD2 Housing in the Countryside
Policy EP1 International Nature Conservation Sites and Protected Species
Policy EP2 National Nature Conservation Sites and Protected Species
Policy EP3 Local Biodiversity and Geodiversity
Policy EP4 National Scenic Areas
Policy EP5 Special Landscape Areas
Policy EP8 Historic Environment Assets and Scheduled Monuments
Policy EP13 Trees, Woodlands and Hedgerows
Policy EP14 Coastline
Policy EP15 Development Affecting the Water Environment

THE FOLLOWING PROPOSED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Minerals

ECONOMIC DEVELOPMENT (ED)

POLICY ED12

MINERAL EXTRACTION

1.1 In addition to safeguarding important workable mineral resources and taking steps to ensure these are not sterilised by other types of development, NPF4 states that the local development plan should support a landbank of construction aggregates of at least 10 years at all times in the relevant market areas. It should also promote sustainable resource management and ensure that communities and the environment are protected from the impacts of mineral extraction. Consequently, a balance must be struck between these needs. The aim of Policy ED12 is to ensure that mineral working is carried out with minimal adverse impact on the environment and with appropriate restoration measures following extraction. Further information in relation to supporting a landbank of construction aggregates, of at least 10 years at all times in relevant market areas, will be provided in future supplementary planning guidance on minerals. The policy criteria relate to land both within and outwith the Scottish Borders.

POLICY ED12: MINERAL EXTRACTION

Proposals for the extraction of minerals will be assessed in accordance with NPF4 Policy 33 paragraph d) and other relevant provisions of NPF4.

There will be a presumption against peat extraction likely to have an adverse effect on peatland and/or carbon rich soils within class 1 and 2 peatland areas.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy ED9 Renewable Energy Development
Policy ED10 Protection of Prime Quality Agricultural Land and Carbon Rich Soils
Policy HD2 Housing in the Countryside
Policy EP1 International Nature Conservation Sites and Protected Species
Policy EP2 National Nature Conservation Sites and Protected Species
Policy EP3 Local Biodiversity and Geodiversity
Policy EP4 National Scenic Areas
Policy EP5 Special Landscape Areas
Policy EP8 Historic Environment Assets and Scheduled Monuments
Policy EP13 Trees, Woodlands and Hedgerows
Policy EP14 Coastline
Policy EP15 Development Affecting the Water Environment

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Minerals

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

HOUSING DEVELOPMENT (HD)

Policy HD1 relates to affordable housing provision and seeks to ensure new housing development proposals provide an appropriate range and choice of affordable units as well as mainstream market housing. A new policy relates specifically to Housing for Particular Needs.

The Council is required to maintain an effective 5 year housing land supply at all times which is monitored via the annual Housing Land Audit. Where a shortfall is identified within a particular housing market area within the period of the Plan, new developments will be directed to longer term safeguarded areas identified in settlement profiles which will be assessed against relevant LDP policies. Full impacts on house building and take up due to Covid 19 are difficult to accurately predict at this point in time.

This section also lays down policy tests for determining planning applications for housing in the countryside, striking the balance between supporting proposals in rural areas where appropriate whilst also safeguarding the attractive Scottish Borders landscape. This section also lays down criteria tests to be addressed for proposals for residential care and nursing homes. Policy HD3 seeks to ensure the protection of existing and proposed residential amenity when new development proposals are submitted.

HOUSING DEVELOPMENT (HD)

POLICY HD1
AFFORDABLE HOUSING DELIVERY

1.1 The aim of this policy is to ensure that new housing development provides an appropriate range and choice of 'affordable' units as well as mainstream market housing. The provision of affordable housing is a material consideration in the planning system, and the Development Plan is recognised as an appropriate vehicle through which it may be facilitated by Planning Authorities.

1.2 There are various Council documents which continue to support and facilitate the delivery of affordable housing within the Scottish Borders. The Local Housing Strategy (LHS) sets out the affordable housing supply target and provides the strategic direction to tackle affordable housing need and demand, whilst informing the future investment in housing and related services. The Strategic Housing Investment Plan (SHIP) sets out the key strategic housing investment priorities for affordable housing over a five year period. This policy continues to support the delivery of affordable housing sites throughout the Scottish Borders.

1.3 The requirement set by this policy, and the means of meeting it, will vary between settlements and between sites. Negotiation on a site by site basis at the time of an application will determine the precise requirements relating to any specific development proposal. Ongoing research as part of the local housing needs assessment has identified, and will continue to identify, areas where there is a demonstrated need for affordable housing.

1.4 In some places the market provides some or all of the affordable housing needed, while in other places it will be necessary to make housing available at a cost below market value to meet an identified need. A more detailed definition is given in the Supplementary Planning Guidance (SPG) on Affordable Housing.

1.5 Decision making will be guided by the Council's SPG on Affordable Housing although, the level of contribution within a market site will generally be no more than 25% of the total number of houses. The percentage may be varied depending on the site characteristics or the information available on local need. The SPG sets out the threshold requirement for on-site affordable housing and commuted sum contributions.

POLICY HD1: AFFORDABLE HOUSING DELIVERY

The Council will require the provision of a proportion of land for affordable housing, currently set at 25%, both on allocated and windfall sites. The final scale of such affordable housing will be assessed against:

a) local housing needs
b) the location and size of the site, and
c) the availability of other such housing in the locality.

Developers may be required to make contributions through:

a) the provision of a proportion of the site for affordable housing in the form of land or built units, or
b) the provision of additional land elsewhere to accommodate the required number of affordable housing units, or
c) the provision of commuted payments.

The Supplementary Planning Guidance on Affordable Housing expands upon the above policy. An agreed mechanism will be required to secure the delivery of affordable housing and any commuted payments shall be secured by Section 69 or 75 Legal Agreements.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD3 Land Use Allocations
Policy PMD4 Development adjoining Development Boundaries
Policy PMD5 Infill Development
Policy HD6 Housing for Particular Needs
Policy IS2 Developer Contributions
Policy IS8 Flooding

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Affordable Housing
Development Contributions
Placemaking and Design

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Affordable Housing
Development Contributions
Placemaking and Design
Planning for Particular Needs Housing

HOUSING DEVELOPMENT (HD)

POLICY HD2

HOUSING IN THE COUNTRYSIDE

1.1 The Council aims to encourage a sustainable pattern of development focused on defined settlements in accordance with the need to support existing services and facilities and to promote sustainable travel patterns. An exception to this general approach is the Housing in the Countryside policy, which aims to encourage high quality sustainable housing development in appropriate locations within the countryside as a means of sustaining the rural economy and communities. High quality design is a requirement for all rural development proposals. This is relevant whether they are an addition to existing building groups, conversions, restorations, replacement housing or isolated housing with a location essential for business needs.

1.2 The policy sets out criteria against which proposals for housing in the countryside will be assessed. In doing this the policy will protect the environment from inappropriate and sporadic new housing development whilst still being able to support rural communities. All proposals must demonstrate high quality design that is responsive to its landscape context.

1.3 Parts a) and b) of the policy set out criteria in respect of proposed housing within an existing building group or dispersed building group in the Southern Housing Market Area. In both these instances detailed evidence on the relationship of the proposed new housing to the building group or dispersed building group should accompany the planning application. The provisions regarding dispersed building groups within this policy have been formulated in response to concerns over rural sustainability in the Southern Housing Market Area. It should be noted that in the context of building groups, it may be the case that some building groups are considered to be complete and are therefore unable to accommodate additional development.

1.4 The policy also supports appropriate conversions, restorations and replacement of housing within the countryside as a means of retaining a building whose character contributes to its rural setting, and for acknowledging an existing residential presence in such locations. However, the policy restricts isolated new housing in the countryside unless it can be satisfactorily substantiated by an economic justification under part f) of the policy. For such housing proposals with a location essential for business needs, an accompanying business case/justification will be required, which demonstrates the economic requirement for a house at that location.

1.5 Proposals for affordable housing in the countryside will only be supported if it meets the criteria tests contained within policies PMD4 and HD1. The Supplementary Planning Guidance on Affordable Housing provides more detailed information on this.

1.6 Any housing proposals which fall within the Countryside Around Towns (CAT) area, will also be assessed against Policy EP6. In such instances the CAT policy will carry greater weight. This will be the case except where a proposal is put forward to build within the confines of an existing building group as opposed to extending at or beyond its edges. Such proposals must be able to demonstrate that the high quality environment will be maintained. In this situation the proposal could be permissible under the CAT policy but will still have to meet the requirements of Policy HD2. Where a replacement house is proposed within the CAT area, this may be acceptable subject to meeting the criteria contained within Policy HD2(E) - Replacement Dwellings.

1.7 The Council will review its policy guidance on housing in the countryside by producing revised Supplementary Planning Guidance (SPG). The SPG will provide further clarity and expansion on the definitions contained within the policy criteria below.

POLICY HD2: HOUSING IN THE COUNTRYSIDE

The Council wishes to promote appropriate rural housing development:

a) in village locations in preference to the open countryside where permission will only be granted in special circumstances on appropriate sites,
b) associated with existing building groups where this does not adversely affect their character or that of the surrounding area, and
c) in dispersed communities in the Southern Borders Housing Market Area.

As well as the above general principles, high quality design in all developments is critical, along with the requirement for suitable vehicular access. This will be guided by Supplementary Planning Guidance (SPG) on New Housing in the Borders Countryside and on Placemaking and Design.

(A) BUILDING GROUPS

Housing of up to a total of two additional dwellings or a 30% increase of the existing building group, whichever is the greater, may be approved provided that:

a) the Council is satisfied that the site is well related to an existing group of at least three houses currently in residential use, provided that the group has scope for expansion and is not already considered complete,
b) the cumulative impact of new development on the character of the building group, and on the landscape and amenity of the surrounding area will be taken into account when determining new applications. Additional development within a building group will be refused if, in conjunction with other developments in the area, it will cause unacceptable adverse impacts,
c) any consents for new build granted under this part of this policy should not exceed two dwellings or a 30% increase in addition to the group during the Plan period. No further development above this threshold will be permitted.

In addition, where a proposal for new development is to be supported, the proposal should be appropriate in scale, siting, design, access, and materials, and should be sympathetic to the character of the building group.

The calculations on building group size are based on the existing number of housing units within the group as at the start of the Local Development Plan period. This will include those units under construction or nearing completion at that point.

(B) DISPERSED BUILDING GROUPS

In the Southern Housing Market area there are few building groups comprising three houses or more, and a more dispersed pattern is the norm. In this area a lower threshold may be appropriate, particularly where this would result in tangible community, economic or environmental benefits. In these cases the existence of a sense of place will be the primary consideration.

Housing of up to two additional dwellings associated with dispersed building groups that meet the above criteria may be approved provided that:

a) the Council is satisfied that the site lies within a recognised dispersed community in the Southern Borders housing market area,
b) any consents for new build granted under this part of this policy should not exceed two dwellings in addition to the group during the Plan period. No further development above this threshold will be permitted,
c) the design of housing will be subject to the same considerations as other types of housing in the countryside proposals.

(C) CONVERSIONS OF BUILDINGS TO A HOUSE

Development that is a change of use of a building to a house may be acceptable provided that:

a) the Council is satisfied that the building has architectural or historic merit, is capable of conversion and is physically suited for residential use,
b) the building stands substantially intact (normally at least to wallhead height) and the existing structure requires no significant demolition. A structural survey will be required where in the opinion of the Council it appears that the building may not be capable of conversion, and
c) the conversion and any proposed extension or alteration is in keeping with the scale and architectural character of the existing building.

(D) RESTORATION OF HOUSES

The restoration of a derelict or former house may also be acceptable provided that there is substantial physical evidence of a house remaining, which can be supported by documentary evidence. In addition:

a) the siting and design reflects and respects the historical building pattern and the character of the landscape setting,
b) any proposed extension or alteration should be in keeping with the scale, form and architectural character of the existing or original building, and
c) significant alterations to the original character will only be considered where it can be demonstrated that these provide environmental benefits such as a positive contribution to the landscape and/or a more sustainable and energy efficient design.

(E) REPLACEMENT DWELLINGS

The proposed replacement of an existing house may be acceptable provided that:

a) the house being replaced is currently occupied or capable of occupation,
b) the siting and design of the new building reflects and respects the historical building pattern and the character of the landscape setting,
c) the proposal is in keeping with the existing/original building in terms of its scales, extent, form and architectural character,
d) significant alterations to the original character of the house will only be considered where it can be demonstrated that these provide environmental benefits such as a positive contribution to the landscape and /or a more sustainable and energy efficient design.

(F) ECONOMIC REQUIREMENT

Any dwelling with a location essential for business needs may be acceptable if the Council is satisfied that:

a) the housing development is a direct operational requirement of an agricultural, horticultural, forestry or other enterprise which is itself appropriate to that location, and it is for a worker predominantly employed in the enterprise and the presence of that worker on-site is essential to the efficient operation of the enterprise. Such development could include businesses that would cause disturbance or loss of amenity if located within an existing settlement, or
b) it is for use of a person last employed in an agricultural, horticultural, forestry or other enterprise which is itself appropriate to that location, and also employed on the unit that is the subject of the application, and the development will release another house for continued use by an agricultural, horticultural, forestry or other enterprise which is itself appropriate to that location, and
c) the housing development would help support a business that results in a clear social or environmental benefit to the area, including the retention or provision of employment or the provision of affordable or local needs housing, and
d) no appropriate site exists within a building group, and
e) there is no suitable existing house or other building capable of conversion for the required residential use.

Where a house is proposed with a location essential for business needs, an accompanying business case/justification will be required, which demonstrates the economic requirement for a house at that location.

In ALL instances in considering proposals relative to each of the policy sections above, there shall be compliance with the Council's Supplementary Planning Guidance relating to Housing in the Countryside where it meets the terms of this policy and development must not negatively impact on landscape and existing communities. The cumulative effect of applications under this policy will be taken into account when determining impact.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoing Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy ED10 Protection of Agricultural Land and Carbon Rich Soils
Policy HD1 Affordable Housing Delivery
Policy HD3 Protection of Residential Amenity
Policy HD6 Housing for Particular Needs
Policy EP6 Countryside Around Towns
Policy IS2 Developer Contributions
Policy IS3 Developer Contributions Related to the Borders Railway
Many of the Plan's environmental policies will be relevant particularly EP4 National Scenic Areas and EP5 Special Landscape Areas.

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Affordable Housing
Biodiversity
Countryside Around Towns
Development Contributions
Green Space
Landscape and Development
Local Biodiversity Action Plan

Local Landscape Designations
New Housing in the Borders Countryside
Placemaking and Design
Privacy and Sunlight Guide
Trees and Development
Use of Timber in Sustainable Construction

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Affordable Housing
Biodiversity
Countryside Around Towns
Development Contributions
Greenspace
Landscape and Development
New Housing in the Borders Countryside
Placemaking and Design
Planning for Particular Needs Housing
Trees and Development

HOUSING DEVELOPMENT (HD)
POLICY HD3
PROTECTION OF RESIDENTIAL AMENITY

1.1 The aim of the policy is to protect the amenity of both existing established residential areas and proposed new housing developments. The policy applies to areas where the predominant use is residential; such areas are not identified on the Settlement Maps given that the predominant use of an area can change over time. The policy will be applicable for alterations and extensions, development on garden ground or 'backland', redevelopment of brownfield sites and development on gap sites. It applies to all forms of development and is also applicable in rural situations. This policy also applies to applications for renewable energy developments.

1.2 The Scottish Government's Scottish Planning Policy (SPP) states the need for high quality layout in housing developments in order to protect residential amenity.

1.3 Reference should also be made to the Council's Householder Developments Supplementary Planning Guidance in relation to privacy, sunlight and amenity.

POLICY HD3: PROTECTION OF RESIDENTIAL AMENITY

Development that is judged to have an adverse impact on the amenity of existing or proposed residential areas will not be permitted. To protect the amenity and character of these areas, any developments will be assessed against:

a) the principle of the development, including where relevant, any open space that would be lost; and
b) the details of the development itself particularly in terms of:

(i) the scale, form and type of development in terms of its fit within a residential area,
(ii) the impact of the proposed development on the existing and surrounding properties particularly in terms of overlooking, loss of privacy and sunlighting provisions. These considerations apply especially in relation to garden ground or 'backland' development,
(iii) the generation of traffic or noise,
(iv) the level of visual impact.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD5 Infill Development
Policy ED9 Renewable Energy Development
Environmental Promotion and Protection policies EP7-EP11

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design
Privacy and Sunlight Guide

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

HOUSING DEVELOPMENT (HD)

POLICY HD4
FURTHER HOUSING LAND SAFEGUARDING

1.1 This policy is intended to assist the Council to maintain the five year effective housing land supply at all times, while safeguarding particularly sensitive areas from development. The housing land audit process will be used to monitor the need for any additional land release. Where a shortfall is identified within the Local Development Plan area, new development will be directed to the longer term safeguarded areas identified in relation to settlements. These safeguarded areas are shown on the Settlement Profiles in Volume 2. Any proposals that come forward in these areas will be assessed against the policies in the approved Development Plans.

POLICY HD4: FURTHER HOUSING LAND SAFEGUARDING

The areas indicated in the Settlement Profiles for longer term expansion and protection shall be safeguarded accordingly. Any proposals coming forward for housing development within these longer term expansion areas in advance of the identification of a shortfall in the effective housing land supply will be treated as premature.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy HD1 Affordable Housing Delivery
policy HD6 Housing for Particular Needs
Policy IS2 Developer Contributions

HOUSING DEVELOPMENT (HD)

POLICY HD5

CARE AND NURSING HOMES

1.1 Scottish Planning Policy requires local authorities to consider the need for specialist provision, that includes care and nursing homes. The Scottish Borders has an aging population and consequently will have a supportive role in ensuring adequate provision is delivered.

1.2 The aim of the policy is to ensure that applications for residential care and nursing homes take account of the identified local need for such facilities. With the current demographics of the Scottish Borders and its growing proportion of older people, it is considered that the demand for care and nursing homes is likely to grow. As these facilities are often run as a private business, the local economy can therefore take advantage of the benefits arising from such opportunities. This policy will also apply where housing with care is being proposed.

1.3 In respect to new proposals, like other housing developments preference will be given to sites located within settlements with good access to local services and facilities. It is also important to recognise the need for the new home to be located within the community it serves, and not to be isolated from it. Whilst good access to all modes of transport including public transport is paramount, it will also be necessary to ensure that appropriate parking provision is available for the needs of the occupants, staff, and visitors.

1.4 Access to useable amenity space for occupants and their visitors should be incorporated into all new developments.

POLICY HD5: CARE AND NURSING HOMES

Proposals for new or extended residential care or nursing homes or other supported accommodation provision will be supported where this meets an identified local need as defined by agreed joint strategies and commissioning plans by the Council and NHS Borders.

Any new residential care or nursing home proposal will be required to meet the following criteria:

a) be well located to allow good access to a range of local services and facilities and is accessible by a range of transport modes including public transport,
b) have appropriate parking provision available that meets the needs of residents, visitors and staff,
c) provide good quality amenity space available for the enjoyment of residents and their visitors,
d) be appropriate to its setting in terms of landscape, visual and residential amenity impacts, and provides an attractive environment for prospective residents.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD5 Infill Development
Policy HD3 Protection of Residential Amenity
Policy HD6 Housing for Particular Needs
Policy EP3 Local Biodiversity and Geodiversity

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design
Planning for Particular Needs Housing

HOUSING DEVELOPMENT (HD)

POLICY HD6
HOUSING FOR PARTICULAR NEEDS

1.1 The aim of this policy is to ensure the provision of housing for particular needs throughout the Scottish Borders. Housing for particular needs can take many forms including for example: accessible and adapted housing; wheelchair/disabled housing; supported accommodation; extra care housing; student accommodation and Gypsy/Travellers and Travelling Showpeople. A working group including Council officials has been set up to consider methods for incorporating the needs of the disabled into Council policy. The findings of the group will be taken forward and it is envisaged that Supplementary Planning Guidance (SPG) on housing for particular needs will be produced in due course.

1.2 Scottish Planning Policy (SPP) requires Local Authorities to identify a generous supply of land for each housing market area, to meet the housing land requirement across all tenures, maintaining a five year effective housing land supply at all times. The housing land requirement was informed by the Housing Need and Demand Assessment 2 (HNDA), which was considered to be 'robust and credible' by the Scottish Government in March 2015.

1.3 The HNDA considered the need for specialist housing provision and there are various Council documents which continue to support and facilitate the delivery of housing for particular needs throughout the Scottish Borders. The Local Housing Strategy (LHS) sets out the vision and priorities for the future of housing and all housing related services across the Scottish Borders, considering all tenures and types of accommodation. The Strategic Housing Investment Plan (SHIP) sets out the key strategic housing investment priorities for affordable housing over a five year period. The SHIP includes proposals for the following particular needs housing: extra care and amenity housing. The Council has produced a number of strategies, which are underpinned by the LHS priorities, these include the Integrated Strategic Plan for Older People's Housing Care and Support and the Housing Needs and Aspirations of Young People Study.

1.4 The Council will continue to support proposals for particular housing needs, which may be identified within the HNDA, LHS or any other studies undertaken by the Council or its community partners. Decision making will be guided by local housing needs, which are set out within the HNDA and underpinned within the LHS priorities.

POLICY HD6: HOUSING FOR PARTICULAR NEEDS

The Council will support proposals for particular needs housing (including affordable housing) and accommodation, where there is an identified local housing need set out within the Housing Need and Demand Assessment, Local Housing Strategy or any other studies undertaken by the Council or its community partners.

Such proposals should be located to allow good access to a range of local services and facilities, be integrated with the local community and accessible by a range of transport modes, as well as appropriate in terms of visual impact and setting, including for prospective residents.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD3 Land Use Allocations
Policy PMD4 Development adjoining Development Boundaries
Policy PMD5 Infill Development
Policy HD1 Affordable Housing Delivery
Policy IS2 Developer Contributions
Policy IS8 Flooding

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Affordable Housing
Development Contributions

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Affordable Housing
Development Contributions
Planning for Particular Needs Housing

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

The Scottish Borders is an attractive place to live and work and this puts a clear responsibility on the Council to maintain the intrinsic qualities of the area whilst seeking the balance of promoting the economic stability and growth essential to the future viability of the area. It is essential to ensure the right development occurs in the right place, and conversely, that development does not take place in the wrong place.

This policy section places an emphasis on placemaking and design in relation to new development. It confirms the various landscape, natural environment and nature conservation designations within the Scottish Borders and lays down a range of criteria tests to be applied to ensure their protection and/or any potential appropriate mitigation measures.

There are forty-three Conservation Areas and over four thousand Listed Buildings within the region, and appropriate policy tests must ensure that any proposals preserve or enhance the special architectural or historic character and appearance of these built environment designations.

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP1
INTERNATIONAL NATURE CONSERVATION SITES AND PROTECTED SPECIES

1.1 The aim of this policy is to give designated or proposed European Sites, Ramsar sites and sites where there is the likely presence of European Protected Species (EPS) protection from potentially adverse development.

1.2 The Natura 2000 network comprises Special Areas of Conservation (SAC) and Special Protection Areas (SPA), which represent the very best of Scotland's nature and are internationally important for threatened habitats and species. SAC protect special habitats and/or species and are designated under the Habitats Regulations. SPA protect birds and are designated under the Habitats Regulations. The network includes both terrestrial and marine protected species.

1.3 Ramsar sites (also designated as SSSI) are classified under the Convention on Wetlands of International Importance. Most Ramsar sites are linked to the Natura network either as SAC or SPA.

1.4 Where a proposal could have a 'likely significant effect' on a European site, an 'appropriate assessment' will be required, to demonstrate that the proposal will not adversely affect the integrity of the site. This is known as a Habitats Regulations Appraisal (HRA).

1.5 The Habitats Regulations 1994 (as amended in Scotland) provide the protection given to European protected species of animals and plants. If there is evidence to suggest that an EPS is present on site or may be affected by a proposed development, their presence must be established and any likely impact upon the species will be fully considered prior to the determination of the planning application.

1.6 The SAC and SPA are shown on the Policy Maps. Further information on internationally protected species can be found in the Supplementary Planning Guidance (SPG) for Biodiversity and the Local Biodiversity Action Plan.

POLICY EP1: INTERNATIONAL NATURE CONSERVATION SITES AND PROTECTED SPECIES

Development proposals which will have a likely significant effect on a designated or proposed European site, which includes all Ramsar sites, are only permissible where an appropriate assessment has demonstrated that it will not adversely affect the integrity of the site.

Where proposals could adversely affect the integrity of the site, they will only be permissible where:

a) there are no alternative solutions, or
b) there are imperative reasons of overriding public interest including those of a social or economic nature; and
c) compensatory measures are provided to ensure that the overall coherence of the Natura network is protected.

Development proposals that are likely to have an adverse effect on species protected by legislation will only be supported where the proposal meets the relevant statutory tests. If there is reasonable evidence to suggest that a protected species is present on a site or may be affected by a proposed development, steps must be taken to establish its presence. The level of protection required by legislation must be factored into the planning and design of development, and potential impacts must be fully considered prior to the determination of any application.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy ED9 Renewable Energy Development
Policy HD2 Housing in the Countryside
Policy EP6 Countryside Around Towns
Policy EP12 Green Networks
Policy EP13 Trees, Woodlands and Hedgerows
Policy EP14 Coastline
Policy EP15 Development Affecting the Water Environment
Policy IS2 Developer Contributions
Policy IS15 Radio Telecommunications

Scottish Planning Policy

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Biodiversity
Countryside Around Towns
Development Contributions
Green Space
Landscape and Development
Local Biodiversity Action Plan
New Housing in the Borders Countryside
Trees and Development

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Biodiversity
Countryside Around Towns
Development Contributions
Green Networks
Greenspace
Landscape and Development
New Housing in the Borders Countryside
Trees and Development

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP2
NATIONAL NATURE CONSERVATION SITES AND PROTECTED SPECIES

1.1 The aim of the policy is to protect nationally important nature conservation sites and protected species. The Wildlife and Countryside Act 1981 as amended by the Nature Conservation (Scotland) Act 2004, Wildlife and Natural Environment (Scotland) Act 2011 and the Protection of Badgers Act 1992 as amended, sets out the protection afforded to wild animals and plants in Scotland. The precautionary principle will be used in identifying potentially adverse effects of development proposals.

1.2 Nationally important sites are legally protected by their designations as Sites of Special Scientific Interest (SSSI) for their floral, faunal, geological and geomorphological interests, and as National Nature Reserves (NNR) for the conservation of habitats and species. There are ninety five SSSI and one NNR in the Scottish Borders. Where development is permitted under the exception criteria below, mitigation measures of an appropriate nature to compensate for damage will be required, and may be located either on or off site.

1.3 The SSSI and NNR sites are shown on the Policy Maps. Further information on nationally protected species can be found in the Supplementary Planning Guidance (SPG) for Biodiversity and the Local Biodiversity Action Plan. The Biodiversity SPG states that the Council will ensure nationally important species are given full consideration in the assessment of development proposals which may affect them. In addition the Council will not normally grant consent for any development which would have a significant adverse effect upon habitats supporting such species.

POLICY EP2: NATIONAL NATURE CONSERVATION SITES AND PROTECTED SPECIES

Development proposals which are likely to have a significant adverse effect, either directly or indirectly, on a Site of Special Scientific Interest (SSSI), a National Nature Reserve (NNR), or nationally protected habitats or species will not be permitted unless:

a) the objectives of the designation and the overall integrity of the site will not be compromised, or
b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

If there is evidence to suggest that a legally protected species is on site or may be affected by proposed development, steps must be taken to establish its presence. The level of protection afforded by legislation must be factored into the planning and design of the development. Any impacts will be fully considered in determination of the application.

The developer will be required to detail mitigation, either on-site or off-site, of any damage that may be caused by development permissible under the exception criteria.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy ED9 Renewable Energy Development
Policy HD2 Housing in the Countryside
Policy EP6 Countryside Around Towns
Policy EP12 Green Networks
Policy EP13 Trees, Woodlands and Hedgerows
Policy EP14 Coastline
Policy EP15 Development Affecting the Water Environment
Policy IS2 Developer Contributions
Policy IS15 Radio Telecommunications

Scottish Planning Policy

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Development Contributions
Green Space
Landscape and Development
Local Biodiversity Action Plan
New Housing in the Borders Countryside
Trees and Development

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Development Contributions
Green Networks
Greenspace
Landscape and Development
New Housing in the Borders Countryside
Trees and Development

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP3
LOCAL BIODIVERSITY AND GEODIVERSITY

1.1 Local Biodiversity Sites (LBS) and Local Geodiversity Sites (LGS) are identified within this Plan as non-statutory designations. Collectively these are referred to as Local Nature Conservation Sites.

1.2 One purpose of this policy is to safeguard and enhance local biodiversity. It also contributes to the Council's statutory duty to further the conservation of biodiversity in the Scottish Borders, under Part 1 of the Nature Conservation (Scotland) Act 2004. The approach seeks to encourage developers to consider biodiversity at the outset of a proposal. The Supplementary Planning Guidance (SPG) for Biodiversity provides detailed guidance on the protection and enhancement of biodiversity, while the Local Biodiversity Action Plan (LBAP) sets out the Council's aims for conserving and enhancing biodiversity in the area.

