

Scottish Borders Local Plan

Supplementary Planning Guidance

Commercial Road, Hawick February 2009



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Alternative Language/Format Paragraph

1. Introduction

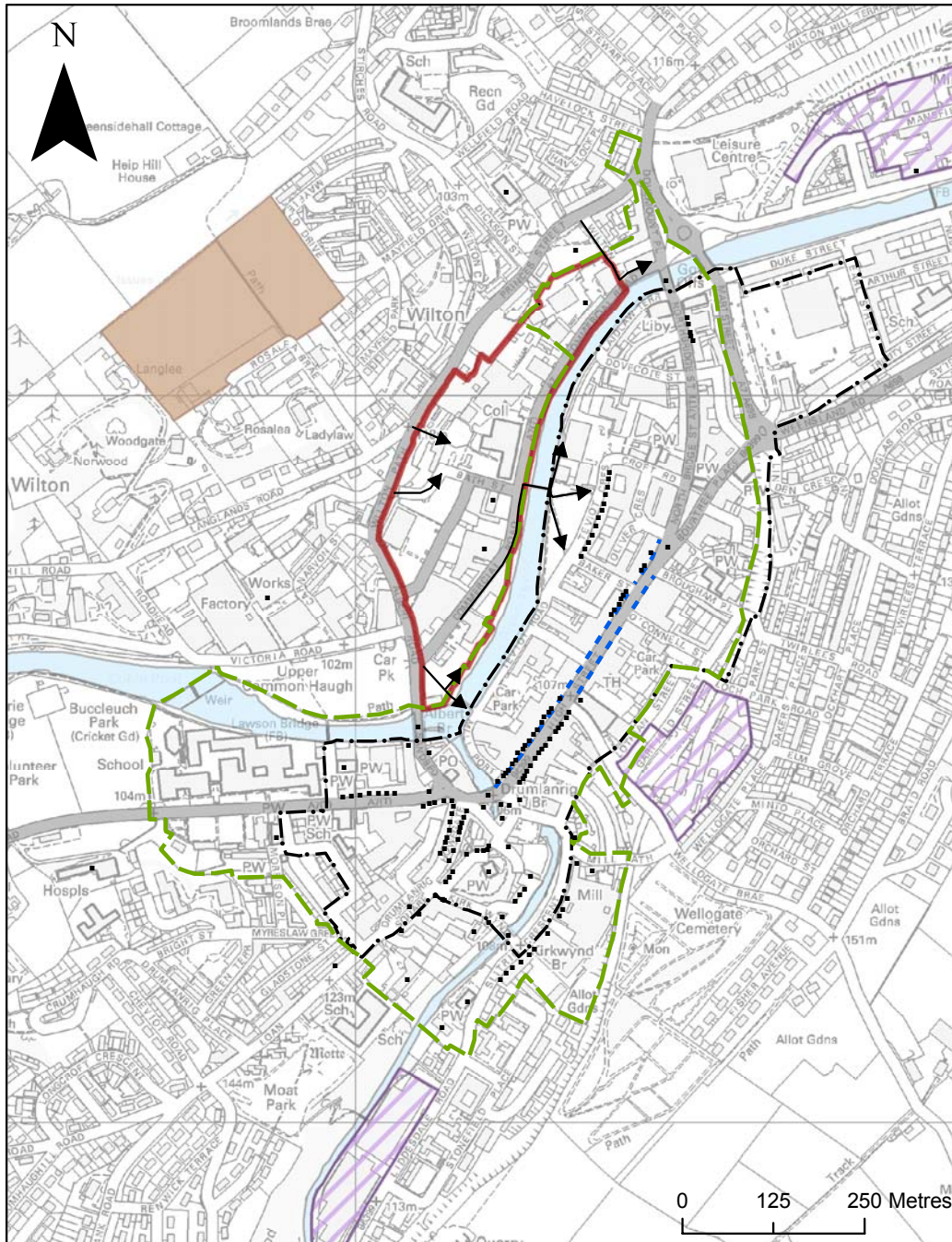
- 1.1 This development framework relates to site zRO8 Commercial Road. The site is allocated as a redevelopment opportunity in Scottish Borders Local Plan (2008). The framework aims to:
- outline options for the most suitable development of the site,
 - provide a design framework for development that respects local context,
 - identify key constraints for the redevelopment of the site,
 - identify anticipated requirements for developer contributions.
- 1.2 The framework should be read in conjunction with appropriate national and local planning policy and advice issued by the Scottish Government and Scottish Borders Council. Relevant policies are listed in Appendix 1.
- 1.3 Hawick is also highlighted in the approved Structure Plan as an area prioritised for regeneration (Principle S3 Development Strategy).

2. Site Description

- 2.1 The redevelopment site is located on Commercial Road to the west of Hawick town centre. Hawick is the biggest town in the Scottish Borders and the population was 14,800 at Census 2001.
- 2.2 The northern part of the site is part of the town's Conservation Area and includes listed buildings at:
- Wilton Mill – Grade B
- Further listed buildings are included in the redevelopment site but are located outside the Conservation Area:
- 24 Commercial Road, Shorts of Hawick – Grade C(S)
 - 16-20 Commercial Road, Turnbull & Scott Engineers – Grade C(S)
- 2.3 The mills and warehouses along the River Teviot demonstrate the strong connections between the development of Hawick, its industrial past and the weaving and textile industry.
- 2.4 Most of the study area is flat land a few metres above river level. Towards the north-west boundary the site rises steeply so that the Princes Street boundary is in excess of 10 metres above the adjoining land. The steep slope with a prominent tree line creates a natural boundary to the west. The eastern boundary runs along the trunk road A7 and the River Teviot.
- 2.5 The character of the study area is largely determined by the river and by its history of industrial development and by the proximity of the town centre on the opposite bank. The river, clock tower at Wilton Mills and the town hall are the main landmarks and focal points in and around the town centre.

Fig. 1 - Local Context

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Key

- zRO8 Redevelopment Site (FLP)
- Town Centre (FLP)
- Conservation Area (FLP)
- Housing (FLP)
- Employment Land Safeguarding (FLP)
- Main Vehicular Route
- Existing Footpath
- Listed Building
- Prime Retail Frontage (FLP)

- 2.6 The river margin has retained or reverted to a softer greener character, after the initial use of the river for industrial purposes, with a number of planted trees and areas of riparian willow. The extent of the tree cover is shown in Appendix 4 – Background maps. In 2005 a Tree Preservation Order (SBC32) was created to protect most of the existing tree cover along the elevated north-west side of the site
- 2.7 Surrounding open spaces include;
- The Little Haugh
 - Common Haugh
 - River Teviot
 - Wilton Churchyard
- 2.8 Hawick has an urban feel and the area surrounding and including Commercial Road and the area along the River Teviot has strong links with the town's industrial history. The principal materials used in the town are sandstone and whinstone.
- 2.9 The northern part of the site was first developed for mills during the mid 19th century and the southern part, the Under Haugh, was developed during the late 19th century (see Appendix 4). By the time of the 1921 Ordnance Survey, the entire area had been built up with the street and building pattern that is still recognisable today.
- 2.10 The allocated site is 7.9 hectares and the existing buildings range between one to three and a half storeys. Current uses range from retail, employment, industrial and some residential units. Lidl, Bruce Motors, J. & R. Elliot Ltd. and Thornwood Motors are some of the companies that are located within the allocated site. A number of buildings, mainly on the northern part of the site, are currently vacant. See Figure 1 for more details.

3. Development Vision

- 3.1 The site is allocated as a redevelopment site, and Policy H3 in the Scottish Borders Local Plan states that a redevelopment site may be developed for: "housing, employment (classes 4, 5 and 6 of the Use Class Order) or retailing, subject to sequential test, or a mix of uses that could include community facilities and open space depending on the location of the site, the needs of the community and deliverability of alternative uses. Redevelopment sites may be developed for a single use."
- 3.2 The main challenges for the development are to address issues and opportunities in the SWOT analysis in table 1.

Table 1 SWOT analysis

Strengths	Weaknesses
<ul style="list-style-type: none"> • Close to town centre • Redevelopment will enhance western part of town centre • Existing listed buildings can be retained and enhanced • Development can respond to current pressure on housing market 	<ul style="list-style-type: none"> • Some of the existing buildings are in poor condition • Current activities need to relocate/fit into overall development • Limited capacity for high value convenience retail development.
Opportunities	Threats
<ul style="list-style-type: none"> • Revitalise and regenerate the local area • Improve connectivity to town centre • Provide commercial and/or residential opportunity in Hawick • Use capacity within Hawick area for small scale food retail/non-food retail • Use and enhance riverside and adjacent greenspace • Improve links to Little Haugh • Redevelop existing listed buildings • Mitigate potential flood risk • Large parts of the area included in the framework are currently controlled by one party 	<ul style="list-style-type: none"> • Flooding constraints on site • Poor design • Development market changes

3.3 The main aims for the development are:

- Revitalise and regenerate the local area.
- Improve planting along the riverside to provide a cohesive thematic regime.
- Protect and improve the tree line at the western boundary to create an effective backdrop to the site.
- Take advantage of the river location in terms of views and linking open space.
- Improve public transport links and create new links for pedestrians and cyclists.
- Create a tree lined boulevard along the footpath through the site.

- Consider the character of the surrounding area for any development.
- Mitigate potential flood risk associated with the site.

- 3.4 Although the existing character of the area is largely urban, industrial and semi derelict in places, the river presents a significant opportunity for landscape improvement. The listed buildings in the northern part of Commercial Road should be redeveloped in such a way that they contribute not only to the Commercial Road area but to the wider riverside townscape within the Conservation Area.
- 3.5 The site overlooks the River Teviot and the open space at Little Haugh on the eastern side of the river and must therefore achieve a high quality design standard. Improved links with the town centre are important to enable interaction between the site and other parts of Hawick. Pedestrian and vehicular links should be provided to adjacent sites (see Figure 2). Existing facilities (e.g. hundred steps) must be retained or replaced to the Council's satisfaction. Links are also required to Bath Street, Underdamside, Princes Street and Wilton Lane/Laing Terrace. Account should also be taken of existing facilities (e.g. Victoria Bridge and James Thomson Bridge) when considering any new layouts.
- 3.6 The site should be developed in a way that the site can be linked with neighbouring existing uses (see Figures 3 and 4) and landscaping should be used to soften boundaries, to give a strong framework to vehicular and pedestrian circulation and car parks, and to incorporate the development with the green back drop and open space in the vicinity.
- 3.7 This site provides a key section in enabling the creation of a tree lined boulevard along Commercial Road. This would also apply to future development along the length of Commercial Road.

