

MONITORING STATEMENT

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1. FOREWORD

1.1 Foreword

This Monitoring Statement (MS) primarily gives consideration as to how effective planning policies have operated in practice since the Finalised Local Plan was prepared in December 2005.

The Statement examines a range of subjects and gives an evaluation of the progress of the policies and proposals within the Local Plan. It highlights how the Plan has encompassed new guidance and requirements from local and a national level and considers decisions on planning applications which can gauge how effective policies are and it identifies policy areas where further work needs to be carried out.

The MS will be useful to a range of other interested parties, agencies and the general public as well as to the Council in implementing its statutory duties. It is particularly important in relation to the procedures for preparing the new Local Development Plan which requires up to date monitoring of policy performance and the identification of where policy needs amendments. It is also a vehicle for monitoring Strategic Environmental Assessment baseline standards and data.

2. INTRODUCTION

2.1 Introduction

Monitoring is important in assessing whether a local plan is achieving its aims and objectives and in identifying where policies need to be strengthened, maintained, or altered as a result of new legislation, guidance, or other information becoming available. Monitoring is a key to successful forward planning which should be considered an essential pre-requisite to the review of the Development Plan as it should gather information and identify issues to be addressed.

The Scottish Borders Council has produced Monitoring Reports for the last two years. The aim of these reports was to audit policies and proposals within the Local Plan. These reports relate back information from when the Finalised Local Plan was produced in December 2005. The reports also refer to any significant policy or proposals of interest or relevance prior to that date.

Under the new Planning Scotland Act 2007 planning authorities are required to prepare Local Development Plans (LDP) which in essence replaces Local Plans. Prior to producing these new plans, there is a requirement to produce a Main Issues Report (MIR) which effectively identifies major issues to be addressed within the LDP. One of the key documents which feeds into the MIR is the Monitoring Statement (MS) which should be published along with the LDP. This MS will supersede the current practice of producing Monitoring Reports.

There are a wide range of subjects within the Local Plan which the MS considers. The MS does not make reference to all of these, concentrating on information and statistics relating to the main parts and those which have noteworthy issues or trends. The MS should also take cognisance of likely issues to be identified within the Strategic Development Plan. The broad subjects studied in this report include the built environment, natural environment, economic development, development management issues, housing, infrastructure, development in the countryside and rural resources.

Apart from the first section of the MS which lays down the socio-economic background context for the Scottish Borders, the format for each section states the relevant national policy framework and the Local Plan policies. The main developments of the subject area are then referred to and, where relevant, reference is given as to how the Council has responded to any policy change or other material consideration in terms of implementation. A brief conclusion of findings is then given referring to the key points future monitoring must take account of.

The final part of this MS addresses the effectiveness of each policy within the consolidated Local Plan. Consideration is given as to whether the general policy format is appropriate, where policies can be amended, merged, removed and consideration given to any new policies which should be produced.

3. SUMMARY OF FINDINGS

3.1 Summary of Findings

The following chapters examine a range of subjects, laying down relevant national and local policy, making reference to any trends and notable issues which have been raised and refer to decisions on planning applications where possible in order to gauge how effective the policies have operated in practice. Reference is also made as to how the Council has responded to any policy change or other material consideration in terms of implementation.

Each chapter concludes by identifying salient points which should be considered within the preparation of the Main Issues Report and taken forward into the Local Development Plan where appropriate. A summary of all these identified points within each subject is as follows:

3.1.2 Developer Contributions

The Council should continue to request developer contributions as part of the development management process where appropriate, ensuring that a contribution is never used as a reason to approve a proposal which contravenes planning policy and is unacceptable on planning grounds.

The Council should continue to review its developer contribution costs and affordable housing on-site percentage requirements across the Scottish Borders.

The Council should continue to ensure developer contributions are considered to be reasonable and fully justified.

3.1.3 Development Management

The Council should continue to monitor performance figures, trends in application types, determination trends and appeal decisions.

The Council should continue to produce further Supplementary Planning Guidance and Planning Briefs where appropriate as these are useful guides to the Development Management Process.

3.1.4 Flooding

The Council should continue to pay due regard to SPP and consult SEPA and the Council's Flood Prevention Engineer on proposals which may have flood risk issues.

The Council will prepare a Strategic Flood Risk Assessment in order to avoid locating development in areas of flood risk by giving careful consideration to the implications of coastal/tidal and fluvial or river based flooding.

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3.1.5 Built Environment

The Council should continue to review Conservation Area boundaries, prime frontages/core areas and the effectiveness of built heritage policy.

The Council should proceed to formally designate the new conservation areas at Galashiels, Clintmains and Nisbet and the amendments to existing conservation area boundaries as identified in the Local Plan 2008.

The Council should undertake a Design Quality Monitoring in respect of approved planning applications.

The Council should proceed to seek approval of the amendment to the SPG on replacement windows.

The Council should continue to operate town centre grant aid schemes in order to upgrade / safeguard the built heritage.

The Council should continue to operate the Scottish Borders Design Award Scheme.

3.1.6 Archaeology and Ancient Monuments

The Council should continue to safeguard protected Historic Environment sites and buildings and ensure development proposals do not have an adverse impact on them.

The Council should continue to help review the Historic Environment sites and buildings as an ongoing process and will seek the views of Historic Scotland where appropriate.

3.1.7 Gardens and Designed Landscapes

The Council should continue to safeguard Gardens and Designed Landscapes and ensure any proposed development will have no adverse impact on them.

3.1.8 National and Regional Landscape Designations

The Council should continue to safeguard designated landscapes and ensure development will have no adverse impact on them.

The Council should finalise the Supplementary Planning Guidance on Designated Landscapes and implement the designation of new Special Landscape Areas.

The Council will continue to carry out Strategic Environmental Assessments where required in order to assess the environmental impact on landscapes of plans, programmes and strategies.