1.3 The Scottish Borders countryside and some urban areas play an important role in the conservation of widely dispersed species with national protection. However some areas, designated as Local Biodiversity Sites and detailed in the SPG for Biodiversity, are more critical to the conservation of species and are therefore subject to protection under this policy. There are also priority species and habitats that do not have statutory protection but are of national importance or occur in regionally important populations within the Scottish Borders, these features are classified as Borders Notable Species and Borders Habitats of Conservation Concern. The LBS are shown within the Technical Note: Local Biodiversity Sites.

1.4 Decision making will be guided by the LBAP, SPG for Biodiversity, British Standard 42020: 2013 Biodiversity, planning/development briefs, expert advice from relevant environmental agencies and information from the Local Environmental Record Centre (LERC). Any biological site survey undertaken by developers will be deposited with the Council's Ecology Officer and in the LERC. The Council will adopt an integrated ecosystems approach to ensure sustainable use of land, water and living resources, in accordance with good practice, the Land Use Strategy and Scottish Biodiversity Strategy.

1.5 The other purpose of the policy is also to safeguard Local Geodiversity Sites which contain geological and/or geomorphological features of interest. LGS have value for one or more of the following reasons; scientific, historical, educational and/or aesthetic value. Furthermore, each of the sites are considered to be of regional importance for the Scottish Borders. The LGS are shown within the Technical Note: Local Geodiversity Sites. The Council will produce Supplementary Planning Guidance on Local Biodiversity Sites and Local Geodiversity Sites.

POLICY EP3: LOCAL BIODIVERSITY AND GEODIVERSITY

Details of these sites are set out within the Technical Notes: Local Biodiversity Sites and Local Geodiversity Sites.

Development that would have an unacceptable adverse effect on Borders Notable Species and Habitats of Conservation Concern will be refused unless it can be demonstrated that the public benefits of the development clearly outweigh the value of the habitat for biodiversity conservation.

Any development that could impact on local biodiversity through impacts on habitats and species should:

a) aim to avoid fragmentation or isolation of habitats; and
b) be sited and designed to minimise adverse impacts on the biodiversity of the site, including its environmental quality, ecological status and viability; and
c) compensate to ensure no net loss of biodiversity through use of biodiversity offsets and ensure net gain as appropriate; and
d) aim to enhance the biodiversity value of the site, through use of an ecosystems approach, with the aim of creation or restoration of habitats and wildlife corridors and provision for their long-term management and maintenance.

Development that would adversely affect the interest of a local geodiversity site will only be permitted where:

a) the objectives and integrity of the designation will not be compromised; or
b) the damage is outweighed by the social, economic or environmental benefits gained from the development; and
c) suitable mitigation will be secured.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy ED9 Renewable Energy Development
Policy HD2 Housing in the Countryside
Policy EP6 Countryside Around Towns
Policy EP10 Gardens and Designs Landscapes
Policy EP11 Protection of Greenspace
Policy EP12 Green Networks
Policy EP13 Trees, Woodlands and Hedgerows
Policy EP14 Coastline
Policy EP15 Development Affecting the Water Environment
Policy IS2 Developer Contributions
Policy IS15 Radio Telecommunications

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Biodiversity
Countryside Around Towns
Development Contributions
Green Space
Landscape and Development
Local Biodiversity Action Plan
New Housing in the Borders Countryside
Trees and Development

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Biodiversity
Countryside Around Towns
Development Contributions
Green Networks
Greenspace
Landscape and Development
Minerals
New Housing in the Borders Countryside
Trees and Development

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP4
NATIONAL SCENIC AREAS

1.1 The aim of the policy is to protect and enhance the scenic qualities of the National Scenic Areas (NSA) within the Scottish Borders by influencing the nature of development both within and outwith the sites where the development affects the setting and context of the NSA within the wider landscape.

1.2 The designation of NSAs was based on the richness of diverse combinations of landscape elements and spectacular or visually dramatic landscapes. There are two NSAs located within the Scottish Borders; Eildon and Leaderfoot and Upper Tweeddale.

1.3 Where development proposals may potentially impact upon an NSA, developers will be required to carry out detailed assessments involving the identification of the scenic qualities of the NSA, the contribution the application site currently makes to the NSA and the way in which the proposed development will maintain or enhance the qualities of the NSA. In particular, the scale, siting and design of any development proposed should be appropriate to its location, with a high standard of associated landscaping.

1.4 The boundaries of the NSAs are shown on the Policy Maps in Volume 1. Further information on the landscape qualities for which the NSAs are designated is available from NatureScot's 'The Special Qualities of the National Scenic Areas'.

POLICY EP4: NATIONAL SCENIC AREAS

Development that may affect National Scenic Areas (NSAs) will only be permitted where:

a) the objectives of the designation and the overall integrity of the NSA will not be compromised; or
b) any significant adverse effects on the qualities for which the NSA has been designated are clearly outweighed by social, environmental or economic benefits of national importance.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy ED9 Renewable Energy Development
Policy ED12 Mineral Extraction
Policy HD2 Housing in the Countryside
Policy EP5 Special Landscape Areas
Policy EP6 Countryside Around Towns
Policy EP8 Historic Environment Assets and Scheduled Monuments
Policy EP10 Gardens and Designed Landscape
Policy EP11 Protection of Greenspace
Policy EP12 Green Networks
Policy EP13 Trees, Woodlands and Hedgerows
Policy IS15 Radio Communications

SNH 'The Special Qualities of the NSA's'

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Green Space
Landscape and Development
Local Biodiversity Action Plan
New Housing in the Borders Countryside
Placemaking and Design
Trees and Development

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Green Networks
Greenspace
Landscape and Development
New Housing in the Borders Countryside
Placemaking and Design
Trees and Development

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP5
SPECIAL LANDSCAPE AREAS

1.1 Local landscape designations are a valued approach to protecting and guiding change in areas of particular landscape importance in Scotland. The aim of the policy is to ensure that local areas of identified landscape quality, known as Special Landscape Areas (SLA) are afforded adequate protection against inappropriate development and that potential maintenance and enhancement of the SLA is provided for. The local landscape designations in the Borders were recently reviewed as part of the previous Local Development Plan process.

1.2 As a local designation, the protection is less stringent than needs to be the case for National Scenic Areas. Development that complies with other countryside policies and is in line with the Council's commitment to high quality design and siting may be able to be satisfactorily accommodated in the landscape.

1.3 Decision making will be guided by the Supplementary Planning Guidance (SPG) on Local Landscape Designations. This was informed by both Scottish Borders Landscape Character Assessment 1998 (now updated and included in the newly published SNH Scottish Landscape Character Types Digital Map and Descriptions 2019) and 'Guidance on Local Landscape Designations' as produced by Historic Environment Scotland and NatureScot.

1.4 The SPG identifies nine SLAs within the Scottish Borders, these are identified on the Policy Maps. For each of the SLAs the SPG provides a statement of importance and management recommendations. These measures are designed to help improve the conservation and management of the SLAs, and they should be referenced in any development proposal.

POLICY EP5: SPECIAL LANDSCAPE AREAS

In assessing proposals for development that may affect Special Landscape Areas, the council will seek to safeguard landscape quality, as identified in its Statement of Importance for the relevant Special Landscape Areas. Proposals that have a significant adverse impact will only be permitted where the landscape impact is clearly outweighed by social, environmental or economic benefits of national or local importance.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy ED9 Renewable Energy Development
Policy ED12 Mineral Extraction
Policy HD2 Housing in the Countryside
Policy EP4 National Scenic Areas
Policy EP6 Countryside Around Towns
Policy EP8 Historic Environment Asset and Scheduled Monument
Policy EP10 Gardens and Designed Landscape
Policy EP11 Protection of Greenspace
Policy EP12 Green Networks
Policy EP13 Trees, Woodlands and Hedgerows
Policy EP14 Coastline
Policy IS15 Radio Communications

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Countryside Around Towns
Green Space
Landscape and Development
Local Landscape Designations
New Housing in the Borders Countryside
Placemaking and Design
Trees and Development

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Countryside Around Towns
Greenspace
Landscape and Development
Green Networks
New Housing in the Borders Countryside
Placemaking and Design
Trees and Development

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP6
COUNTRYSIDE AROUND TOWNS

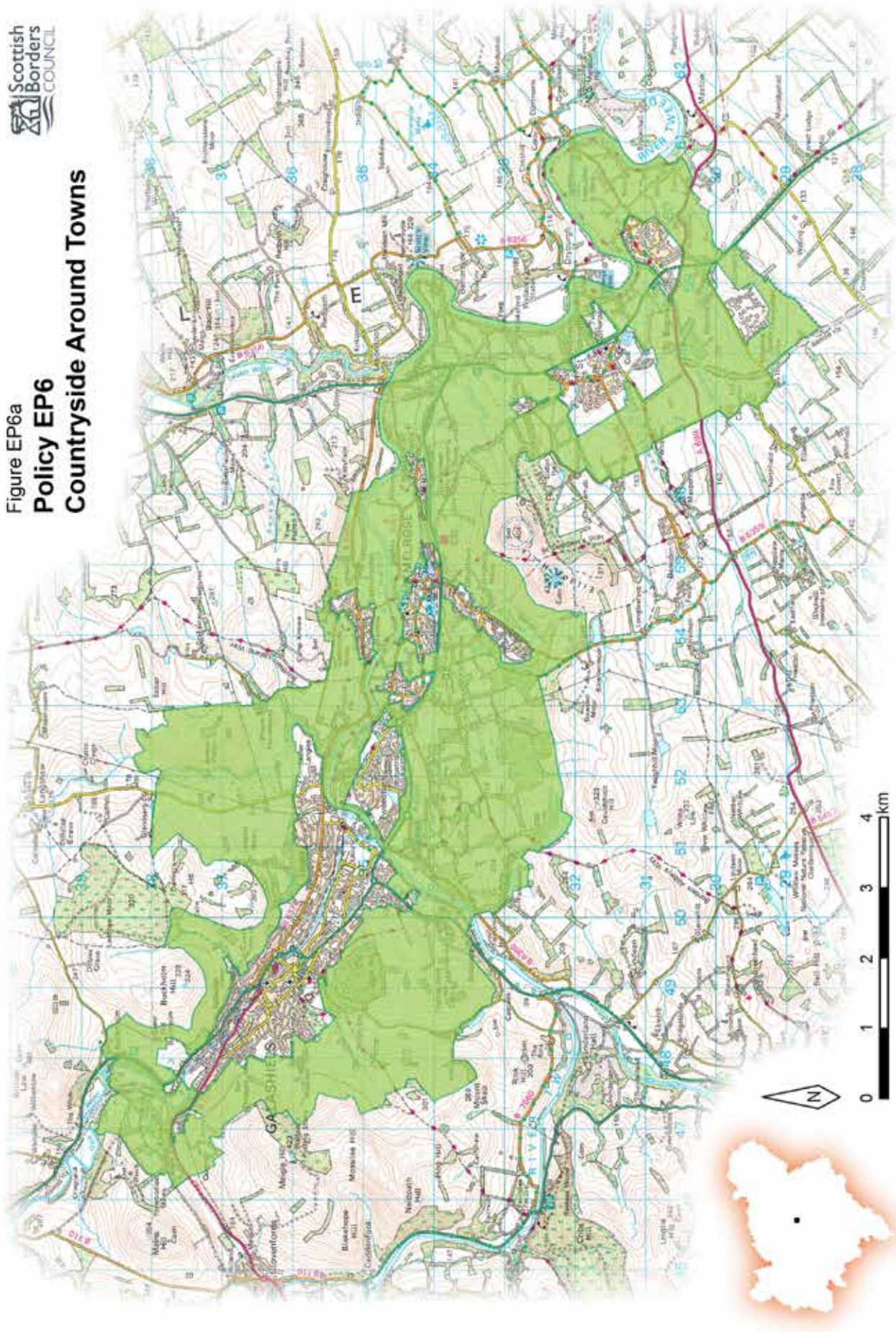
1.1 The aim of this policy is to ensure that the identified Countryside Around Towns (CAT) area (Figure EP6a) and the high quality living environment it provides is protected and enhanced. The policy aims to prevent piecemeal development that detracts from the area's outstanding biodiversity, landscape, historical and recreational context. The policy will also help to prevent the coalescence of individual towns and villages within the area, thereby retaining their individual identity.

1.2 There is also an enhancement element of the policy which requires proposals to consider the maintenance and improvement of the high quality environment, for example through improvements to landscaping, planting or recreational access.

1.3 When a proposal is assessed under the CAT policy and Policy HD2: Housing in the Countryside Policy, it is the CAT policy that will carry greater weight. This will be the case except for where a proposal is put forward to build within the confines of an existing building group as opposed to extending outwith it, where it can be shown the high quality environment will be maintained. In this situation the proposal could be permissible under the CAT policy but will still have to meet the requirements of the Housing in the Countryside Policy.

1.4 Further detail on Policy EP6 can be found in the CAT Supplementary Planning Guidance and the current designated area is shown on Figure EP6a. The CAT area is partially located on land that is designated as a National Scenic Area as well as land that is designated as a Special Landscape Area. As a result the special qualities for which these designations are made should be taken into consideration in any relevant proposal.

Figure EP6a
Policy EP6
Countryside Around Towns



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POLICY EP6: COUNTRYSIDE AROUND TOWNS

Within the areas defined as Countryside around Towns, proposals (except for renewable energy development) will only be considered for approval if they meet the following considerations:

a) there is an essential requirement for a rural location and the use is appropriate to a countryside setting e.g. agricultural, horticultural, forestry, countryside recreation, nature conservation, landscape renewal, community facilities, or
b) it involves the rehabilitation, conversion, limited extension or an appropriate change of use of an existing traditional building of character, or,
c) in the case of new build housing it must be located within the confines of an existing building group as opposed to extending outwith it and it must be shown that the high quality environment will be maintained. The definition of a building group is stated within Policy HD2 Housing in the Countryside, or
d) it enhances the existing landscape, trees, woodland, natural & man-made heritage, access and recreational facilities, or
e) subject to satisfactory design and setting, it has a proven national or strategic need and no alternative is suitable.

Proposals for renewable energy development, including proposals for wind energy development, will be permitted if they accord with the objectives and requirements of Policy ED9 on renewable energy development.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy ED9 Renewable Energy Development
Policy HD2 Housing in the Countryside
Policy EP4 National Scenic Areas
Policy EP5 Special Landscape Areas
Policy EP8 Historic Environment Assets and Scheduled Monuments
Policy EP10 Gardens and Designed Landscape
Policy EP11 Protection of Greenspace
Policy EP12 Green Networks
Policy EP13 Trees, Woodlands and Hedgerows
Policy IS2 Developer Contributions
Policy IS15 Radio Communications

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Development Contributions
Green Space
Landscape and Development
Local Biodiversity Action Plan
Local Landscape Designations
New Housing in the Borders Countryside
Placemaking and Design
Trees and Development

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Biodiversity
Countryside Around Towns
Development Contributions
Green Networks
Greenspace
Landscape and Development
New Housing in the Borders Countryside
Placemaking and Design
Trees and Development

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP7
LISTED BUILDINGS

1.1 The aim of the policy is to protect Listed Buildings from works that would spoil their historic and architectural interest. In turn this will protect a major asset that contributes significantly towards the character and amenity of the Scottish Borders and represents a valuable resource for recreational, tourism and educational purposes. "Listed Buildings" may include structures as well as buildings.

1.2 Listed Buildings are most vulnerable when they are unoccupied and, consequently, encouragement will be given to appropriate development that would both provide occupancy and protect and enhance the character of the building. The fact that a building has been unoccupied for a period is not a justification for unsympathetic alteration.

1.3 The restoration of some of the Scottish Borders Listed Buildings has been undertaken through the use of enabling development. Scottish Planning Policy supports this principle where it can be the only means of retaining a Listed Building. The Council encourages early discussion in advance of submitting a potential application for enabling development, to avoid unnecessary expenditure in drawing up schemes that are unlikely to be viable. The impact of the development will require to be precisely defined at the outset, normally through the granting of a full planning application rather than planning permission in principle. It will be a requirement that the Listed Building is repaired to an agreed standard as early as possible in the course of the enabling development, ideally at the outset and if not, certainly before the completion or occupation of the new development.

1.4 Decisions on proposals for any alterations or demolition of a Listed Building will be made in accordance with the advice contained within the Historic Environment Policy for Scotland, and within the Managing Change in the Historic Environment guidance note series and in consultation with the appropriate heritage bodies.

1.5 Design Statements are required for all applications for listed building consents and for all applications affecting the setting of listed buildings. Design Statements are a tool by which the design principles and design concepts of proposals may be illustrated and allow for the proper assessment of proposals. Brief statements are useful even for minor developments. The Design Statement should demonstrate an understanding of the significance of the asset.

POLICY EP7: LISTED BUILDINGS

The Council will support development proposals that conserve, protect, and enhance the character, integrity and setting of Listed Buildings.

Enabling development may be acceptable where it is clearly shown to be the only means of retaining a Listed Building and securing its long term future. Any development should be the minimum necessary to achieve these aims. The applicant will be required to demonstrate that the economic, environmental and social benefits of the proposed development would justify the enabling development.

Internal or external alterations and extensions to Listed Buildings, or new developments within their curtilage, must meet the following criteria:

a) be of the highest quality,
b) respect the original structure in terms of setting, scale, design and materials, whilst not inhibiting contemporary and/or innovative design;
c) maintain, and should preferably enhance, the special architectural or historic quality of the building;
d) demonstrate an understanding of the building's significance.

Development proposals with a potentially significant impact on historic assets or places will be accompanied by an assessment which is based on an understanding of the cultural significance of the historic asset and/or place. The assessment should identify the likely visual or physical impact of any proposals for change, including cumulative effects, and provide a sound basis for managing the impacts of change. Proposals should also be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

Development proposals affecting the setting of a listed building should preserve its character, and its special architectural or historic interest.

The demolition of a Listed Building will not be permitted unless there are overriding environmental, economic, social or practical reasons. It must be satisfactorily demonstrated that every effort has been made to continue the present use or to find a suitable new use.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD5 Infill Development
Policy IS15 Radio Telecommunications
Other Environment Promotion and Protection policies.
Scottish Planning Policy
Historic Environment Policy for Scotland
Managing Change in the Historic Environment guidance note series

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Replacement Windows and Doors

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Historic Environment

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP8
HISTORIC ENVIRONMENT ASSETS AND SCHEDULED MONUMENTS

1.1 The aim of the policy is to give historic environment assets strong protection from any potentially damaging development. These assets include designated and undesignated archaeology, undesignated structures, battlefields, historic landscapes and natural features of cultural significance (see Figure EP8a). Historic Environment assets represent a fragile irreplaceable part of the Scottish Borders heritage and environment. In addition to their inherent historic and cultural value, they are important sources for education, recreation, and tourism. The historic environment is intrinsically tied to the Borders' landscape, sense of place and identities.

1.2 Scottish Borders Council maintains an up to date Historic Environment Record (HER) database. This includes over 20,000 known historic environment assets of which only a small number are designated. When mapped, these assets cover approximately 2% of the total Council land area. The HER is continually updated as new discoveries are made. The entire Borders' landscape has been impacted by human interventions over thousands of years. In this way it is accepted that the historic environment and natural environment are intimately linked. Historic environment specialists will examine development proposals for impacts on historic environment assets, their setting and their contextual relationships with historic and natural sites and features.

1.3 When determining development proposals the Council will seek to have designated and undesignated historic environment assets preserved in situ and within an appropriate setting. If this is determined to be unachievable, the policy allows for a full assessment of the significance of any historic environment asset to establish the likely impact of the development on them and provide appropriate mitigation. Any investigation must be carried out in accordance with the Council's requirements with regard to the scale of investigations, method of studying evidence and reporting of results. This will be proportionate to the cultural significance, actual or perceived, to the historic environment assets and their contexts that will be affected. Cultural significance is determined with regard to national guidance, national and regional research frameworks, assessment of the HER and specialist knowledge. In order to assess proposals affecting nationally designated Scheduled Monuments and Battlefields, the views of Historic Environment Scotland will be sought as appropriate.

1.4 Where development is approved which would affect known or suspected historic environment assets or their context, the Council will require that such development is carried out in accordance with an approved scheme of works designed to mitigate, offset or enhance the impact of development. The level and nature of this scheme of work will be proportionate to the development and its potential impact.

1.5 Where there is reasonable evidence of the existence of archaeological remains, but their nature and extent are unknown, the Council may require an Archaeological Investigation to provide clarification of the potential impact of development before or after a planning decision is reached. Further detailed investigation or in situ protection may be required depending on results.

1.6 Where archaeological investigation, preservation, and recording are required to be carried out, the Council will require implementation of a Written Scheme of Investigation (WSI) outlining an approved scheme of works. The scheme will ensure that a complete record is made of any remains which would otherwise be impacted by the development. Such a scheme might include some or all of the following:

a) the preservation of remains in situ and in an appropriate setting,
b) surface or geophysical survey,
c) historic building recording,
d) archaeological watching brief,
e) archaeological excavation,
f) study of the excavated evidence and publication of the results,
g) an approved programme of public engagement where appropriate,
h) an approved scheme of offset mitigation or enhancement.

Typically WSIs are produced by contractors working to the standards of the Chartered Institute for Archaeologists. Where significant archaeological or historic sites or features are detected, the Council may require further investigation including post-excavation analysis, publication and promotion through an approved Post-Excavation Research Design (PERD).

1.7 The preferred solution will be influenced by the cultural significance of assets in national, regional or local terms per criteria set out in the Historic Environment Policy for Scotland and Historic Environment Circular 1.

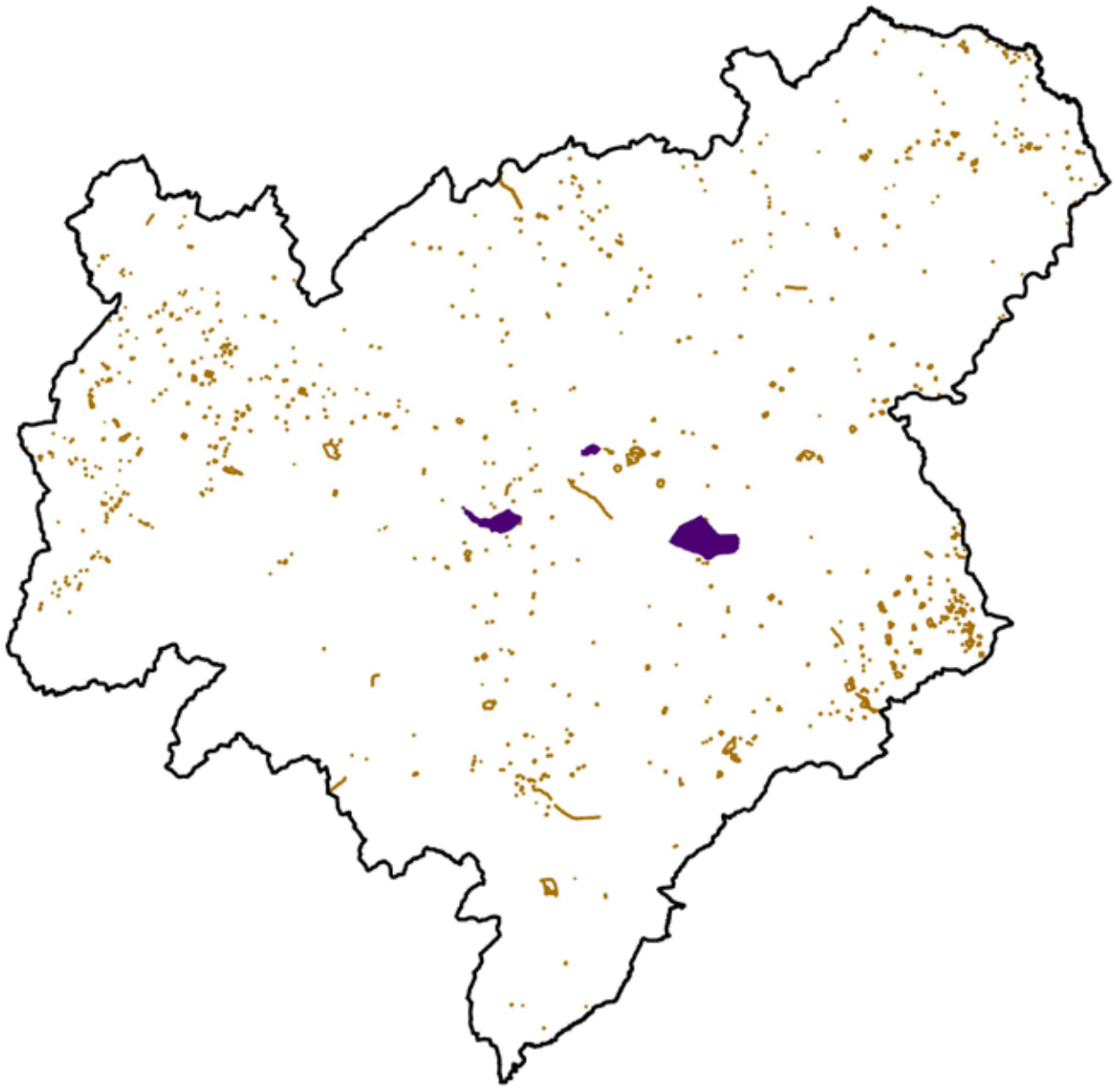
1.8 Setting is considered to be important to the way in which historic assets are understood, appreciated, and experienced both inwards and outwards. Further information and advice on 'setting' can be found in Historic Environment Scotland's Managing Change in the Historic Environment Guidance Note on Setting.

1.9 In certain circumstances the Council may require a Design Statement. Design Statements are a tool by which the design principles and design concepts of proposals may be illustrated and allow for the proper assessment of proposals. The Design Statement should demonstrate an understanding of the significance of the asset, likely development impacts and how the benefits of development clearly outweigh the asset's cultural, social and historic value. Brief statements may be useful even for minor developments.

1.10 Any works directly affecting a designated Scheduled Monument require Scheduled Monument Consent (SMC), which is obtained from Historic Environment Scotland. Advice on the SMC process and requirements should be sought at an early stage from the Heritage Directorate, Historic Environment Scotland.

Figure EP8a
Policy EP8

Scheduled Monuments
Historic Battlefields



Historic Battlefields

Scheduled Monuments

This map can be viewed electronically, and information about the exact location and form of such designations is available, or can be made available, to applicants, and can also be accessed via the online resources provided by Historic Environment Scotland.

This figure does not show undesignated assets.

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POLICY EP8: HISTORIC ENVIRONMENT ASSETS AND SCHEDULED MONUMENTS

(A) NATIONAL ARCHAEOLOGICAL SITES

Development proposals affecting scheduled monuments will only be supported where:

a) direct impacts on the scheduled monument are avoided;
b) significant adverse impacts on the integrity of the setting of a scheduled monument are avoided; or
c) exceptional circumstances have been demonstrated to justify the impact on a scheduled monument and its setting and impacts on the monument or its setting have been minimised.

(B) BATTLEFIELDS

The Council may support development proposals within a battlefield or its setting on the Inventory of Historic Battlefields Register, or a regionally significant battlefield, that seek to protect, conserve, and/or enhance the landscape characteristics or important features of the battlefield and/or its setting. Proposals will be assessed according to their sensitivity to the battlefield. Direct or indirect impacts to a battlefield may require appropriate mitigation approved by the Council.

(C) REGIONAL OR LOCAL HISTORIC ENVIRONMENT ASSETS

Development proposals which will adversely affect an archaeological asset of regional or local significance or their setting will only be permitted if it can be demonstrated that the benefits of the proposal will clearly outweigh the heritage value of the asset.

In all of the above cases, where development proposals impact on a Scheduled Monument, other nationally important assets, or any other archaeological or historical asset, developers may be required to implement detailed investigations, publication and/or public engagement per approved scheme of works.

Any proposal that will adversely affect a historic environment asset or the integrity of its setting must include a reasoned account of what mitigation is or is not possible, together with a mitigation strategy where appropriate.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy PMD5 Infill Development
Policy ED9 Renewable Energy Development
Policy ED12 Mineral Extraction
Policy IS13 Contaminated and Unstable Land

Many other Environmental Promotion and Protection policies may also be relevant.

Scottish Planning Policy
Historic Environment Policy for Scotland
Managing Change in the Historic Environment guidance note series
Historic Environment Circular 1

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Historic Environment

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP9
CONSERVATION AREAS

1.1 The aim of the policy is to preserve or enhance the character or appearance of Conservation Areas. Conservation Areas make a unique and irreplaceable contribution towards the character and quality of the Scottish Borders, and as such must be protected from inappropriate development. The policy aims to subject applications for demolition to scrutiny such that in cases where the building is of merit, demolition should be the last resort and only considered after all the alternatives have been evaluated, regardless of the quality of the replacement. The current use of the building will be considered and efforts made to seek alternative uses. In cases where the value of the building is limited, re-use may be of less importance and replacements of suitable quality may do more to enhance the Conservation Area.

1.2 The legislation defines Conservation Areas as "areas of special architectural or historical interest, the character or appearance of which it is desirable to preserve or enhance" (Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997). Conservation Areas have evolved over many years and in some instances innovative or contemporary architecture can be appropriate.

1.3 "Development" includes alterations to existing property. The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011 states that "Any improvement, addition or other alteration to the external appearance of a dwellinghouse ..." is not permitted development within a Conservation Area. This therefore requires applications for planning permission for works such as replacement windows and doors.