Potential Concepts

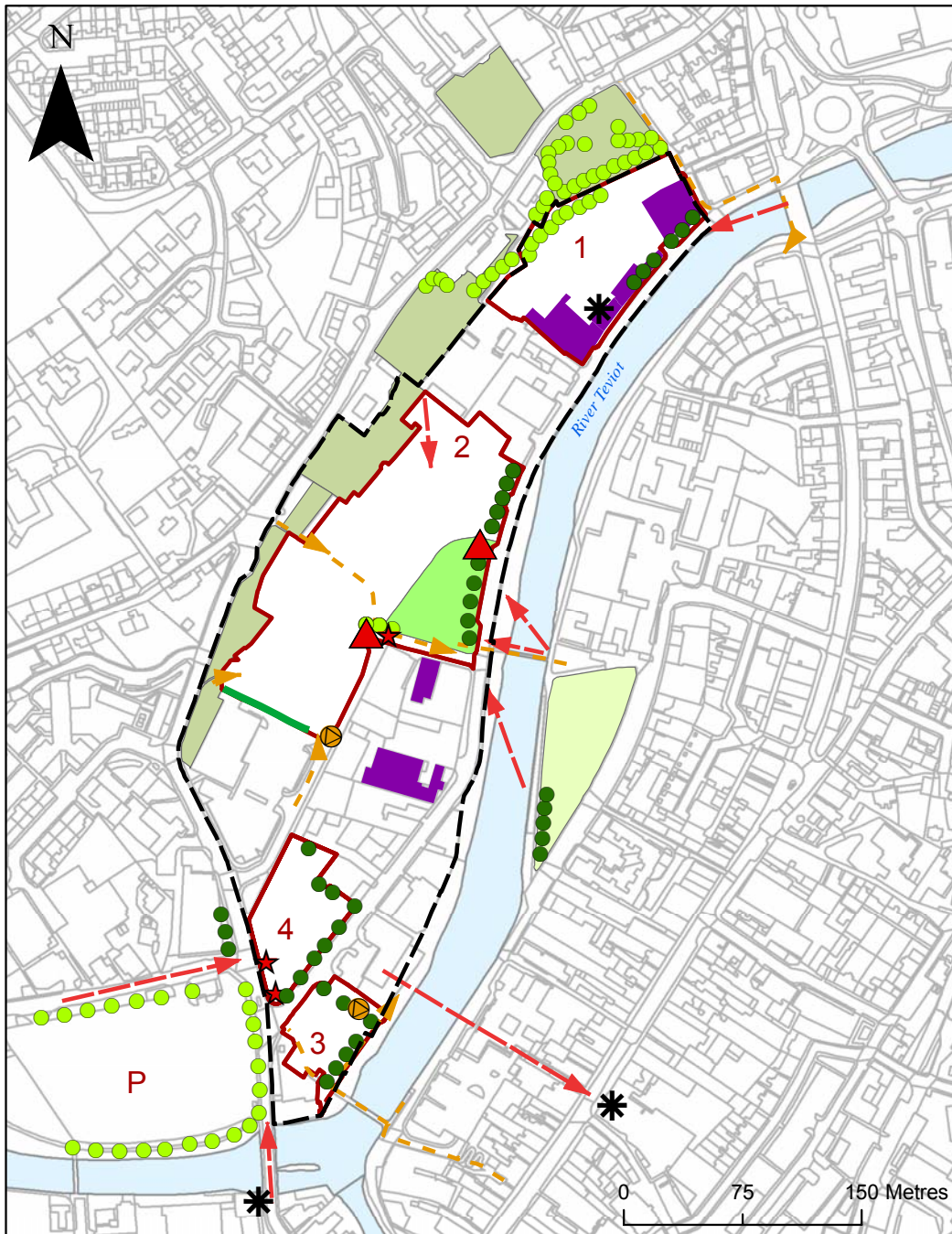
- 3.8 There are a number of possibilities for development of this site. Two potential concepts are presented in this development brief (see Figure 2 for details):
- Residential development.
 - Mix of residential and commercial development.
- 3.9 The main components of the development vision for the site are to revitalise and redevelop the area through development of residential areas or a mix of residential and retail/business uses to enhance not only the site but also Hawick town centre. Improved greenspaces, links to and through the site and careful redevelopment of listed buildings together with carefully considered design and layout are key to achieving a successful development. Measures taken to mitigate flood risk on the site are also of key concern for development of the site.

Residential

- 3.10 Residential or a mix of residential and commercial development would be of benefit to the allocated area and also positively impact on the town of Hawick. The town has been experiencing pressure in terms of housing demand. National house building companies have expressed increased interest in the town during the last few years and housing development is ongoing on a number of sites and includes the recent redevelopment of the former BT tower overlooking the River Teviot for flats.

Fig. 2 - Development Vision - Redevelopment Sites 1 - 4

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Key - Existing Features

- zRO8 Site
- Listed Building within zRO8
- Open Space
- Wood/Scrub
- Hedge
- ✱ Landmark
- Key View
- Footpath

- ▲ Vehicular Gateway
- Tree

Key - Proposed Features

- Development Opportunity
- Potential Open Space
- ▲ Potential Vehicular Access
- Proposed Tree
- ★ Landmark/Key Site

Commercial

- 3.11 A recent retail capacity study concluded that there is likely to be insufficient convenience expenditure capacity to support a new super store development in Hawick. This is however dependent upon the market situation, and the potential for future food and non-food shopping on the site would require to be justified to the Council by appropriate up to date analysis, including a retail impact assessment. There is considered to be potential capacity to promote a small retail park, with inclusion of a discount food retailer or small supermarket/frozen food store and retail discount warehousing. Market testing at the outset is strongly recommended.
- 3.12 The above conclusions are supported by a recent land valuation (November 2007) of different land uses in the area.
- 3.13 In addition, it is possible that other commercial opportunities such as office use may arise and this can be considered in the context of the overall vision for the area.

Access and Parking

- 3.14 The Council's 'Standard for Development Roads' should serve as a guide for the form of layout on the site, but should be flexible enough so as not to inhibit the design of an innovative layout, which is less dominated by cars and which respects the landform and character of the area. The Council embraces the concept of PAN 76 on 'New Residential Streets' which promotes an informal system of well connected streets with natural traffic calming by design (including building lines, squares, shared road surfaces etc) and equal priority given to all transport modes such as passenger transport, walking and cycling. Pedestrian routes within the sites should be linked with the local footpath network.
- 3.15 A Transport Assessment will be required for the redevelopment of the area. This may highlight off-site works that shall be required to ensure the surrounding road network can cater for the level of development and associated traffic. These works may be on the trunk road and/or those roads maintained by the Council.
- 3.16 Any development proposals should consider the trunk road (A7) along the south-eastern boundary and maintain or enhance the safe and efficient passage of through traffic along the trunk road. SPP 17 states that 'Direct access on to strategic roads should be avoided as far as practicable' and that 'there is a general presumption against new motorway or trunk road junctions. The Scottish Executive will consider the case for such junctions where nationally significant economic growth or regeneration benefits can be demonstrated'.
- 3.17 The development framework identifies opportunities to reduce or improve existing junctions and direct accesses along Commercial Road within the site boundary which is welcomed by Transport Scotland.
- 3.18 Assessment of transport for any type of development on the site should consider the hierarchy of transport modes as in SPP 17 Planning for Transport and address the general policy requirements on location and travel generation in paragraphs 50 and 51 in SPP 17.
- 3.19 Transport Scotland need to be consulted on any changes to layout of the trunk road. Public transport shall also have to be taken into consideration with any development, with appropriate bus lay bys being provided. The Council's Transport section will be involved with any discussions relating to bus services

and requirements once the nature of the development is confirmed. The section will confirm what works or contributions are required.

- 3.20 For retail/business development in particular, allowance must be made for service/delivery and emergency vehicles. Service vehicle access and turning should be separate from customer access wherever possible. Depending on the level of any development, more than one access into the development shall be required. Where the development is housing, construction consent shall be required for part if not all of the roads/footpaths/parking areas. The road widths, gradients and horizontal geometry shall all be dependant upon the level and nature of the development. All access and layout issues need to be discussed jointly with the Roads Department and the Planning Department and also with Transport Scotland if relating to the trunk road.
- 3.21 Parking levels should be as detailed in the Councils Standard for Development Roads and Local Plan and depend on type of housing development. For retail/business development, parking levels shall be based upon floor area of the units and the type of development proposed. Sheltered and safe cycle racks will be required.

4. Potential Development Concepts

- 4.1 The potential concepts share the main aims for the development (see section 3). Key potential concepts are outlined below and in Figure 3-5.
- 4.2 Residential development on redevelopment site 1, at Wilton Mills, redevelopment site 2 at the central parts of Commercial Road and southern redevelopment sites 3 and 4 aim to:
- Contribute to growing demand for attractive housing in Hawick, and
 - Achieve high quality and design standards to improve the local area
 - Connect the residential area with existing areas including the town centre
 - Create excellent living conditions through improved pedestrian links and open space as well as mitigate flood risk.
- 4.3 A mixed development would contain a residential element at Wilton Mills and the central and southern parts of the site have the potential to be redeveloped for residential or commercial uses. The main aims for development including retail are to reduce leakage from the Hawick catchment area and to reduce shopping-related travel.