Supplementary Planning Guidance on Countryside Around Towns should be monitored in order to gauge its effectiveness in practice.

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3.1.9 International Nature Conservation Designations

The Council should continue to monitor and protect international designated sites through development plan policy and the development management process via planning applications.

3.1.10 Employment Land and Property

The Council needs to continue to monitor the employment land supply and demand through the Employment Land and Property Audit.

The Local Development Plan should identify more employment land within Peebles, or at least within the vicinity of Peebles, and review existing allocated employment land holdings in the vicinity of Tweedbank.

The Council should check any potential amendments to existing allocated employment land site boundaries.

Employment policy should be updated to support and encourage the expansion of digital connectivity.

Consideration should be given to the review of the current hierarchy of employment sites.

3.1.11 Retail

The Council should continue to monitor town centre vitality and viability which includes the carrying out of pedestrian footfall studies, retail vacancy surveys, survey the Use Classes of operational units and carry out town centre vitality checklists.

The Council should continue to monitor any adverse impacts the large new retail stores may have on town centres.

The Council should continue to promote and support financial regeneration and improvement schemes for retail operators.

The Council should consider the findings of the Retail Capacity Study with a view to establishing the volume of retail development which could be accommodated within the Scottish Borders and to provide possible recommendations for future policy development.

3.1.12 Affordable Housing

The Council needs to continue to develop a robust system to monitor applications and completions for affordable housing to be able to update the policy when needed.

The Council also needs to keep information related to the housing needs assessment up to date to be aware of any changes that might occur in terms of housing need.

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3.1.13 House Building

The Council needs to continue to review the need for housing to meeting the SDP requirements and allocate housing land within the Local Development Plan to meet any identified need. The Housing Land Audit will continue to monitor housing land supply and take up.

The Housing Land Audit will, in the future, refine the monitoring of affordable housing as a part of the process. This will give the council opportunity to use the results to update policies as and when required.

3.1.14 Housing in the Countryside

The Council must continue to protect the countryside from inappropriate housing development.

The Council should continue to monitor housing development figures in the countryside and monitor the effectiveness of the Housing in the Countryside policy.

The Council must update its SPG on New Housing in the Borders Countryside in order to support the amendments to policy D2 as stated within the Consolidated Local Plan.

3.1.15 Transport

The Council should continue to protect existing access routes and promote more sustainable travel patterns including cycle and footpath routes, public transport and the Waverley Line.

3.1.16 Waste Management

The Council needs to continue to encourage use of the existing policies and follow the waste hierarchy to achieve higher levels of recycling and minimise need for landfill to meet national requirements.

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3.1.17 Renewable Energy

The Council should continue to monitor the effectiveness of the SPG on wind energy and update the data sets within the spatial strategy as constraints are amended and superseded. This should include, for example, the inclusion and appropriate protection of future designated Special Landscapes Areas within the Scottish Borders. Particular attention should be given to the balance between implementing the national support for wind turbines and the protection of the Borders landscape and habitats. Particular consideration and monitoring should be given to any adverse cumulative impacts of turbines, including proposals for small scale developments.

The Council should continue to promote and address issues of energy use and generation including through design and the use of sustainable materials within planning briefs.

3.1.18 Minerals

The Council should continue to strike a balance between utilising mineral resources and safeguarding attractive landscape, environment and communities.

The Council should prepare an Areas of Search map for minerals for the Scottish Borders, probably prepared as Supplementary Planning Guidance.

4. SOCIO ECONOMIC CONTEXT

This section of the MS provides an overview of socio-economic issues within the Scottish Borders. This allows the identification of key trends and characteristics which set a background context for the MS.

4.1 Population

4.1.1

The General Register for Scotland (GROS) produces regular projections for local authority areas (www.gro-scotland.gov.uk). The GROS publish annual mid year population projections. The projections are based on previous trends and patterns and do not reflect changes in the local and national economies nor strategies and local planning policies.

4.1.2

In 2009 the Scottish Borders accounted for 2% of the total Scottish population. Figure 1 demonstrates that the Scottish Borders has experienced a 3% rise in population growth between 2005 and 2009. The GROS estimates in Figure 2 indicate that this trend is set to continue with the population forecast to increase by 13% between 2010 and 2030. Figure 2 shows the estimated population projections until 2030.

Figure 1 - Population Estimates, Scottish Borders (2005 – 2009)

Year	Projected Population	Population Increase (%)
2005	109,730	-
2006	110,240	0.5%
2007	111,430	1%
2008	112,430	1%
2009	112,680	0.2%

Source: GROS Mid Year Estimates (2005 – 2009 based), August 2010

Figure 2 - Population Projections, Scottish Borders (2010 – 2030)

Year	2010	2015	2020	2025	2030
Projected Population	114, 100	117, 913	121, 647	125, 355	128, 541

Source: GROS mid Year Estimates (2008 – based), August 2010

4.1.3

The Scottish Borders experienced a population increase of 6.5% between 1999 and 2009. The GROS estimates indicate that natural change accounted for a decrease in population of 2.2% while net migration and other changes accounted for a rise of 8.7%. This shows that individuals are choosing to live in the Scottish Borders and it appears a popular place to live. The Scottish average for net migration and other changes over this period was 2.8%, with the Scottish Borders having the third largest net migration growth within Scotland.

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4.2 Population Structure

4.2.1

The above figures demonstrate that the overall population of the Scottish Borders is growing annually. However, the population structure (age group) is also changing, which has implications for the services that the Council provides. Figures 3 and 4 highlight the changes between 2005 and 2009 in terms of population structure within the Scottish Borders.