1.4 The relevant national guidance is Scottish Planning Policy, Historic Environment Policy for Scotland and Managing Change in the Historic Environment guidance note series which aim to conserve the historic environment. PAN 68 "Design Statements" and PAN 71 "Conservation Area Management" are also relevant.

1.5 The boundaries of all Conservation Areas are shown on the Proposals Maps for the relevant settlements. A review of the Conservation Areas has recently been undertaken and that review included the designation of a further three Conservation Areas. There are currently 43 Conservation Areas designated within the Scottish Borders. These were formally designated on 5 March 2012. The boundaries of the Conservation Areas have been developed in line with the technical background note. Decision making will be guided by the Conservation Area Statements that are set out within the Conservation Area Statement Technical Note and Supplementary Planning Guidance will be produced in order to facilitate the management of the historic environment.

1.6 Following consultation on the Main Issues Report, it was agreed that the Newcastleton Prime Frontage/Core Area designation as contained within the Supplementary Planning Guidance on Replacement Windows and Doors would be removed. As a result of this decision, all applications in relation to replacement windows and doors within the Newcastleton Conservation Area will be

assessed against the "Elsewhere in Conservation Areas" element of the policy contained within the Supplementary Planning Guidance on Replacement Windows and Doors.

1.7 Decisions on proposals affecting a Conservation Area will be made in accordance with the policy and advice contained within the Historic Environment Policy for Scotland, and within the Managing Change in the Historic Environment guidance note series and in consultation with the appropriate heritage bodies.

1.8 Design Statements are a tool by which the design principles and design concepts of proposals may be illustrated and allow for the proper assessment of proposals. Brief statements are useful even for minor developments.

POLICY EP9: CONSERVATION AREAS

The Council will support development proposals within or adjacent to a Conservation Area which are located and designed to preserve or enhance the special architectural or historic character and appearance of the Conservation Area. This should accord with the scale, proportions, alignment, density, materials, and boundary treatment of nearby buildings, open spaces, vistas, gardens and landscapes.

The Council may require applications for full, as opposed to Planning Permission in Principle Consent.

Conservation Area Consent, which is required for the demolition of an unlisted building within a Conservation Area, will only be considered in the context of appropriate proposals for redevelopment and will only be permitted where:

a) the building is incapable of reasonably beneficial use by virtue of its location, physical form or state of disrepair, and
b) the structural condition of the building is such that it cannot be adapted to accommodate alterations or extensions without material loss to its character, and
c) the proposal will preserve or enhance the Conservation Area, either individually or as part of the townscape.

In cases a) to c) above, demolition will not be permitted to proceed until acceptable alternative treatment of the site has been approved and a contract for the replacement building or for an alternative means of treating the cleared site has been agreed.

Design Statements will be required for all applications for alterations, extensions, or for demolition and replacement which should explain and illustrate the design principles and design concepts of the proposals.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD5 Infill Development
Policy EP13 Trees, Woodlands and Hedgerows
Policy IS15 Radio Telecommunications
Other Environmental Promotion and Protection policies
Scottish Planning Policy
Historic Environment Policy for Scotland
Managing Change in the Historic Environment guidance note series.

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Placemaking and Design
Replacement Windows and Doors
Shop fronts and shop signage

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Placemaking and Design
Historic Environment

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP10
GARDENS AND DESIGNED LANDSCAPES

1.1 The aim of the policy is to protect the character of Gardens and Designed Landscapes from development that would adversely affect their special character. At the same time, the policy recognises that development can sometimes be accommodated within or adjacent to these areas provided it is carefully sited and sensitively designed. Gardens and Designed Landscapes are a historically important element of the Scottish Borders landscape. In addition they may also provide landscape settings for important buildings, be architecturally or artistically important in themselves, and/or have horticultural, silvicultural and ecological value.

1.2 Planning authorities are encouraged to take measures to safeguard and enhance sites included in the Inventory of Gardens and Designed Landscapes, and also other important gardens and designed landscapes. The Council recognises the significant contribution that designed landscapes make to the landscape quality and attractiveness of the Scottish Borders. Within the Scottish Borders there are gardens and designed landscapes that are included in the Inventory of Gardens and Designed Landscapes that are of national importance, and those that are identified within the Borders Designed Landscape Survey (Peter McGowan study). It should be noted that the latter document includes sites of national, regional and local importance.

1.3 In respect to the Borders Designed Landscape Survey, it should be noted that Annex 4 provides a useful policy context. It also provides guidance on management and restoration of these sites, and part 4 of the Annex sets out design principles and common issues that provide essential direction for any planning application within or adjacent to a garden and designed landscape.

1.4 It is appreciated that there is a difference between the relative importance of sites that are on the National Inventory of Designed Landscapes in Scotland and those identified only within the Borders Designed Landscape Survey. Those contained within the Inventory will be subject to a greater degree protection. The Council are also required to consult Historic Environment Scotland on any proposed development which may affect a historic garden or designed landscape as identified in the Inventory of Gardens and Designed Landscapes, and the effect of proposed development on a Garden or Designed Landscape is a material consideration in the determination of a planning application.

1.5 Setting is considered to be important to the way in which historic structures or places are understood, appreciated, and experienced. Further information and advice on 'setting' can be found in the Managing Change in the Historic Environment Guidance Note on Setting.

1.6 Design Statements are a tool by which the design principles and design concepts of proposals may be illustrated and allow for the proper assessment of proposals. Brief statements are useful even for minor developments.

POLICY EP10: GARDENS AND DESIGNED LANDSCAPES

The Council will support development that safeguards or enhances the landscape features, character or setting of:

a) sites listed in the Inventory of Gardens and Designed Landscapes, or
b) sites included in historic gardens and designed landscapes records.

All development should be carefully sited, be of the highest standards of design using appropriate finishing materials and planting, and be informed by and respectful of the historic landscape structure. Proposals that will result in an unacceptable adverse impact will be refused.

All applications affecting a Garden or Designed Landscape will be required to be supported by a Design Statement.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy PMD5 Infill Development
Many other Environmental Promotion and Protection policies may also be relevant.

Scottish Planning Policy
Historic Environment Policy for Scotland
Managing Change in the Historic Environment guidance note series

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP11
PROTECTION OF GREENSPACE

1.1 The aim of the policy is to give protection to a wide range of defined types of greenspace (also known as open space) within settlements and to prevent their piecemeal loss to development. The policy also aims to protect and safeguard the most important spaces within settlements. The greenspaces covered by this policy are based on the typology contained in the Scottish Government's Planning Advice Note (PAN) 65.

1.2 The Local Development Plan (LDP) identifies Key Greenspaces within Development Boundaries. The spaces identified within the Plan are those spaces which are considered to be of greatest value to the community and are therefore worthy of protection. It is intended that within Key Greenspaces only proposals that will enhance the space will be supported by the Council.

1.3 Whilst the Local Development Plan identifies Key Greenspaces within settlements, the policy acknowledges that there are other greenspaces also within settlements. This policy also extends protection to those other greenspaces. The policy also aims to ensure that where development is proposed, the loss is justified and that compensatory provisions are made.

1.4 It is accepted that the role of greenspaces may change over time to meet the needs of a community, such as where a play area was once a primary requirement for a community that requirement may have changed to a park/garden or even an allotment. Whilst this policy does allow for such changes to occur, it is important to ensure that where a greenspace contributes significantly to the placemaking of a settlement, any alterations to that space must not detract from the character and amenity of the settlement.

1.5 It is noted that the Council are currently reviewing their public play facilities in terms of future investment and removal of obsolete play areas where they are no longer fit for purpose. This programme of investment in play facilities aims to improve wellbeing and enhance activity levels for all ages with a beneficial impact on the health of the population. Currently the quantity of play provision in the Scottish Borders is high per head of population, but the quality is very low (compared to national benchmarking), this results in diminishing the wider benefits of these facilities to communities. This new investment programme will address the challenge of balancing quantity against quality, ensuring optimal provision of play facilities across the network. In addition it also seeks to redress the balance between quantity and quality, through rationalising the estate and targeting resources to those areas of higher impact. As a consequence of this new investment programme, there will be changes to the hierarchy and role of greenspaces and particularly the play areas within many of the settlements in the Scottish Borders.

1.6 As a result of the Community Empowerment (Scotland) Act 2015 every local authority are required to prepare a food growing strategy for its area to identify land that could be used to grow food and describe how provision for community growing can be increased. It is therefore likely that

within the lifetime of the Plan, new or repurposed greenspaces will be identified for the purpose of food growing. Although these spaces may not be currently identified within this Plan as Key Greenspaces, those new or repurposed greenspaces that are located within settlements will too receive protection under this policy. A new policy has been prepared in the LDP, policy EP17 Non-Commercial Food Growing and Community Growing Spaces.

1.7 The Council has produced a Supplementary Planning Guidance (SPG) on Green Space. The SPG will continue to provide guidance to those preparing planning applications for one or more dwellings as to what the Council may require in order to mitigate the impact of residential developments on greenspace and outdoor sport and recreation provision. Furthermore the Council have also approved a Facilities and Pitches Strategy 2011, which will be used to assess future provision of accessible high quality and financially sustainable facilities for sport and physical activity in the Scottish Borders, as well as being a key driver to partnerships and external funding providers.

POLICY EP11: PROTECTION OF GREENSPACE

(A) KEY GREENSPACES

Key Greenspaces as identified on Proposal Maps will be protected from development that will result in their loss. Development that protects and enhances the quality of Key Greenspaces will be supported.

(B) OTHER GREENSPACES

Greenspace within the Development Boundary of settlements will be protected from development where this can be justified by reference to any of the following:

a) the environmental, social or economic value of the greenspace;
b) the role that the greenspace plays in defining the landscape and townscape structure and identity of the settlement;
c) the function that the greenspace serves.

In both cases development that would result in the loss of greenspace, including outdoor sports facilities, will only be permitted if it can be satisfactorily demonstrated that, based on consultation with user groups and advice from relevant agencies:

d) there is social, economic and community justification for the loss of the open space; or
e) the need for the development is judged to outweigh the need to retain the open space; and
f) where appropriate, comparable open space or enhancement of existing open space may be provided and/or paid for by the developer at an alternative location within or immediately adjacent to the settlement where this will provide adequate and acceptable replacement for the open space lost as a result of the development. In some cases, recreational provision in the form of indoor sports facilities may be a suitable alternative provided it is equally accessible and is judged to compensate fully for the loss of the open space resource.

Development that would result in the loss of functional open space where a quantifiable demand can be demonstrated must in addition be justified by reference to:

g) the levels of existing provision and predicted requirements for the settlement;
h) the extent to which current or predicted future demand can be met on a reduced area.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy PMD5 Infill Development
Policy EP6 Countryside Around Towns
Policy EP8 Historic Environment Assets and Scheduled Monuments
Policy EP12 Green Networks
Policy EP17 Non-Commercial Food Growing and Community Growing Spaces
Policy IS5 Protection of Access Routes

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Green Space
Landscape and Development
Local Landscape Designations
Trees and Development

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Greenspace
Landscape and Development
Trees and Development

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP12
GREEN NETWORKS

1.1 Green Networks consist of a network of greenspaces (including green infrastructure) and green corridors through, within and around settlements, linking open spaces within settlements to the wider countryside. (see Figure EP12a). They can assist in enhancing the biodiversity, quality of life, and sense of place of an area.

1.2 The aim of the policy is to promote and support developments that enhance Green Networks. The policy also aims to protect existing Green Networks and avoid where possible their fragmentation. It is recognised however, that while the Local Development Plan (LDP) identifies a series of green networks, it should also be noted that there are numerous other local green networks throughout the Scottish Borders which are also covered by this policy.

1.3 In line with Planning Advice Note 65: Planning and Open Space, the LDP identifies those green networks that contribute to the development framework. Therefore the networks identified within the LDP focus primarily on the Strategic Development Areas as set out in the SESplan and the 11 main population centres/settlements within the Borders. The LDP identifies three different types of green networks, Strategic, Key and a further one based on the former railway routes (refer to Policy Maps).

1.4 The Strategic Green Network identified connects the Central Borders Strategic Development Area (SDA) to the Western Borders SDA. It focuses on an area which is made up of various components that attract and encourage participation from the greatest number of people.

1.5 The series of Key Green Networks identified within the LDP are in and around the towns of Duns, Eyemouth, Hawick, Jedburgh, Kelso and Lauder. These identified networks also complement the development strategy set out within the SESplan.

1.6 Former railway lines in the Scottish Borders represent a network of over 125 miles of former trackbed which links many of the larger towns, as well as neighbouring local authorities (both in the north of the Scottish Borders and in the south), and as such offers considerable potential for alternative uses in the promotion of connectivity. The LDP seeks to safeguard these routes of the former railway lines as they have the potential to be used for walking, cycling and recreation and have the potential to assist in reducing car use in line with the Transport Strategy.

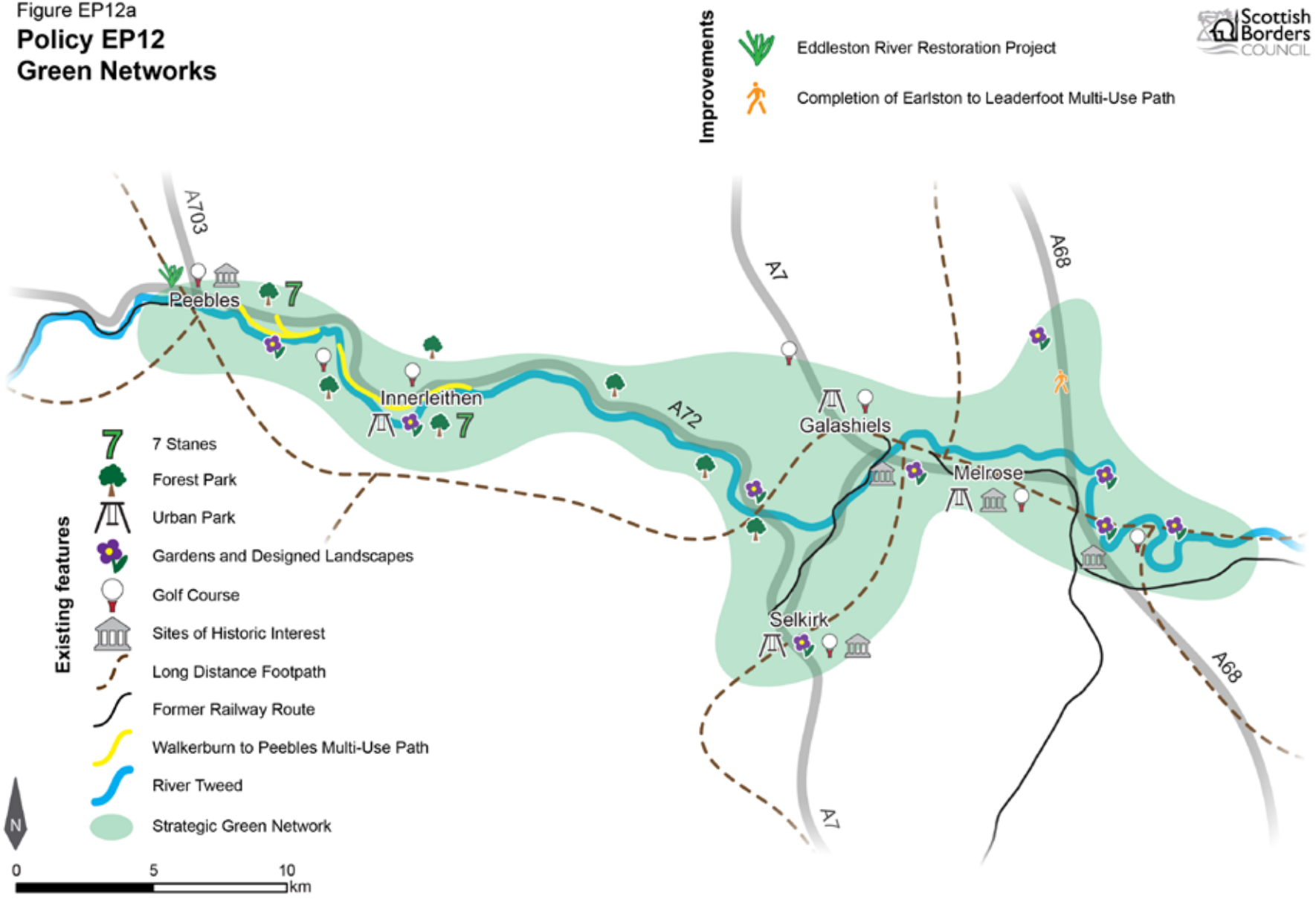
1.7 The Green Networks identified within the LDP assist in supporting sustainable economic growth, tourism, recreation, the creation of an environment that promotes a healthier-living lifestyle, and the protection and enhancement of biodiversity, and has the potential to improve the quality of the water environment, promote flood protection, and reduce pollution.

1.8 Elements that form a Green Network set out within the LDP can range from a few to many. These can include footpaths or cycle routes be they for sustainable travel/active travel and recreation, either within towns or linking towns; quality natural heritage; areas of woodland; main rivers and water quality, landscape designations as well as gardens and designed landscapes.

1.9 The Council will also consider the preparation of Supplementary Planning Guidance on Green Networks.

Figure EP12a

Policy EP12
Green Networks



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POLICY EP12: GREEN NETWORKS

The Council will support proposals that protect, promote and enhance the Greenspace Network.

Where a proposal comes forward that will result in a negative impact on the natural heritage, greenspace, landscape, recreation or other element of a Green Network, appropriate mitigation will be required.

Where infrastructure projects or other developments are required that cross a Green Network, such developments must take account of the coherence of the Network. In doing this, measures which allow access across roads for wildlife, or access for outdoor recreation will be required.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy PMD5 Infill Development
Policy EP6 Countryside Around Towns
Policy EP8 Historic Environment Assets and Scheduled Monuments
Policy EP11 Protection of Greenspace
Policy EP17 Non-Commercial Food Growing and Community Growing Spaces
Policy IS5 Protection of Access Routes

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Green Space
Landscape and Development
Local Landscape Designations
Trees and Development

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Greenspace
Landscape and Development
Trees and Development

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP13
TREES, WOODLANDS AND HEDGEROWS

1.1 The aim of the policy is to give protection to the woodland resource and in turn, to the character and amenity of settlements and the countryside, maintain habitats and provide an important recreational asset. The policy seeks to protect and enhance the whole resource, not only individual trees that might be protected by a Tree Preservation Order; safeguarded by a condition on a planning permission; or located within a Conservation Area. The woodland resource refers to the maintenance and management of trees, ancient woodlands and pastures, and hedgerows.

1.2 The policy encourages developers to take account of the existing woodland resource at the outset of their development schemes, and provides for the protection of the resource during construction. Decision making will be informed by the Scottish Borders Woodland Strategy, expert advice from external agencies, the existing condition of the woodland resource and British Standard 5837: Trees in Relation to Construction. Supplementary Planning Guidance (SPG) on Trees and Development outlines the Council's requirements when considering applications which could affect trees.

1.3 As part of the Woodland Strategy, the Council is currently taking part in a Regional Strategic Woodland Creation pilot project. The aim of the pilot project is to develop a new approach to forestry that seeks better integration of new woodland with farming and other land uses to maximise the benefits. This may inform decision making in due course.

POLICY EP13: TREES, WOODLANDS AND HEDGEROWS

The Council will refuse development that would cause the loss of or serious damage to the woodland resource unless the public benefits of the development clearly outweigh the loss of landscape, ecological, recreational, historical or shelter value.

Any development that may impact on the woodland resource should:

a) aim to minimise adverse impacts on the biodiversity value of the woodland resource, including its environmental quality, ecological status and viability; and
b) where there is an unavoidable loss of the woodland resource, ensure appropriate replacement planting, where possible, within the area of the Scottish Borders; and
c) adhere to any planning agreement sought to enhance the woodland resource.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy ED9 Renewable Energy Development
Policy HD2 Housing in the Countryside
Policy EP4 National Scenic Areas
Policy EP5 Special Landscape Areas
Policy EP6 Countryside Around Towns
Policy EP8 Historic Environment Assets and Scheduled Monuments
Policy EP10 Gardens and Designed Landscape
Policy EP11 Protection of Greenspace
Policy EP12 Green Networks
Policy EP15 Development Affecting the Water Environment
Policy IS2 Developer Contributions
Policy IS15 Radio Communications

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Development Contributions
Green Space
Landscape and Development
Local Biodiversity Action Plan
Local Landscape Designations
New Housing in the Borders Countryside
Trees and Development

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Countryside Around Towns
Development Contributions
Green Networks
Greenspace
Landscape and Development
New Housing in the Borders Countryside
Trees and Development

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP14
COASTLINE

1.1 The aim of the policy is to ensure the Scottish Borders coastline, in particular the 'undeveloped coast' outwith the respective coastal settlement boundaries, is afforded adequate protection from inappropriate development. The coastline is important not just from an environmental point of view but because of its value as a tourism asset.

1.2 Scottish Planning Policy states that Planning Authorities should consider identifying coastal areas likely to be suitable or unsuitable for development, including priority regeneration and enhancement areas, and any relevant constraints, such as erosion or flood risk.

1.3 It is considered that proposals for development, including regeneration, can be met by the coastal settlements and that it is not necessary to identify other areas suitable or unsuitable for development. Proposals for development outwith a development boundary will be tested by appropriate Local Development Plan policy.

1.4 The Scottish Borders coastline is designated for its nature and landscape value, as identified on the Policy Map, and any development would have to adhere to the relevant policies associated with these designations. This includes appropriate assessment where required to demonstrate no adverse effect on the integrity of European sites.

1.5 Local Authorities and the Marine Planning Partnerships (MPP) are encouraged to work together to ensure planning coherence across the land-sea interface. It is important that this extends beyond the jurisdictional overlap of the intertidal zone, as activities far inland can have implications for marine health. Prior to the establishment of the Forth & Tay Marine Planning Partnership, Scottish Borders Council will work to ensure coherence with the National Marine Plan (NMP). The NMP is a statutory plan with policies relevant to all public authorities, including those whose responsibilities are primarily land-based. Early engagement between applicants, the Council and other appropriate authorities is essential to ensure the co-ordination of any necessary environmental assessments in accordance with Circular 1/2015: Relationship between the Statutory Land Use Planning System and Marine Planning and Licensing.

POLICY EP14: COASTLINE

Development proposals at a coastal location will only be permitted where:

a) the proposal is located within the Burnmouth, Eyemouth and St Abbs development boundary; or
b) the proposal is appropriate under Local Development Plan policies; or
c) the development requires a coastal location; and
d) the benefits of the proposal clearly outweigh any damage to the landscape character or to the nature conservation value of the site as assessed under other relevant Local Development Plan policies.
e) the proposal is appropriate under the National Marine Plan and under the Regional Marine Plan, when prepared.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy HD2 Housing in the Countryside
Policy EP1 International Nature Conservation Sites and Protected Species
Policy EP2 National Nature Conservation Sites and Protected Species
Policy EP3 Local Biodiversity and Geodiversity
Policy EP5 Special Landscape Areas
Policy EP12 Green Networks

The relevant government guidance is Scottish Planning Policy and Planning Circular 1/2015: relationship between the statutory land use planning system and marine planning and licencing.

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Landscape and Development
Local Landscape Designations
Placemaking and Design

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Green Networks
Landscape and Development
Placemaking and Design

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP15
DEVELOPMENT AFFECTING THE WATER ENVIRONMENT

1.1 The policy is aimed at ensuring that development does not adversely affect any of the complex components that comprise the water environment, for example, rivers, lochs, groundwater, wetland, coastal waters and estuaries. Under the Water Environment (Controlled Activities) (Scotland) Regulations 2011, any activity which may affect Scotland's water environment must be authorised.

1.2 The Council aims to protect and improve the quality of the water environment and requires developers to consider how their proposals might generate potentially adverse impacts and to build in measures that will minimise any such impacts and enhance and restore the water environment. Development proposals likely to have a significant effect on the River Tweed Special Area of Conservation will be subject to appropriate assessment, as set out in Policy EP1: International Nature Conservation Sites and Protected Species. The basis of the Council's approach will be the sustainable management objectives set out to improve the River Tweed in the Solway Tweed River Basin Management Plan and to the Eye Water set out in the Forth Area Management Plan. The Council will also liaise with its partner organisations particularly in regard to the River Tweed Special Area of Conservation.

1.3 The policy refers to the natural and physical characteristics of the water environment; the natural characteristics are biodiversity or landscape features, whilst the physical characteristics include the water quality and morphology.

1.4 Opportunities to enhance and restore the water environment in support of biodiversity are set out in the Supplementary Planning Guidance for Biodiversity.

POLICY EP15: DEVELOPMENT AFFECTING THE WATER ENVIRONMENT

Development proposals that seek to bring improvement to the quality of the water environment will be supported. Where a proposal would result in a significant adverse effect on the water environment through impact on its natural or physical characteristics, or its use for recreation or existing river engineering works, it will be refused. Decision making will be guided by an assessment of:

a) pollution of surface or underground water, including water supply catchment areas, as a result of the nature of any surface or waste water discharge or leachate, including from the disturbance of contaminated land;
b) flood risk within the site or the wider river catchment;
c) proposals for river engineering works that may be required for fisheries management, flood defence or erosion control;
d) compliance with current best practice on Sustainable Urban Drainage (SUDS) including avoidance of flooding, pollution, extensive canalisation and culverting of watercourses.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy EP1 International Nature Conservation Sites and Protected Species
Policy EP2 National Nature Conservation Sites and Protected Species
Policy EP3 Local Biodiversity and Geodiversity
Policy EP12 Green Networks
Policy IS2 Developer Contributions
Policy IS8 Flooding
Policy IS9 Waste Water Treatment Standards and Sustainable Urban Drainage

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Biodiversity
Green Networks

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP16
AIR QUALITY

1.1 The purpose of this policy is to protect air quality and in doing so complement other policies to protect land and water. This in turn will help to fulfil the Council's environmental commitments and its contribution to addressing climate change. The Council has not identified any locations where national air quality objectives are unlikely to be met and therefore has not declared any Air Quality Management Areas. Other aspects of air quality are controlled by bodies including SEPA and the Council's environmental health team and by an expectation that landowners/land managers will comply with the Muirburn Code.

1.2 The policy applies not just to business and industrial development that may involve emissions but to other land uses that, through the generation of traffic, for example, could result in deterioration of local air quality. It applies to visible pollutants and to invisible gases such as CO_2 which are known to cause harmful climate change.

1.3 The Scottish Government's national strategy 'Cleaner Air for Scotland – The Road to a Healthier Future' (CAFS) is a national cross government strategy that aims to bring together the major policy areas relevant to air quality within one overarching framework. To help the Scottish Government in their aims; the planning system has an important role in ensuring that both carbon emissions and air quality impacts from proposed developments are reasonably mitigated.

1.4 Future communities, workplaces, recreation and retail facilities throughout the Scottish Borders should have access to sustainable transport options and provision for electric vehicle charging. It is important that any new development and associated road traffic does not have significant adverse impact on air quality either through the exacerbation of existing air quality problems or the introduction of new sources of pollution where they would impact on sensitive receptors. Where possible, the Council has sought to minimise any potential impacts by allocating sites near to local services, although due to the geographic nature of the Scottish Borders, it is acknowledged there will always be reliance on car usage. New development will also support the change to a low carbon economy by ensuring it does not have a detrimental effect on air quality by encouraging renewable energy options and low emission technologies within the design.

1.5 The Council acknowledges that when considered in isolation, a single development is unlikely to have a significant impact on local air quality and may not trigger the need for an Air Quality Assessment. However, when it is considered alongside other developments in and around the area that may also increase traffic, the cumulative impact on some routes is likely to be more significant and could result in a breach of an air quality standard.

POLICY EP16: AIR QUALITY

Development proposals that individually or cumulatively could adversely affect the quality of air in a locality to a level that could potentially harm human health and wellbeing, or the integrity of the natural environment, or lead to unacceptable levels of greenhouse gas emissions, must be accompanied by provisions that the Council is satisfied will minimise such impacts to an acceptable degree. Where it is considered appropriate the Council may request that an Air Quality Assessment is undertaken to assist determination of an application.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy HD2 Housing in the Countryside
Policy EP12 Green Networks
Policy IS1 Public Infrastructure and Local Services Provision
Policy IS4 Transport Development and Infrastructure
Policy IS5 Protection of Access Routes
Policy IS10 Waste Management Facilities
Policy IS11 Hazardous Development
Policy IS13 Contaminated and Unstable Land

The relevant government guidance is Air Quality and Land Use Planning (2004) and Planning Advice Note 51: Planning and Environmental Protection (Revised 2006).

ENVIRONMENTAL PROMOTION AND PROTECTION (EP)

POLICY EP17
NON-COMMERCIAL FOOD GROWING AND COMMUNITY GROWING SPACES

1.1 National Planning Framework 3 recognises that land for food production within towns and cities is becoming increasingly important. Scottish Planning Policy states that planning authorities should protect, enhance and promote green infrastructure, including open space and green networks, as an integral component of successful placemaking. The legislative framework relating to allotments, set out in the part 9 of the Community Empowerment (Scotland) Act 2015, has relatively recently come into force. It confirms commitment to community growing and to increasing the accessibility of land for those who wish to grow their own food or to learn and share experience with local groups. Corresponding Scottish Government advice in November 2018 stated Local Development Plans are key to helping implementation. Reference is also given that planning authorities may seek development contributions to help deliver this provision.

