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3 February 2014

Our Ref: GMC /AMN / 213455

Martin Wanless  
Forward Planning Manager  
Scottish Borders Council  
Council Headquarters  
Newton St Boswells  
Melrose  
TD6 0SA

Dear Martin,

**Scottish Borders Local Development Plan: Proposed Plan  
Objections on behalf of Mr & Mrs N Millar and Mr & Mrs F Millar**

I enclose by email attached to this letter, two separate objections relating firstly to land at Cheeklaw, Duns and, secondly, the terms of Policy HD2 as it relates to the policy itself and the need for occupancy conditions/Section 75.

I trust the enclosed is in order and look forward to discussing the matters in due course should the Council wish to negotiate any of the objections tabled through the modification process. In particular, I refer to the single house issue, which may result in a planning application submission in early course.

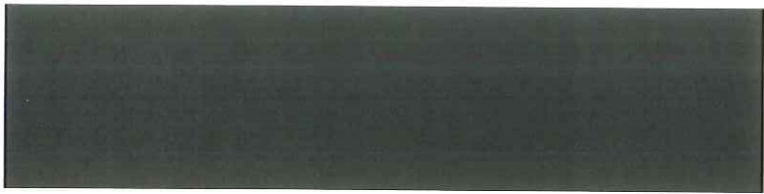
Kind regards.

Yours sincerely

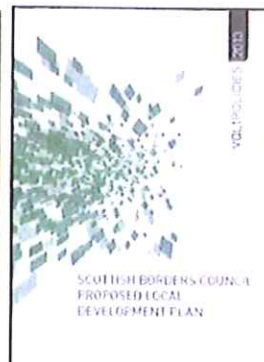


Gordon MacCallum  
Director





Objections on behalf of Mr & Mrs N Millar  
Cheeklaw Farm, South of Duns



Mr & Mrs N Millar

January 2014

Ref: GMC / 213455

**Borders Council Local Development Plan**

**Cheeklaw Farm  
South of Duns**

**Objections**

**on behalf of**

**Mr & Mrs N Millar**

January 2014

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<b>Contents</b>	<b>Page</b>
1.0 Introduction	1
2.0 Site	1
3.0 Proposal	4
4.0 Effectiveness of Cheeklaw	5
5.0 Conclusions and Recommendation	6

**1.0 INTRODUCTION**

- 1.1 Keppie Planning & Development have been instructed by Mr & Mrs N Millar who reside at Nethermains Farm, Chirside, Duns, to promote 16 hectares (40 acres) of land at Cheeklaw adjacent to industrial site ZEL26 Berwick Road, Duns.
- 1.2 This representation will form an objection to the proposed Local Development Plan zonings of reserved land for both residential and industrial use/safeguarding SDUNS001 and ZEL8 specifically. (We have no objection to the continued allocation of ZEL26, 1.7 ha).
- 1.3 It is proposed that land at Cheeklaw, adjacent to the current industrial operations on site L26 be allocated for both housing 12 ha (30 acres) and industrial 4 ha (10 acres) in preference to the current allocations.
- 1.4 This representation will outline the merits of Cheeklaw and the effectiveness of the allocation in terms of National Planning Policy.

**2.0 SITE**



- 2.1 The site is located immediately to the south of the industrial estate protected under Policy ED1 and currently proposed to be extended eastwards (ZEL8) rather than southwards (as we commend).





2.2 The above photograph illustrates the relationship between Cheeklaw and the industrial estate.



2.3 This area to the immediate south of the industrial estate, enclosed by the farm road and hedges, would be the ideal replacement site for ZEL8 Peelrig Farm (3.9 ha) as a site of almost identical scale (4.1 ha) could be accommodated within this area within Cheeklaw Farm.



- 2.4 The site gently slopes from north to south and is bounded by a mature hedgerow at its southern point and along its entire western and eastern edges.
- 2.5 Access would be taken directly off Berwick Road at a suitable point. It is clear from the above photograph, that sight lines and visibility would not be an issue in respect of forming an access.



- 2.6 The southern boundary of the site would be strengthened to provide a long term enclosure of Duns at this point, in a similar way to the Council's approach on site SDUNS001.