Figure 3 - Population Structure (Age Group) 2005 and 2009

	2005	2009	Net gain/decrease	(%) change
Total	109,730	112,680	+2950	+3
0-15	20,310	19,947	-363	-2
16-19	4732	5442	+710	+15
20-24	4535	5409	+874	+19
25-34	10,502	9625	-877	-8
35-39	8369	7138	-1231	+15
40-49	17,267	18,081	+814	+5
50-59	15,984	16,120	+136	+1
60-69	13,083	15,100	+2017	+15
70+	14,948	15,818	+870	+6

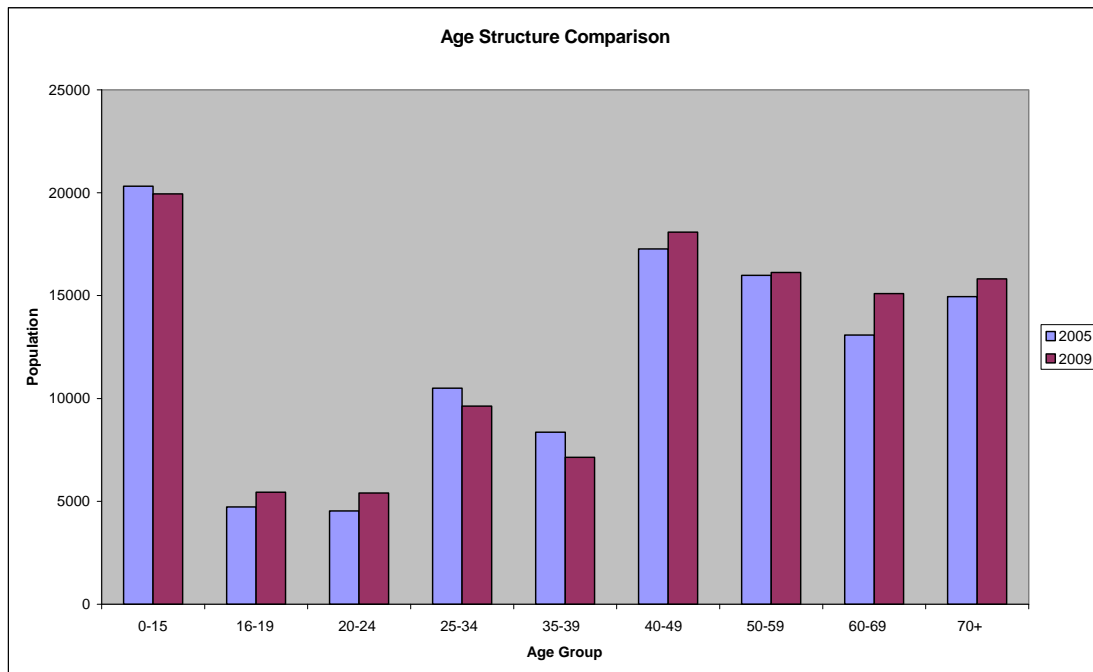
Source: GROS, Mid Year Estimates (2005 and 2009 based), August 2010

4.2.2

Although there has been a 3% increase in population between 2005 and 2009, the GROS estimates indicate that the (0-15) and (25-39) age groups fell by 363 and 2108 respectively. The reduction in the 0-15 age group indicates that the number of children at school has experienced a decrease in recent years. The (16-24) age group rose by 1584 and accounted for 10% of the total population in 2009. This suggests that the population leaving school/entering the job market or in further education has increased significantly. Most notably is the increase in the (over 60) age group, which rose by 2887 and accounted for 27% of the total population in 2009. These figures have implications for the services that the Council must provide within the Scottish Borders. There is generally a low proportion of the population within the 16–39 age group, probably mainly due to many leaving the area for other employment and further education.

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Figure 4 - Age Structure (2005 and 2009)



Source: GROS mid Year Estimates (2005 and 2009 based), August 2010

4.3 Household Projections

Figure 5 - Household Estimates, Scottish Borders (2001 – 2009)

Year	2001	2002	2003	2004	2005	2006	2007	2008	2009
Household Estimates	47,463	47,976	48,506	49,067	49,534	50,034	50,705	51,270	51,640

Source: GROS, Household Estimates for Scotland by Local Authority Area, June 1991 – 2009

4.3.1

Figure 5 above highlights that there has been a 9% increase in the household estimates since 2001. Between 2001 and 2008 the annual increase in household estimates has remained constant at 1%. In general the household estimates and population projection growth are concurrent.

4.4 Economic Activity

4.4.1

Figure 6 indicates that the employment level rose by 7% between 2005 and 2008; however more recently in 2009 there was a decrease by 4%. In 2009, 2% of the population within the Scottish Borders were unemployed, an increase of 800 since 2008. Throughout the plan period until 2007 there was a steady increase within the Scottish Borders economy. However, national and local factors have influenced the recent trend in the declining economy. There have been a number of local manufacturing businesses closed, industrial units and retail units. At a national level,

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the current recession has impacted upon the Borders economy in terms of job losses and lack of employment opportunities, which has resulted in the rise in unemployment. This is further enforced with a rise in population within the (16-24) age group and the current recession.

Figure 6 - Employment

Year	2005	2006	2007	2008	2009
Employment Rate	50, 400	54, 000	55, 000	55, 800	53, 700
Unemployment Level	2,000	2,200	1,800	2,100	2,900

Source: SNS, Employment Level and Employment Rate (2005 – 2008)

4.4.2

2009 has experienced a 3% decrease in the median gross weekly earnings of £438, since 2008. The number of job seekers allowance claimants has experienced a dramatic increase in 2008 – 2009 of 104% to 1830 claimants. This rise reinforces the impact of the economic downturn within the Scottish Borders.