5. Potential Concept for Redevelopment Site 1 (Wilton Mills)

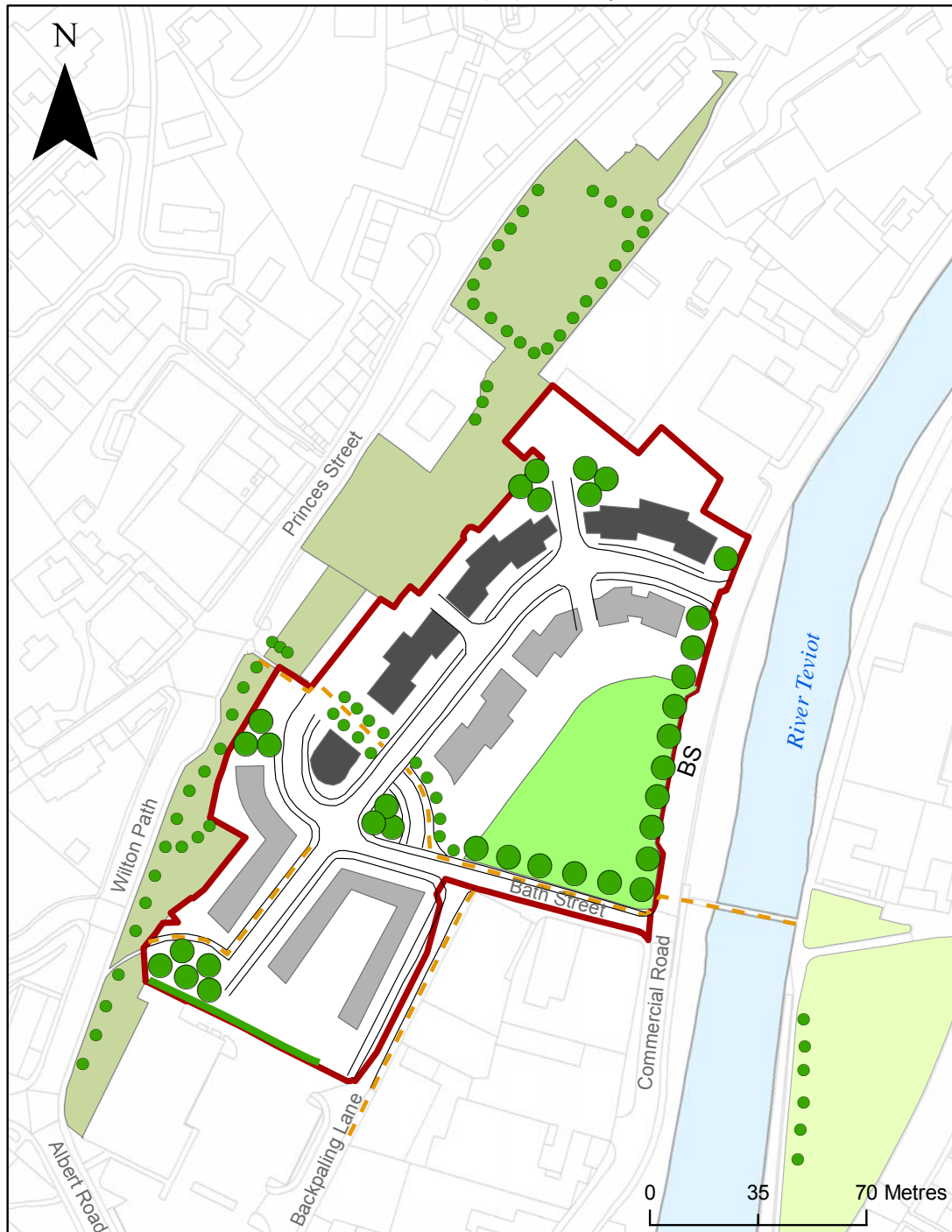
- 5.1 The northern development site includes a number of listed buildings, and is most likely to be developed for residential use. The redevelopment of the site requires high attention to detail and design to redevelop the existing listed buildings to the satisfaction of the Council and Historic Scotland and to enhance the town centre and the Conservation Area. Existing features can be reused as design features in a development. Redevelopment of this site will also need to consider the proximity to the town centre and river, the urban character of the area and the previous use.

6. Potential Concept for Redevelopment Site 2 (Central)

a) Residential concept












- 6.1 A number of different layouts can be considered for residential development on the central site. The preferred option is to locate open space at the front of the site mirroring the Little Haugh open space on the eastern side of the river. This would tie in with the tree lined boulevard along Commercial Road and assist in addressing flood risk. A pedestrian path would also connect the green backdrop of the site and the open space at the front. This layout would create an attractive and soft frontage to the river and link existing and new green spaces. In this option the housing would be to the west of the site on the higher parts of the site. Topography has to be taken into account in any development and residential development should take advantage of the views and recreational opportunities that the river offers. Any development proposal should include detailed proposals for access and entrances, planting and lighting and take account of implications for road safety. Planting should enhance the riverside and create a green corridor along the river. The layout in Figure 3 is illustrative of this concept.
- 6.2 The central location, urban character and the existing buildings encourage a medium to high density development of three to four storeys and a variety in height and scale is needed to ensure optimisation of views without diminishing the tree line as a backdrop. Housing development should consider the local character and the industrial history of the area. The tree lined boulevard along the development and the river should together with open space and play area create focal points and a sense of place in the development.
- 6.3 Internal layout should take into account PAN76 and promote low traffic speeds and limit dead mileage. Direct, safe and attractive links are required to public transport routes and public transport pick-up/drop-off facilities. Retaining and improving pedestrian links to the Hundred Steps are crucial to link the site to the town centre and other adjoining sites. A pedestrian friendly, safe, convenient, attractive and overseen link including parking surveillance from end windows is required from the steps to the Teviot bridges. See details in SPG 'Designing out Crime'.
- 6.4 Parking is required to be integrated into the landscape form of the site. For residential development parking should be contained within the built area and thereby maintain the environmental quality of the site.
- 6.5 Parking should be achieved onsite and at the back of the housing blocks to maintain a green frontage to the river and the parking levels shall comply with Council Standards for Development Roads and the Local Plan and depend on the type of housing development. A Transport Assessment will be required to identify essential improvements, for example a right hand turning lane on Commercial Road.
- 6.6 Access and Links:
- Access recommended from Commercial Road and prospective public road past Lidl
 - A pedestrian and/or vehicular link is needed to prospective public road past Lidl to Albert Road
 - If Bath Street were to be closed, a turning area may be required depending on design layout.

**Fig. 3 - Potential Concept for Residential Development
Redevelopment Site 2**
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Key

- | | | | |
|---|-------------------------|---|---------------|
|  | Development Opportunity |  | Footpath |
|  | Flats (4 Storeys) |  | Hedge |
|  | Flats (2/3 Storeys) |  | Road Layout |
|  | Wood/Scrub |  | Tree Planting |
|  | Open Space |  | Bus Stop |
|  | Proposed Open Space | | |

6.7 Public Transport

The developer of the site is required to provide any infrastructure required in relation to bus stops. The requirements and location needs to be discussed with Transport Scotland, the Council's Transport section and Passenger Transportation section.

b) Retail/Business concept













- 6.8 The frontage to the River Teviot and landscaping, including a tree lined boulevard to enhance the riverside, are important parts of the design layout to create attractive views from Little Haugh and the town centre. The footpath through the site will link with the pedestrian bridge over the River Teviot and town centre. Parking should be placed at the front of the site to mitigate flood risk to buildings, but must be carefully considered to reduce the impact of parking on the views into the site. To improve the visual impact, the car park should include a strong framework of trees with an upright (fastigate) form (e.g. fastigate Hornbeam), together with specimen feature trees which will develop broader crowns where space permits. Fastigate trees will be required at close centres (2m) to provide clear delineation to pedestrian and vehicular circulation routes. Hedges and/or groundcover shrub planting should also be used to reinforce the landscape structure, ensuring that these are properly integrated with car parking and pedestrian desire lines to prevent their damage over the life of the scheme. To ensure that lighting to buildings, parking and circulation areas are carefully integrated with the landscape scheme, levels, surfacing, and other services, the Planning Authority will expect to see all such details at full planning application stage. The level for parking will depend on the type of development proposed and shall comply with Council Standards for Development Roads and the Local Plan.
- 6.9 A development of retail/business should maintain and improve pedestrian links to and through the site as previously discussed. The design and layout needs to consider the urban context as well as take into account the industrial heritage. In terms of orientation of the buildings, the entrance of the two units nearest the pedestrian link should ensure a high quality design to achieve an attractive focal point for pedestrians, such as a covered entrance area or atrium. For all development scenarios it will be important to retain and augment existing tree cover as a backdrop to the site. Figure 4 illustrates this concept.
- 6.10 In terms of access it may be required to realign existing roads and it is likely that a right hand turning lane will be required for traffic entering the site. The existing roads and junctions would need to be upgraded or altered depending on the detailed road layout. All changes to and access off the trunk road need approval from Transport Scotland.

**Fig. 4 - Potential Concept for Retail/Business Development
Redevelopment - Site 2**
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Key

- | | | | |
|---|-------------------------|---|-------------------|
|  | Development Opportunity |  | Pedestrian Route |
|  | Retail Unit |  | Art Form |
|  | Pedestrian Area |  | Tree Planting |
|  | Proposed Open Space |  | Vehicular Gateway |
|  | Customer Parking |  | Store Entrance |
|  | Shrubs |  | Bus Stop |