1.2 The Community Empowerment (Scotland) Act of 2015 also requires Councils to prepare a Food Growing Strategy to identify suitable land that may be used as allotment sites, identifying other areas of land that could be used for community growing, and describe how the authority will improve provision of land for food growing purposes. The Council's Food Growing Strategy will be developed through consultation with stakeholders, partner organisations and communities. It will also identify suitable opportunities for food growing and community growing. The suitability of potential food growing and community growing areas would include the consideration of matters such as access to water, suitable soil type, shade and impacts on neighbouring land uses.

1.3 Non-Commercial Food Growing and Community Growing Spaces refer to land that could be used for allotment sites or land identified for communities to grow vegetables, fruit, herbs or flowers. The Council aspires to increase the provision of allotments or other land for community growing. It is also recognised that community growing can have long lasting benefits to communities and individuals in terms of health, education and social inclusion.

1.4 The Council seeks to encourage food growing, community growing opportunities and to make food growing more accessible. The policy supports different forms of community food growing, improving access to land for food growing purposes and supports more people to gain the opportunity to grow their own food. In instances where there is a known local demand development contributions will be considered in order to ensure either on site or off site provision. Demand will be guided by the Council's Food Growing Strategy.

1.5 At this stage as there is no definitive information on the demand for Non-Commercial Food Growing and Community Growing Spaces the LDP cannot therefore incorporate any definitive land use allocations for these uses. Policy EP17 seeks to set out criteria tests to identify and protect land for such uses when sites are identified and this will be guided by the Food Growing Strategy.

POLICY EP17: NON-COMMERCIAL FOOD GROWING AND COMMUNITY GROWING SPACES

The Council will support development that safeguards and enhances the quality of an existing non-commercial food growing area. Development that results in the loss of any non-commercial food growing area, where no satisfactory alternative location has been identified, will not be supported.

The Council will support development for new or extended non-commercial food growing areas that meet community needs, provided the following requirements are met:

a) the site is of an appropriate size to accommodate the identified demand
b) the site has satisfactory access and off-street parking and provision
c) incorporation of screen planting where appropriate
d) any onsite buildings and perimeter fencing to be of appropriate materials and sympathetic to the surroundings
e) the development must have no significant adverse impacts on nearby land uses.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD1 Sustainability
Policy PMD2 Quality Standards
Policy PMD3 Land Use Allocations
Policy ED5 Regeneration
Policy EP11 Protection of Greenspace
Policy EP13 Trees, Woodland and Hedgerows
Policy IS2 Developer contributions
Policy IS7 Parking Provisions and Standards

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

INFRASTRUCTURE AND STANDARDS (IS)

Planning applications can raise a number of issues which must be fully addressed in order that development proposals can be supported. It is vital that planning policies and consultation procedures are put in place to ensure these matters are identified and are satisfactorily resolved.

This policy section covers a wide range of requirements and standards which applications must address where relevant. It confirms, for example, road adoption standards, parking provision, infrastructure requirements and contamination issues to be addressed. Flood risk is a major constraint to be considered and the LDP has been prepared and consulted upon with relevant bodies to ensure no new development will be at flood risk or that flood risk is increased elsewhere. The LDP confirms a series of Flood Protection Schemes and studies the Council will implement.

Developer contributions are required in order to ensure the satisfactory delivery of proposals and policy seeks to ensure, as far as practicable, that the burden of additional infrastructure and/or services that are related to the development is absorbed by the landowner and developer as opposed to the Council or other service providers.

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS1
PUBLIC INFRASTRUCTURE AND LOCAL SERVICE PROVISION

1.1 The aim of the policy is to prevent any development that would adversely affect future public infrastructure and local service provision. It also seeks to prevent the loss of public infrastructure, facilities or local services. These could include post offices, filling stations, public or village halls, public houses and hotels, and rural shops etc. The policy is aimed at retaining and enhancing the sustainability and viability of the area's communities. Within the planning application decision making process weight must be given to any adverse economic impacts on rural services caused by Covid 19.

POLICY IS1: PUBLIC INFRASTRUCTURE AND LOCAL SERVICE PROVISION

The Council will encourage the retention of and improvements to public infrastructure and local services.

1. Development that might prejudice the future provision of those infrastructure and service improvements identified on the Proposals Maps will not be permitted.

2. Proposals that result in the loss of an existing public facility or local service may be supported if:

a) it can be adequately demonstrated that the existing facility or service is financially unviable, and
b) it can be demonstrated that all reasonable attempts have been made to sell the facility or service as a "viable concern", and
c) it can adequately be demonstrated that the loss of the facility or service will not have an adverse impact on the settlement, and
d) the proposal will offer significant wider public and community benefits, and
e) the proposal does not detract from the character and amenity of the surrounding area

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy PMD5 Infill Development
Policy HD3 Protection of Residential Amenity
Policy EP4 National Scenic Areas
Policy EP6 Countryside Around Towns
Policy EP12 Green Networks

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Green Space

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:

Greenspace
Green Networks

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS2
DEVELOPER CONTRIBUTIONS

1.1 The purpose of the policy is to provide guidance on how the Council intends to comply with the provisions of Circular 3/2012 on the use of Section 75 Planning Agreements. The policy also provides for the use of Section 69 or where appropriate, other legal agreements. In turn this will help ensure that the quality of services and facilities is not compromised by new development. The policy aims to ensure, as far as practicable, that the burden of additional infrastructure and/or services that are related to the development is absorbed by the landowner and developer as opposed to the Council or other service providers.

1.2 Contributions towards affordable housing provision are detailed in Policy HD1: Affordable Housing. Contributions related to the Borders Railway are the subject of special provisions set out in Policy IS3: Developer Contributions related to the Borders Railway. Where a legal agreement is necessary, the preference for using an agreement under other legislation, for example the Local Government (Scotland) Act 1973 and the Roads (Scotland) Act 1984 will be considered. A planning obligation will only be required where it is necessary to restrict or regulate the development or use of land.

1.3 Each application will be assessed to determine the appropriate level of contribution guided by: the requirements identified in the Council's Supplementary Planning Guidance (SPG) on Development Contributions; Planning or Development Briefs; outputs from community or agency liaison; information in settlement profiles; other research and studies such as transport assessments; the cumulative impact of development in a locality; and provisions of Circular 3/2012 in respect of the relationship of the contribution in scale and kind to the development. Contributions will generally be required at the time that they become necessary to ensure timeous provision of the improvement in question. Where appropriate, the Council will consider the economic viability of a proposed development, including possible payment options, such as staged or phased payments. It will also pursue a pragmatic approach, taking account of the importance in securing necessary developments, and exceptional development costs that may arise. Contributions are intended to address impacts resulting from new development proposals, not existing deficiencies. Affordable housing proposals are predominantly exempt from developer contribution requirements and other policy exemptions are detailed in the associated SPG.

1.4 Developer contributions may assist in overcoming obstacles to the granting of planning permission through the compensation for, reduction, or elimination of, negative impacts, for example the provision of open space, education facilities or broadband infrastructure. In some instances, the cumulative effect of a number of developments will require to be considered, and in such cases contributions may be sought and held by the Council until such time as sufficient funds are available to allow the relevant work to proceed.

1.5 As part of its proper forward planning for public services in the region, the Council has brought forward the construction of new schools in some locations; where this has been necessary, such decisions are guided by and predicated upon projected housing development in the locality which the new school will need to accommodate. The Council is only able to do so by borrowing

funds in the expectation that contributions would enable the Council to recoup the cost of these developments, just as it would were the contributions to be collected in advance of construction of a new school. Where such borrowing remains to be repaid, the Council will seek contributions for education to recoup the cost of the new school provision.

1.6 The range of infrastructure and services to which the policy applies and the level of costs to be sought will be periodically reviewed to reflect ongoing needs and priorities of the Council and other organisations responsible for delivering public services.

POLICY IS2: DEVELOPER CONTRIBUTIONS

Where a site is otherwise acceptable in terms of planning policy, but cannot proceed due to deficiencies in infrastructure and services or to environmental impacts, any or all of which will be created or exacerbated as a result of the development, the Council will require developers to make a full or partial contribution towards the cost of addressing such deficiencies. Contributions will also be required towards the provision of new schools where increased capacity has already been provided to accommodate future housing projections and where borrowing remains to be repaid.

Contributions may be required for one or more of the following:

a) treatment of surface or foul waste water in accordance with the Plan's policies on preferred methods (including Sustainable Urban Drainage System maintenance);
b) provision of schools, school extensions or associated facilities, all in accordance with current educational capacity estimates and schedule of contributions contained in the Development Contributions Supplementary Planning Guidance, or where the Council has forward funded new schools or school extensions to accommodate future housing projects, contributions will be sought until such time as the Council's borrowing is repaid in full, all in accordance with the schedule of contributions;
c) on-site and off-site transport infrastructure including new roads or road improvements, Safer Routes to School, road safety measures, public car parking, cycle-ways, bridges and associated studies and other access routes, subsidy to public transport operators and transport infrastructure providers; all in accordance with the relevant standards and the provisions of any Travel Plan;
d) leisure, sport, recreation, play areas and community facilities, either on-site or off-site;
e) landscape, open space, allotment provision, food growing spaces, trees and woodlands, including costs of future management and maintenance;
f) protection, enhancement and promotion of environmental assets either on-site or off-site, having regard to the Local Biodiversity Action Plan and the Council's Supplementary Planning Guidance on Biodiversity, including compensation for any losses and/or alternative provision;
g) provision of other facilities and equipment for the satisfactory completion of the development that may include: measures to minimise the risk of crime; provision for the storage, collection and recycling of waste, including communal facilities; provision of street furniture and digital connectivity with associated infrastructure;
h) flood protection schemes, where the site would benefit from its implementation.

Where appropriate, the Council will consider the economic viability of a proposed development, including possible payment options, such as staged or phased payments. If an applicant can satisfactorily demonstrate to the Council on a confidential 'open book' basis that the strict application of policy would render an otherwise commercially viable project commercially unviable, then contributions may, where appropriate, be negotiated and varied.

Supplementary Planning Guidance on Development Contributions will be reviewed periodically to reflect the ongoing needs and priorities of the Council and will expand upon the development contributions sought. The appropriateness of the development contributions to proposals will be considered through the planning application process.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundary
Policy PMD5 Infill Development
Policy HD1 Affordable Housing Delivery
Policy HD6 Housing for Particular Needs
Policy EP17 Non-Commercial Food Growing and Community Growing Spaces
Infrastructure and Standards policies particularly IS4-IS7 and IS9

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Affordable Housing
Development Contributions

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Affordable Housing
Development Contributions
Planning for Particular Needs Housing

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS3
DEVELOPER CONTRIBUTIONS RELATED TO THE BORDERS RAILWAY

1.1 The aim of this policy is to seek developer contributions towards the cost of reinstating the Waverley Railway Line in postcode sectors where new housing development is considered to benefit from, or be enhanced by, the rail link. Figure IS3a shows the extent of the area. The policy will assist with the provision of funding towards the reconstruction of the railway, which will provide considerable social, economic and environmental benefits to the area in addition to stimulating residential development.

1.2 The authority to require developer contributions in these special circumstances is set out in Sections 39 and 40 of the Waverley Railway (Scotland) Act 2006. It is acknowledged that this policy represents a change in the way Section 75 legal agreements are ordinarily applied, this being necessary to reflect the specific provisions stipulated in the Act.

1.3 The Act provides for a rail link between Edinburgh and the Central Borders. The postcode sectors affected by this policy are therefore concentrated in the central, northern and southern housing market areas. The postcodes affected and level of contribution sought will be in accordance with the Council's decisions of 5 October 2004 and 17 October 2006, or from any subsequent Council decision during the local development plan period. In the longer term, the Council's aspiration is to extend the reconstruction of this rail link through to Carlisle. The anticipated safeguarded route is shown on the Policy Map.

Figure IS3a
Policy IS3

Waverley Developer Contribution Area

Waverley Developer Contribution Area

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POLICY IS3: DEVELOPER CONTRIBUTIONS RELATED TO THE BORDERS RAILWAY

In accordance with the provisions of the Waverley Railway (Scotland) Act 2006, the Council will seek developer contributions towards the cost of providing the Borders Railway from any developments that may be considered to benefit from, or be enhanced by, the re-instatement of the rail link.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy IS2 Developer Contributions
Policy IS4 Transport Development and Infrastructure

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Development Contributions

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Development Contributions

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS4
TRANSPORT DEVELOPMENT AND INFRASTRUCTURE

1.1 Transport policies seek to promote the most sustainable means of travel, giving priority to walking and cycling for local journeys, and to public transport in preference to travel by car, where feasible. As well as being a positive move to tackle climate change, this approach benefits local environmental quality, personal health and mobility and helps those without access to a car. New developments should also consider a range of sustainable travel initiatives. The Council will support and promote the development of a network of electric vehicle charging stations by requiring provision to be considered as an integral part of any new development or redevelopment proposals (refer to Appendix 3).

1.2 It is intended that the Council will produce Supplementary Planning Guidance (SPG) through the period of the LDP to establish further requirements for sustainable transport. The SPG is likely to cover a range of subjects taking on board the findings of the Council's `Sustainable Development Committee'. This will include reference to the requirement for infrastructure to provide electric car charging points, either through electrical connections adjacent to/ within private driveways, or through infrastructure for the installation of charging points within communal car parking areas. It is envisaged this will include parking facilities within commercial developments which should include the provision of charging stations.

1.3 The spatial strategy is underpinned by a transportation network which requires improvements to roads and railways in order to support and enable future development as well as improve connectivity across the Borders and in particular between the identified key growth areas. A key element of this is the major investment that provided the Borders Railway between the Central Borders and Edinburgh. This has created a climate for investment in the Central Borders, which needs to be complemented by improvements to the road and active travel networks.

1.4 In the longer term, the Council has aspirations to see the reopening of the Borders Railway southwards to Carlisle and a bypass around Selkirk on the A7. In the Eastern Borders, it also supports the construction of a new station on the East Coast Main Line at Reston and has a further aspiration to upgrade the A1 Trunk Road to full dual carriageway status on the Scottish side of the border. The UK and Scottish Governments have indicated that funding may be available through the Borderlands proposal to undertake feasibility work on the plans for an extension to Borders Rail from Tweedbank to Carlisle and the Scottish Government has indicated that a new station at Reston in Berwickshire will be provided in the current control period (2019-2024). However, it must be noted that Transport Scotland currently has no proposals to deliver an A7 bypass for Selkirk, as indicated in the Selkirk settlement map, or to upgrade the A1 to full dual carriageway status.

1.5 Disused railways have the potential to be used as active travel networks for walking, cycling and horse riding and this issue is explored further within the Green Networks policy.

POLICY IS4: TRANSPORT DEVELOPMENT AND INFRASTRUCTURE

The Council supports the following schemes to provide new and improved transport infrastructure:

a) extension of Borders Railway from Tweedbank through Hawick to Carlisle;
b) improvements to key road routes – A68, A7 (including Selkirk bypass), A72, A697, A698, A699, A703, A701, A702 and A6105;
c) complete dualling of the A1 trunk road on the Scottish side of the border;
d) a new rail station facility at Reston on the East Coast Main Line railway;
e) supplement/replace Lowood Bridge.

Development that could prejudice the delivery of these schemes will not be permitted. Planned routes and locations to be safeguarded are shown on the Proposal Maps.

The Council will support proposals for transport infrastructure that:

a) promote sustainable travel;
b) facilitate the development of allocated sites in ways which promote sustainable travel;
c) enable the sustainable movement of goods, particularly by rail;
d) have no unacceptable adverse impact on the natural and built environment;
e) have no unacceptable adverse impact on the occupiers of adjacent land by virtue of noise, smell and noise pollution.

Proposals that generate significant travel demand will be required to provide the following criteria:

a) Transport Assessments and Travel Plans
b) Developer contributions where appropriate

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy PMD5 Infill Development
Policy IS2 Developer Contributions
Policy IS3 Developer Contributiones related to the Borders Railway
Policy IS5 Protection of Access Routes
Policy IS6 Road Adoption Standards
Policy IS7 Parking Provision and Standards
Environmental Promotion and Protection policies

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Development Contributions
Placemaking and Design

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Development Contributions
Placemaking and Design
Sustainability and Climate Change

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS5
PROTECTION OF ACCESS ROUTES

1.1 The Council wishes to encourage walking and cycling as modes of travel and to help improve people's health and wellbeing. It therefore seeks to protect and keep open any route with access rights.

1.2 The aim of the policy is to protect all existing access routes in accordance with the Land Reform (Scotland) Act 2003 and the Countryside (Scotland) Act 1967. Together these Acts place a duty on local authorities to assert, protect and keep open and free from obstruction, any route, waterway or other means whereby access rights may reasonably be exercised including most open land and rights of way. The policy also seeks to protect recreational use of water from inappropriate development.

1.3 The Council's Core Paths Plan identifies routes which are of significant value to tourism and to local residents and which provide reasonable access for walking and cycling throughout the area.

1.4 Developers should integrate existing access routes into their site layouts and designs to ensure that public access remains as attractive and convenient as it was prior to the development.

1.5 Development briefs, prepared by the Council to guide the development of allocated sites, will incorporate requirements for the retention of access routes and the creation of improved linkages to maximise opportunities for walking and cycling.

POLICY IS5: PROTECTION OF ACCESS ROUTES

Development that would have an adverse impact upon an access route available to the public will not be permitted unless a suitable diversion or appropriate alternative route, as agreed by the Council, can be provided by the developer.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy PMD5 Infill Development
Policy EP1 International Nature Conservation Sites and Protected Species
Policy EP11 Protection of Greenspace
Policy EP12 Green Networks
Policy IS2 Developer Contributions

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS6
ROAD ADOPTION STANDARDS

1.1 Transport Scotland is responsible for the adoption of trunk roads and the Council is responsible for the adoption of non-trunk roads. To achieve appropriate road adoption standards in new development for non-trunk roads, the Council requires roads and footpaths to be built to an appropriate standard which enables them to be adopted and maintained by the Council. The standards that apply are set out in Appendix 3. The same standards will apply to the extension of the existing road and footpath infrastructure and off-site links.

1.2 The Council considers that cyclepaths and footpaths are key components of the transport network and essential to facilitate sustainable travel. It will therefore also adopt these components provided they are constructed to the agreed standards.

1.3 The engineering standard of new roads in residential areas may be relaxed where this can be shown to improve functionality or residential amenity through the use of more informal and innovative street layouts, provided it does not compromise road safety.

POLICY IS6: ROAD ADOPTION STANDARDS

On non-trunk roads, new roads, footpaths and cycleways within developments must be designed and constructed in accordance with the Council's adopted standards to secure Road Construction Consent, with the exception of development which can be served by a private access.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy IS4 Transport Development and Infrastructure

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS7
PARKING PROVISION AND STANDARDS

1.1 This policy wishes to ensure that development proposals make suitable provision for car and cycle parking. The provision of car parking needs to be appropriate to the circumstances and the Council's parking standards are explained in Appendix 3.

POLICY IS7: PARKING PROVISION AND STANDARDS

Development proposals should provide for car and cycle parking in accordance with approved standards.

Relaxation of technical standards may be considered where appropriate due to the nature and location of the development, dependent on levels of non-car accessibility, and/or if positive amenity gains can be demonstrated that do not compromise road safety.

In town centres where there appear to be parking difficulties, the Council will consider the desirability of seeking additional public parking provision, in the context of policies to promote the use of sustainable travel modes.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS8
FLOODING

1.1 This policy is intended to discourage development from taking place in areas which are, or may become, subject to flood risk. Where some level of risk may be acceptable, it also provides for development to be designed such as to minimise it. The policy provides guidance to developers on the information that will be required in support of a development proposal which may be at risk of flooding.

1.2 NPF4 sets out Scotland's long-term plan to manage flood risk. Specifically, the intent of NPF4 Policy 22: Flood Risk and Water Management is "To strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding". Policy IS8 should be read to operate in conjunction with NPF4 Policy 22: Flood Risk and Water Management. The Council has a desire to move towards more sustainable solutions within the implementation of flood protection schemes. The Council will co-ordinate with key stakeholders to ensure the most sustainable mitigation methods are taken forward and contribute to research and demonstration projects that seek to establish the effectiveness of natural flood management and blue green infrastructure measures.

1.3 The technical requirements of a Flood Risk Assessment (FRA) can range from the provision of detailed topographical information to demonstrate the relative level of the development site in relation to the river, sea, canal or other hazard, to technically detailed hydrological and one- or two-dimensional hydraulic modelling to investigate the risk to the development or its impact elsewhere. SEPA's current guidance should be referred to for further information.

1.4 The Council's Strategic Flood Risk Assessment (SFRA) provides a strategic overview of flood risk in the Scottish Borders and supports the identification of the areas most suitable for development and areas that should be safeguarded for sustainable flood management. Scottish Borders Council were the lead Local Authority in publishing the Tweed Local Flood Risk Management Plan in 2016 and data within is taken into account when future development plans are prepared and when the SFRA is updated. The Solway and Forth Estuary Local Flood Risk Management Plan also contain areas within the Scottish Borders boundary.

1.5 The implementation of flood protection schemes runs within flood risk management's six-year cycles, the most recent cycle having been 2016-2022. Scottish Borders Council has a statutory obligation to deliver all the actions detailed within the Local Flood Risk Management Plans published in 2016. This includes the delivery of Hawick Flood Protection Scheme and five flood studies: Peebles, Innerleithen & Broughton; Earlston and Newcastleton. The development of these studies feeds into the next cycle and the potential implementation of future flood protection schemes. The main source of flood risk in the Borders is from rivers and surface water flooding after intense rainfall. There is also a risk of Coastal flooding.

1.6 The Council has a desire to move towards more sustainable solutions within the implementation of flood protection schemes. The Council co-ordinate with key stakeholders to ensure the most sustainable mitigation methods are taken forward and contribute to research and demonstration projects that seek to establish the effectiveness of natural flood management measures.

POLICY IS8: FLOODING

a) Development proposals will be considered using National Planning Framework 4 Policy 22: Flood Risk and Water Management.
b) Developers will be required to provide, including if necessary at planning permission in principle stage:

   i. a competent flood risk assessment, including all sources of flooding, and taking account of climate change, using the most up to date guidance; and
   ii. a report of the measures that are proposed to mitigate the flood risk.

c) The information used to assess the acceptability of development will include:

   i. information and advice from consultation with the Council's Flood Risk and Coastal Management Team and the Scottish Environment Protection Agency;
   ii. flood risk maps provided by the Scottish Environment Protection Agency and/or developed by Scottish Borders Council which indicate the extent of the flood plain;
   iii. historical records and flood studies/assessments held by the Council and other agencies;
   iv. Scottish Environment Protection Agency's current guidance.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy EP11 Protection of Greenspace
Policy EP12 Green Networks
Policy EP15 Development affecting the Water Environment
Policy IS9 Waste Water Treatment Standards and Sustainable Urban Drainage
Other Environmental Promotion and Protection and Infrastructure and Standards policies

THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Sustainability and Climate Change

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS9
WASTE WATER TREATMENT STANDARDS AND SUSTAINABLE URBAN DRAINAGE

1.1 In terms of waste water treatment, the aim of the policy is to achieve satisfactory disposal of sewage and to maintain and improve standards of public health. It establishes the Council's hierarchy of preference for dealing with waste water associated with new development. It emphasises that private septic tanks are regarded as a last resort and not encouraged. The policy establishes the Council's commitment to sustainable solutions in dealing with waste water associated with new development in accordance with the Urban Waste Water Treatment Directive.

1.2 Alternatives to sewer connection may involve pumping arrangements with storage to allow discharge to the foul sewer at off peak times or prior treatment of effluent before discharging to the foul sewer. Solutions involving stand alone treatment plants will require a Business Case to be made to Scottish Water. Scottish Environment Protection Agency (SEPA) have made it clear that it is opposed to proposals which involve private discharges of treated sewage effluent in a sewered area. Consultation with SEPA and Scottish Water will be required to assist decision making.

1.3 In terms of Sustainable Urban Drainage the aim of the policy is to address the pollution and flooding problems that stem from the direct discharge of surface water into watercourses. Sustainable drainage reduces the amount of flooding and diffuses pollution, improves environmental quality and protects the ecological and amenity value of watercourses. Sustainable Urban Drainage Systems (SUDS) are a legal requirement for developments (other than single dwellings) draining to the water environment. SUDS are SEPA and the Council's preferred solution for the drainage of surface water run-off in all proposed developments including the potential use within blue and green networks. It is recommended that the requirement for all new developments to manage surface water through the use of SUDS also includes the use of SUDS at the construction phase, this is to ensure the risk of pollution to the water environment during construction is minimised.

1.4 Developers should take the land requirement implications of SUDS into account in their consideration of the initial layout and design. Developers should also take into consideration the multiple benefits provided by an improved groundwater environment through SUDS, such as blue and green infrastructure, habitat benefits and sustainable placemaking.

1.5 The Council have produced Supplementary Planning Guidance in relation to SUDS which sets out good practice procedures for the design of SUDS. The SPG highlights that the disposal of surface water requires early consideration in the development process and provides guidance on the measures and opportunities available to developers to integrate sustainable surface water management into the developments.

1.6 In due course Scottish Water will produce their own Adoptable Standards for SUDS which allow schemes to be adopted in future. Guidance on Scottish Water's vesting standards and responsibilities is outlined within Sewers for Scotland v4.0. The Scottish Government's Planning Advice Note PAN 61 sets out the provisions for drainage strategies.

POLICY IS9: WASTE WATER TREATMENT STANDARDS AND SUSTAINABLE URBAN DRAINAGE

WASTE WATER TREATMENT STANDARDS

The Council's preferred method of dealing with waste water associated with new development will be, in order of priority:

a) direct connection to the public sewerage system, including pumping if necessary, or failing that:
b) negotiating developer contributions with Scottish Water to upgrade the existing sewerage network and/or increasing capacity at the waste water treatment works, other than for residential developments or for the domestic element of non-residential developments, or failing that:
c) agreement with Scottish Water and SEPA where required to provide permanent or temporary alternatives to sewer connection including the possibility of stand alone treatment plants until sewer capacity becomes available, or, failing that:
d) for development in the countryside i.e. not within or immediately adjacent to publicly sewered areas, the use of private sewerage treatment may be acceptable, providing it can be demonstrated that this can be delivered without any negative impacts to public health, the environment or the quality of watercourses or groundwater.

In settlements served by the public foul sewer, permission for an individual private sewage treatment system will normally be refused unless exceptional circumstances prevail and the conditions in criteria (d) above can be satisfied,

Development will be refused if:

a) it will result in a proliferation of individual septic tanks or other private water treatment infrastructure within settlements,
b) it will overload existing mains infrastructure or it is impractical for the developer to provide for new infrastructure.

SUSTAINABLE URBAN DRAINAGE

Surface water management for new development, for both greenfield and brownfield sites, must comply with current best practice on sustainable urban drainage systems to the satisfaction of the Council, SEPA (where required), Scottish Water, NatureScot and other interested parties where required. Development will be refused unless surface water treatment is dealt with in a sustainable manner that avoids flooding, pollution, extensive canalisation and culverting of watercourses. A drainage strategy should be submitted with planning applications to include treatment and flood attenuation measures and details for the long term maintenance of any necessary features.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards for New Development
Policy EP1 International and Nature Conservation Sites and Protected Species
Policy EP2 National Nature Conservation Sites and Protected Species
Policy EP15 Development Affecting the Water Environment
Policy IS8 Flooding

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Sustainable Urban Drainage

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS10
WASTE MANAGEMENT FACILITIES

1.1 Scotland's Zero Waste Plan (ZWP) sets out the Scottish Government's vision for a zero waste society. This describes a Scotland where all waste is seen as a resource; with a 70% recycling target, and no more than 5% being sent to landfill, by 2025. In 2012, the Waste (Scotland) Regulations were passed by Scottish Parliament which make provision for food waste collections, separate recycling collections and a ban on landfilling biodegradable waste from 2021. The existing Easter Langlee Landfill Site will be capped and waste will be transferred outwith the Borders. This will remain the case unless waste treatment facilities are developed in the area. Until such a time that the Scottish Borders can develop its own treatment facilities, there will be more need for waste to be transported outwith the area.

1.2 Achieving zero waste will make a positive contribution to climate change and renewable energy targets as more waste is prevented, less waste is sent to landfill, and more resources are reused, recycled and recovered.

Prevent **Reduce** **Re-use** **Recover** **Dispose**	The aim is to deal with waste as high up the waste hierarchy as possible, with a strong emphasis on preventing and reducing waste.

1.3 The Scottish Government has set out its ambitions to reduce waste and use resources more efficiently in Scotland (2016), delivering economic and environmental benefits within 'Making Things Last: a circular economy strategy for Scotland'. This principle is fundamental to all of the "loops" of the circular economy, focusing on preventing food waste and waste arising from construction and demolition.

1.4 The Local Development Plan has a role in making sure that new development provides for the collection of waste and in enabling the provision of facilities for the sustainable recovery and treatment of waste.

1.5 Scottish Planning Policy (SPP) indicates that regard should be had to the annual update of required capacity for source segregated recyclables and unsorted waste, mindful of the need to achieve the all-Scotland operational capacity, and it includes a reference to the 10 year rolling landfill capacity required. It also indicates that the planning system should support the provision of a network of infrastructure to allow Scotland's waste and secondary resources to be managed in one of the nearest appropriate installations, by means of the most appropriate methods and technologies.