5. GENERAL

5.0 Developer Contributions

5.1.1 Policy Context

Circular 12/96 allows Local Authorities the powers to seek developer contributions when considered reasonable. The Waverley Railway (Scotland) Bill 2006 allowed financial contributions from certain residential developments towards the Waverley line re-instatement. Supplementary Planning Guidance was prepared by the Scottish Borders Council in relation to Developer Contributions (updated January 2011) and Affordable Housing (updated January 2011). Section 69 and 75 Agreements as laid down in the Local Government (Scotland) Act 1973 and the Town and Country Planning (Scotland) Act 1997 (as amended by The Planning etc. (Scotland) Act 2006) respectively are mechanisms for ensuring and collating such payments.

5.1.2 Local Plan Policies

Policy G5 - Developer Contributions. *This policy ensures that by means of either a Section 69 or 75 Agreement the quality of services and facilities is not compromised by new developments. When practical it aims to ensure that the burden of additional infrastructure and/or services that are related to the development is adsorbed by the land owner or developer.*

Policy G6 – Developer Contributions related to Railway Reinstatement. *This policy seeks developer contributions towards the cost of the Waverley line in postcode sectors where new housing development is considered to benefit from, or be enhanced, by the Waverley Line link.*

5.1.3 Main Developments and Implementation

In order to ensure that continuous improvement in the level and quality of infrastructure, services and facilities enjoyed by residents in the Scottish Borders is not compromised by new developments and that existing and new development continue to have access to the highest standards of infrastructure, services and facilities, the planning system seeks to ensure that new development takes place in locations and at times where it can be adequately serviced. Where development proposals place burdens on infrastructure, services or facilities that cannot be met, developer contributions can be used to seek to improve these through other funding mechanisms.

Where a development is acceptable developer contributions can be considered. Policy G5 of the adopted Local Plan lays down instances where such contributions could be considered and in March 2007 the Council approved Supplementary Planning Guidance on Developer Contributions. This was updated in January 2011. It continues to be common practice for planning applications to be approved with development contributions being made either by Section 69 or 75 Agreements. These most commonly relate to Affordable Housing, the Waverley Line re-instatement and education provision. Affordable Housing generally requires up to 25% on-site provision or an off-site commuted payment where considered appropriate. The Waverley Line payment requirement generally covers the central Borders and northern Ettrick and Lauderdale following the confirmation of the railway station at Stow. Education provision generally relates towards new school provision or

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extensions to new schools where existing schools are unable to accommodate proposed role demand from residential proposals within the catchment area.

Figure 7 confirms all developer contributions received by the Council following the requirement for each contribution type. Some have been collected over a longer period of time than others, depending upon when the particular developer contribution became a requirement. The category for "Others" includes contributions towards tech services (roads) related matters, play areas, open spaces, community use, biodiversity and public access.

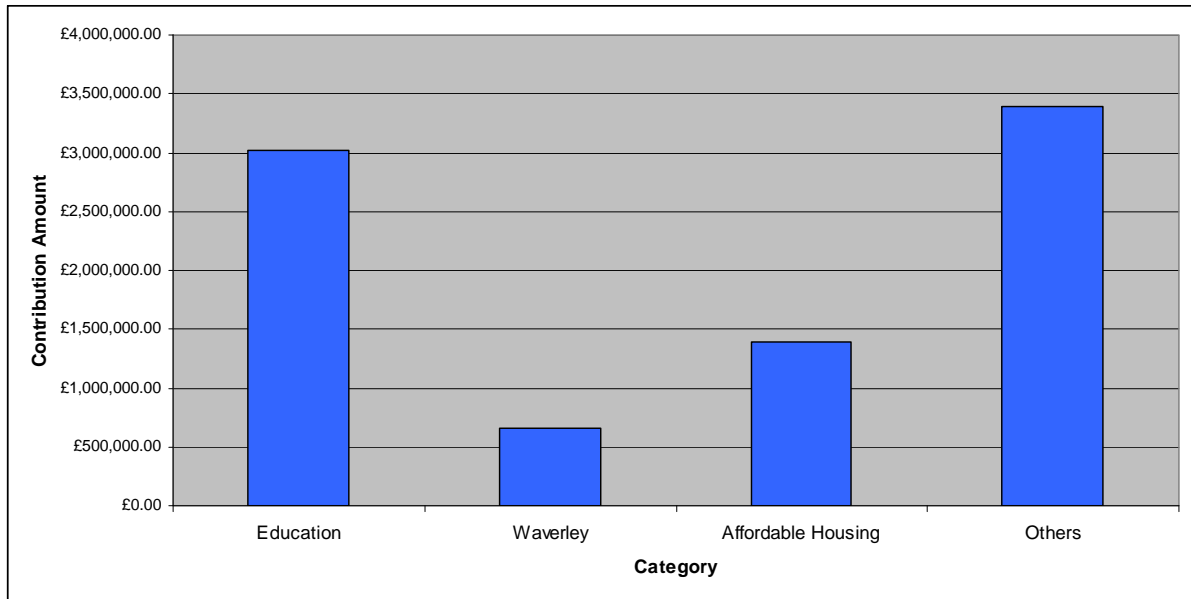
There remain outstanding payments for development proposals which remain to be paid at different phases of the development. Legal Agreements may require these to be paid at a specified time, for example, prior to on site works commencing or prior to the property becoming occupied. Waverley Line Contributions, for example, have outstanding required payments of £561,600 which will be paid at the required time. With the current downturn in the economy many developer contributions are agreed to be paid at a latter stage of the building construction period, as opposed to the beginning of the process which generally tended to happen previously when the economy was more buoyant. There has been a decrease in the number of developer contributions more recently which is reflective of the economic downturn and the subsequent decrease in the number of planning applications.

The increase in requests for developer contributions is likely to continue, and these are likely to include contributions towards the Central Borders Traffic Model and the Peebles bridge study. Whilst the need for developer contributions continues to affect the planning application processing period this is now a fundamental part of the process and procedures continue to be reviewed to give clarity to developers on their likely contribution requirements and efforts made to speed up the process.