7. Potential Concept for Redevelopment Site 3 (Southern)

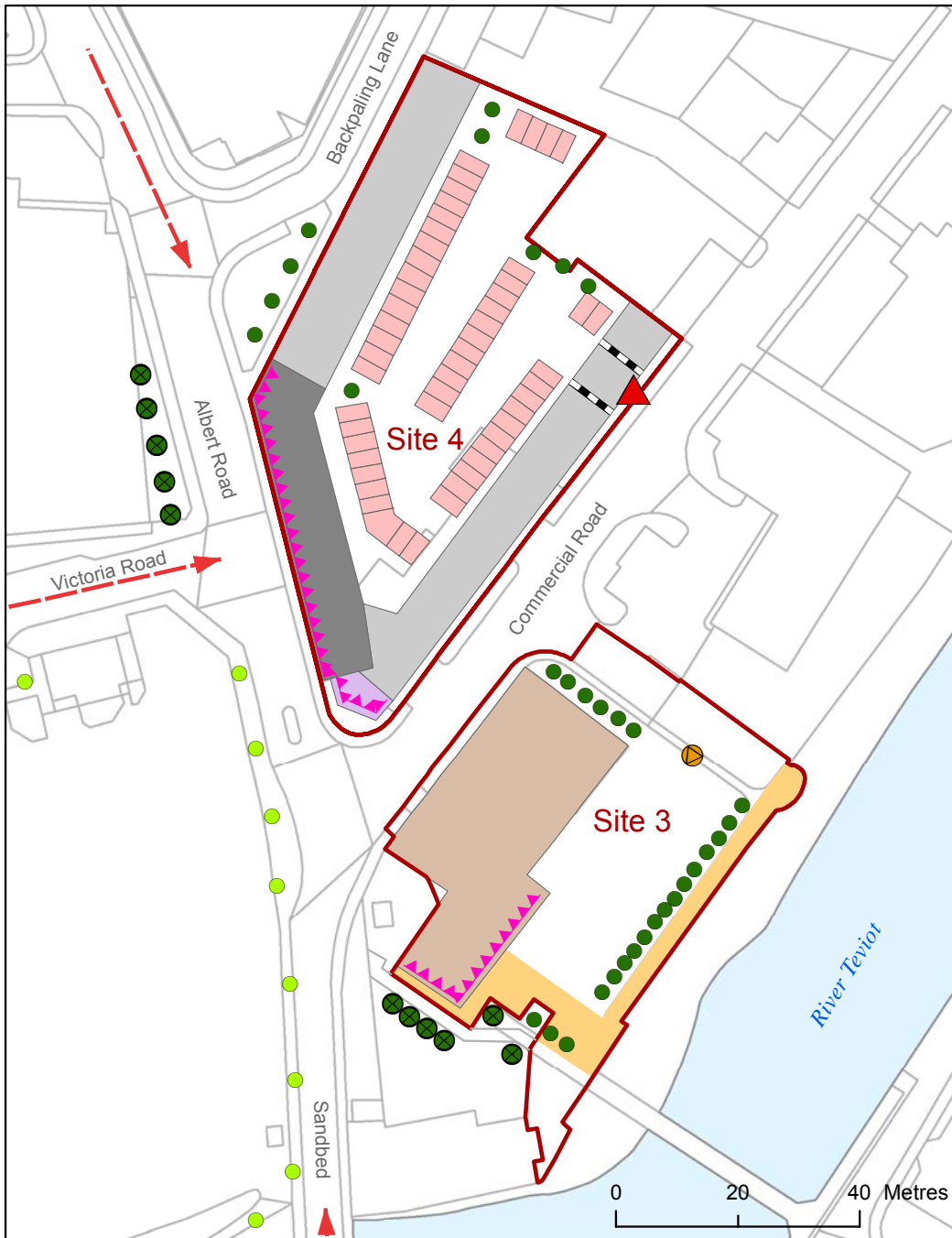
- 7.1 Redevelopment site 3 has planning consent for demolition of 3 dwellings and erection of non-food retail with associated car parking and servicing. This document still includes the site as a development opportunity since it is a key site and has significant impact on the connection between the town centre and the Commercial Road area. The development on the site could be considered for a range of different uses, which comply with Local Plan policy H3, if the current proposal is not developed. The key concept for this site is to create attractive frontage to Commercial Road and the River Teviot to create a positive sense of place and to encourage use of the pedestrian link to the town centre. The key views are from the town centre over the pedestrian bridge and from Albert Road. It is encouraged to continue the boulevard style planting required for development further north on Commercial Road. Figure 5 illustrates this concept.

8. Potential Concept for Redevelopment Site 4 (Southern)
















a) Residential concept

- 8.1 As with the option for the central parts of Commercial Road a number of layouts would be possible for redevelopment of site 4. The layout in figure 5 illustrates this concept. The preferred layout should retain the existing frontage of the Teviotdale Mill building onto Albert Road. To improve the corner Albert Road/Commercial Road a glazed corner feature that could also have the function of entrance to the building is proposed. The retained frontage and improved corner would enhance the key views from Albert Bridge and Victoria Road. Further key views are from Albert Road to the western parts of the site.
- 8.2 The development would be 2 storeys and needs to consider the central location, urban character and the proximity to the James Thomson Bridge and the town centre. The development must also consider the industrial history and character of the area. Existing pavements can be used to link the development to the surrounding area.
- 8.3 Planting is required to break up the parking area that is required within the development. Additional and enhanced greenspace and planting is also required on the western part of the site near the junction Albert Road/Backpaling Lane and on the opposite side of Albert Road close to existing retail units on Victoria Road.
- 8.4 Any development proposal for the site should include detailed proposals for access and entrances, planting and lighting and take account of implications of road safety. The layout in figure 5 proposes parking on an internal courtyard with access from Commercial Road. A Transport Assessment would be required to identify essential improvements and any changes to the trunk road needs to be approved by Transport Scotland. The internal layout should take into account of PAN 76. Any residential parking should be contained within the built area and parking levels shall comply with Council Standards for Development Roads and the Local Plan and will depend on the type of housing development proposed. The layout in figure 5 is for illustrative purposes only.

**Fig. 5 - Potential Concept for Redevelopment
Sites 3 (Commercial) & 4 (Residential)**
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Key			
	Development Opportunity		Vehicular Gateway
	2 Storey/ Retention of Existing		Existing Trees
	2 Storey New		Proposed Small Tree Planting
	Key Corner Site - Glazed Atrium		Proposed Large Tree Planting
	Retail Unit		Potential Vehicular Access
	Parking		Key View
	Pedestrian Area		Key Frontage
			Pend

b) Retail/business concept

- 8.5 Redevelopment site 4 is located in a prominent location close to the town centre. A range of commercial uses, which comply with Local Plan policy H3, can be considered to strengthen the connection with the town centre. As with previous concepts a number of layouts are acceptable. The preferred layout should include retention of the frontage of Teviotdale Mill building. Pedestrian access to the development is required from the car parking area and from the corner of Commercial Road/Albert Road. It is important to encourage built development at the front of the site to avoid negative visual impact of large areas of car parking spaces along Victoria Road or Albert Road. The corner on Albert Road/Commercial Road is the focus from Albert Bridge and the James Thomson Bridge. Any development proposal should consider the urban context, industrial history and character of the site as well as the location near the existing town centre.
- 8.6 As with the residential option for the site planting is required to break up the parking area that is required within the development. Additional and enhanced planting is also required on the western part of the site near the junction Albert Road/Backpaling Lane. The avenue planting from Albert Road should be continued close to existing retail units on Victoria Road.
- 8.7 To ensure that lighting to buildings, parking and circulation areas are carefully integrated with surfacing and other services, the Planning Authority will expect to see all such details at full planning application stage. The level for parking will depend on the type of development proposed and shall comply with Council Standards for Development Roads and the Local Plan. Any changes to and access off the trunk road need approval from Transport Scotland.

9. Environment and Waste Management

- 9.1 There is a Scottish Government commitment to increasing the amount of renewable energy generated through appropriately designed buildings (see SPP6 and PAN 45). Micro-renewable technologies can now be applied within the design of new housing development with confidence.
- 9.2 The Scottish Borders Structure Plan 2001-2011 Policy 121 “Small Scale Renewable Energy Technologies” states:
- “Proposals for community and small scale renewable energy generation (or related techniques) will be encouraged where they have no significant adverse impact on the natural and built environment or amenity of the area.”
- “All developers, whatever the nature of their proposals, will be encouraged to consider the potential to use materials, designs and technologies which either reduce the impact of energy consumption or reduce the environmental impact of energy generation when formulating proposals.”
- 9.3 The Local Plan Principle 1 (Sustainability) states:
- “In determining planning applications and preparing development briefs, the Council will have regard to the following sustainability principles which underpin all the Plan’s policies and which developers will be expected to incorporate into their developments...”

“...(5) the efficient use of energy and resources, particularly non-renewable sources.”

9.4 The Local Plan Policy G1 Quality Standards for New Development (5) states:

“...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 the use of renewable energy and resources and the incorporation of sustainable construction techniques in accordance with supplementary planning guidance...”

9.5 The SPG on Renewable Energy state that “The Council now requires all future developments with a total cumulative floorspace of 500m² or more to reduce carbon dioxide emissions (CO₂) by 15% beyond the 2007 Building Regulation carbon dioxide emission levels.” The Council’s SPG is less restrictive in the means of achieving the goal of reduction of CO₂ emissions than SPP6. The SPG is seen as a material consideration in the determination of planning applications.

9.6 Developers should demonstrate how they have addressed compliance with these policies and guidelines.

9.7 SEPA supports the use of renewable energy provided that no significant adverse affects are caused upon the environment or upon the amenity of residents. SEPA recommends that methods and techniques of incorporating on site generation are incorporated into the development, where possible.

9.8 Development of this scale presents the opportunity to demonstrate good practice in sustainable building design and construction. SEPA recommends that energy and resource conservation should be embodied throughout the development. Materials selection, transportation and sourcing, energy efficiency in the operation of buildings, solar gain, water use, and water recycling are all issues which could be included in such an approach.

Air Quality

9.9 SEPA recommends that any proposal is assessed alongside other developments that are likely to contribute to increased road traffic to determine its likely contribution to an increase in road traffic. Contact with the Council’s Environmental Health section is recommended and further guidance is available in NSCA guidance (2006)(Development Control: Planning for Air Quality).

Waste management and Construction

9.10 There should be provision of facilities for the separation and recycling of waste, including recycling and composting facilities. To identify facilities appropriate to this development, please contact the Environmental Services for more details. Issues such as vehicular access, turning heads and storage space should be addressed, ensuring visual screening and preventing blown rubbish from leaving the site. Waste material needed in the construction of the development should only be carried in if a waste management licence is in effect or SEPA are aware of the activity.

9.11 Construction works associated with the development of the site must be carried out with due regard to SEPA’s pollution prevention guidelines (PPG 1, 5 and 6). There may be waste licensing implications arising from the importation of waste material such as soil for landscaping or for any other purpose. Generally, waste material can only be imported to a site if a waste management licence is in effect

or if an activity exempt from licensing has been registered with SEPA. Similarly, any waste removed from the site must be deposited either at suitably licensed sites or at a site for which a relevant exempt activity has been registered. SEPA regards all soils, including topsoil, removed from site as waste. Where waste is either imported or exported from a site, applicants and their contractors should be aware of the relevant requirements relating to the transport of controlled waste by registered carriers and the furnishing and keeping of duty of care waste transfer notes.

- 9.12 It is expected to see a clear demarcation where appropriate between the proposed development site and the Special Area of Conservation (SAC) during any construction work and after their completion. This will ensure that no material is deposited into the River Teviot or on its banks during operations. This will also ensure that there is an undeveloped buffer strip retaining any existing natural vegetation. During any development of the site, construction and other works should be carried out in a manner that prevents contamination of the watercourse with silt, building material or debris of any description, to the satisfaction of SEPA.