1.6 Furthermore, SPP explains: that while a significant shortfall of waste management infrastructure exists, emphasis should be placed on need over proximity; that the achievement of a sustainable strategy may involve waste crossing planning boundaries; that, as the national network of installations becomes more fully developed, there will be scope for giving greater weight to proximity; and that the national capacity figure for source segregated recyclables and unsorted waste is not a cap and can represent an opportunity for economic growth.

1.7 All proposals for waste management facilities should show how they contribute towards delivering both the national annual waste management capacity required and an adequate and integrated network of waste management facilities.

1.8 The Council envisages the main site for waste treatment in the Borders to be Easter Langlee at Galashiels, which will be safeguarded for this purpose. Other waste facilities include waste transfer stations and community recycling facilities.

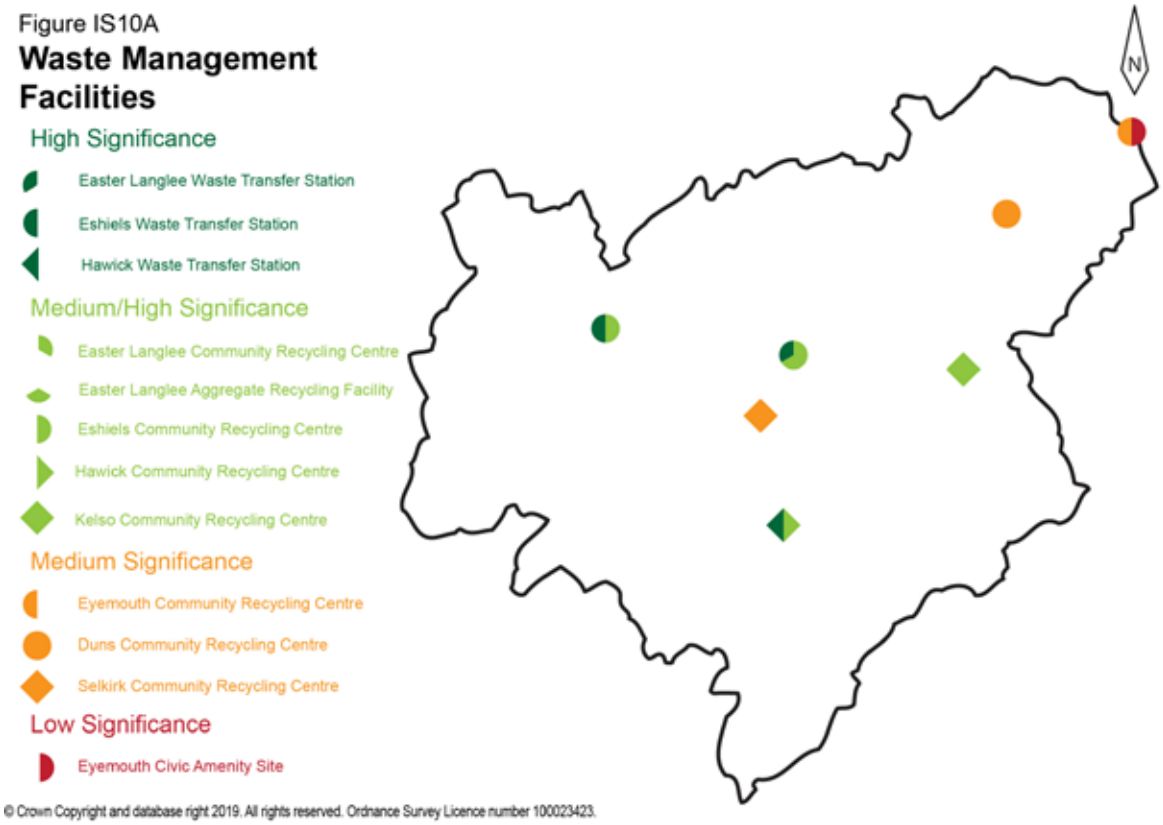
1.9 Any applications for energy from waste facilities shall be located where there are opportunities to connect with heat/power grids and users.

1.10 The following hierarchy in Table 1 is a breakdown of the strategic significance of the Council's waste facilities as sites for sustainable waste management (see Figure IS10a).

TABLE 1 - HIERARCHY OF COUNCIL WASTE FACILITIES

GROUP 1 - HIGH
Easter Langlee Waste Transfer Station
Eshiels Waste Transfer Station
Hawick Waste Transfer Station
GROUP 2 - MEDIUM / HIGH
Easter Langlee Community Recycling Centre
Eshiels Community Recycling Centre
Hawick Community Recycling Centre
Kelso Community Recycling Centre
Easter Langlee Aggregate Recycling Facility
GROUP 3 - MEDIUM
Duns Community Recycling Centre
Eyemouth Community Recycling Centre
Selkirk Community Recycling Centre
GROUP 4 - LOW
Eyemouth Civic Amenity Site

Figure IS10A
Waste Management Facilities



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POLICY IS10: WASTE MANAGEMENT FACILITIES

The Council will support the provision of waste facilities within the hierarchy set out in Table 1. Proposals that would prejudice the operation of these waste facilities (for example, ensuring that the allocation of land does not compromise waste handling operations) will not normally be supported.

Applications for waste facilities that deliver the Council's waste plan will be approved, provided that any impacts on local communities and the environment have been properly addressed and are within acceptable limits as demonstrated by appropriate supporting information. The following matters will be taken into account:

(a) noise, odour and litter
(b) harm to biodiversity and landscape
(c) harm to archaeology and built heritage
(d) traffic generation and vehicle movements
(e) accessibility to major roads and rail routes
(f) reuse of derelict and brownfield land
(g) pollution and contamination of water, air and soils
(h) landscaping and site boundary treatment
(i) site restoration and after use.

Where appropriate, and in addition to the above matters, the assessment of a proposal will take into account the contribution it makes towards delivering both the national annual waste management capacity required to meet the targets set out in the Zero Waste Plan, and an integrated and adequate network of waste management facilities.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD5 Infill Development
Policy ED1 Protection of Business and Industrial Land
Policy ED9 Renewable Energy Development
Policy EP1 International Nature Conservation Sites and Protected Species
Policy EP2 National Nature Conservation Sites and Protected Species
Policy EP3 Local Biodiversity and Geodiversity
Policy EP13 Trees, Woodlands and Hedgerows
Policy EP14 Coastline
Policy EP15 Development Affecting the Water Environment
Policy IS8 Flooding

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE IS RELEVANT TO THIS POLICY:
Waste Management

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS11
HAZARDOUS DEVELOPMENT

1.1 The aim of the policy is to ensure that the public and the environment are adequately protected from development that would cause pollution, be a nuisance or lead to a hazard. The potentially hazardous impact could be through the nature of the development itself or through the location of the development relative to an existing facility or installation, such as an agricultural unit, pipeline or powerline.

1.2 The relevant legislation is the Planning (Hazardous Substances) (Scotland) Act 1997 and the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015. The technical specification of hazardous substances is contained in the Town and Country Planning (Control of Major Accident Hazards) (Scotland) Regulations 2009.

POLICY IS11: HAZARDOUS DEVELOPMENT

Proposals for hazardous development as defined under the relevant legislation will be subject to strict controls on siting to maintain appropriate separation from residential areas and areas frequented by the public, major transport routes and areas of national heritage importance.

Development will be refused if, guided by the advice of the Health and Safety Executive and other consultees as appropriate:

a) the proposal would cause unacceptable levels of pollution or public nuisance or result in an unacceptable hazard to the public or the environment, or
b) the proposal is located in close proximity to existing facilities or infrastructure that would result in the development causing unacceptable levels of pollution or nuisance or result in an unacceptable hazard to the public or the environment.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy IS12 Development within Exclusion Zones
Environmental Promotion and Protection and Housing Development policies.

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS12
DEVELOPMENT WITHIN EXCLUSION ZONES

1.1 The purpose of the policy is to ensure that developments proposed within the 'exclusion' zones of certain hazardous structures are subject to careful scrutiny to protect the public and the environment. These 'exclusion' zones relate to the major natural gas and ethylene pipelines and to civil aviation navigation beacons. Certain developments are 'notifiable' under the legislation owing to the processes or materials used. There are currently three known notifiable installations in the Borders and numerous pipelines, each of which have a defined consultation zone.

1.2 The relevant legislation is the Planning (Hazardous Substances) (Scotland) Act 1997 and the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 2015. The technical specification of hazardous substances is contained in the Town and Country Planning (Control of Major Accident Hazards) (Scotland) Regulations 2009.

1.3 The Health and Safety Executive (HSE) has defined consultation zones around each hazardous installation and pipeline which have been created using an established methodology to define the consultation zones. Should any proposed development fall within the specified consultation distances from the hazardous installations or pipelines, the relevant bodies including the owner or operator must be consulted with regard to the proposal.

1.4 All consultation zones could be subject to change during the lifetime of the Local Development Plan. Similarly, the types and scale of development proposals within consultation zones that will require to be referred to the HSE are set out in detailed guidance published by them, which could also be subject to review during the Plan period. Applicants should therefore confirm the up-to-date position with HSE.

POLICY IS12: DEVELOPMENT WITHIN EXCLUSION ZONES

All proposals for development which are within the exclusion zones of a pipeline or civil aviation navigation beacon or within the vicinity of any notifiable installation or of any new hazardous development or notifiable installation that may arise during the lifetime of the Local Development Plan, will be refused if it is judged to result in unacceptable levels of pollution, nuisance or result in an unacceptable hazard to the public or the environment. The decision making will be guided by expert advice from the appropriate operator/owner and the Health and Safety Executive.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy IS11 Hazardous Development
Environmental Promotion and Protection policies

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS13
CONTAMINATED AND UNSTABLE LAND

1.1 The aim of this policy is to allow for development on land where contamination is known or suspected but in a manner that ensures the redevelopment of such sites is made possible without unacceptable risks to human health and the wider environment. It should be noted, NatureScot only require to be consulted by developers preparing their assessments where there are potential impacts on sites designated for their natural heritage value. Other appropriate public bodies may also be consulted and this will be determined on a case by case basis.

1.2 A legacy of industrial activity such as that seen in Scotland may result in land contamination. Within the Scottish Borders examples of contaminative activities include (but are not limited to); gasworking, landfilling, textile manufacturing, and, electronics manufacturing. However, land contamination can also occur from relatively smaller scale processes such as agricultural operations, sawmilling, metal working, and fuel storage.

1.3 Land can be contaminated by a variety of substances that pose immediate or long-term risks to human health and the wider environment. Such contaminants may escape from the site to cause air, land, surface water or groundwater pollution, and in some cases may damage buildings and underground services, or contaminate the food chain.

1.4 Guidance in terms of Part IIA of the Environmental Protection Act 1990 and PAN 33 - Development of Contaminated Land (2000) highlights that where the presence of contamination is known or suspected it is the planning authority's role to ensure that land is made suitable for any new use, as planning permission is given for that new use.

1.5 In ensuring a site is 'suitable for use' the developer will be required to undertake, to the satisfaction of the Council, an assessment of all potential risks from contamination, on the basis of the proposed future use and circumstances of the site. Where such assessments identify it as necessary to avoid risks to human health and the wider environment the developer shall remediate the land before the new use commences. Relevant agencies will be consulted in relation to potential environmental risks. In some instances Scottish Environment Protection Agency will be consulted in relation to any impact on the water environment.

1.6 The policy also covers development on unstable land arising from mining activities, which affects part of the Scottish Borders.

POLICY IS13: CONTAMINATED AND UNSTABLE LAND

Where development is proposed on land that is contaminated, suspected of contamination, or unstable the developer will be required to:

(a) carry out, in full consultation with, and to the satisfaction of Scottish Borders Council, appropriate phased site investigations and risk assessments; and
(b) where necessary, and to the satisfaction of Scottish Borders Council, design, implement, and validate appropriate remedial or mitigation measures to render the site suitable for its proposed use.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD5 Infill Development
Policy EP15 Development Affecting the Water Environment
Some of the Plan's Environmental Promotion and Protection policies may also be relevant.

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Contaminated Land Inspection Strategy

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS14
CREMATORIUM PROVISION

1.1 Existing crematoria are located at Melrose and Houndwood. Further proposals to meet a need elsewhere in the Scottish Borders should be highly accessible, provide a suitable setting and be well served by hospitality services, such as hotels. The impact on the landscape and biodiversity must be within acceptable limits.

POLICY IS14: CREMATORIUM PROVISION

The Council will consider applications for crematoria to meet community needs, provided the following requirements are met:

a) a design statement is prepared setting out the appropriate design and layout of buildings and car parking to achieve minimal and acceptable impact on landscape surroundings and biodiversity
b) a calm and reflective setting for the crematorium
c) suitable access with proximity to a main road
d) located in reasonable proximity to hospitality facilities.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy EP15 Air Quality
Policy IS4 Transport Development and Infrastructure
Policy IS7 Parking Provision and Standards

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS15
RADIO TELECOMMUNICATIONS

1.1 The aim of the policy is to reflect the Council's wish to support the expansion and diversification of the telecommunications industry but in ways which minimise its visual and environmental impact. The policy recognises the social and economic benefits of improved telecommunications infrastructure but wishes to ensure that developers have considered the options for siting and design and justify their preferred solution. Decision making will be guided by advice from environmental agencies where appropriate.

1.2 Health and safety considerations are clearly of concern to communities but are not matters for the planning system. The Government sets out a number of measures to protect public health including guidance on emissions and exclusion zones.

1.3 There is a presumption in favour of developments that extend radio telecommunications facilities provided that this can be achieved without adverse impacts on the environment.

POLICY IS15: RADIO TELECOMMUNICATIONS

Development involving telecommunications masts, antennas, power lines and associated structures required for installation including buildings, access and site security will be assessed against siting and design considerations.

a) Telecommunications equipment should be positioned and designed sensitively to avoid unacceptable effects on the natural and built environments, including areas of landscape importance and areas of ecological interest
b) Developers must demonstrate that they have considered options for minimising the impact of the development including:
   (i) the scale and type of equipment used (which should be the smallest suitable, commensurate with technological requirements),
   (ii) the potential for mast or site sharing,
   (iii) the measures for concealment or disguise through appropriate siting, design, landscaping, materials and colours,
   (iv) the timing and method of construction,
   (v) the arrangement for access during construction and operation which takes account of the impact on adjoining users and/or wildlife habitats,
   (vi) the potential for siting on existing buildings or structures
c) Where mast or site sharing is shown to be impractical, the developer must demonstrate that there is no alternative location which will satisfy the system's operational requirements, and/or that siting apparatus on existing buildings or structures would cause greater harm to the appearance of the area than that which is proposed. Developers should also address the cumulative effects of a proposal in combination with existing equipment in the area.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD5 Infill Development
Policy ED1 Protection of Business and Industrial Land
Environmental Promotion and Protection policies (EP).

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS16
ADVERTISEMENTS

1.1 The aim of the policy is to ensure that advertisements/signs do not adversely affect local character, amenity, or safety either within the countryside or in built-up areas. Within a commercial street advertisements and signs can add information, colour, and interest whilst in the countryside they can encourage accessibility to businesses, facilities and attractions. However, cumulatively they can result in a premises or an area appearing untidy and cluttered. The policy reflects the need to ensure a higher quality of design and materials for Listed Buildings and Conservation Areas, reflecting the property or area's character and appearance.

1.2 The relevant government guidance is contained in Circular 10/1984 and Circular 27/1995 Tourist Signposting. Reference should also be made to the Supplementary Planning Guidance relating to Shop Fronts and Shop Signs, Tourist Signposting Policy July 2003 (Factsheet appended May 2007) (Amended May 2010), as well as A Guide to Signposting for Tourism Businesses (Visit Scotland). It should also be noted that where advertisements are on or visible from a trunk road, there is a requirement to consult Transport Scotland regarding advice and the criteria to be met for approval.

POLICY IS16: ADVERTISEMENTS

Applications for advertisements/signs will be assessed against the Council's published supplementary guidance. This guidance is concerned with amenity and safety considerations. A higher standard of design will be required on Listed Buildings and in Conservation Areas. All proposals will be assessed against the following criteria:

a) advertisements/signs must not represent a threat to road safety or other hazard to the public;
b) advertisements/signs must be related to the location at which they are displayed and must be in keeping with the character of the building to which they are attached and/or the area in which they are located in terms of positioning, scale, design or materials;
c) excessive or badly arranged advertisements/signs which cause unsightly clutter will not be permitted.

In addition to the above criteria and outwith settlements, roadside advertisements in the countryside will only be permitted if:

d) a statutory road sign has been considered as a first option,
e) the sign is primarily directional, and does not advertise particular products or facilities,
f) the premises to be signed are not clearly visible from a major road and cannot already be reasonably identified by means of an existing directional sign advising of the place name of the locality within which it is located, and

g) not more than one sign is proposed at the nearest junction of the public road and the access road to the premises. In the case of two or more neighbouring premises, a series of individual signs will not be permitted, and composite signs will be encouraged as an alternative, where appropriate.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy ED7 Business, Tourism and Leisure Development in the Countryside
Policy HD3 Protection of Residential Amenity
Policy EP7 Listed Buildings
Policy EP9 Conservation Areas

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Shop Fronts and Shop Signs

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS17
EDUCATION SAFEGUARDING

1.1 The purpose of the policy is to support existing educational facilities by controlling alternative uses. It is aimed at facilities considered to be fundamental to the wellbeing of Borders communities and to the economy of the region. It is therefore most likely to be used to safeguard further or higher education facilities and currently only applies to the Heriot-Watt University Campus at Netherdale, Galashiels.

POLICY IS17: EDUCATION SAFEGUARDING

Within areas identified for educational uses judged to be of strategic importance, consent will only be granted for those uses that would facilitate or improve educational facilities within the Scottish Borders.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD5 Infill Development
Policy HD3 Protection of Residential Amenity
Policy EP1 International Nature Conservation Sites and Protected Species

INFRASTRUCTURE AND STANDARDS (IS)

POLICY IS18
CEMETERY PROVISION

1.1 Cemeteries represent an important cultural and social component of the structure of our society. The aim of this policy is to give protection to existing cemeteries and to prevent their loss to development. In addition the policy also aims to support the development of new cemeteries, as well as the expansion of existing cemeteries where it can be demonstrated that there is a need for the use, and that the use can be supported at the proposed site.

1.2 Cemeteries also take on a wider role as important greenspaces for towns and villages. The policy therefore seeks proposals for new cemeteries or extensions to existing cemeteries to incorporate into their design natural features that are beneficial to visitors for their aesthetic properties, and to biodiversity for their role in wider green networks.

1.3 The Scottish Environment Protection Agency (SEPA) aims to protect and improve Scotland's environment in a number of ways, and their responsibilities includes regulating activities that may pollute water. Therefore, in the search for any new or extended cemetery proposal for human burial, the developer should ensure that full consideration is given to SEPA's 'Environmental Policy 19: Groundwater protection policy for Scotland', and SEPA's 'Guidance on Assessing the Impacts of Cemeteries on Groundwater' and any other subsequent policy and guidance.

1.4 It is accepted that in most instances that there will be little opportunity to find land for a new cemetery within the Development Boundary, for that reason the identification of an appropriate site outwith a settlement is likely to be seen as acceptable.

1.5 A Design Statement (incorporating a landscape plan) will be required for all applications that relate to a new cemetery proposal. The design statement will need to set out the appropriate design and layout of buildings and car parking to achieve minimal and acceptable impact on landscape surroundings and biodiversity. New or enhanced landscaping on the site must also be included.

POLICY IS18: CEMETERY PROVISION

The Council will support development that safeguards and enhances the quality of an existing cemetery. Development that results in the loss of any cemetery will not be supported.

The Council will support applications for new or extended cemeteries that meet community needs, provided the following requirements are met:

a) the site has the capacity to accommodate the cemetery and any accessory uses appropriate
b) satisfactory access, off-street parking and internal traffic circulation
c) incorporation, protection and expansion of natural heritage features such as tree planting and landscaping, with encouragement for the use of native species, to complement the plot plan, existing contours and the surrounding area
d) use of high quality materials to reflect the importance of the site
e) relates sympathetically to the landscape of which it is a part
f) located in reasonable proximity to hospitality facilities
g) adherence to Scottish Environment Protection Agency's policy and guidance
h) consideration of archaeology.

KEY POLICIES TO WHICH THIS POLICY SHOULD BE CROSS REFERENCED:

Policy PMD2 Quality Standards
Policy PMD4 Development adjoining Development Boundaries
Policy EP8 Historic Environment Assets and Scheduled Monuments
Policy EP11 Protection of Greenspace
Policy EP12 Green Networks
Policy EP13 Trees, Woodlands and Hedgerows
Policy EP15 Development Affecting the Water Environment
Policy IS1 Public Infrastructure and Local Service Provision
Policy IS4 Transport Development and Infrastructure
Policy IS7 Parking Provision and Standards
Policy IS8 Flooding
Policy IS13 Contaminated and Unstable Land

THE FOLLOWING APPROVED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Placemaking and Design

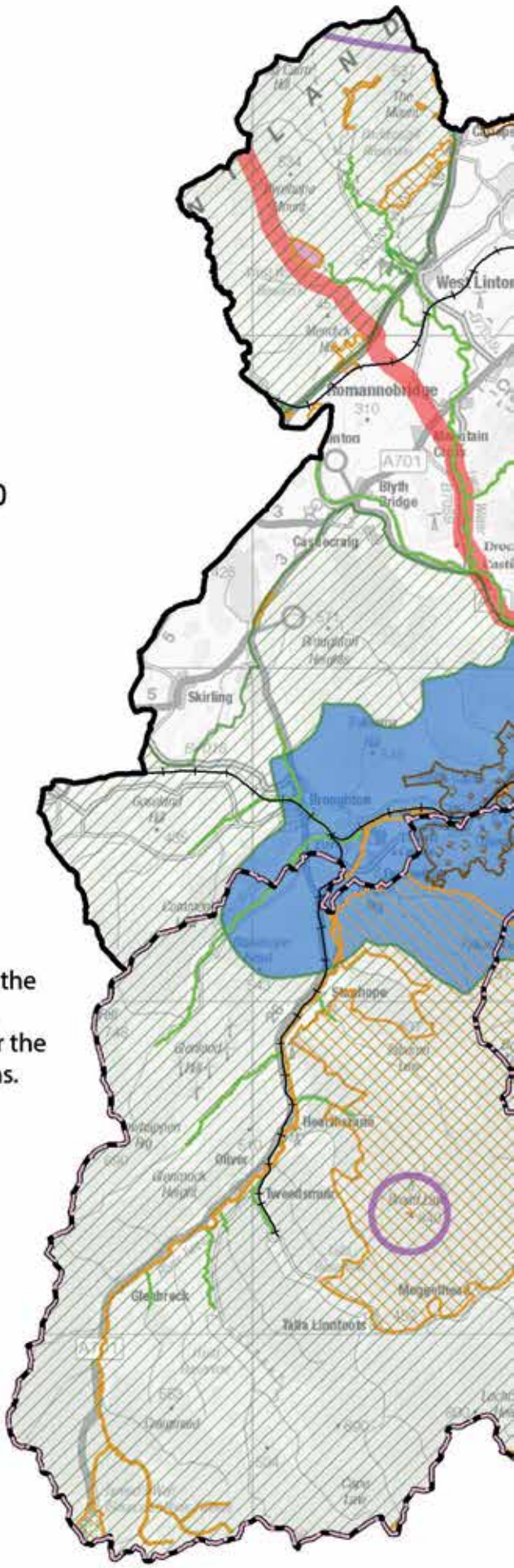
THE FOLLOWING PROPOSED/UPDATED SUPPLEMENTARY PLANNING GUIDANCE MAY BE RELEVANT TO THIS POLICY:
Historic Environment
Placemaking and Design

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

POLICY MAPS

Scottish Borders Council
Local Development Plan
2023

Policy Map



- Housing Market Area
- Dispersed Communities - HD2
- Railway Safeguarding - IS4
- Former Railway Network - EP12
- Civil Aviation Authority Safeguarding - IS12
- Gardens and Designed Landscapes - EP10
- Special Landscape Area - EP5
- National Scenic Area - EP4
- Special Area of Conservation* - EP1
- Site of Special Scientific Interest - EP2
- Hazard Pipeline Buffers - IS12

* The areas of the River Tweed (and tributaries) designated as Sites of Special Scientific Interest are also covered by Special Areas of Conservation.

See appendices to Technical Note 4: Local Biodiversity Sites, for the location and boundaries of Local Biodiversity Site designations.
See appendices to Technical Note 5: Local Geodiversity Sites, for the locations and boundaries of Local Geodiversity Site designations.

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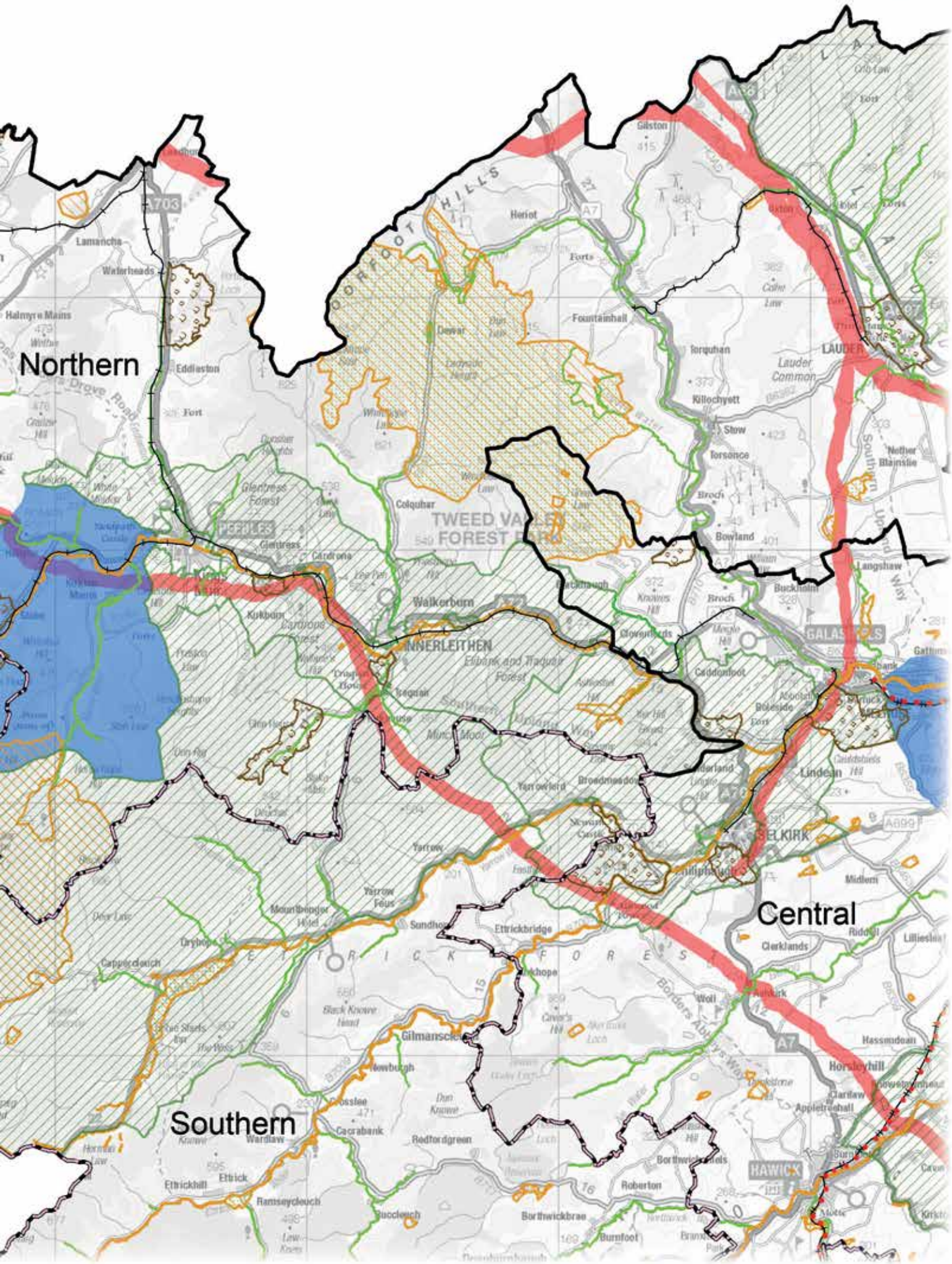
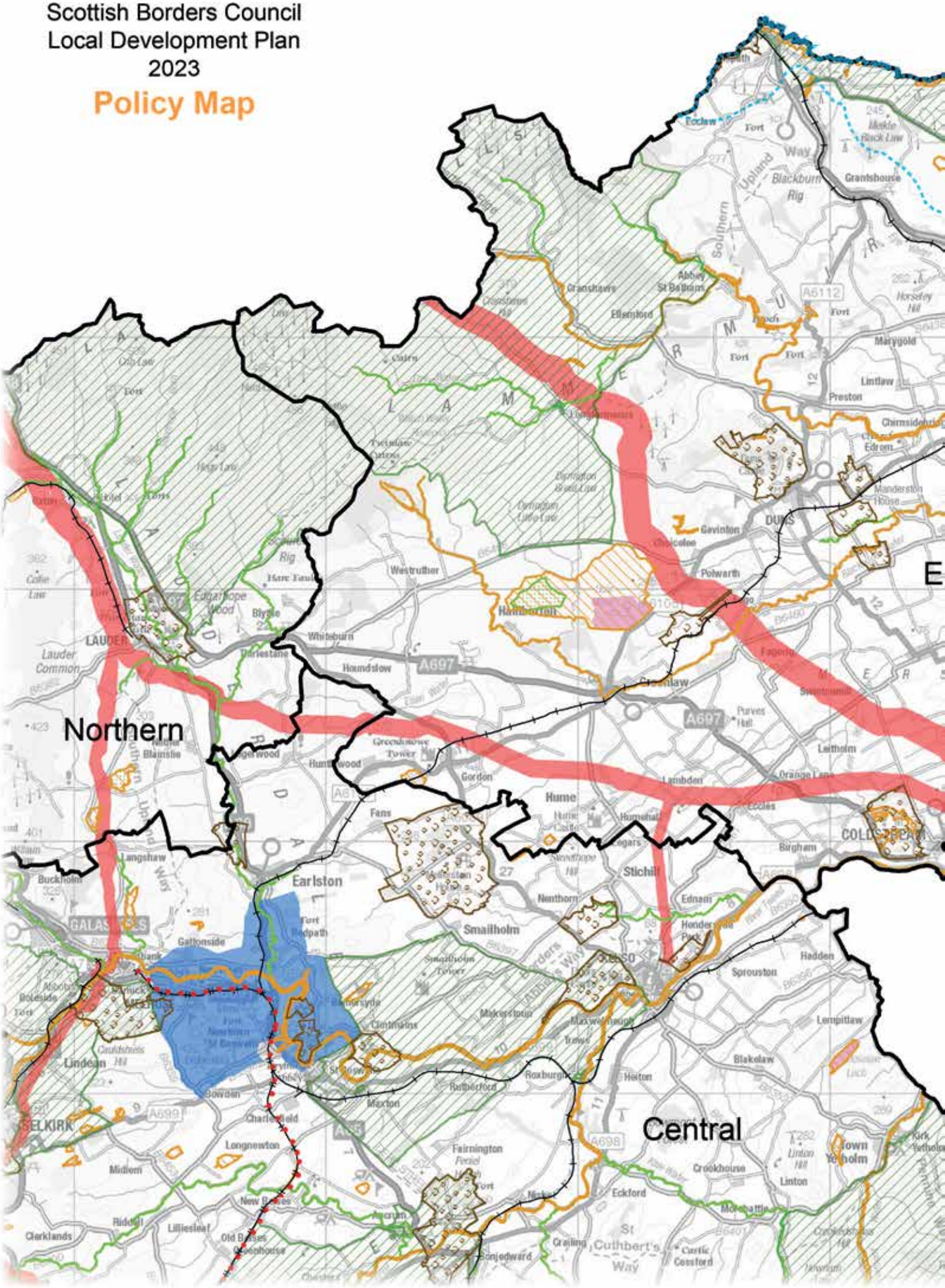