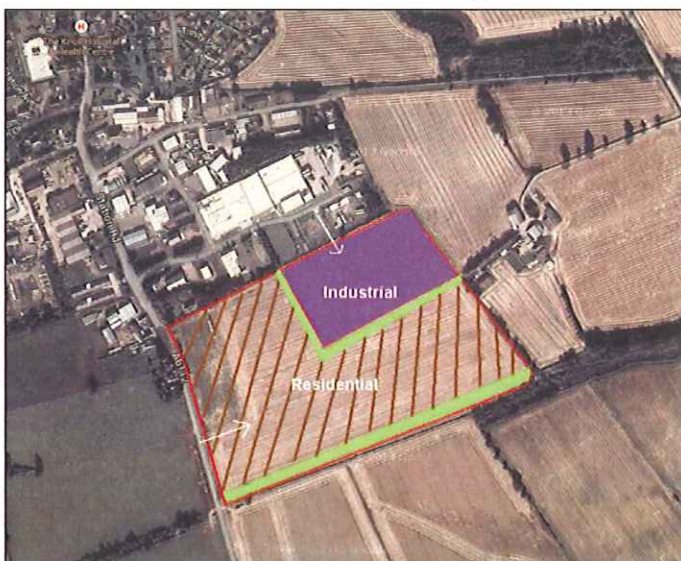
2.7 The northern boundary does not exist in any meaningful way as demonstrated on the above photograph. The industrial estate, which forms the edge of Duns, has no distinct features and therefore a better village edge could be created on the southern boundary of the Cheeklaw site.

2.8 The western and eastern boundaries of the site are well defined by mature hedgerows and would not require any additional augmentation, in our view.

**3.0 PROPOSAL**

3.1 It is proposed and, recommended, that sites SDUNS001 (residential) and site ZEL8 industrial and business be deleted and replaced by Cheeklaw as a business location reserving some 4.0 hectares and, longer-term, residential site incorporating other uses from the 16 hectares amounting to some 300 housing units.

3.2 The Settlement Plan for Duns should accordingly be re-allocated as recommended below.





- 3.3 It is assessed that the above land-use zoning is more logical and appropriate than the long-term solution proposed in the proposals map within the LDP Duns Settlement Statement , on page 277.
- 3.4 We consider that the proposal to expand the industrial estate to the east, along the disused railway line, is ribbon development and we do not agree with the statement on page 271 that future expansion should follow the disused railway line.
- 3.5 As a preferred alternative, the expansion land for industry should be located to the south of the existing industrial estate, as shown above.
- 3.6 We agreed with the statement that the South of Earlsmeadow (SDUNS001) requires further investigation and, that it is somewhat speculative, at this stage. In our submission, this site should not be considered as the logical extension to Duns but, dropped and replaced with Cheeklaw subject to a masterplanned approach to the site to provide a coherent and holistic approach, a development being directed to the immediate south of Duns on a major route into the town.
- 3.7 It is noted and agreed, that Cheeklaw is not an area requiring any particular protection and the agricultural use of the site is currently no different to any of the undeveloped sites in the Plan, as currently proposed (see Google plan below).



- 3.8 Access and transportation issues will be resolved to meet the requirements of Borders Council with the main residential access point being established along the A6112.
- 3.9 The requirements of affordable housing and the need for a mix of types of private housing will form part of any masterplan and will take account of the guidance given on the appropriate levels and type of provision by Borders Council.
- 4.0 EFFECTIVENESS OF CHEEKLAW**
- Cheeklaw is an effective long-term housing site in terms of Government advice PAN 2/2010;
  - Ownership – The site and areas beyond are in the control of an owner willing to dispose of his land to a housebuilder.
  - Physical – A development would be attractively set in the landscape and the urban area clearly defined as a clear extension to Duns.
  - Contamination – There is no contamination on the site, as it is entirely farm fields.
  - Deficit Funding – None required.
  - Marketability – Extremely attractive location.
  - Infrastructure – No infrastructure constraints anticipated, subject to an element of developer contribution.
  - Land-use – Private housing is the major preferred use. With the affordable level to be agreed at the planning application stage.
- 4.1 This site is entirely suitable for housing and industrial purposes for the reasons stated in this objection.

## **5.0 CONCLUSIONS AND RECOMMENDATION**

- 5.1 Mr & Mrs N Millar object to the non-inclusion of land at Cheeklaw for residential and industrial purposes in the proposals map and Settlement Plan for Duns.
- 5.2 The site is capable of accommodating 4.0 hectares of expansion land for Cheeklaw Industrial Estate and 16 hectares of residential, circa 350 units and other associated uses, including open space and recreational facilities.
- 5.3 It is considered that the expansion of Duns should follow a southerly direction and, subject to a masterplanned approach, be designed to integrate with the settlement in a more suitable manner than the current release allocations would achieve. In particular:-
- The site is effective per PAN 2/2010.
  - The site will be attractively set in the landscape with clear defensible boundaries.
  - The site is suitably located to link with existing services and facilities.
  - The site will be integrated with the existing community.
  - The site is developable in any phase of the plan.
  - The site has no suspected adverse technical constraints.
  - The residential site will be accessed from the A6112.
  - The industrial land from the existing estate road.

## **5.4 Recommendation**

- 5.5 Mr & Mrs Millar do seek the Local Development Plan de-zone potential long-term mixed-use expansion site 001 and employment site 8 Peelrig Farm and replace both with the Cheeklaw site, so described in this objection.