Designations, Ecology and Habitat

- 9.13 The River Teviot is a part of the River Tweed Site of Special Scientific Interest (SSSI), designated for its biological interest under the 1949 National Parks and Access to the Countryside Act and under 1981 Wildlife and Countryside Act (see Appendix 2). The River Teviot is also part of SAC which is designated under the European Directive commonly known as the 'Habitats' Directive. SEPA recommends contact with SNH with regards to the River Tweed SSSI and that any development is undertaken in the context of the following guidance: SEPA's Pollution Prevention Guidance, Forestry Authority's Forest and Water Guidance and Guidance on River Management and Restoration.

- 9.14 Developers should contact the local SEPA office with final proposals to discuss regulatory requirements of riparian vegetation.

10. Constraints

- 10.1 Research and consultation has identified a number of constraints affecting development of the site. Initial external consultations have included SEPA, Scottish Water, Historic Scotland, Scottish Natural Heritage, Scottish Power, British Telecom and Transport Scotland. Initial consultation within the Council has included issues as flooding, roads and parking, built and natural heritage.

Archaeology

- 10.2 Archaeological features including part of the mill lade and a wheel pit remain intact around Wilton Mill. Historic Scotland recommends that these could be incorporated into a renovation scheme. Tower Mill in Hawick and Riverside Mills in Selkirk are good examples of such renovation.
- 10.3 It is likely that there is unscheduled archaeology on the site due to its age and previous use. Consideration should be given to what level of archaeological investigation should be undertaken by the potential developer before and during works on the site. Contact the Council's Archaeology Officer for more details.

Flooding

- 10.4 Any development proposal on the site would require a Flood Risk Assessment from the developer. The assessment should be in accordance with SEPA Policy 41 'Development at Risk of Flooding: Advice and Consultation'. SEPA's preference for redevelopment is currently for the same use of existing commercial and industrial. Areas that are at medium to high flood risk are generally not suitable for sensitive land uses (SPP7 – para 3 refers). Areas which are already built up 'may be suitable for residential, commercial and industrial development provided flood prevention measures to the appropriate level already exist, are under construction or are planned as part of a long term development strategy in a structure plan context.
- 10.5 A one dimensional flood assessment was carried out on behalf of Scottish Borders Council in 2005 (updated in 2006). The assessment of the 1 in 200 year flood event covers a large area of the Commercial Road site. A two dimensional study would give greater accuracy to anticipated area at risk.
- 10.6 The Council's Flood Risk Officer considers development of such a brownfield site as possible, but the access to and egress from the site would need to be reviewed to be safe for emergency services, particularly where residential development is proposed. Such development would need to show a neutral or better effect on flooding elsewhere.
- 10.7 The Council Executive has accepted a report that placed an outline Hawick Flood Prevention Scheme in the medium term, subject to suitable funding being available from the Council and the Scottish Government to prepare Flood Prevention Schemes. Since this report was accepted in September 2007 allocation of funding from the Government has changed and is at the moment uncertain.
- 10.8 No materials and/or machinery associated with development operations should be stored on any areas vulnerable to flooding.

Surface Water and Drainage

- 10.9 The developer is required to submit a Development Impact Assessment to Scottish Water (SW). Full details on number of units, commercial development, calculations showing pre and post development foul and surface water flows and if possible drainage layout should be submitted. Modelling work and/or flow and pressure testing may be required. Where drainage is not to be adopted for maintenance by SW, an approved layout will be required at an early stage.
- 10.10 Any Sustainable Urban Drainage Systems (SUDS) required and incorporated shall have to follow the management train to incorporate a variety of treatment methods and to be to the satisfaction of SEPA, the Roads Authority and the Local Planning Authority and comply with Planning Advice Note 61 and CIRIA's C697 manual entitled 'The SUDS Manual'. Due to the land required for these, the drainage layout shall be approved in parallel with detailed planning consent, to the satisfaction of the Local Planning Authority.
- 10.11 SUDS based systems should also be able to provide flow attenuation to satisfy SW and the Local Planning Authority. SEPA requests, where possible, open SUDS systems such as ponds and wetlands that can provide habitat enhancement opportunities to maximise the wildlife value. Guidance on SUDS is available from SEPA.

10.12 The Water Environment (Controlled Activities) (Scotland) Regulations 2005 (as amended) require to be complied with in relation to surface water drainage and the requirement that discharge must not result in pollution in the water environment.

Foul Drainage Proposal

10.13 Sewage and trade effluent from proposed development should, subject to approval from SW, be connected to the public foul sewer. Discussions with SW are needed. SEPA request applicants to investigate possible routes to establishing a connection to the public foul sewer as the first option for sewage and trade effluent disposal. Where SEPA considers that a developer has not taken all responsible steps to seek connection to the foul sewer it is likely that SEPA would object to any subsequent planning application.

Waste Water Treatment

10.14 There is currently capacity in Hawick although development contributions will be required for connections.

Contaminated Land

10.15 The Local Authority is the primary source of advice and guidance as outlined in PAN 51 and 33. Any potential remediation scheme would be required to take account of the possible implications for surface or groundwater, and the requirements of the waste management regulations. SEPA would welcome the opportunity to be consulted by the planning authority on the findings of any risk assessment in relation to pollution of controlled waters and also the scope for any remedial actions.

Electricity Substations

10.16 A primary substation is located in the centre of the allocated area. This, together with entering and exiting cables, will need to be retained or diverted through any development on a rechargeable basis. Relocation of the primary substation and provision of a suitable alternative site would need to be provided by the developer.

10.17 Two secondary substations are located within the allocated site. These could either be used to support the development or removed and replaced with alternative substations at the developer's expense.

11. Developer Contributions

11.1 Developers will be required to make contributions towards the cost of addressing specific infrastructural or environmental deficiencies. This is a requirement of policy G5 Developer Contributions in the Scottish Borders Local Plan. Constraints where developer contributions are likely to be required are noted below. The list is not exhaustive and may be subject to changes.

Education

11.2 Current level of contribution towards extension of Drumlanrig Primary School is £474 per flat (two bedrooms or more) and £3162 per house (two bedrooms or more). The levels are updated in 1st April every year. There is currently no need for contributions towards the High School or denominational school.

Affordable Housing

11.3 Affordable housing will be required under the provision of Policy H1 in the FLP and the Supplementary Planning Guidance on Affordable Housing. The present level of affordable housing contribution in South Roxburgh is 25%.

Transport

11.4 Developer contributions may be required depending on the outcomes of the Transport Assessment and Council proposals.

Waste water

11.5 There is currently capacity in Hawick although contributions may be required for connections.

Appendix 1 Policy Context

	Policy	Aim
Scottish Executive	<u>NPPG 11: Sport, Physical Recreation & Open Space</u>	Addresses the land use implications of sport and physical recreation and also encompasses aspects of informal physical recreation that take place in urban open spaces.
	<u>SPP 1: The Planning System</u>	Provides an overview of the land use planning system.
	<u>SPP 3: Planning for Homes (revised 2008)</u>	Addresses the need to create quality residential environments.
	<u>SPP 6: Renewable Energy</u>	Sets out how the planning system should manage the process of encouraging, approving and implementing renewable energy proposals when preparing development plans and determining planning applications.
	<u>SPP7: Planning and Flooding</u>	Gives guidance on prevention of further development which would have a significant probability of being affected by flooding or increase the probability of flooding elsewhere.
	<u>SPP 17: Planning for Transport</u>	Give guidance on the integration of land use and transport planning.
	<u>SPP 23 Planning and the Historic Environment</u>	Sets out the national planning policy for the historic environment with a view to its protection, conservation and enhancement.
	<u>PAN 33: Development of Contaminated Land</u>	Advice on the handling of contaminated land issues within the planning process.
	<u>PAN 42: Archaeology - the Planning Process and Scheduled Monument Procedures</u>	Advice on the handling of archaeological matters within the planning process.
	<u>PAN 44: Fitting New Housing Development into the Landscape</u>	The advice offers suggestions to help planners, developers and local communities achieve residential developments which are in harmony with their landscape setting.
	<u>PAN 45: Renewable Energy Technologies</u>	Advice on the technologies i.e. wind power, hydro-power (including shore line wave power) and energy from biomass and wastes, the significant planning issues likely to arise and how these can be addressed.
	<u>PAN 51: Planning, Environmental Protection and Regulation</u>	Supports the existing policy on the role of the planning system in relation to the environmental protection regimes.

	<u>PAN 52: Planning in Small Towns</u>	Aim is to provide the context within which opportunities for positive change can be identified and promoted to help reinforce the character and identity of small towns.
	<u>PAN 61: Planning & Sustainable Urban Drainage Systems</u>	Gives good practice advice for planners and the development industry in the use of SUDS.
	<u>Designing Places: A Policy Statement for Scotland</u>	Sets out the policy context for important areas of planning policy, design guidance, professional practice, and education and training.
	<u>PAN 65: Planning and Open Space</u>	Gives advice on the role of the planning system in protecting and enhancing existing open spaces and providing high quality new spaces.
	<u>PAN 67: Housing Quality</u>	Explains how Designing Places, Nov 2001, should be applied to new housing.

	<u>PAN 68: Design Statements</u>	Explains what a design statement is, why it is a useful tool, when it is required and how it should be prepared and presented.
	<u>PAN 69: Planning and Building Standard Advice on Flooding</u>	Gives good practice advice on planning and building standards in areas where there is a risk of flooding.
	<u>PAN 74: Affordable Housing</u>	Sets out how the planning system can support the Executive's commitment to increase the supply of affordable housing.
	<u>PAN 76: New Residential Streets</u>	Provides advice on the design of better quality residential streets.
	<u>PAN 77: Designing Safer Places</u>	Highlights the positive role that planning can play in helping to create attractive well-managed environments which help to discourage antisocial and criminal behaviour.
	<u>PAN 78: Inclusive Design</u>	Looks at how to improve the design of places so that they can be used by everyone - regardless of age, gender or disability.
Structure Plan	<u>Policy N16: Archaeological Evaluation, Preservation & Recording</u>	Requirement of an archaeological evaluation to provide clarification of potential development impact.
	<u>Policy N20: Design</u>	Encourages high quality layout, design and materials in all new developments.
	<u>Policy H7: Affordable & Special Needs Housing – Proportion</u>	Requirement for a proportion of affordable housing in accordance with the development strategy.
	<u>Policy H8: Affordable & Special Needs Housing – Assessment</u>	Planning department assesses requirement against the Local Housing Needs Assessment.