Northern
Central
Southern
Walkerburn
INNERLEITHEN
PEEBLES
SELKIRK
HAWICK
TWEED VALLEY FOREST PARK
Scottish Borders Council

Scottish Borders Council
Local Development Plan
2023

Policy Map



astern

Housing Market Area

Coastal Policy - EP14

Railway Safeguarding - IS4

Former Railway Network - EP12

Civil Aviation Authority Safeguarding - IS12

Gardens and Designed Landscapes - EP10

Special Landscape Area - EP5

National Scenic Area - EP4

Site of Special Scientific Interest - EP2

Special Area of Conservation* - EP1

Special Protection Area - EP1

Hazard Pipeline Buffers - IS12

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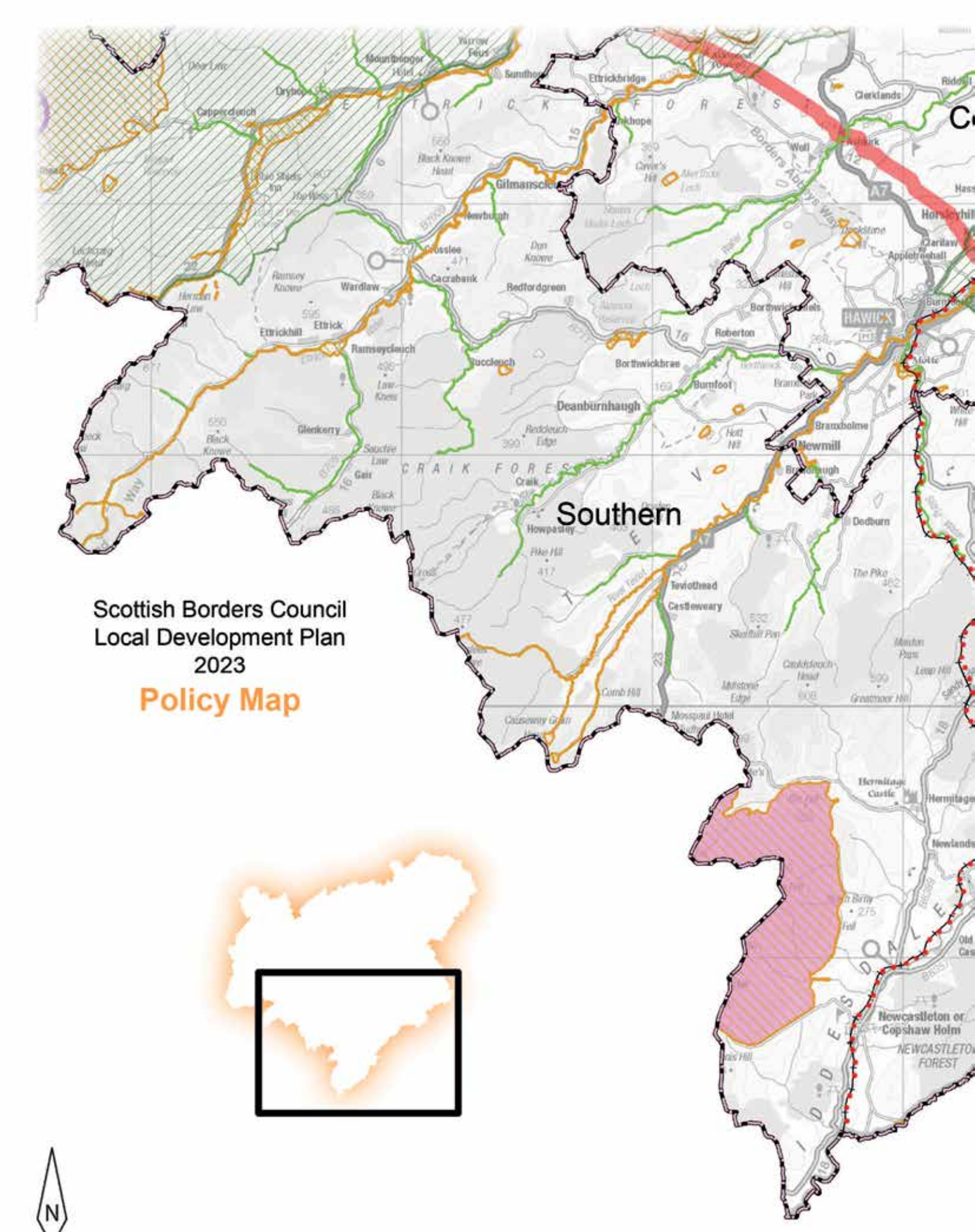

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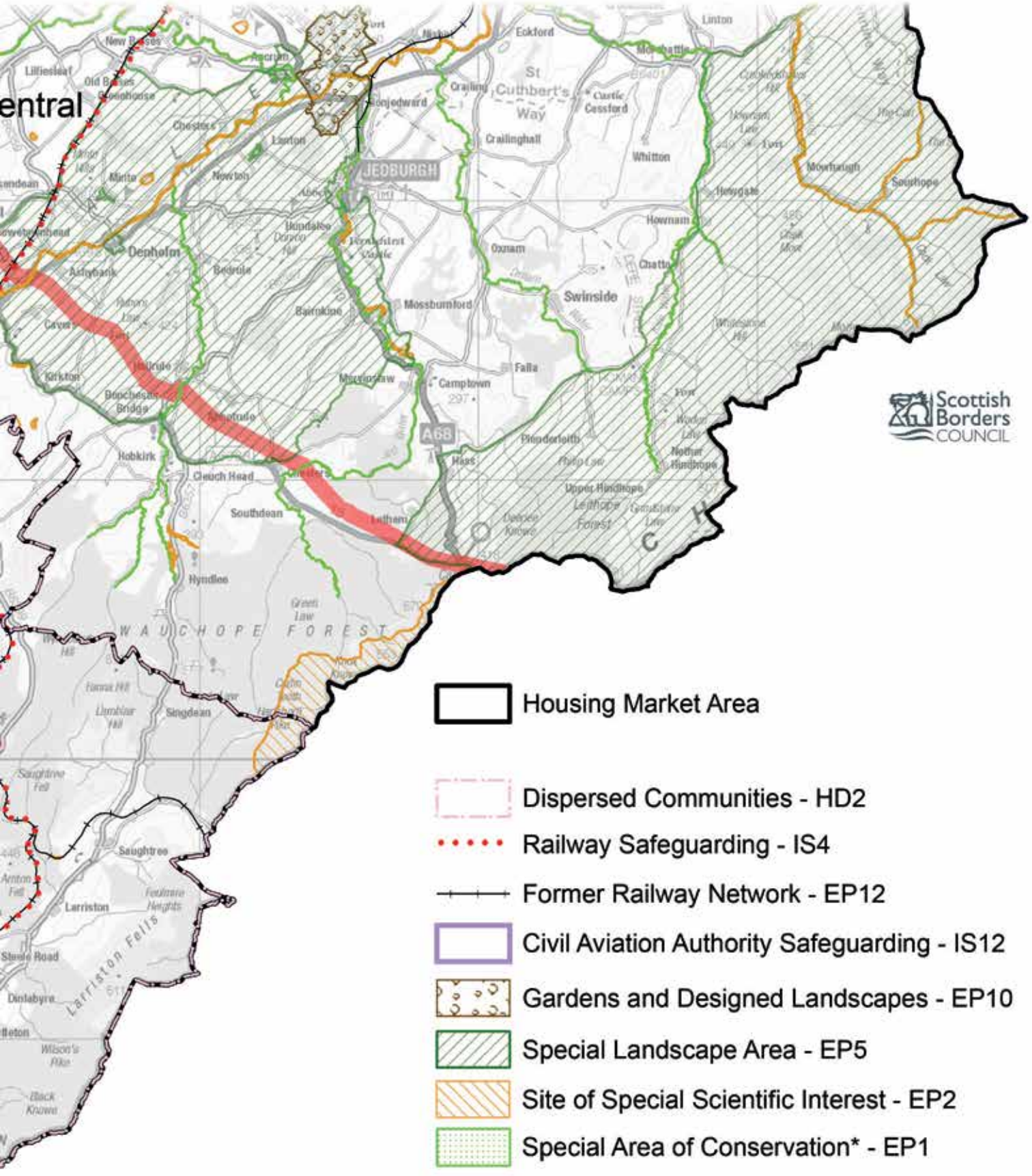

Housing Market Area

Dispersed Communities - HD2

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SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

APPENDIX 1
SETTLEMENT APPRAISAL METHODOLOGY

This Appendix sets out the methodology for assessing sites being carried forward from previous Local Plans and the proposed sites for inclusion within the Local Development Plan (LDP). Part A sets out the methodology for the sites carried forward from the Adopted Local Plan 2008, Part B sets out the methodology for the sites carried forward from the Local Plan Amendment, Local Development Plan and those included within the LDP and Part C sets out the sites which were included as part of the Housing SG.

PART A: SITES CARRIED FORWARD FROM ADOPTED LOCAL PLAN 2008

The settlement appraisal methodology followed a number of stages to ensure consistency of application.

These stages were:

i. Settlement constraints
ii. Specific constraints
iii. Settlement specific issues
iv. Settlement characteristics
v. Individual site assessment
vi. Settlement framework and design briefs

STAGE I (Settlement constraints): Covers parameters such as elevation, slope, geology, flooding and land already developed, and can be carried out by desk top study, using GIS and information available from a variety of sources. This stage is almost entirely based on objective data and excludes large areas of land from the later stages of the settlement appraisal process because of excessive height, slope etc - the fundamental constraints of physical geography. It identifies those parts of the hinterland around a settlement that have the physical capability to support development and enables the potential development capacity of selected areas (e.g Central Borders) to be tested.

STAGE II (Specific constraints): Eliminates further potentially unsuitable sites through the consideration of further, less absolute, criteria such as contamination, service wayleaves, prime quality agricultural land, woodland, landscape or biodiversity value, designated sites (for example Sites of Special Scientific Interest). The completion of this stage identifies the developable land that has both the physical capability to support development and is free of important 'man-made' constraints and designations. Further areas that are least suited to development are eliminated at this stage.

STAGE III (Settlement specific issues): Is based on other suitability factors including potential to address development need. These factors include land supply, current planning applications and proximity to proposed rail transport network. These three stages can all be undertaken as an overlay sieve mapping exercise through the use of GIS. The output from these three stages is an Ordinance Survey map of the town or village with the relative constraints identified and a number of 'areas of search' highlighted. Plans of these 'areas of search' are then produced together with the relevant constraint information to enable on-site investigation to be carried out.

STAGE IV (Settlement characteristics): Is a combination of desk-top and on-site investigation. The first element consists of compiling settlement data on such topics as population, housing, housing need, accessibility, road infrastructure, public transport, infrastructure, services etc. The second, on-site, element is concerned with subjects such as landscape issues, water courses, ecological and biodiversity factors, opportunities for environmental improvement, townscape character, aspect, viewpoints etc. The purpose of this stage is to establish the interrelationship between the site and its context within the settlement and immediate hinterland as well as providing guidance as to the development potential/capacity for any given area of land. The resultant checklist provides an easy reference point for settlement information and a means of effectively managing information from a number of disparate sources.

STAGE V (Individual site assessment): Is the detailed site examination and the identification of site characteristics and development capacity. Site specific parameters on topography, built form characteristics, adjoining land uses, landscape features, constraints, important views, buildings and their setting, access, accessibility, an indicative site capacity and ownership are recorded in a similar way to the settlement characteristic checklist.

STAGE VI (Settlement framework and design briefs): The final result of this stage was a series of sites mapped with important features and identifying the issues to be considered in preparing a development proposal. If the results of this stage mean sites being eliminated or reduced because of site specific issues, then further sites which meet the 'next best fit' criteria can be brought forward for assessment.

It was considered that the inclusion of environmental criteria at every stage of the site selection process allowed for the evaluation of options and assessment of sites in accordance with the provisions of the Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004.

PART B: SITES CARRIED FORWARD FROM PREVIOUS PLANS (LPA, LDP, LDP2)

The methodology for assessing proposed sites for allocation within the Local Plan Amendment (LPA) was agreed internally within the Plans and Research team with advice from other key experts from the Environment and Infrastructure department and discussion with SEPA, SNH and Historic Scotland during the SEA Scoping Report consultation. This same appraisal process was used during the Local Development Plan (LDP) process and the current Local Development Plan 2 (LDP2) process. The settlement appraisal involved:

- Establishing site assessment criteria with input from the whole team
- Building an access database to store site assessment findings
- Creating a Geographical Information Systems (GIS) project to screen environmental constraints
- Establishing a procedure for consulting internal experts regarding, for example, roads, biodiversity, archaeology, conservation, footpaths, landscape and development management
- Producing detailed site requirements for each allocation to mitigate any environmental impacts and ensure good design principles were established.

Each site was visited and photographs were taken to assist with the desk top analysis. The site was plotted on GIS to assist with the desk top analysis of constraints. A GIS project was set up to correlate with the site assessment criteria as described below so that officers could analyse any constraints and opportunities on the site. This information was then input into the site assessment database.

The site assessment was broken down into five main sections: Initial Assessment (including site details, background information and other spatial constraints checklist), Accessibility and Sustainability, Local Impact and Integration, Landscape Capacity, Planning and Infrastructure Issues and Overall Assessment. Sites were assessed as Acceptable, Doubtful or Unacceptable in the database.

- **Initial Assessment:** Identified constraints that prevented any development from taking place, including flooding and international/national conservation designations. It also took account of whether the site was consistent in terms of location with the Structure Plan/Strategic Development Plan. If a site was identified as having a significant constraint upon it, or not of a size capable of being developed for 5 units or over, then the site was assessed as unacceptable for allocation.
- **Accessibility and Sustainability:** Analysed issues regarding access to services, public transport and employment, as well as site orientation and impact on biodiversity. If a site was deemed poor in terms of access to services or potentially having a major impact on biodiversity, it was likely to be assessed as unacceptable in terms of accessibility and sustainability.
- **Local Impact and Integration:** Analysed issues such as historical context, archaeology, recreational facilities and the connectivity of the site to the actual settlement. If a site had a Scheduled Monument, listed building or poor connectivity to the settlement, then the site would probably be assessed as unacceptable or doubtful in terms of local impact and integration.
- **Landscape Capacity:** Analysed issues concerning landscape designations both national and local, height and slope as well as features within the actual site. If a site was in the National Scenic Area, or was over 200m or had more than a 12 degree slope, then the site would probably be assessed as

unacceptable or doubtful in terms of landscape capacity.

- **Planning and Infrastructure Issues:** Analysed issues about planning requirements. For instance, constraints regarding road access, water and sewerage, footpaths, education and contamination were assessed. If a site was deemed to have poor access, then the site would probably be assessed as unacceptable or doubtful in terms of planning and infrastructure.
- **Overall Assessment:** Drew all this information together and made a final assessment based on the identified constraints. If there were possible mitigations or solutions to these constraints, the site would be assessed as acceptable or doubtful. These were then brought forward for internal consultation with Countryside and Heritage, Roads, Education, Housing, Environmental Health, Economic Development and Development Management. If a site was assessed as unacceptable by the Planning Officer responsible for the area, then it was not taken forward for further research.

Sites internally consulted on were provided with additional information regarding: biodiversity, archaeology, landscape, footpath access, heritage and design, road access, contaminated land, affordable housing and education capacity. Scottish Water also provided further information regarding water and sewerage capacity. The site assessment was then updated to reflect these comments and adjusted in terms of the assessment. Acceptable sites were then provided with detailed site requirements based on the opportunities and constraints identified and provided as options in the Consultative Draft of the Local Plan Amendment.

SITE COMPARISON EXERCISE

The site comparison exercise is the second step of the site assessment process described above and was undertaken for the Local Plan Amendment and Local Development Plan.

PART C: SITES CARRIED FORWARD FROM THE HOUSING SUPPLEMENTARY GUIDANCE

The Housing Supplementary Guidance (SG) was produced as part of the Local Development Plan, further to the LDP Examination, in response to a housing shortfall.

The site assessment process for the Housing SG was undertaken in two stages, which are outlined below.

STAGE 1: An initial RAG (red, amber & green) site assessment was undertaken. All sites were assessed against 14 criteria within a matrix table. It should be noted that the criteria was in line with the policies contained within the LDP and Policy 7: Maintaining a Five Year Housing Land Supply, as contained within SESPlan. An assessment was undertaken for each of the sites against the criteria contained within the stage 1 matrix, and this resulted in the following conclusions;

- **Green**: It was considered that the site met the criteria satisfactorily
- **Amber**: The site requires further investigation/consultation or mitigation and/or potential constraints were identified within/adjacent to the site
- **Red**: The site was not considered to meet the criteria

Once each of the criteria had been assessed, an overall conclusion was drawn for each site, this included an overall RAG outcome. The stage 1 assessment conclusions for the red RAG sites was recorded within the site assessment database.

STAGE 2: Following on from the stage 1 RAG assessment, a stage 2 assessment was undertaken for all the remaining sites (green and amber). This included a detailed site assessment and consultation with internal and external consultees. The methodology for this site assessment was the same as outlined within Part B above.

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

APPENDIX 2
MEETING THE LOCAL HOUSING LAND REQUIREMENT

1. INTRODUCTION

1.1 This appendix provides the background context to the local housing land requirement and provisions within the Local Development Plan 2 (LDP). It sets out the allocations brought forward within the LDP and those being removed. It also provides the current position in terms of monitoring the effective housing land supply. The Technical Note on Housing, expands upon this in more detail.

1.2 This appendix sets out the local housing land requirement for the Scottish Borders and housing land supply.

1.3 NPF4 Annex E sets out a minimum all tenure housing land requirement (MATHLR) for Scottish Borders of 4,800 over the ten-year plan period (480 per year on average). This was informed by Housing Need & Demand Assessment 3 (HNDA3), which covers Scottish Borders. It also contains a flexibility of 30% above the need and demand for new homes on the most optimistic modelled scenario.

1.4 The above MATHLR figure is not a cap on how much housing land the LDP should plan for. The amount of land that the LDP does plan for is called the local housing land requirement (LHLR).

1.5 Identifying new land to be allocated for housing remains one of the most challenging and contentious parts of the LDP process. The process for the identification of potential sites has included a call for sites, detailed site assessment and consultation on all sites submitted for consideration. The MIR proposed a number of preferred and alternative housing and mixed use options with indicative capacities.

2. BACKGROUND CONTEXT

2.1 The MIR was prepared based upon what was then termed housing land requirement (HLR) from proposed SESplan 2 (2016). However, when proposed SESplan 2 was rejected by Scottish Ministers, SESplan 1 (2013) and its supplementary guidance remained part of the development plan.

2.2 However, in February 2023 NPF4 was adopted by Scottish Ministers and became part of the statutory development plan. At the same time SESplan 1 and its supplementary guidance ceased to be part of the development plan and there was no longer a requirement for the LDP to be consistent with them. The proposed plan local housing land requirement therefore reflects NPF4.

3. LOCAL HOUSING LAND REQUIREMENT

3.1 As outlined above, NPF4 has now become part of the statutory development plan and it sets out a MATHLR of 4,800 over the ten-year plan period. The council has adopted this as the LHLR on account of it being based on the most optimistic scenario modelled by HNDA3 and incorporating a 30% margin of flexibility on top of that.

TABLE 1: LOCAL HOUSING LAND REQUIREMENT (2023/24 – 2032/33)

LOCAL HOUSING LAND REQUIREMENT	2023/24 TO 2032/33
LHLR for the Scottish Borders (2023/24 to 2032/33)	4,800

4. HOUSING LAND SUPPLY CONTRIBUTIONS TO MEET THE LOCAL HOUSING LAND REQUIREMENT

4.1 The most significant part of meeting the local housing land requirement, has been identified through previous LDP allocations, planning permissions and through estimates for future windfall approvals.

4.2 The baseline position takes account of the 2021 Housing Land Audit (HLA). Table 2 shows the updated housing land supply from that document broken down into; years 1 to 5, years 6 and 7, post year 7 and constrained sites.

TABLE 2: ESTABLISHED HOUSING LAND SUPPLY (2021 HLA)

HLA SUPPLY CATEGORY	NUMBER OF UNITS
Years 1-5	3,538
Years 6 & 7	1,967
Post Year 7	1,945
Constrained sites	1,265
Total	**8,715**

Source: Housing Land Audit (2021)

4.3 The approach used by the Council to undertake the 2021 HLA is in accordance with PAN 2/2010 which states under the marketability criteria, that the test to identify if a site is effective is whether 'the site, or a relevant part of it, can be developed in the period under consideration'. The 2021 HLA considers a site to be effective if there is a reasonable prospect that it could be developed within the 5-year period. In future, a delivery programme will set out a pipeline of deliverable housing land for the short term (1 to 3 years), medium term (4 to 6 years) and long term (7 to 10 years).

4.4 The contributions by Scottish Borders to meet the LHLR outlined above, are set out in Table 3 below, based on the 2021 HLA. Table 3 shows the potential contribution to the requirement, which includes the existing established housing land supply (HLA 2021) and windfall assumption for years (2023/24 to 2032/33). It also includes estimated completions for the two monitoring years 2021/22 and 2022/23. These need to be considered because there is a time gap of those two years between the 2021 housing land audit (March 2021) and the base date of the plan (2023/24). The windfall assumptions apply for the ten years of the plan period from 2023/24 to 2032/33 only. That is because the completions estimates for the years 2021/22 and 2022/23 include windfall assumptions for those years already.

TABLE 3: CONTRIBUTIONS TO THE REQUIREMENT (2021/22 TO 2032/33)

	2021/22 TO 2028/29	2028/29 TO 2032/33	ADDITIONAL POTENTIAL	TOTAL
Housing Land Supply (2019)				
Years 1-5	3,538			3,538
Estimated completions for years 2021/22 and 2022/23	-576			-576
Years 6 & 7	1,967			1,967
Post Year 7		1,945		1,945
Constrained			1,265	1,265
Windfall Assumption	(102 x 7) 714	(102 x 3) 306		1,020
Total Potential	**5,643**	**2,251**	**1,265**	**9,159**

Source: Housing Land Audit 2021 and windfall assumptions below

4.5 In addition, demolition assumptions are based on 20 units per annum, which totals 240 units over the twelve years 2021/22 and 2032/33. This covers the ten years of the plan and the two years between its 2023/24 base date and the 2021 HLA (March 2021). This is outlined in Table 4 below.

TABLE 4: DEMOLITIONS

	2021/22 to 2032/33
Loss of supply due to demolitions (2021/22 to 2032/33)	**-240**

4.6 Table 5 outlines the total contributions to the local housing land requirement, which takes account of the following; elements of the established housing land supply (2021 HLA), estimated completions for the two years preceding the plan base date, windfall assumptions, assumed demolitions and allocations added/removed from LDP2. The table demonstrates that the total contributions to the housing land requirement is 9,272 units. Sections 5 & 6 go into more detail in respect of units being removed and added from LDP2.

TABLE 5: CONTRIBUTIONS TO THE HOUSING LAND REQUIREMENT

CONTRIBUTIONS TO THE REQUIREMENT	2021/22 TO 2032/33
Potential Supply (HLA 2021)	8,715
Estimated completions (2021/22 and 2022/23)	-576
Windfall Assumption (ten years of the plan period)	1,020
Demolitions (2021/22 to 2032/33)	-240
Units being removed from LDP2	-129
Units being added to LDP2	482
Total	**9,272**

4.7 Table 6 below compares the local housing land requirement against the total contributions, as set out above. The table shows that the contributions meet the local housing land requirement and that the LDP2 provides additional flexibility overall.

TABLE 6: HOUSING LAND REQUIREMENT VS CONTRIBUTIONS

REQUIREMENT VS CONTRIBUTIONS	
Local Housing Land Requirement (2023/24 to 2032/33)	4,800
Contributions to the Requirement	9,272
Total surplus	**+4,472**

WINDFALL SITES

4.8 In addition to the allocated housing sites throughout the Plan period, some of the demand for new housing will be met through windfall sites. Windfall sites are sites which have not been identified for housing through the Plan preparation process. They are generally small, infill sites, although large windfall sites can occasionally come forward. The number of completions on windfall sites is shown below in Table 7. It should be noted that windfall development makes a substantial contribution to the housing land supply within the Borders area, given its rural character and the relatively low level of development activity on larger sites. Over the past 5 years the average number of completions on windfall sites was 102 units. The ten-year average is 107 per year. Of the total completions since 2012 between 76 and 143 units have been on windfall sites. It is anticipated that 1,020 units will be developed on windfall sites in the Scottish Borders during the period 2023/24 and 2032/33 based on the more cautious five-year average.

TABLE 7: WINDFALL COMPLETIONS (2012 TO 2021 HLA)

	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	10 Year Average
Total number of completions	266	306	288	272	373	250	222	345	324	298	294
Number of completions on windfall sites	143	133	104	101	76	121	84	115	96	92	107
% of completions from windfall sites	54%	43%	36%	37%	20%	48%	38%	33%	30%	31%	37%

COMPLETIONS

4.9 Table 8 shows the number of completions in the Scottish Borders from the 2017 to 2021 HLA period. The total number of completions in the past five years has peaked at 345 in 2019, with completions lower in the following two years. The lower level of completions across the Borders since the recession is a result of stalled sites, lack of developer and mortgage finance. Overall, the average rate of completions over the previous five years was 288 units per year.

TABLE 8: COMPLETIONS (2017 TO 2021 HLA)

	2017	2018	2019	2020	2021	5 YEAR AVERAGE
Total number of completions	250	222	345	324	298	288

5. NEW ALLOCATIONS WITHIN THE PLAN

5.1 The LDP2 includes a number of new allocations for housing and mixed use, which have indicative site capacities. Table 9 outlines the additional sites included within the LDP2. All of the sites are allocated for housing, with the exception of one mixed use allocation in Innerleithen. The new sites provide additional flexibility within the LDP and have been through a detailed site assessment process. The table outlines that 482 additional units are being brought forward as part of the LDP2.

TABLE 9: NEW SITES ALLOCATED IN THE LOCAL DEVELOPMENT PLAN

SETTLEMENT	SITE CODE	SITE NAME	PROPOSED USE	INDICATIVE SITE CAPACITY
Coldstream	ACOLD014	Hillview North (Phase 2)	Housing	100
Eddleston	AEDDL010	Land South of Cemetery	Housing	30
Gordon	AGORD004	Land at Eden Road	Housing	25
Grantshouse	AGRAN004	Land North of Mansefield	Housing	8
Greenlaw	AGREE009	Poultry Farm	Housing	38*
Hawick	AHAWI027	Burnfoot (Phase 1)	Housing	60
Innerleithen	MINNE003	Land West of Innerleithen	Mixed Use	50
Jedburgh	AJEDB018	Land East of Howdenburn Court II	Housing	20
Melrose	AMELR013	Harmony Hall Gardens	Housing	5
Peebles	APEEB056	Land South of Chapelhill Farm	Housing	150
Reston	AREST005	Land East of West Reston	Housing	5
Selkirk	ASELK040	Philiphaugh Mill	Housing	19
Westruther	AWESR002	Edgar Road	Housing	10
			TOTAL	**482***

**AGREE009 cannot be counted in the total additional units above. The units are already included within the 2021 HLA as a windfall approval.