The requirement for specific developer contributions is often challenged by applicants. This has happened more often recently largely due to the economic down turn, where applicants have concerns that as development margins are less, proposals are less viable and consequently they feel contributions should be reduced or removed completely until the economy recovers.

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Figure 7 – Developer Contribution amounts received by Scottish Borders Council



5.1.4 Conclusion

The Council should continue to request developer contributions as part of the development management process where appropriate, ensuring that a contribution is never used as a reason to approve a proposal which contravenes planning policy and is unacceptable on planning grounds.

The Council should continue to review its developer contribution costs and affordable housing on-site percentage requirements across the Scottish Borders.

The Council should continue to ensure developer contributions are considered to be reasonable and fully justified.

5.2 Development Management

5.2.1 Policy Context

One of the primary aims of all Local Plan policies is to achieve sensitive development through the Development Management process. Implementation of the Local Plan is thus largely achieved through the consideration of applications for planning permission, as each application is assessed against how it complies with the relevant policies of the Local Plan. Most national planning guidance is of relevance to development management to some degree. In particular Circular 4/2009 entitled 'Development Management Procedures' lays down Scottish Government policy on the implementation of legislation and procedure.

5.2.2 Local Plan Policies

Although all policies are relevant to the processing of planning applications the most relevant and used is;

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Policy G1 – Quality Standards for New Development. *This policy aims 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 intend 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.*
Miscellaneous

5.2.3 Summary of Main Developments and Implementation

Monitoring of the Local Plan is essential to determine how effective it has been in practice and from a development management point of view this can be considered by scrutinising a number of trends including application numbers and decisions, the levels of Local Plan departures, decisions appeals, overturns contrary to officer recommendation made to both the Scottish Government's Directorate for Planning and Environmental Appeals or the Local Review Body.

In the first instance figure 8 shows the number of planning applications validated in 2006, 2007, 2008 and 2009 confirming how many of these were approved, refused or ultimately decided by the Appeal process within that year. The deficit between those validated and those approved and refused were still pending decision, consideration or were withdrawn. The table shows a drop in application numbers as a direct result of the national economic downturn, and although the table doesn't confirm this, there has been a reduction in larger scale housing proposals.

Figure 8 – Determination of Planning Applications

Status	2006	2007	2008	2009
Validated	2464	2352	2020	1622
Approved	2054	2019	1614	1435
Refused	162	140	173	104
Appeal Decision	41	40	48	62

Source: Scottish Borders Council

Figure 9 confirms the number of appeals dismissed and sustained for the applications validated in 2006, 2007, 2008 and 2009.

Figure 9 – Appeal Decisions

Appeal Decisions	2006	2007	2008	2009
Sustained	10	13	15	17
Dismissed	31	27	33	45

Source: Scottish Borders Council

Figure 10 shows the number of applications submitted in 2006, 2007, 2008 and 2009 which were advertised as potential departures from policy. There has been a decrease in the number of applications being advertised during 2009, partly as a result of the overall reduction in the number of planning applications, but also most likely as a result of the adoption of the Scottish Borders Local Plan 2008 which effectively gave more certainty to policy issues. A precautionary approach during the transitional period before the adoption of the aforesaid Local Plan resulted in a relatively high number of applications being advertised as potential departures. When judging such applications, clearly where no other material considerations can be tabled, applications are most likely to be refused. However, the development management process must monitor ongoing policy change and take into account a

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range of other material considerations and as figure 11 shows more applications were approved than refused despite being potentially contrary to policy.

Figure 10 - Number of Applications Advertised as Departure to Policy

Status	2006	2007	2008	2009
Validated	207	216	178	73
Approved	121	86	77	27
Refused	57	58	34	17

Source: Scottish Borders Council

A statutory target for development management is to process planning applications for national developments or major developments within a four month period and to determine applications for planning permission for local developments within a two month period. There is a target for dealing with 80% of householder applications within this two month period. Figure 11 confirms these performance figures. Performance figures continue to be reviewed and it is acknowledged that a number of factors have slowed down the decision making process over recent years, particularly as a result of an increase in the numbers of planning application and provisional inquiries and the requirement for development contributions.

Figure 11 - Percentage of Planning Applications Dealt with within a Two Month Period

	2006	2007	2008	2009
Householder	67.4%	71.0%	68.4%	78.3%
Non-householder	33.0%	32.1%	37.8%	48.6%

Source: Scottish Borders Council

Changes to the system continue to be reviewed to improve the delivery of service. The Planning etc (Scotland) Act 2006 has made provision for major changes to the Development Management system which has resulted in a new scheme of delegation. This continues to allow all householder applications to be fully delegated to officers and now allows full delegation to a range of other local developments. It is envisaged that this would enable more householder applications to be dealt with more quickly, and figure 11 suggests this to be the case. In August 2009 planning applications ceased being presented to area committees and instead are referred to the Planning and Building Standards Committee. This has coincided with increased delegation powers for all applications to Development Management Officers which should reduce plan process period. Future monitoring statements will gauge the success of this.

Figure 12 confirms decision making in respect of applications being referred to Committee where elected members have overturned officer recommendations. There has been a significant decrease in the number of applications overturned, although fewer proposals require the ultimate determination of elected members.

Figure 12 - Overturning of Officer Recommendations

Status	2006	2007	2008	2009
Recommended for approval but refused	29	24	12	4
Recommended for refusal but approved	10	12	7	0

Source: Scottish Borders Council

If an application is refused, or is approved subject to conditions that the applicant is unhappy with, the decision may be reviewed or appealed. For those applications that have been determined under the Council's Scheme of Delegation the applicant will be

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able to ask the Council to review the decision. A Local Review Body, comprising five Councillors, will then decide whether the decision taken was the correct one, or whether a different decision should be made. Figure 13 confirms the number of applications considered by the Local Review Body and the number of cases that were allowed.