	<u>Policy C6: Open Space</u>	Safeguarding of amenity open space and encouragement of new provision.
	<u>Policy C7: Play Areas</u>	Availability of facilities for children's play that are safe, accessible and appropriate.
	<u>Policy C8: Access Network</u>	Supports the protection, development and enhancement of a comprehensive access network.
	<u>Policy I5: Cycling</u>	Developments contribute to the encouragement of cycling as a mode of transport.
	<u>Policy I7: Walking</u>	Full consideration to pedestrian accessibility to facilitate journeys on foot.
	<u>Policy I11: Parking Provision in New Development</u>	Regard will be made for the Council's current approved parking standards, safety considerations and environmental considerations.
	<u>Policy I15: Flood Risk Areas</u>	Seek to minimise risk of damage through flooding.
Local Plan	<u>Policy G1: Quality Standards for New Development</u>	Aimed to ensure that all new developments are of a high quality and respect the environment in which it is contained.
	<u>Policy G4: Flooding</u>	Aims to direct development to areas free from significant flood risk.
	<u>Policy G5: Developer Contributions</u>	Aims to ensure that the burden of additional infrastructure/services related to the development is absorbed by the landowner and developer.
	<u>Policy BE2: Archaeological Sites & Ancient Monuments</u>	Aim is to give strong protection to archaeological sites from any damaging development.
	<u>Policy BE6: Protection of Open Space</u>	Purpose is to give protection to a wide range of open spaces within settlements and prevent their loss to development.
	<u>Policy NE3: Local Biodiversity</u>	Purpose is to safeguard the integrity of habitats for the maintenance and enhancement of biodiversity.
	<u>Policy NE4: Trees, Woodlands & Hedgerows</u>	Aim is to give protection to the character of settlements and the countryside, maintain habitats and provide important recreational use.
	<u>Policy NE5: Development Affecting the Water Environment</u>	Aimed to ensure development does not adversely compromise the water environment or deteriorate the ecological or landscape status.
	<u>Policy H1: Affordable Housing</u>	Aim is to ensure that new housing development provides an appropriate range and choice of affordable housing.

	<u>Policy Inf2: Protection of Access Routes</u>	Aim is to protect all existing access routes in accordance with the Land Reform (Scotland) Act 2003 and the Countryside (Scotland) Act 1967.
	<u>Policy Inf3: Road Adoption Standards</u>	Aim is to ensure that new road, footpath and cycleway infrastructure is constructed to the Council's adopted standards.
	<u>Policy Inf4: Parking Standards</u>	Designed to ensure that development proposals incorporate adequate provision for car and cycle parking.
	<u>Policy Inf6: Sustainable Urban Drainage</u>	Aim is to address the pollution problems that stem from the direct discharge of the surface water into watercourses.
	<u>Affordable Housing SPG</u>	Provides more detailed guidance on the Council's Affordable Housing policy.
	<u>Developer Contributions SPG</u>	Provides guidance to landowners, developers and other organisations involved in the planning process as to when and where developer contributions will be required.
	<u>Biodiversity SPG</u>	Guidance on the policy framework for planning and biodiversity and the types of requirements of planning conditions.
	<u>Designing Out Crime in the Scottish Borders SPG</u>	Guidance sets out how opportunities for crime and antisocial behaviour may be reduced through the planning process.
	<u>Renewable Energy SPG</u>	Guidance and requirements in relation to use of renewable energy.
SEPA	Pollution Prevention Guidelines (PPG) 1 General guide to the prevention of pollution	Introduction to pollution prevention and guidance note on the subject.
	<u>PPG 5 Works in, near or liable to affect watercourses</u>	Guidelines to assist all those who may have cause to work in or near watercourses.
	<u>PPG 6 Working at construction and demolition sites</u>	Guidelines intended to assist those in the construction and demolition industry with responsibility for managing the environmental impact of their activities.

Appendix 2 Legislative Requirements for European Sites

The River Teviot's status as a SAC means that SNH and SBC have a duty to ensure that any works do not cause significant damage to the scientific interest of the site. The River Tweed SAC, is designated under the EC Directive *2/43/EEC on the Conservation of Natural habitats and of Wild Flora and Fauna (the "Habitats Directive"), for its biological interest, including river lamprey, brook lamprey, sea lamprey, European otter, Atlantic salmon and as a watercourse characterised by Ranunculion fluitantis and Callitricho-Batrachion communities. Further information regarding the legislative requirements for European sites is detailed in Appendix 2 and the site's Conservation Objectives are detailed in Appendix 3.

SEPA should be consulted through the Water Environment (Controlled Activities) Regulations (CAR) regarding any operations requiring work on the immediate bank area of the River Teviot.

The riverbank at this location consists largely of a river wall and it is possible that there may be bat roosts and nesting birds present in cracks and crevices within the brickwork and stonework. They may also be present in any bridges in the vicinity. All bats and their roosts are protected under the Wildlife and Countryside Act 1981 (W&CA) and by the EC Habitats Directive, which is implemented in this country through the conservation (Natural Habitats &c) regulations 1994. The protection extends to the roosts even when bats are not present. Any operations involving disturbance to bats or destructing of their roosts would require a licence from Scottish Government. Similarly nesting birds are protected under the W&CA. It is recommended that surveys are carried out by suitably qualified ecologists to establish whether or not bats and/or nesting birds are present, prior to commencement of any operations on the river wall or bridges. In the case of bats this would be required prior to determination of any related planning applications since they are a European Protected species.

RIVER TWEED SPECIAL AREA OF CONSERVATION

Government Policy Requirements for Potential European Sites

The development site is adjacent to the River Tweed SAC. The site's status as SAC under the "Habitats Directive", means that the provisions of the Revised Circular 6/95 apply.

The Circular (page 3, para. 12) sets out the UK Government's obligations under the Habitats Directive, that:

" The Regulations require that, where an authority concludes that a development proposal unconnected with the nature conservation management of a Natura 2000 site is likely to have a significant effect on that site, it must undertake an appropriate assessment of the implications for the conservation interests for which the area has been designated. "

It goes on to state (page 5, para. 20) that, in considering development proposals or other uses of land affecting them, potential SACs should be treated in the same way as classified European sites in the meaning of the Conservation (Natural Habitats &c) Regulations, 1994.

Under Regulation 48, this means that Scottish Borders Council, as competent authority, has a duty to:

determine whether the proposal is directly connected with or necessary to site management for conservation; and, if not, determine whether the proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; and, if so, then make an appropriate assessment of the implications (of the proposal) for the site in view of that site's conservation objectives.

The competent authority can agree to the proposal after having ascertained that it will not adversely affect the integrity of the site. If this is not the case, and there are no alternative solutions, the proposal can only be allowed to proceed if there are imperative reasons of overriding public interest, which can include those of a social or economic nature.

Appendix 3 Conservation Objectives

RIVER TWEED SPECIAL AREA OF CONSERVATION - CONSERVATION OBJECTIVES, OCTOBER 2005

Annex 1 Habitats Conservation Objectives	To avoid deterioration of the qualifying habitat Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitricho-Batrachion</i> vegetation thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving Favourable Conservation Status (FCS) for each of the qualifying features
	To ensure for the qualifying habitat that the following are maintained in the long term:
	Extent of the habitat on site
	Distribution of the habitat within site
	Structure and function of the habitat
	Processes supporting the habitat
	Distribution of typical species of the habitat
	<ul style="list-style-type: none"> • Viability of typical species as components of the habitat • No significant disturbance of typical species of the habitat

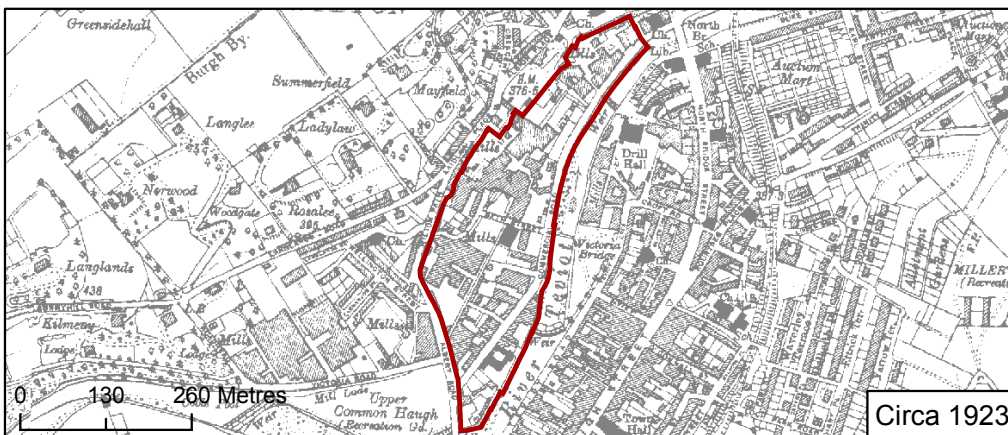
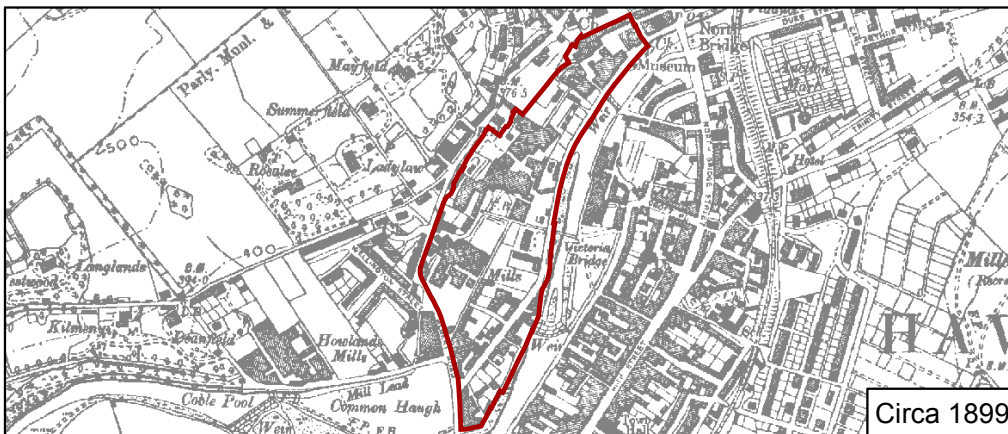
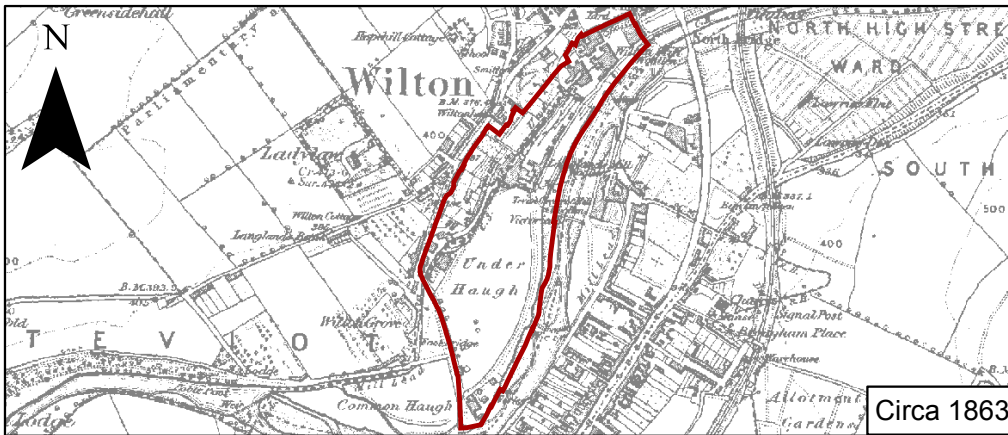
Annex II Species Conservation Objectives	To avoid deterioration of the habitats of the qualifying species (*listed below) or significant disturbance to the qualifying species, thus ensuring that the integrity of the site is maintained and the site makes an appropriate contribution to achieving FCS for each of the qualifying features
	To ensure for the qualifying species that the following are maintained in the long term
	Population of the species (including range of genetic types) as a viable component of the site
	Distribution of the species within site
	Distribution and extent of habitats supporting the species
	Structure, function and supporting processes of habitats supporting the species
	No significant disturbance of the species