5.2 It should be noted that the housing site (AGREE009) is included within the 2021 HLA established housing land supply, as a windfall development for 38 units. Therefore, the indicative site capacity for site AGREE009 cannot be counted as part of the new allocations being taken forward within the LDP, to avoid double counting.

6. REMOVAL OF SITES WITHIN THE PLAN

6.1 There are nine sites from the previous local development plan (2016) that are removed from this LDP, totalling 129 units. Table 10 outlines the housing, mixed use and redevelopment allocations which have been removed and are not being carried forward into the Plan. It should be noted that the allocation (MGREE001) is being taken forward as a business and industrial allocation within the Plan.

TABLE 10: SITES TO BE REMOVED FROM LDP2

SETTLEMENT	SITE CODE	SITE NAME	PROPOSED USE	INDICATIVE SITE CAPACITY
Chesters	RC2B	Roundabout Farm	Housing	5
Clovenfords	EC2	Caddonhaugh	Housing	6
Earlston	EEA12B	Earlston Glebe	Housing	25
Eyemouth	BEY1	Barefoots	Housing	20
Galashiels	EGL43	Balmoral Avenue	Housing	10
Greenlaw	MGREE001	South of Edinburgh Road	Mixed Use	6
Lilliesleaf	EL16B	Mueslie Drive	Housing	7
Preston	zRO16	Preston Farm	Redevelopment	45
Yarrowford	EY5B	Minchmoor Road East	Housing	5
			Total	**129**

7. FLEXIBILITY

7.1 There is the potential for further flexibility through the allocation of redevelopment and mixed use sites, which do not have an indicative site capacity.

7.2 Additional sites are identified within the LDP for potential longer term housing and mixed use development. However, these allocations do not include an indicative site capacity and for the reasons set out within this appendix, are not considered necessary as a contribution towards housing land supply during the period of this Plan. Within this LDP, there is an additional longer term mixed use site identified at Cardrona.

7.3 The Housing Technical Note contains the background context to the distribution of housing throughout the Scottish Borders.

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

APPENDIX 3
PLANNING GUIDANCE AND STANDARDS

SUPPLEMENTARY GUIDANCE AND SUPPLEMENTARY PLANNING GUIDANCE

This section of the Proposed Plan sets out the Council's proposals for preparing Supplementary Planning Guidance (SPG) and Planning Briefs within the Local Development Plan (LDP) period, it also makes reference to existing SPGs, Supplementary Guidance (SG) and Planning Briefs. Due to a reduction in staff resources and competing workloads, regrettably some of the proposed SPGs and Planning Briefs to be carried out as stated within the adopted LDP 2016, have not been possible. Consequently the proposals detailed within this section of the Proposed LDP are considered priorities which can be realistically achieved. These documents, once approved, will become considerations in the determination of planning applications.

PROPOSED/ UPDATED SUPPLEMENTARY PLANNING GUIDANCE

- Affordable Housing
- Biodiversity
- Countryside Around Towns
- Dark Skies*
- Development Contributions (subject to periodic update)
- Green Networks
- Greenspace
- Historic Environment
- Land of Lesser Quality that is Culturally or Locally Important for Primary Use
- Landscape and Development
- Local Biodiversity Sites
- Local Geodiversity Sites
- Minerals
- New Housing in the Borders Countryside
- Placemaking and Design (inc. privacy and sunlight and alterations and extensions for Householders)
- Planning for Particular Needs Housing
- Sustainability and Climate Change
- Trees and Development
- Tweedbank Vision for Growth and Sustainability, A Community for the Future (Lowood)

* Communities in the southern part of the region are pursuing a Dark Skies Project. When a Dark Sky area is identified and designated the Council would then get involved via the preparation of a Supplementary Planning Guidance. In essence this would confirm the extent of the area designated, what the designation would mean in practice from a planning policy perspective and what consequent controls would be laid down.

CRITERIA FOR PRIORITISING SUPPLEMENTARY PLANNING GUIDANCE

The updating of existing guidance and the formulation of new Supplementary Planning Guidance will be prioritised using the following criteria:

- Requirement to assist development control decision-making
- Adequacy of existing policy framework
- Date of existing guidance
- Resources required – specialist staff and other Departmental priorities
- Speed of preparation
- Political pressure
- Government guidance

The guidance listed above will be reviewed and updated over the Local Development Plan period. Any such reviews will be the subject of consultation, with reference to Councillors, Community Councils, relevant interest groups and the public.

PLANNING BRIEFS

The preparation of Planning Briefs for substantial land allocations is proposed to assist development of key sites brought forward in the Local Development Plan. Briefs indicate how sites are to be laid out, including arrangements for access, and provide guidance on any special considerations with regard to design and environmental constraints. They also provide an indication as to whether developer contributions will be required for the development. Contributions may be requested towards the provision, improvement and maintenance of infrastructure, services and facilities in the Scottish Borders in accordance with Policy IS2. Further detail on developer contributions can be found in the Council's Supplementary Planning Guidance on Development Contributions, Planning Briefs and in the individual settlement profiles within the Local Development Plan.

It is intended that Planning Briefs will be prepared for the following sites:

HOUSING SITES

SETTLEMENT	SITE CODE	SITE NAME
Coldstream	ACOLD011/ ACOLD014	Hillview North (Phases 1 and 2)
Hawick	AHAWI027	Burnfoot (Phase 1)
Innerleithen	AINNE004	Kirklands/ Willowbank II
Kelso	AKELS026	Nethershot (Phase 2)
Peebles	APEEB056	Land South of Chapelhill Farm
Peebles	APEEB044	Rosetta Road (Should the planning consent not be implemented)
Walkerburn	TW200/ AWALK005	Caberston Farm Land/ Caberston Farm Land II

BUSINESS AND INDUSTRIAL SITES

SETTLEMENT	SITE CODE	SITE NAME
Coldstream	BCOLD001	Lennel Mount North
Eshiels	BESHI001	Land at Eshiels
Earlston	BEARL002	Townhead
Hawick	BHAWI001/ BHAWI002/ BHAWI004	North West Burnfoot, Gala Law North and Land to South of Burnhead
Newtown St Boswells	BNEWT001	Tweed Horizons Expansion

MIXED USE SITES

SETTLEMENT	SITE CODE	SITE NAME
Innerleithen	MINNE003	Land West of Innerleithen

REDEVELOPMENT SITES

SETTLEMENT	SITE CODE	SITE NAME
Galashiels	RGALA002	Vacant buildings at Kirk Brae
Galashiels	zRO6	Roxburgh Street
Walkerburn	zR200	Caberston Farm/ Old Mill Site

LONGER TERM SITES

SETTLEMENT	SITE CODE	SITE NAME
Kelso	SKELS005	Hendersyde
Kelso	SKELS004	Nethershot

MASTERPLANS

The Proposed Plan identifies a number of allocated and longer term sites, where a site requirement requests that a Masterplan is undertaken. These are outlined in the table below:

SETTLEMENT	SITE CODE	SITE NAME	
Cardrona	SCARD002	Land at Nether Horsburgh	Longer Term Mixed Use
Duns	SDUNS001	South of Earlsmeadow	Longer Term Mixed Use
Earlston	AEARL010 / AEARL011 / SEARL006	East Turfford / Georgefield Site / Georgefield East	Housing & Longer Term Mixed Use
Galashiels	SGALA005 / SGALA016	Hollybush Valley	Longer Term Mixed Use
Greenlaw	SGREE003	Halliburton Road	Longer Term Housing
Innerleithen	SINNE001	Kirklands II	Longer Term Housing
Newtown St Boswells	ANEWT005	Newtown Expansion Area	Housing
Peebles	SPEEB003 / SPEEB004 / SPEEB005	South West of Whitehaugh / North West of Hogbridge / Peebles East (South of the River)	Longer Term Housing and Mixed Use
Reston	N/A	Overall Masterplan for Reston	N/A

APPENDIX A: SUPPLEMENTARY PLANNING GUIDANCE AND PLANNING BRIEFS

The following Supplementary Planning Guidance is available to assist in determining planning applications as a complement to Local Plan policies and national policy and guidance.

EXISTING SUPPLEMENTARY PLANNING GUIDANCE (SPG)

TITLE	APPROVED
Sustainable Urban Drainage Systems	2020
Landscape Capacity and Cumulative Impact Study	2016
Landscape and Visual Guidance on Single and small Groups of Wind Turbines in Berwickshire	2015
Replacement Windows and Doors	2015
Development Contributions	2013
Local Landscape Designations	2012
Scottish Borders Woodland Strategy	2005
Scottish Borders Woodland Strategy Technical Note	2012
Shop Fronts and Shop Signage	2011
Affordable Housing	2011
Countryside Around Towns	2011
Placemaking and Design	2010
Green Space	2009
Use of Timber in Sustainable Construction	2009
New Housing in the Borders Countryside	2008
Landscape and Development	2008
Trees and Development	2008
Designing out Crime in the Scottish Borders	2007
Smoking Shelters and Awnings	2006
Privacy and Sunlight Guide	2006
Biodiversity	2005
Visibility Mapping for Windfarm Development	2003
Contaminated Land Inspection Strategy	2001
Local Biodiversity Action Plan: Biodiversity in the Scottish Borders	2001
Snack Bar Operation	-

EXISTING SUPPLEMENTARY GUIDANCE (SG)

The existing Supplementary Guidance detailed below will be carried forward into the new LDP as Supplementary Planning Guidance.

TITLE	APPROVED
Renewable Energy	2018
Local Biodiversity Action Plan (Draft)	2018
Central Borders Business Park SG/SPZ	2017
Housing (sites are now formal allocations within the Local Development Plan)	2017
Planning Brief – East Maxton, Maxton	2016
Planning Brief – Hendersyde, Kelso	2016
Glentress Masterplan	2016
Waste Management	2015

EXISTING PLANNING BRIEFS

The existing briefs will also be a material consideration in determining planning applications and will guide consideration of any conditions or agreements. The following briefs in the form of Supplementary Planning Guidance have been prepared, where sites have been developed, these have been removed from the list:

- Auction Mart Site, Newtown St Boswells
- Berrywell East, Duns
- Bogangreen, Coldingham
- Borders College, Galashiels
- Buckholm Corner, Galashiels
- Burgh Yard, Galashiels
- Burnside, Eddleston
- Caerlee Mill, Innerleithen
- Clovenfords West, Clovenfords
- Commercial Road, Hawick (Development Framework)
- Crotchetknowe, Galashiels
- Crumhaughill, Hawick
- Denholm Hall Farm East, Denholm
- Duns Primary School, Duns
- Earlston High School, Earlston
- Easter Langlee, Galashiels
- East Maxton, Maxton
- Ettrick (Hopehouse)
- Forest Hill, Galashiels
- Former Eyemouth High School, Eyemouth
- Former Royal Hotel, Stow
- Gala Law, Hawick
- Gunsgreenhill, Eyemouth
- Hendersyde, Kelso
- Howden Drive, Jedburgh
- Kirklands, Innerleithen
- Langton Edge, Duns
- Lochend and Annefield, Jedburgh
- Lyall Terrance II, Burnmouth
- Main Street, Eccles
- Marchmont Road Greenlaw
- Netherdale Industrial Estate, Galashiels
- Newtown St Boswells (Development Framework)
- Queen Mary Site, Jedburgh
- Renwick Gardens and West Renwick Gardens, Morebattle
- Reston Auction Mart, Reston
- Sergeants Park II, Newtown St Boswells
- South Fountainhall, Fountainhall
- Stirches, Hawick
- Stirling Street Redevelopment, Galashiels
- Summerfield 1 & 2, Hawick
- The Croft, Melrose
- The Steadings Acredale Farm, Eyemouth
- Todlaw Playing Field, Duns
- Wallacenick, Kelso
- West Eildon, Eildon
- West Gavinton, Gavinton
- West of St Dunstans, Lilliesleaf
- West Paddock, Coldstream
- Whitlaw Road Industrial Estate Extension, Lauder
- Wildcat Gate South, Jedburgh

STANDARDS

PLAY SPACE

Play, both structured and informal, is a vital element for the rounded development of all children. If appropriately accommodated, quality play areas can facilitate learning, problem solving and social skill development within the fundamental premise of being both safe and fun. Investment in well planned and maintained play provision supports the key foundations of healthy lifestyles as well as the intellectual and social development of future generations of Scottish Borders residents.

The Council fully recognises the critical importance that well equipped and maintained facilities in the right locations have to fulfil these responsibilities. Specific guidance on play areas are included in the SPG on Green Space.

There is an expectation by the Council that the cost of any play provision will be met by the developer, whether that is on-site or by way of developer contributions.

TRANSPORTATION STANDARDS

The transportation standards listed below reflect the requirements at the time of publication.

Scottish Planning Policy (SPP) and PAN 75 promote the integration of land use and planning to assist in reducing the need to travel and to create favourable conditions for greater use of sustainable transport modes.

The Scottish Government publication 'Designing Streets' is a Policy Statement for street design in Scotland, the content of which is a material consideration in determining planning applications and appeals. Street design must consider place and people before the movement of vehicles and should meet the six qualities of successful places i.e. Healthy, Pleasant, Connected, Distinctive, Sustainable and Adaptable. Good street design should derive from an intelligent response to location rather than a rigid application of standards irrespective of local context. The SCOTS 'National Roads Development Guide' acts as a technical support for 'Designing Streets'. It is important to discuss the precise details of any proposal with the Roads Planning Service as part of the normal pre-app procedure prior to lodging a planning application. For development affecting a trunk road the proposal should be discussed at an early stage with Transport Scotland regarding standards and procedures. In general, the standards set out in the 'Design Manual for Roads and Bridges' will apply for proposals affecting trunk roads (and other principal roads) outwith settlement boundaries.

STREET LAYOUT

Street layouts should not be conceived in isolation, but as an element in the overall design of the development. 'Designing Streets' is again the policy document against which street layouts will be assessed. Innovative design to create a distinctive sense of place is encouraged as are layouts which are pedestrian and cyclist friendly. An informal system of well-connected permeable streets with natural traffic calming built in (e.g. building orientation and presence) will be the expectation for development proposals. Buildings should relate positively to the street on which they are situated. Parking should not dominate the street scene, but instead be designed sensitively as integral to other elements of the development. The Council's 'Placemaking & Design' SPG highlights the strategic importance of well-designed places and sets out key placemaking objectives.

PARKING PROVISION

Scottish Planning Policy (SPP) defines maximum car parking standards for retail and business developments. It also stipulates minimum parking standards for disabled people. The Council generally supports The SEStran Parking Standards, other than for housing, which sets common standards for the partnership area that aim to provide cross regional consistency. The table that follows gives guidance on the provision of parking which the Council currently expects to be provided for all new housing development or redevelopment schemes.

General Housing	2 residents parking spaces per dwelling unit + 0.25 visitor parking spaces per dwelling unit (garages not included).
Communal Parking	1.5 to 1.75 parking spaces per dwelling unit
Town Centre Redevelopment	1 to 1.25 parking spaces per dwelling unit

Parking provision levels may be exceeded or reduced dependant on: the location, the availability of public car parking in the vicinity, non-car accessibility levels, physical constraints, and impacts on the wider road network.

It should be noted that over the lifetime of the Local Development Plan the standards may be subject to review and change.

CYCLE PARKING

Indicative cycle parking standards are given in Table 8.2 of 'Cycling by Design' (Transport Scotland 2010). For flatted developments, secure covered cycle storage provision will be expected.

TRANSPORT ASSESSMENTS AND TRAVEL PLANS FOR DEVELOPMENT SITES

Most development will have an impact on transport. Given the link between land use and transport the likely impact needs to be identified and addressed as early as possible in the planning process. Depending on the scale of development a simple Transport Statement (TS) may be all that is required while a comprehensive Transport Assessment (TA) accompanied by a supporting Travel Plan may be required for more significant travel generating development. A TA aims to provide information on how a proposed development is likely to function in transport terms with an emphasis on sustainable travel patterns. In 2012, Transport Scotland published a 'Transport Assessments Guidance' for development proposals including indicative threshold levels for the requirement for a TA to be undertaken. As a guide for housing proposals, the Council is likely to request a TS for developments consisting of 20 to 49 dwelling units and a TA for developments in excess of 49 units. Depending on site circumstances and local constraints, the Council may seek a TS or TA below these thresholds. The developer will be expected to pay for or contribute towards the cost of identified off-site roadwork required as a result of their development and/ or the cumulative impact of overall development. Development which impacts on a trunk road may have different requirements for assessment of transport and developers should contact Transport Scotland for further advice.

LOCAL TRANSPORT STRATEGY

The Scottish Borders Council Local Access and Transport Strategy (LATS) was published in 2008 and is a key document for the Scottish Borders, providing a focus for transport issues throughout the Local Authority area and beyond, whilst detailing key projects and longer term aspirations. A Main Issues Report (MIR) to update the LATS was produced and consulted on in 2015 however following the public consultation period the updated LATS has not been finalised.

PRIVATE ACCESSES

A private access can serve a maximum of 5 dwelling units. This does not apply to: units consented to prior to 31 October 1984 (enactment of the 1984 Roads Scotland Act), units consented to with economic justification, or to the conversion of farm steading buildings. Other conversions will be considered on a case by case basis, depending on the consequences for the public road network.

ELECTRIC VEHICLE CHARGING POINTS

New residential development should include infrastructure to provide electric car charging points, either through electrical connections adjacent to/ within private driveways, or through infrastructure for the installation of charging points within communal car parking areas. All parking facilities within commercial developments should include the provision of charging stations for electric vehicles. It is intended that the Council will produce Supplementary Planning Guidance through the period of the LDP to establish requirements for sustainable transport. The SPG is likely to cover a range of subjects taking on board the findings of the Council's `Sustainable Development Committee'.

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

APPENDIX 4
PUBLICITY AND CONSULTATION

SCOTTISH BORDERS LOCAL DEVELOPMENT PLAN 2 PARTICIPATION STATEMENT

1. INTRODUCTION

The Planning etc. (Scotland) Act 2006 requires local planning authorities to prepare a Local Development Plan (LDP) for their area. At the time when this LDP was being prepared, the LDP was one of two statutory plans which made up the Development Plan. The Scottish Borders was a part of one of the City Regions in Scotland - the Edinburgh and South East Scotland Strategic Development Plan Authority (SESplan) which was required to prepare a Strategic Development Plan. However, the implementation of the Planning (Scotland) Act 2019 resulted in changes to the planning system and now National Planning Framework 3, Scottish Planning Policy and the Strategic Development Plan have been superseded by the adoption National Planning Framework 4 (NPF4). Together, NPF4 and LDP2 forms the Development Plan for the Scottish Borders.

This LDP2 replaces the current LDP that was adopted in 2016, and will continue to set out a detailed level of planning through policies and proposals to guide development within the Scottish Borders.

This appendix sets out how people have had the opportunity to contribute to the future development of the Scottish Borders as it relates to the LDP2.

This Participation Statement has continually evolved through the LDP2 Process in order to capture the work that has taken place to date as well as setting out the activities to take place through the following stages. This edition of the report has been produced following the Examination of the Proposed LDP.

2. COMMUNITY INVOLVEMENT IN THE LOCAL DEVELOPMENT PLAN PROCESS

WHO ARE THE CONSULTEES?

Any public consultation in relation to the LDP process seeks to involve as wide a range of parties as practical. This includes: the public sector, private sector, community groups, voluntary sector organisations and the general public.

Statutory Development Plan Consultees are consultees that the planning authority must consult with, these include: Transport Scotland, Scottish Water, Scottish Environment Protection Agency (SEPA), NatureScot, Historic Environment Scotland (HES), SEStran and Community Councils.

3. ENGAGEMENT ON THE PREPARATION OF THE MAIN ISSUES REPORT

The purpose of this stage of community engagement is to educate and inform stakeholders about the new LDP as well as to gauge community opinion in the course of preparing the Main Issues Report (MIR), in addition to seeking dialogue and inviting representations following the publication of the MIR. This engagement was focused on the issues under discussion and on the relevant audiences.

PLACE STANDARD TOOL WORKSHOPS

To enhance the quality of the community engagement undertaken, the Plans and Research Team of the Council worked closely with the Council's Localities Team. In doing so, they, other sections of the Council and the Community Planning Partners were able to work together and benefit from the use of the Place Standard Tool. The Place Standard Tool has been developed in partnership by Scottish Government Architecture & Place, NHS Health Scotland and Architecture & Design Scotland.

PLACE STANDARD TOOL WORKSHOPS

A series of nine drop-in workshops were organised, these commenced at 3pm and finished at 8:30pm. The workshops allowed attendees to complete the Place Standard Tool, a number of stalls were also present including one on the Local Development Plan Review. The Place Standard tool was also available to complete online.

DATE	SETTLEMENT	VENUE
22/02/2017	Newcastleton	Village Hall
27/02/2017	Eyemouth	Hippodrome
28/02/2017	Duns	Council Chamber
01/03/2017	Hawick	Town Hall
07/03/2017	Kelso	Tait Hall
08/03/2017	Peebles	Burgh Hall
09/03/2017	Selkirk	Victoria Hall
13/03/2017	Jedburgh	Town Hall
16/03/2017	Galashiels	Transport Interchange

Short and long versions of the survey were available and in total over 230 responses were received.

CONTACT WITH THE CHILDREN AND YOUNG PEOPLE

The Council supported a four-year partnership with PAS (Planning Aid Scotland) for the Bridging Gaps project. The project was the first of its kind in the UK and aims to equip young people with the skills and tools of how to engage with planning. The official launch of the project took place 7 March 2017 at Galashiels Academy.

REVIEW OF EXISTING ALLOCATIONS

Officers undertook a review of all existing allocations contained within the Local Development Plan 2016. The review of the existing sites was to ensure that sites that are to be carried forward into the next Local Development Plan are deliverable. If there are sites which have been in the Plan for a lengthy period of time with no realistic likelihood of them being developed then the Council must consider removing them from the Plan and replacing them with sites which are more likely to be developed. As part of that process a number of letters were sent out to landowners.

REVIEW OF ALLOCATIONS LETTERS SENT

A total of 23 letters were sent out to landowners in April 2017. Responses were received from the majority of the land owners, of which one landowner actively expressed a desire to have their site removed from the Plan.

A further eight letters were then sent to landowners who had not replied to the original letters sent in June 2017.

In lead up to the Main Issues Report, Officers made a decision on each of the respective sites as to whether they would be carried forward in to Local Development Plan 2.

PRESS RELEASE

A press release was issued announcing the commencement of the review of the Local Development Plan and informing interested parties that a 'call for sites' would be undertaken.

PRESS RELEASE ISSUED

The press release was issued on 19 June 2017. The release was placed on the Council's website and as well as being forwarded to local TV, newspaper and radio contacts amongst a number of other contacts.

NEW WEBPAGE CREATED

The Council in the preparation of the MIR created a new webpage for Local Development Plan 2 (LDP2). The webpage provided contact details for the Forward Planning Team and where further information may be sought.

WEBPAGE CREATED

The webpage has been compiled and updated as further information is being made available.
https://www.scotborders.gov.uk/ldp2

CALL FOR SITES LETTERS AND EMAILS

The Plans and Research team hold a large database of contacts which is continually updated and who received a letter or email informing them of the Call for Sites.

CONSULTATION LETTERS AND EMAILS SENT

Letters and emails were sent out on the 26 June 2017 notifying contacts of the Call for Sites. The closing date for the Call for Sites was 7 August 2017.

LOCALITIES MEETINGS

The Lead Officer of the Plans and Research team attended each of the Locality Committees to inform their members and the public of the current position of the review of the Local Development Plan, as well as the upcoming Pre-MIR Engagement Events.

DATE	VENUE
30/08/2017	Tweeddale Localities Committee
07/09/2017	Berwickshire Localities Committee
13/09/2017	Cheviot Localities Committee
14/09/2017	Eildon Localities Committee
19/09/2017	Teviot & Liddesdale Localities Committee

PRE – MIR ENGAGEMENT EVENTS

A series of pre-MIR engagement events were organised, these events included a number of drop-ins and workshops. The drop-ins were specifically designed to educate and inform stakeholders about the new LDP, as well as to gauge opinion. The workshops primarily focused on gauging opinion on the issues raised through the use of the place standard tool earlier in the process.

The drop-in sessions ran from 2 – 5pm and the workshops from 6 – 8pm with exception to the Newtown St Boswell workshop which was held from 2 – 4pm to allow for stakeholders and agencies to contribute to the process.

The drop-in sessions were supported by three planning officers and the workshops were facilitated by three planning officers.

DATE	SETTLEMENT	VENUE
21/09/2017	Eyemouth	Eyemouth Community Centre
26/09/2017	Kelso	Kelso Town Hall
27/09/2017	Galashiels	Tesco Foyer (Drop-in) Transport Interchange (Workshop)
28/09/2017	Peebles	Burgh Hall
03/10/2017	Hawick	Heritage Hub
05/10/2017	Duns	Duns Council Chamber
10/10/2017	Selkirk	Pop-up Shop, 1 Tower Street (Drop-in) Community Connections, Back Row (Workshop)
12/10/2017	Newtown St Boswells	Council HQ – Chamber (Workshop only)

ATTENDEE NUMBERS

The numbers of attendees at each of the drop-in and workshop events are set out below:

SETTLEMENT DROP-IN	WORKSHOP
Eyemouth Drop-in - 10	Eyemouth Workshop – 9 (including 5 reps from 4 Community Councils)
Kelso Drop-in - 7	Kelso Workshop – 3 (including 1 rep from 1 Community Council)
Galashiels Drop-in - 36	Galashiels Workshop – 13 (including 3 reps from 1 Community Council, and 2 Scottish Youth Parliament Members).
Peebles Drop-in - 15	Peebles Workshop – 11 (including 2 reps from 1 community council, 2 from Peebles Community Development Trust, and 1 rep from Peebles Civic Society).
Hawick Drop-in - 4	Hawick Workshop – 6 (including 3 reps from 1 community council).
Duns Drop-in - 9	Duns Workshop – 13 (including 9 reps from 7 Community Councils).
Selkirk Drop-in - 14	Selkirk Workshop – No attendees booked or arrived at venue, so event did not take place.
	Newtown St Boswells Workshop - 9

In addition to the organised and advertised events above, a special meeting was attended by Council Officers at West Linton on 11 October 2017. This was primarily due to concerns raised by local residents and businesses as well as local Councillors to the shortage of available employment land within the settlement and immediate area. In excess of 50 people were in attendance at the meeting.

A further meeting was also requested by Ayton Community Council for the 7 November 2017. (This request was made at an earlier workshop event). The Lead Planning Officer and a representative from the Roads Planning Team attended the Community Council meeting. The meeting primarily focused on an up-coming planning application. Approximately 25 people were in attendance during the discussion.

STALL AT BUSINESS GATEWAY BUSINESS CONFERENCE

An officer of the Plans and Research team manned a stall at the Business Gateway Business Conference at Springwood Park, Kelso on 26 October 2017. Copies of the Questionnaires were also available for distribution.

ATTENDEE NUMBERS
Approximately 10 people visited to the stall.

PRESS RELEASE

A press release was issued announcing the series of drop-in and workshops events in advance of the Pre-MIR Engagement Events.

PRESS RELEASE ISSUED
The press release was issued on 13 Sept 2017. The release was placed on the Council's website and as well as being forwarded to local TV, newspaper and radio contacts amongst a number of other contacts.

EMAIL SENT TO SBC STAFF

A communications email was sent to all Council staff on email informing them of the drop-in and workshop sessions on the Local Development Plan.

EMAIL SENT
The email was sent to all Council staff on email on the 6 October 2017 providing them with a link to where they could find out more information on the Pre-MIR Engagement Events.

POSTERS

Posters were produced and emailed to community councils for their local notice boards, and printed versions were sent to libraries and contact centres for display. Posters were also distributed to Councillors and various Council Officers for posting around their communities.

POSTERS DISTRIBUTED
Posters were distributed in advance of the Pre-MIR Engagement Events.

QUESTIONNAIRES & PLACE STANDARD TOOL

Questionnaires and the Place Standard Tool were distributed at the Pre-MIR Engagement Events for completion and return.

PLACE STANDARD TOOL RESPONSES	
Berwickshire Localities Committee	10
Cheviot Localities Committee	9
Eildon Localities Committee	25
Teviot & Liddesdale Localities Committee	31
Tweeddale Localities Committee	14

4. ENGAGEMENT ON THE MAIN ISSUES REPORT

The Main Issues Report (MIR) identifies the key areas of change that need to be addressed in the Proposed Plan. This document was subject to public consultation. It was intended that representations received during the consultation period would provide the planning authority with important views from the public and stakeholders and will assist in the preparation of the proposed plan.

WEBSITE

The Main Issues Report (MIR) is available to view on the Council's website at the following link www.scotborders.gov.uk/ldp2mir. The website contains information on the MIR consultation, what the MIR does, link to the online consultation, background documents, Interim Environment Report and Privacy Notices. The MIR was available in PDF format on the website, however if anyone requested to view a paper copy, these were made available in all libraries and contact centres.