Figure 13 – Local Review Body Decisions

	2009	2010
Number of cases dealt with	3	27
Number of cases allowed	1	11

Source: Scottish Borders Council

The use of sustainable design within planning applications has recently become a procedural requirement requiring that “all future developments with a cumulative floor space of 500m² or more to reduce carbon dioxide emissions (CO₂) by 15% beyond the 2007 Building Regulation carbon dioxide emissions”. This was required as part of an SPG on Renewable Energy approved in 2007 which gives further useful guidance on good planning practice and considerations. Policy G1 also requires that developers must demonstrate that resources have been taken to maximise the efficient use of energy and resources and the incorporation of sustainable construction techniques which is a requirement of a planning application submission.

Policy G1 expresses the importance of producing further guidance on a range of issues in order to aid applicants, planning officers and any other interested parties. These include Planning Briefs and Supplementary Planning Guidance. Figure 14 confirms the extensive list of Planning Briefs prepared by the Council.

Planning Briefs are generally prepared following the allocation of development sites of interest where it is considered guidelines should be prepared to give parameters for guidance to planning applications. In practice these Briefs continue to be most useful, particularly in respect of new housing sites where the information provided has set clear criteria from which consequent planning applications must follow. This accords with the SEA requirement to encourage high quality design, sustainability and resilient forms of development. This has considerably helped the provisional enquiry stage for all interested parties and has resulted in consequent planning applications being submitted generally in a more acceptable manner. It is considered that the quality and presentation of the briefs has improved within the last year and an extensive timetable for briefs and masterplans for many new sites within the finalised Local Plan Amendment are programmed for future production.

Figure 14 – Planning Briefs

Location	Approved
Easter Langlee, Galashiels	February 2006
Crotchetknowe, Galashiels	February 2006
Sergeants Park II	February 2006
Clough Mills, Innerleithen	April 2006
Kirklands, Innerleithen	April 2006
Wallacenick, Kelso	April 2006
The Croft, Melrose	July 2006
Glen Crescent, Peebles	November 2006
Buckholm Corner, Galashiels	February 2007
Forest Hill, Galashiels	February 2007
Burnside, Eddleston	February 2007

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Broomlands East, Kelso	February 2007
Berrywell East, Duns	February 2007
West Paddock, Coldstream	February 2007
Bogangreen, Coldingham	February 2007
Lochend & Annefield, Jedburgh	February 2007
Summerfield 1 & 2, Hawick	February 2007
Gala Law, Hawick	February 2007
Howden Drive, Jedburgh	February 2007
Stirches, Hawick	February 2007
Crumhaughill, Hawick	February 2007
Meigle Farm, Clovenfords	February 2007
Auction Mart Site, Newtown St Boswells	March 2007
The Steadings Acredale Farm, Eyemouth	November 2007
Robinsland, West Linton	April 2008
Reston Auction Mart, Reston	May 2008
Development Framework for Commercial Road, Hawick	February 2009
Gunsgreenhill, Eyemouth	February 2009
Earlston High School, Earlston	April 2009
Borders College, Galashiels	June 2009
Marchmont Road, Greenlaw	October 2009
West Gavinton, Gavinton	October 2009
Clovenfords West, Clovenfords	March 2010
Netherdale Industrial Estate, Galashiels	March 2010
Queen Mary Site, Jedburgh	May 2010
Former Berwickshire High School, Duns	May 2010
Former Eyemouth High School, Eyemouth	June 2010
Main Street, Eccles	January 2011
Wildcat Gate South, Jedburgh	January 2011
Gala Law, Hawick	March 2011
South Fountainhall, Fountainhall	April 2011
West of St Dunstan, Lilliesleaf	April 2011
West Eildon	June 2011
Caerlee Mill, Innerleithen	August 2011
Burgh Yard, Galashiels	September 2011
Whitlaw Road Industrial Estate Extension, Lauder	September 2011

Source: Scottish Borders Council

Consultation Closed but not yet Approved

- Langton Edge, Hardens Road, Duns
- Ettrick (Hopehouse)

Figure 15 - Supplementary Planning Guidance

Title	Approved
Planning Applications and Community Councils	1988
Shop Fronts and Shop Signs	1991 (updated 2011)
Archaeology – Advice to Developers/Farmers	1991
Framework for Wind Energy Developments	1995
Tourist Advertising Signs	1996
Tourism Signposting	1996
Porches	1997
Conservatories	1997
Local Biodiversity Action plan	2001
Contaminated Land Inspection Strategy	2001

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Visibility mapping for Windfarm Development	2003
Scottish Borders Woodland Strategy	2005
Interim Housing Policy	2005
Biodiversity	2005
Smoking Shelters and Awnings	2006
Privacy and Sunlight Guide	2006
Developer Contributions	April 2007 (updated 2009 & 2011)
Affordable Housing	2007 (updated 2011)
Renewable Energy	2007
Designing out Crime in the Scottish Borders	2007
Trees and Development	2008
Replacement Windows	2008
New Housing in the Borders Countryside	2008
Landscape and Development	2008
Use of Timber in Sustainable Construction	2009
Green Space	2009
Placemaking and Design	2010
Countryside Around Towns	2011
Wind Energy	2011

Source: Scottish Borders Council

Consultation Closed but not yet approved

- Provision For Play Areas
- Replacement Windows
- Newtown St Boswells Development Framework
- Local Landscape Designations

Figure 15 confirms Supplementary Planning Guidance (SPG) prepared to date. SPGs are produced in instances where a subject may be under review as a result of a change in national policy, local interest or a Council request. Although such guidance is non-statutory it is viewed as a material consideration to a planning application and their production has proved most useful in practice as guidance in determining proposals. As is similar to Planning Briefs, there has been a considerable increase in the number of SPG's in recent times. This is confirmed in figure 15. Following the adoption of the Scottish Borders Local Plan 2008 the Council is committed to producing an SPG which reviews the current boundaries of Areas of Great Landscape Value (Local Landscape Designations). This work is being prepared and will include a review of National Scenic Areas and the identification of newly defined Special Landscape Areas. The Green Space Strategy is a useful document which identifies all existing green space within settlements and identifies shortfalls in particular types. Through the Development Management process developer contributions can request a contribution towards a shortfall type such as open space, youth facilities, play areas and allotments. The Strategy seeks to create and retain the existing quality and quantity of green spaces which is a SEA requirement. Future intended SPG productions relate to subjects such as retail, flooding, caravans, sustainable urban drainage systems and waste management.