*Annex II Species

<i>Petromyzon marinus</i>	Sea lamprey
<i>Lampetra planeri</i>	Brook lamprey
<i>Lampetra fluviatilis</i>	River lamprey
<i>Salmo salar</i>	Atlantic salmon
<i>Lutra lutra</i>	Otter

Appendix 4 - Historical Map Extracts

For illustrative purposes only



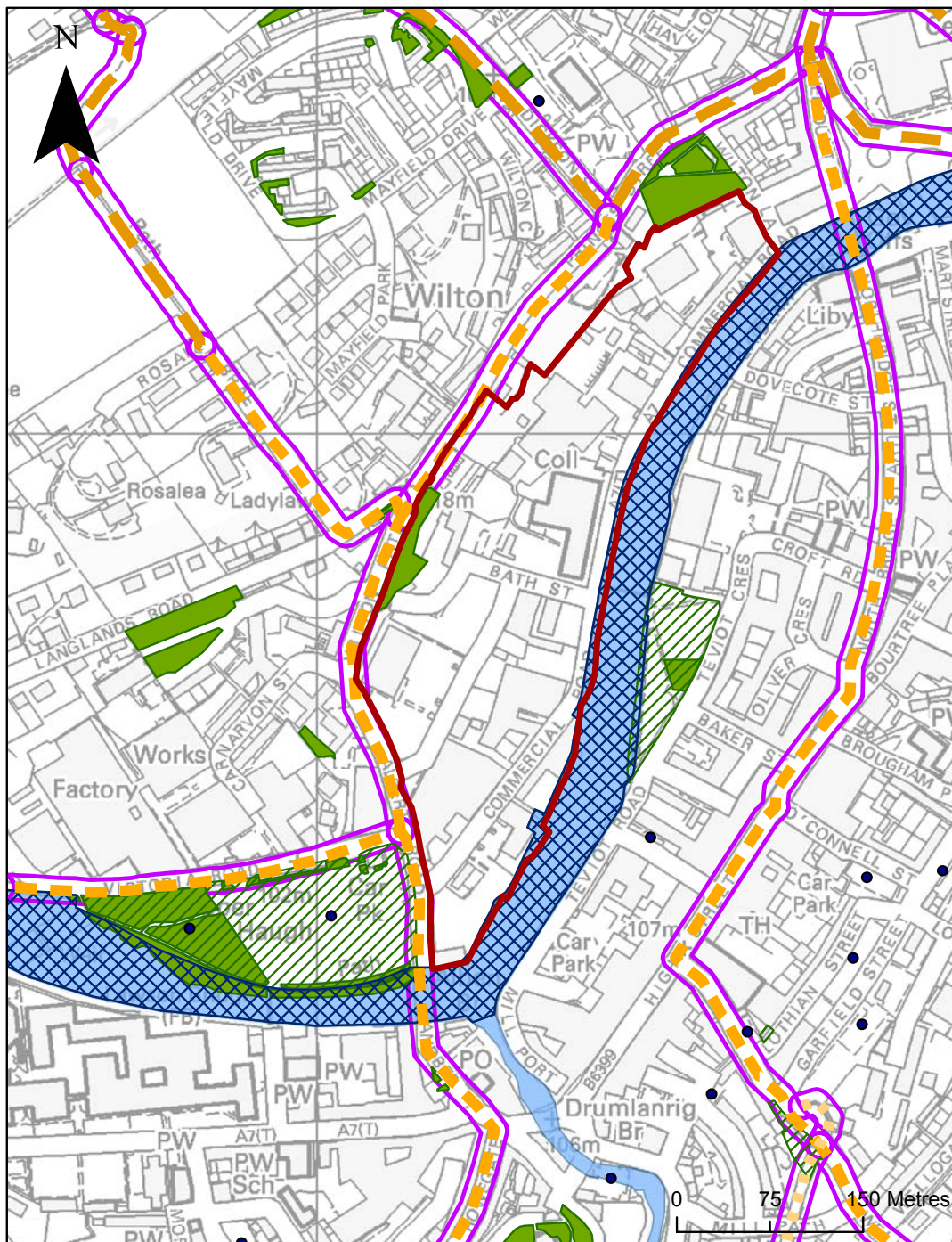
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Key

 zRO8 Redevelopment Site (FLP)










Appendix 4 - Recreational Amenities & Designations

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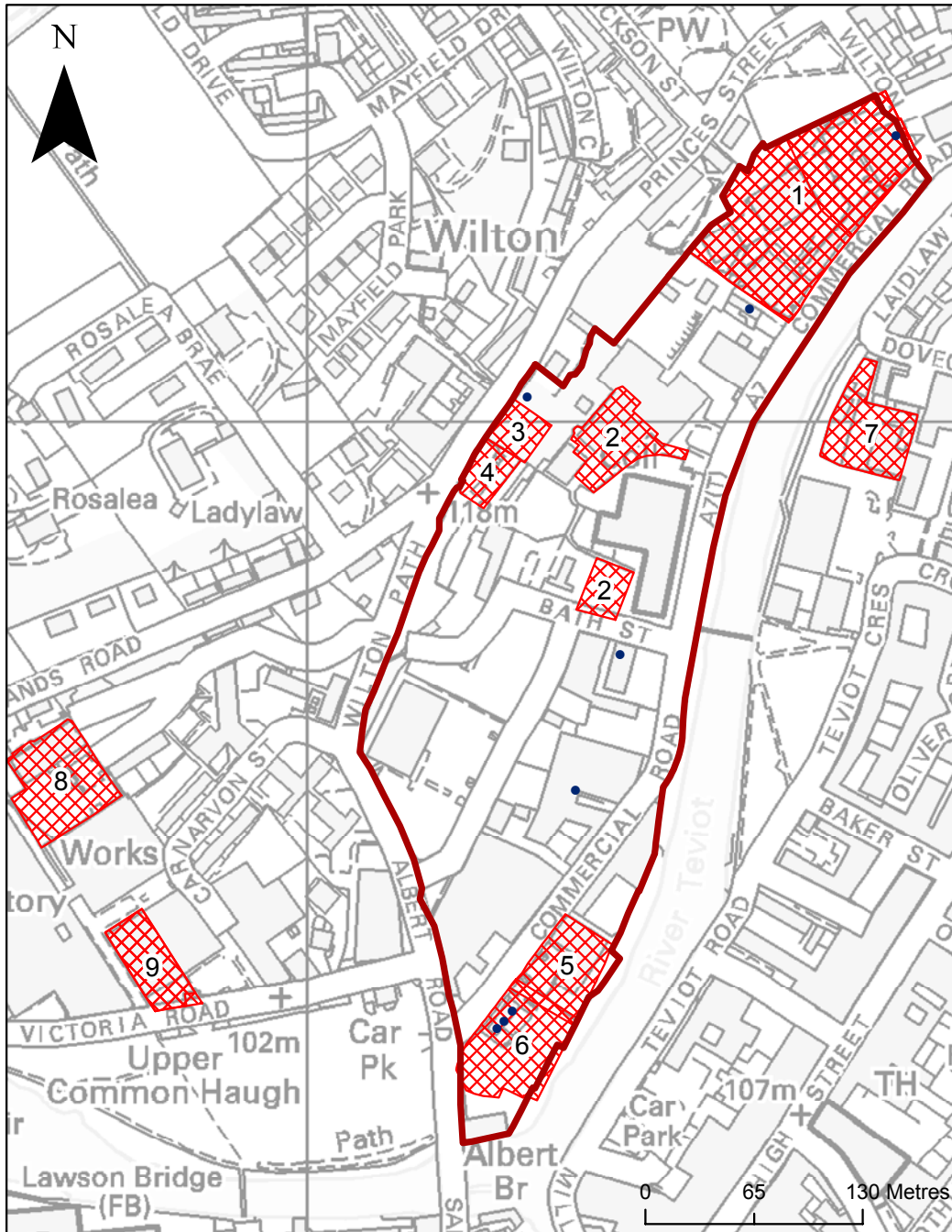
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Key

- | | | | |
|---|---|---|--|
|  | zRO8 Redevelopment Site (FLP) |  | Core Path (Under Consultation) |
|  | Common Good Land |  | Council Promoted Route |
|  | Council Owned and Maintained Open Space |  | Other Path (Funded by Land Management Contract Scheme) |
|  | Special Area of Conservation |  | Public Car Park |
|  | Site of Special Scientific Interest | | |