A short link was produced and included within the letters, emails, website, Facebook notifications and posters. This enabled the public to view the consultation document and any associated background documents, including the SEA. The website is regularly updated with the progress of the MIR.

An events page was also created on the Council's website and the link was included in the Facebook notifications. The events page outlined the dates, locations and times for the drop in and workshop sessions. It also contained a link to the consultation on Citizen Space.

PAPER COPIES OF THE MAIN ISSUES REPORT AVAILABLE TO VIEW IN LIBRARIES AND COUNCIL OFFICES

A hard copy of the MIR was sent to all libraries and contact centres for public display and comment. This allowed those who prefer to view a paper copy to do so at nearby locations, without the need to travel to Council Headquarters.

ADVANCE NOTIFICATION OF MIR CONSULTATION EVENTS (COUNCILLORS AND COMMUNITY COUNCILS)

Emails were sent to all Community Councils and Councillors on the 26th October 2018, in advance of the Press Release, Newspaper Adverts and Letters/Emails. The email outlined the community consultation events. This provided additional time before the press release, adverts and letters/emails, for the details to be circulated within the communities.

CITIZEN SPACE (CONSULTATION ON MIR)

The consultation was made available for comment using Citizen Space at the following link www.scotborders.gov.uk/ldp2mir.

The online consultation was in the format of an electronic survey, setting out the questions contained within the Main Issues Report. Respondents could answer as many or as few questions as they wished. All the community events were also contained within the Citizen Space consultation.

There were 172 responses received via the Citizen Space consultation.

QUESTIONNAIRE (CONSULTATION ON MIR)

It is acknowledged that not everyone will have access to a computer. Therefore, a hard copy version of the MIR questions was produced for such instances.

CONSULTATION LETTERS AND EMAILS

As part of the MIR consultation, letters and emails were sent out to the following; Community Councils, Councillors, equality groups, libraries and contact centres, Government Agencies, Local Authorities, Registered Social Landlords, Local/National Developers, MPs and MSPs, members of the public on the Local Development Plan mailing list, contributors to the 'Call for Sites' process, known landowners of any sites included within the MIR, known landowners of any sites proposed for removal and known landowner of any site subject to the 'Site Review'. This ensured people were kept informed about the MIR process and how they could get involved.

Along with the consultation letters and emails, an invitation form was attached. The form outlined the workshop events and requested that anyone wishing to attend, inform the Council. This allowed the team to plan for how many people may be in attendance for each of the workshops.

FORMAL ADVERT

As required by the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, the planning authority placed a formal advert in 5 local newspapers advising the public of the MIR consultation. The advert set out where and when the MIR could be viewed, a brief description of the content and purpose of the document, details of how further information may be obtained, details of the drop-in sessions/ workshop locations, dates and times, a statement of how representations can be made, and how, to whom and by when they should be made.

Adverts were placed in the following newspapers; Berwickshire News, Hawick Paper, Peeblesshire News, Southern Reporter and the Borders Telegraph, between the 8th and 14th November 2018.

PRESS RELEASE IN ADVANCE OF CONSULTATION PERIOD

A press release was issued on Monday 29th October, which announced the production and consultation period for the MIR. The press release was placed on the Council's website as well as being forwarded to local TV, newspaper and radio contacts amongst a number of other contacts.

PRESENTATION ON MAIN ISSUES REPORT

Prior to the formal MIR consultation, two presentations were arranged internally within Scottish Borders Council. The first presentation was on the 14th August to internal colleagues within Scottish Borders Council, many of whom had been involved in the consultation process in the production of the MIR. This allowed everyone to be well informed prior to the MIR consultation commencing.

The second presentation was on the 15th August to all Elected Members at Scottish Borders Council. This presentation informed Elected Members as to the contents of the MIR and ensured that they were well informed and kept up to date, prior to the start of the consultation.

SERIES OF MAIN ISSUES REPORT DROP-IN SESSIONS AND WORKSHOPS

A series of Main Issues Report afternoon drop-in sessions and evening workshops took place in the Borders main towns allowing for the public and other interested parties to find out more about the Main Issues Report.

SERIES OF MAIN ISSUES REPORT DROP-IN SESSIONS AND WORKSHOPS UNDERTAKEN:

Main Issues Report exhibitions were arranged at:

DATE	SETTLEMENT	TIME
13 Nov	Newcastleton Village Hall	2-6pm (drop in session)
15 Nov	Sainsbury's Kelso	2-5pm (drop in session)
15 Nov	Kelso Town Hall	6-8pm (workshop)
19 Nov	1 Tower Street, Selkirk	2-5.30pm (drop in session)
21 Nov	Co-op Eyemouth	2-5pm (drop in session)
21 Nov	Eyemouth Community Centre	6-8pm (workshop)
26 Nov	Burgh Hall, Peebles	2-5pm (drop in session)
26 Nov	Burgh Hall, Peebles	6-8pm (workshop)
27 Nov	Council Chambers, Duns	2-5pm (drop in session)
27 Nov	Council Chambers, Duns	6-8pm (workshop)
28 Nov	Village Centre, West Linton	2-6pm (drop in session)
29 Nov	Tesco, Galashiels	2-5pm (drop in session)
29 Nov	Galashiels Transport Interchange	6-8pm (workshop)
12 Dec	Council Chamber, Newtown St Boswells	6-8pm (workshop)
13 Dec	Morrisons, Hawick	2-5pm (drop in session)
13 Dec	Heritage Hub, Hawick	6-8pm (workshop)

A series of nine drop down banners were produced for the drop-in and workshop sessions. The banners contained key information and outlined the main issues. The purpose was to get the public interested and interacted with the MIR.

As part of the evening workshop sessions, a presentation was undertaken outlining the main issues and proposals within that area. This provided a basis for further more in depth discussions and more focused questions after the presentations. Some of the workshops had a slightly different format depending on the number of attendees and points of interest raised.

The attendance varied throughout the venues and is outlined below. It should be noted that in a few instances some people did not sign the sheet, when it was particularly busy, more so in the case of the Peebles drop in and evening workshop.

VENUE	ATTENDANCE
Newcastleton Village Hall (Drop In)	22
Sainsbury's, Kelso (Drop In)	25
Kelso Town Hall (Workshop)	4
Selkirk (Drop In)	13
Co-op, Eyemouth (Drop In)	14
Eyemouth Community Centre (Workshop)	7
Burgh Hall, Peebles (Drop In)	54
Burgh Hall, Peebles (Workshop)	46
Council Chambers, Duns (Drop In)	4
Council Chambers, Duns (Workshop)	0
Village Centre, West Linton (Drop In)	16
Tesco, Galashiels (Drop In)	24
Galashiels Transport Interchange (Workshop)	9
Council Chamber, Newtown St Boswells (Workshop)	7
Morrisons, Hawick (Drop In)	11
Heritage Hub, Hawick (Workshop)	3

SOCIAL MEDIA PLAN

A social media plan was produced for the Facebook and twitter notifications, which were sent throughout the duration of the consultation process. This included Facebook notifications, outlining each of the community engagement events at the start of the MIR consultation process and again just before each of the engagement events. This ensured that the public were well informed about the details of the drop in sessions and workshops throughout the Scottish Borders.

SANDWICH BOARD POSTERS

As part of the drop in sessions a sandwich board was displayed outside or close to the venue. The purpose was to attract members of the public and those passing to come into the consultation event.

POSTER

A poster was produced setting out the event details, including the drop-in and workshop sessions, dates, locations and times. The poster was circulated to all Community Councils and it was requested that the poster be displayed within the community. This provided an additional means of communication and advertising the engagement events.

POST CARDS

As part of the MIR consultation process, post card leaflets were produced and handed out at the drop in and workshop sessions. These contained details of how people could take part in the consultation and contact details.

CONSULTATION RESPONSES

A total of 330 consultation responses were received in response to the Main Issues Report public consultation. (It should be noted that this number includes those responses received via Citizen Space).

5. ENGAGEMENT ON THE PROPOSED PLAN

On production of the Proposed Plan there was a further (six week minimum) period of final objection. Neighbours significantly affected by the Local Development Plan and those who made previous representations were notified directly by the planning authority to ensure they are aware of the proposals.

It is noted that as a result of the ongoing Covid-19 crisis, the Coronavirus (Scotland) Act 2020 has placed the requirement on the Council to consider if any of its actions would give rise to a significant risk of transmission of coronavirus (for example by providing public access to an office) or would be ineffective or inappropriate due to action taken to control the incidence or transmission of coronavirus (for example, placing copies of documents in libraries that are closed). The Council is also required to promote the national policy of social/physical distancing.

There were a number of amendments to the normal statutory duties and non-statutory actions were required to be taken, such as: there were no public meetings or drop-in sessions as they may have given rise to a significant risk of the transmission of coronavirus. Where possible, correspondence, communication and publicity (including public inspection of the Proposed Plan and any of its associated documents) was by electronic means.

The period for making representations and objections to the Proposed LDP was 12 weeks long. This is 6 weeks longer than the statutory minimum.

WEBSITE

The Council in production of the Proposed Plan provided information on the LDP page of the Council's website and links to where the Proposed Plan can be viewed online.

The webpage also provided contact details for the Plans and Research Team where further information may be sought.

CONSULTATION LETTERS AND EMAILS

All those included within the Plans and Research database received a letter or email informing them of the publication of the Proposed Plan and where the document can be viewed online.

All community councils, Scottish Government, agencies, local councillors and MSPs and MPs covering the Scottish Borders were informed of where they can view the Proposed Plan online.

NEIGHBOUR NOTIFICATION

As a statutory obligation at this stage of the Plan Process, Neighbour Notification letters were sent out to those who are neighbours of potential employment, housing, or regeneration sites.

Neighbour notification letters were sent out to those who hold a property next to land being proposed for development. This is a mandatory requirement for councils at the Proposed Plan stage. NB: Only those within a 20m radius of the perimeter of these sites will receive notification. Another set of letters will also be sent out to residential institutions such as sheltered accommodation and student accommodation.

FORMAL ADVERT

As required by the Town and Country Planning (Development Planning) (Scotland) Regulations 2008, the planning authority placed a formal notice in one or more local newspapers advising the public of the production of and Representation Period of the Local Development Plan. The advert set out where and when the Proposed Plan can be viewed online; a brief description of the content and purpose of the document; details of how further information may be obtained; and a statement that representations may be made, and how, to whom and by when they should be made.

PRESS RELEASE AND AWARENESS-RAISING PUBLICITY

A press release was issued announcing the production of the Proposed Plan and a period of representations. In addition, the Council undertook other awareness-raising publicity at this stage of the Local Development Plan Process.

TRANSLATION OF KEY DOCUMENTS

On request, the Council made translations of key documents into the main community languages.

6. DEVELOPMENT PLAN EXAMINATION

Where objections/unresolved issues to the proposed plan had not been withdrawn or resolved, an independent Development Plan Examination was held by the Scottish Government's Directorate for Planning and Environmental Appeals (DPEA). The arrangements for the Examination were made by the DPEA.

The Council submitted the Local Development Plan 2023 for Examination on 14 July 2022.

FORMAL ADVERT

As a statutory obligation at this stage of the Plan Process, adverts were placed in the local newspapers informing the public that the Proposed Plan was submitted for Examination. The advert included details of where and when the Proposed Plan could be viewed.

The Adverts were placed in the following newspapers on the following dates:

- Southern Reporter – 21 July 2022
- Berwickshire News – 21 July 2022
- Peeblesshire News – 22 July 2022, and
- The Hawick Paper – 22 July 2022.

COPIES OF PLANS IN CONTACT CENTRES AND LIBRARIES AND AT COUNCIL HQ

At the time that the Proposed Plan was published, the country was under a series of restrictions due to the Covid-19 crisis. As noted above, the Coronavirus (Scotland) Act 2020 placed the requirement on the Council to consider if any of its actions would give rise to a significant risk of transmission of coronavirus, for that reason, copies of the Proposed Plan were not placed in any Contact Centre or library as these were all closed to the public. However, at Examination stage, the restrictions had been lifted and so copies of the Proposed Plan were placed in Contact Centres, libraries and at Council HQ for inspection.

Scottish Ministers appointed an independent Reporter to carry out the Examination of the Plan. Following their appointment, the Reporter examined the Council's conformity with the participation statement as required by the Act. The Examination of the Proposed Plan then commenced on 26 September 2022. It should be noted that a further three reporters were appointed to assist with the Examination.

FORMAL ADVERT

As a statutory obligation at this stage of the Plan Process, adverts were placed in the local newspapers informing the public that a Reporter had been appointed, and that the Examination of the Proposed Plan would commence no earlier than 26 September.

The Adverts were placed in the following newspapers on the following dates:

- Southern Reporter – 1 September 2022
- Berwickshire News – 1 September 2022
- Peeblesshire News – 2 September 2022, and
- The Hawick Paper – 2 September 2022.

LETTERS

As required by the Act, notice was served on each person who made a representation on the Proposed Plan. It should also be noted that other individuals/bodies that expressed an interest in the Local Development Plan process were also informed of the appointment of the Reporter and to the earliest date the Examination to commence.

The Examination of the Local Development Plan concluded on the 5 July 2023 and the Examination Report was published on 7 July 2023.

7. FOLLOWING THE LOCAL DEVELOPMENT PLAN EXAMINATION

On receipt of the Local Development Plan Examination Reporters' Recommendations, the Council will:

- make the recommended modifications
- publish the proposed modified plan
- advertise intention to adopt
- notify interested parties the Local Development Plan has been published and can be viewed
- send (a) copy of the modifications to Ministers and (b) statement regarding any modifications not accepted; (c) the proposed plan as modified.

8. COURT OF SESSION CHALLENGE

The final stage of the process if acted on by an aggrieved party is the provision in the Planning etc. (Scotland) Act 2006 to challenge the Scottish Ministers' decision to direct the planning authority to adopt the Plan.

The aggrieved person can apply to have the Court of Session quash the plan within 6 weeks of the date of the first notice of adoption of the Plan. If it can be shown that it was not within the powers of the Act to do so, or that the applicants' interests have been substantially prejudiced by failure to comply with any requirement of the Act, the court has then the powers under the Act to quash the Plan.

SCOTTISH BORDERS COUNCIL
LOCAL DEVELOPMENT PLAN 2023

APPENDIX 5
COUNCIL OWNED SITES

The table below lists land in the ownership of Scottish Borders Council which is affected by policies and proposals for development in the Plan, as required by Section 15 (3) of Part 2 Planning etc (Scotland) Act 2006.

COUNCIL OWNED SITES	PROPOSAL	LDP2 SITE REF	LDP2 SITE NAME
Chirnside Industrial Estate Land At Chirnside Industrial Estate, Chirnside, TD11 3XG	Business and Industrial Land	zEL1	Southfield
Coldstream Business Park Lennel Road, Coldstream, TD12 4NS	Business and Industrial Land	BCOLD001	Lennel Mount North
Coldstream Workshops Units 1-9 and garage, Coldstream Workshops, Home Place, Coldstream, TD12 4DT	Business and Industrial Land Safeguarding	zEL27	Coldstream Workshops
Guards Road Lorry Park Guards Road, Coldstream, TD23 4AJ	Business and Industrial Land Safeguarding	zEL28	Hillview Industrial Estate
Hillview Industrial Estate (Depot & o2 Site), Hillview Depot, Coldstream, TD12 4EE	Business and Industrial Land Safeguarding	zEL28	Hillview Industrial Estate
Hillview Industrial Estate Block A Units 1, 2 + yard and Block B Units 1 & 2, Hillview Industrial Estate, Coldstream, TD12 4EE	Business and Industrial Land Safeguarding	zEL28	Hillview Industrial Estate
Duns Industrial Estate ES Vehicle Compound; DLO, VMDSO and L&R Depots; Duns Recycling Depot; Car Park 1&2; Units A-G; Unit 10/1-4 Duns Industrial Estate, Station Road, Duns, TD11 3HS	Business and Industrial Land Safeguarding	zEL26	Cheeklaw
Duns Industrial Estate (Peelrig) Land at Duns Industrial Estate (Peelrig), Station Road, Duns, TD11 3HR	Business and Industrial Land	zEL8	Peelrig Farm
Land at Todlaw (Sandpit Field) Todlaw, Duns, TD11 3EJ	Longer Term Mixed Use	SDUNS001	South of Earlsmeadow
Duns Primary and Nursery Schools (Old) Sunnyside, Duns, TD11 3AG	Redevelopment	RDUNS002	Duns Primary School
Todlaw Park Playing Fields Todlaw Road, Duns, TD11 3EW	Housing	ADUNS010	Todlaw Playing Fields
Station Road Industrial Estate Car Park, Station Road, Earlston, TD4 6BZ	Business and Industrial Land Safeguarding	zEL56	Station Road
Turfford Park Industrial Park Site 2 & units 1-3 Turfford Park Industrial Park, Turfford Park Industrial Estate, Earlston, TD4 6GZ	Business and Industrial Land Safeguarding	zEL55	Turfford Park
Acredale Industrial Estate Site 1 and Units 3-5 (Ph1), 1-4 (Ph2) and 1-4 (Ph3), Acredale Industrial Estate, Eyemouth, TD14 5LQ	Business and Industrial Land Safeguarding	zEL47	Acredale Industrial Estate
Gunsgreenhill Car Park Gunsgreenhill, Eyemouth, TD14 5DY	Mixed Use	MEYEM001	Gunsgreen Mixed Use

COUNCIL OWNED SITES	PROPOSAL	LDP2 SITE REF	LDP2 SITE NAME
Gunsgreenhill Development Site Gunsgreenhill, Eyemouth, TD14 5SF	Business and Industrial Land	BEYEM001	Gunsgreenhill
Gunsgreenhill Woodlands Gunsgreenhill, Eyemouth, TD14 5SF	Housing	AEYEM006 and AEYEM007	Gunsgreenhill Site B
Eyemouth Golf Course & Clubhouse Gunsgreenhill, Eyemouth, TD14 5SF	Housing	AEYEM006 and AEYEM007	Gunsgreenhill Site B
Proposed Marine Centre Site Gunsgreenhill, Eyemouth, TD14 5DX	Mixed Use	MEYEM001	Gunsgreen Mixed Use
Eyemouth Civic Amenity Site Gunsgreenhill, Eyemouth, TD14 5SF	Business and Industrial Land	zEL6	Hawk's Ness
Stebbings Rise Play Area and Basketball Court Stebbings Rise, Eyemouth, TD14 5LL	Housing	BEY15B	Gunsgreenhill
Gunsgreen Park Play Area and Football Pitch, Eyemouth, TD14 5DY	Mixed Use	MEYEM001	Gunsgreen Mixed Use
Eyemouth Protective Services Depot Coldingham Road, Eyemouth, TD14 5AN	Business and Industrial Land Safeguarding	zEL63	Eyemouth Industrial Estate
Schools & Family Support Centre Former Eyemouth High School Site, Primary School, Nursery School, Contact Centre, sub-station site and container site, Coldingham Road, Eyemouth, TD14 5BY	Redevelopment	REYEM002	Former Eyemouth High School
Former Town Hall & Contact Centre Church Street, Eyemouth, TD14 5AN	Redevelopment	REYEM007	Former Town Hall
Huddersfield Street Industrial Estate Units 1-10 and Yards A-C, Huddersfield Street, Galashiels, TD1 3AY	Business and Industrial Land Safeguarding	zEL41	Huddersfield Street Mill
Galafoot Industrial Area Winston Road, Galashiels, TD1 3HH	Business and Industrial Land	BGALA002	Galafoot
Langhaugh Industrial Estate Langhaugh Industrial Estate, o2 site and Unit 6, Langhaugh, Galashiels, TD1 2BP	Business and Industrial Land Safeguarding	BGALA003	Langhaugh Employment Safeguarding
Mill Park Roads Depot Wheatlands Road, Galashiels, TD1 2HD	Business and Industrial Land Safeguarding	zEL42	Wheatlands Road
Easter Langlee Industrial Estate Units 2-5 Easter Langlee Industrial Estate, Galashiels, TD1 2UH	Business and Industrial Land Safeguarding	zEL38	Easter Langlee Industrial Estate
Huddersfield Street Development Site Huddersfield Street, Galashiels, TD1 3AX	Redevelopment	zCR2	Huddersfield Street/Hill Street
Backbraes Woodland & Mansfield Sites Mansfield Waste Transfer Unit and Sub Station Site, Mansfield Road, Hawick, TD9 8SL	Business and Industrial Land Safeguarding	zEL49	Burnfoot
Mansfield Square Car Park Mansfield Square, Hawick, TD9 8AH	Business and Industrial Land Safeguarding	zEL50	Mansfield Road

COUNCIL OWNED SITES	PROPOSAL	LDP2 SITE REF	LDP2 SITE NAME
Garfield Street East Car Park Garfield Street, Hawick, TD9 9HA	Business and Industrial Land Safeguarding	zEL51	Loch Park Road
Galalaw Farm Grazings Site 1, Galalaw, Hawick	Housing	RHA27B	Gala Law/Guthrie Drive Housing Land Use Proposal
Galalaw Farm Grazings Site 2, Galalaw, Hawick	Business and Industrial Land	BHAWI002	Gala Law North
Galalaw Farm Woodland, cropping and grazing site 3, Galalaw, Hawick	Mixed Use	MHAWI001	Gala Law
Galalaw Farm Galalaw Farm Land, Galalaw Hawick	Business and Industrial Land	zEL60	Gala Law Business and Industrial Land Proposal
Land at Hamilton Road & Burnfoot Kennels Hamilton Road, Hawick, TD9 8SL	Business and Industrial Land Safeguarding	zEL49	Burnfoot
Lochpark Industrial Estate Unit 12 & 12A Lochpark Industrial Estate, Hawick, TD9 9JA	Business and Industrial Land Safeguarding	zEL51	Loch Park Road
Lothian Street Office Store + Sub Station, Lothian Street, Hawick, TD9 9HD	Business and Industrial Land Safeguarding	zEL51	Loch Park Road
Mansfield Gardens Plot 3 and Yard 2, Mansfield Gardens, Hawick, TD9 8AN	Business and Industrial Land Safeguarding	zEL50	Mansfield Road
Mansfield Workshops Units 1-4 Mansfield Workshops, Mansfield Gardens, Hawick, TD9 8AN	Business and Industrial Land Safeguarding	zEL50	Mansfield Road
Mansfield Roads Depot Mansfield Road Depot, Mansfield Road, Hawick, TD9 8SL	Business and Industrial Land Safeguarding	zEL49 and zEL50	Burnfoot and Mansfield Road
Galalaw Business Park Block 5 Units 1-5 Galalaw Business Park, Hawick, TD9 8PZ	Business and Industrial Land Safeguarding	zEL48	Gala Law Safeguarded Site
Galalaw Farm Development Site Galalaw, Hawick	Business and Industrial Land	BHAWI003	Gala Law II
Bankend Yard Bankend Yard, Bankend, Jedburgh, TD8 6ED	Business and Industrial Land Safeguarding	zEL34	Bankend South Industrial Estate
Bongate Depot (Salt Barn) Bongate Depot, Bongate, Jedburgh, TD8 6DU	Business and Industrial Land Safeguarding	zEL35	Bongate South
Bongate Stores Units 3-9 Bongate Stores, Bongate Depot, Jedburgh, TD8 6DU	Business and Industrial Land Safeguarding	zEL37	Bongate North
Dounehill (Dunshill) Howdenburn Drive, Jedburgh, TD8 6NP	Housing	AJEDB018	Land East of Howdenburn Court II

COUNCIL OWNED SITES	PROPOSAL	LDP2 SITE REF	LDP2 SITE NAME
Oxnam Road Industrial Estate Units 1 & 2, Oxnam Road, Jedburgh, TD8 6LS	Business and Industrial Land Safeguarding	zEL31	Wildcat Gate
Oxnam Road Industrial Estate Development Site, Oxnam Road, Jedburgh, TD8 6LS	Business and Industrial Land	BJEDB001	Wildcat Wood
Riverside Workshops Units 1-7 Riverside Workshops, Edinburgh Road, Jedburgh, TD8 6EE	Business and Industrial Land Safeguarding	zEL33	Edinburgh Road
The Tollhouse Bongate, Jedburgh, TD8 6DU	Business and Industrial Land Safeguarding	zEL37	Bongate North
Howdenburn Primary and Nursey School Lothian Road, Jedburgh, Scottish Borders, TD8 6LA	Redevelopment	RJEDB003	Howdenburn Primary School
Jedburgh Grammar School Friarsgate, Jedburgh, Scottish Borders, TD8 6BP	Redevelopment	RJEDB006	Jedburgh Grammar School
Kelso High School Bowmont Road, Kelso, TD5 7EG	Redevelopment	RKELS002	Former Kelso High School
Pinnaclehill Industrial Estate Unit B and Mast Site, Pinnaclehill Industrial Estate, Pinnaclehill, Kelso, TD5 8XX	Business and Industrial Land Safeguarding	BKELS005	Pinnaclehill Industrial Estate
Pinnaclehill Industrial Estate New Kelso Roads Depot and Community Recycling Centre, Pinnaclehill Industrial Estate, Pinnaclehill, Kelso, TD5 8XX	Business and Industrial Land Safeguarding	BKELS005	Pinnaclehill Industrial Estate
Spylaw Road Yards Yards A & B and Depot 2, Spylaw Road, Kelso, TD5 8DN	Business and Industrial Land Safeguarding	zEL205	Spylaw Road/ Station Road
Whitlaw Road Industrial Estate Lauder Roads Depot, Former Colour Box Factory and site 4, Whitlaw Road, Lauder, TD2 6PA	Business and Industrial Land Safeguarding	zEL61	Lauder Industrial Estate
Whitlaw Road Industrial Estate (Extension) Whitlaw Road, Lauder, TD2 6PA	Business and Industrial Land	BLAUD002	North Lauder Industrial Estate
Burnmill Area Burnmill, Lauder	Redevelopment	RLAUD002	Burnmill
Moss Road Workshop & Yard Moss Road, Newcastleton, TD9 0RU	Business and Industrial Land Safeguarding	zEL44	Moss Road
Newcastleton Roads Depot Moss Road, Newcastleton, TD9 0RU	Business and Industrial Land Safeguarding	zEL44	Moss Road
Waverley Place Industrial Estate Yard and units A-C Waverley Place, Newtown St Boswells, TD6 0RS	Business and Industrial Land Safeguarding	zEL36	Waverley Place

COUNCIL OWNED SITES	PROPOSAL	LDP2 SITE REF	LDP2 SITE NAME
Southpark Workshops Yard, Sub Station and units 1-6 and 14-19, South Park Industrial Estate, Peebles, EH45 9ED	Business and Industrial Land Safeguarding	zEL46	South Park
Whinfield Road Car Park Whinfield Road, Selkirk, TD7 5DT	Business and Industrial Land	BSELK003	Riverside 8
Dunsdale Workshops & Rogers Road Yards Unit 1-6 and Yards 3, 4 and 4B, Dunsdale Workshops, Dunsdale Road, Selkirk, TD7 5EA	Business and Industrial Land Safeguarding	BSELK001	Riverside 7
Ettrick Mill Dunsdale Road, Selkirk	Business and Industrial Land	zEL15	Riverside 6
Ettrick Park Industrial Estate – Site 2 Riverside Road, Selkirk, TD7 5EB	Business and Industrial Land	BSELK002	Riverside 5
Linglie Mill Units 1-10 Linglie Mill, Level Crossing Road, Selkirk, TD7 5EQ	Business and Industrial Land Safeguarding	BSELK001	Riverside 7
Shepherds Mill Units & Offices Unit 1-7, offices and site at South Bridge Street, Shepherds Mill, Whinfield Road, Selkirk, TD7 5DT	Business and Industrial Land	BSELK003	Riverside 8
St Marys Mill Land, venture centre, library HQ and units 1-3 St Marys Mill, Level Crossing Road, Selkirk, TD7 5EQ	Business and Industrial Land Safeguarding	BSELK001	Riverside 7
St Marys Mill Sub Station Site Level Crossing Road, Selkirk, TD7 5EQ	Business and Industrial Land Safeguarding	BSELK001	Riverside 7
Charlesfield Site Mobile Café Charlesfield Industrial Estate, St Boswells, TD6 0HH	Business and Industrial Land Safeguarding	zEL3	Charlesfield
Stow Toilet Galashiels Road, Stow, TD1 2QU	Mixed Use	MSTOW001	Royal Hotel
Town Yetholm Grazings High Street, Town Yetholm, TD5 8RG	Housing	RY1B	Deanfield Court
Land at Tweedside Park Industrial Estate Tweedside Park Industrial Estate, Tweedbank	Business and Industrial Land Safeguarding	zEL59	North of Tweedbank Drive
Development Site at Tweedside Park Tweedbank, TD6	Mixed Use	MTWEE001	Site east of Railway Terminal
Lowood Estate Lowood Estate, Tweedbank, TD6 9BJ	Mixed Use	MTWEE002	Lowood
Tweedbank Industrial Estate Units A & B and Eildon Mill, Tweedbank Industrial Estate, Tweedbank, TD1 3RS	Business and Industrial Land Safeguarding	zEL39	Tweedbank Industrial Estate
West Linton Primary and Nursery School School Brae, West Linton, EH46 7DU	Housing	TWL15B	School Brae

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Scottish Borders COUNCIL

Printed in the Scottish Borders. Designed by Scottish Borders Council Graphic Design Section. KG/07/23.