5.2.4 Conclusion

The Council should continue to monitor performance figures, trends in application types, determination trends and appeal decisions.

The Council should continue to produce further Supplementary Planning Guidance and Planning Briefs where appropriate as these are useful guides to the

5.3 Flooding

5.3.1 Policy Context

National policy on flooding was formerly contained within SPP7 - Planning and Flooding. This has now been superseded by Scottish Planning Policy (SPP), published in February 2010. The main thrust of the SPP directly follows concerns of global warming and possible flooding issues. It expects developers and planning authorities to err on the side of caution in decision making whenever flooding is an issue and wishes to ensure the prevention of further development which would have a significant probability of being affected by flooding or which would increase the probability of flooding elsewhere.

In June 2009 the new Flood Risk Management Act (Scotland) 2009 (FRM) received Royal Assent and therefore commenced the process of superseding the Flood Prevention (Scotland) Act 1961. The new Act introduces a new approach to managing flooding in Scotland. Its overall aim is to reduce the negative effects of all sources of flooding on human health, economic activity, the environment and cultural heritage. It builds upon the existing functions of public bodies by ensuring that functions are properly co-ordinated and lead to a joined-up and sustainable approach to managing the impact of flooding.

The new Act requires that by 2015 flood risk management plans will be in place across Scotland which should then be taken into account when development plans are prepared. In the interim, the Council will need to prepare a Strategic Flood Risk Assessment to ensure that new development would be free from significant flood risk and that it would not increase flooding elsewhere.

5.3.2 Local Plan Policies

The main Local Plan policies relating to flooding are

Policy G4 – Flooding. This policy discourages 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.

Policy NE5 – Development Affecting the Water Environment. The policy is aimed at ensuring that development does not adversely affect any of the complex components that comprise the water environment or cause further deterioration in ecological or landscape status. In so doing, this will complement other policies to protect land and air quality and in turn help to fulfil the Council's environmental commitments. The policy also recognises the value of the water resource to recreation and tourism and that damage to this resource could therefore have economic or social consequences.

Policy Inf6 – Sustainable Urban Drainage. The aim of the policy is to address the pollution problems that stem from the direct discharge of surface water into watercourses

5.3.3 Main Developments and Implementation

Flood risk is now a major consideration in the allocation of land for development through the Local Plan and Development Management process. Several towns in the Scottish Borders are located within areas where there are flooding issues. As required

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by Policy G4 any development subject to flood risk requires a Flood Risk Assessment and the submission of such a document is commonplace where such an issue exists. Scottish Environment Protection Agency (SEPA) has produced second generation flooding maps which identify areas that are estimated to be at risk of flooding from rivers or sea if there is no flood defences.

The Council's role is to carry out assessments of water courses where there are developed areas that are likely to be affected by floods. The Council is also responsible for 11 existing flood prevention schemes (complete or ongoing) and has carried out preliminary work in 7 settlements with significant flooding issues to create an implementation strategy for a Flood Alleviation Scheme. Figure 16 confirms the location of these works.

Figure 16 – Flood Prevention and Alleviation Works within Settlements

Settlement	SBC Flood Prevention Schemes	Flood Alleviation Preliminary Work
Denholm	9	
Earlston	9	
Hawick	9	9
Galashiels	9	9
Innerleithen	9	
Jedburgh	9	9
Lauder	9	
Newcastleton		9 (ongoing)
Peebles	9	9
Selkirk	9	9
Stow	9	9

Source: Scottish Borders Council

The Borders has 26 Flood Warning Groups based in flood risk areas to respond to SEPA warnings and there are a number of flood defence schemes currently being proposed in Galashiels and Selkirk in the short to medium term (2 – 5 years) and in Stow, Jedburgh, Hawick, Peebles and Newcastleton in the medium to long term (3 – 8+ years) in order to limit the effects of future flooding.

When planning applications are submitted for areas of land considered at flood risk the comments of SEPA and the Council's Flood Prevention Engineer are sought. Once issues are identified a Flood Risk Assessment is often requested and in some instances mitigation measures can be investigated. Many proposals cannot satisfactorily resolve potential flooding issues and such plans are not supported.

In the Consolidated Local Plan the profiles of the flood risk settlements of Peebles, Innerleithen, Galashiels, Earlston, Selkirk, Jedburgh, Hawick, Coldstream, Stow, Walkerburn, Greenlaw, Hermitage, Newcastleton, Lindean and Eddleston include a specific statement relating to the Council's Flooding Contingency Plan. It identifies the settlements as being at flood risk and any proposed developments should be subject to rigorous consultation with relevant bodies in relation to flood risk and it should be acknowledged that such assessment may influence the scale and layout of any development at that particular location. Discussions should be entered at an early stage to address such issues.

During the preparation of the Consolidated Local Plan many sites were considered. Flooding is a major constraint and if a proposed site for a development plan is within a

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1 in a 200 year flood risk or greater, where appropriate mitigation measures are not possible, then it is excluded from further consideration.