Appendix 4 - Relevant Planning Applications & Non-Organisational Properties

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Key

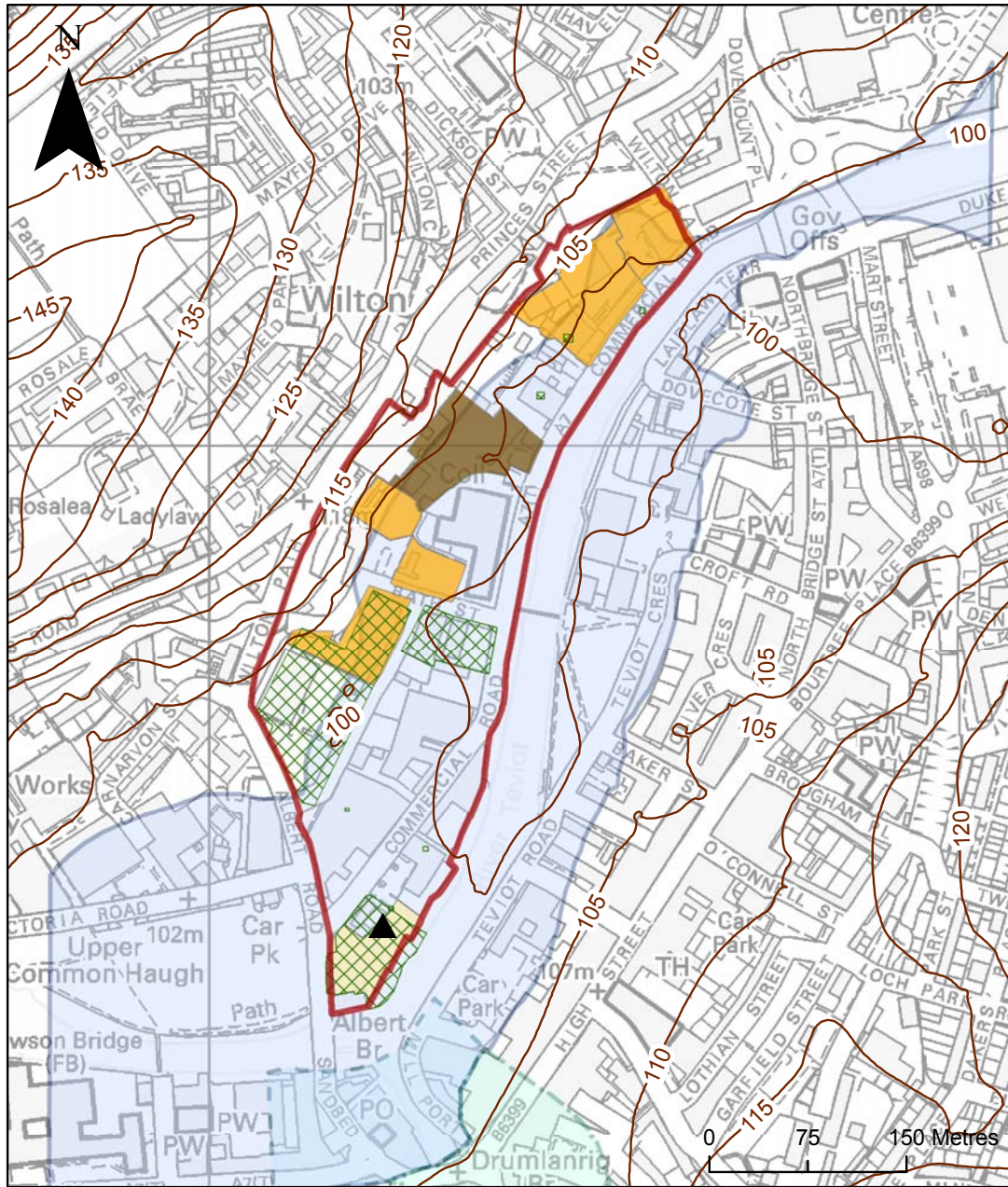
- zRO8 Redevelopment Site (FLP)
- Planning Application Sites (See Following Page for Detail)
- Non-Organisational Property (Within zRO8)

List of applications from Map 3

Map Reference	Application Reference Number	Comment	Status
1	06/00731/CON 06/00730/LBC	Demolition of three buildings.	Application Withdrawn
1	04/02363/FUL	Partial demolition, alterations and extension to form college building	Approved Conditions & Informatives
2	03/01823/LBC	Partial demolition of mill buildings	Approved with informatives
3	04/00765/REM	Erection of dwellinghouse. B/W April 2004	Approved subject to conditions
4	06/00355/FUL	Demolition of garages and erection of dwellinghouse with attached garage	Approved subject to condition
5	06/02307/FUL	Alterations and extension to factory. B/W issued May 2007	Approved Conditions & Informatives
6	06/01753/FUL	Demolition of 3 dwellings and erection of non-food retail with associated car parking and servicing.	Approved Conditions & Informatives
7	04/01478/COU 06/02419/FUL	Demolition of workshop and boilerhouse, conversion of former telephone exchange to form 14 flats and erection of two dwellinghouses with integral garages. B/W February 2006 Erection of six flats. B/W issued March 2007	Approved Conditions & Informatives Approved Conditions & Informatives
8	05/01234/OUT	Residential Development	Approved Condition & Informatives
9	05/01854/FUL 07/01203/FUL	Erection of 8 townhouses Change of use from industrial building to form three dwellinghouses and ten townhouses	Pending decision Application refused











Flooding and Landform Issues - Appendix 4 - Map 4

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Key

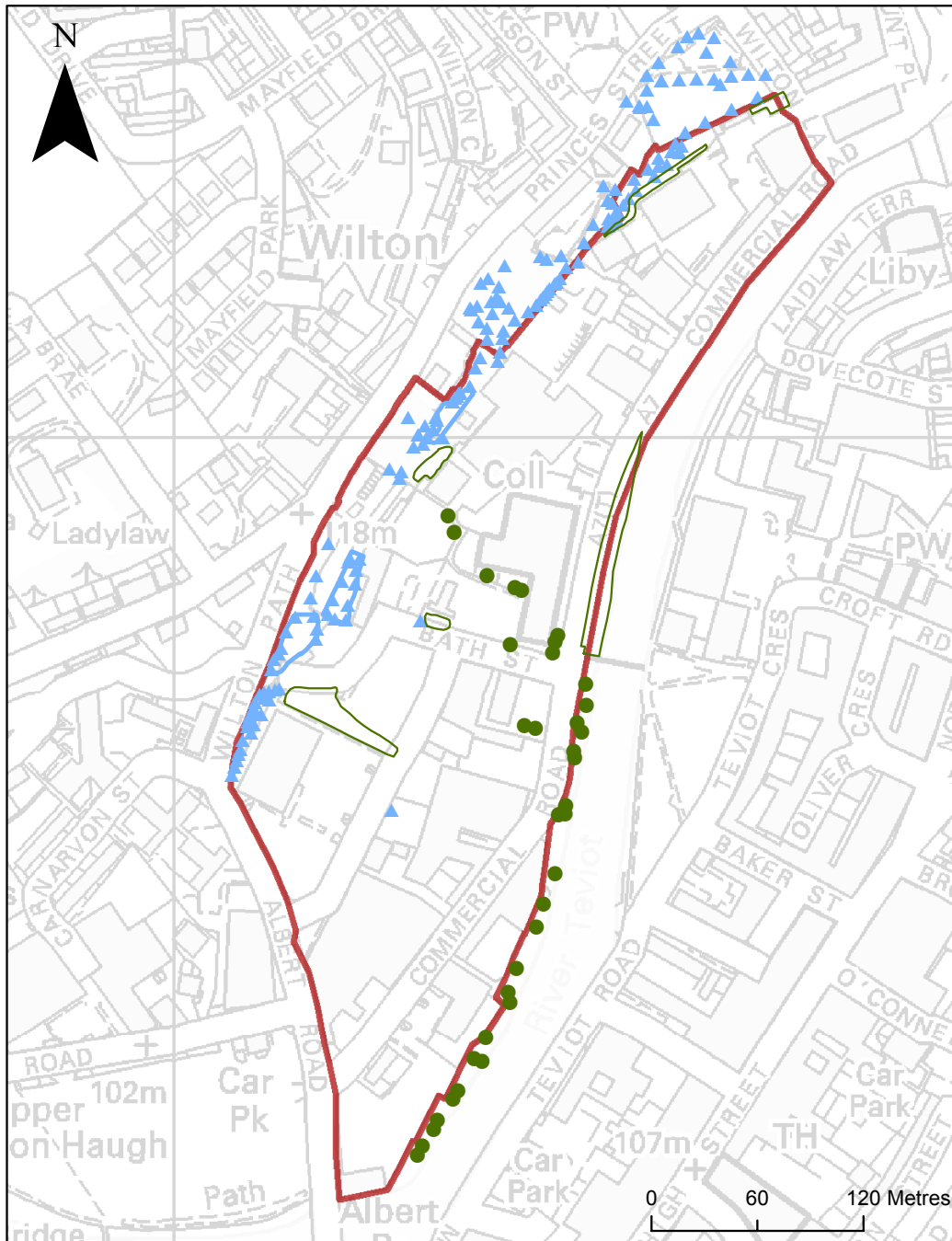
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|---|-------------------------------|---|---|
|  | zR08 Redevelopment Site (FLP) |  | Probable extent of inundation design flood on River Teviot (200 yr return period)** |
|  | Derelict Building* |  | Probable extent of inundation design flood on Slitrig Water (200 yr return period)** |
|  | Derelict Land and Buildings* |  | Area at risk from floodline from River Teviot and Slitrig Water (200yr return period)** |
|  | Vacant Land* |  | Remedial Work in Progress |
|  | Potentially Contaminated Land | | |
|  | Contour (at 5m Intervals) | | |

* Source: Scottish Vacant and Derelict Land Survey 2007

** Source: Halcrow Flood Survey 2005

Appendix 4 - Tree Cover

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Key

- zRO8 Redevelopment Site (FLP)
- Group of Trees Under Preservation Order
- Other Tree Group
- ▲ Tree Under Preservation Order
- Other Tree

Appendix 5 Contacts within Scottish Borders Council

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