Flood risk is a key consideration in the SEA. One of the main principles of the SEA is to ensure that development does not increase the risk of flooding and the Council will continue to support and comply with this principle in the Local Plan and Development Management processes.

5.3.4 Conclusion

The Council should continue to pay due regard to SPP and consult SEPA and the Council's Flood Prevention Engineer on proposals which may have flood risk issues.

The Council will prepare a Strategic Flood Risk Assessment in order to avoid locating development in areas of flood risk by giving careful consideration to the implications of coastal/tidal and fluvial or river based flooding.

6. BUILT ENVIRONMENT

6.1 Conservation Areas/ Listed Buildings

6.1.1 Policy Context

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities to determine which parts of its areas are of architectural or historic interest and to safeguard them for the enjoyment and benefit of future generations and ensure that any new development should preserve or enhance their varied character. Scottish Planning Policy aims to conserve the historic environment and Historic Scotland's "Scottish Historic Environment Policy" lays down good practical guidance for Development Management related matters. The 1997 Act also allows the Secretary of State to compile or approve lists of buildings of architectural or historic interest and such buildings are afforded statutory protection. Development plan policies should ensure any proposals will have no adverse affect on the character or appearance of any listed building.

6.1.2 Local Plan Policies

Policy BE4 – Conservation Areas: *Aims to preserve or enhance the character or appearance of Conservation Areas. Article 4 Directions have also been placed on all Conservation Areas in the Scottish Borders which in effect withdraws residential permitted development rights from the Town and Country Planning (General Permitted Development)(Scotland) Order 1992.*

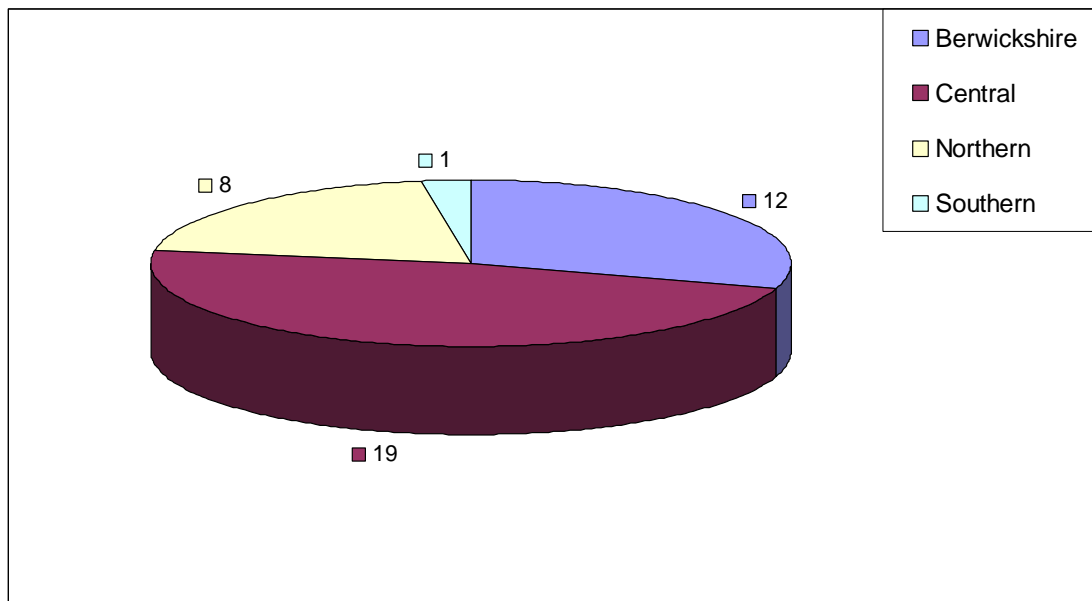
Policy BE1 – Listed Buildings: *This policy aims to protect listed buildings from works that would spoil their character which in turn will protect a major asset which contributes significantly towards the character and amenity of the Scottish Borders and represents a valuable resource for recreational, tourism and educational purposes.*

6.1.3 Main Developments and Implementation

To date Scottish Borders Council has designated 40 conservation areas all relating to town and village centres covering a wide range of building designs and townscapes. Figure 17 confirms the location of these listings. Most of these Conservation Areas were designated in the 1970's and the Town and Country Planning (Scotland) 1997 Act also requires planning authorities to continually review these Areas in order to give consideration to altering them by means of reducing or enlarging them and also to identify and formalise new Areas. Since their adoption 12 Conservation Areas have been extended as part of the monitoring process. The Scottish Borders Local Plan 2008 identified 3 new Conservation Areas in Galashiels, Nisbet and Clintmains as well as also identifying changes to other Conservation Areas, although the vast majority of these are minor regularisations of boundaries. These amendments are in the process of being formally designated.

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Figure 17 - Conservation Areas in Scottish Borders in 2010



Source: Scottish Borders Council

Given the relatively high number of Conservation Areas within the Scottish Borders and that Article 4 Directions have effectively removed all permitted development rights within them, this partly accounts for the high number of planning applications within them submitted as shown on figure 18. A high percentage were approved in each of the listed years, although often such proposals required amendments to plans in order to gain officer support. Of those refused most related to new housing proposals which were considered inappropriate due to having a detrimental impact on the character of the Conservation Area and replacement window proposals which were contrary to policy.

Figure 18 - Decisions on Applications within Conservation Areas

Status	2007	2008	2009
Validated	583	504	455
Approved	527	447	393
Refused	21	33	22
Appeal Sustained	2	3	2
Appeal Dismissed	0	5	4
Total	1089	991	876

Source: Scottish Borders Council (Uniform Team (SI))

Within Conservation Areas certain groups of buildings have been identified as being worthy of gaining further protection with regards to replacement windows proposals and are consequently identified as being prime frontage / core areas which in essence ensures planning applications are scrutinised more to ensure the quality of these groups of buildings is safeguarded. This was incorporated into a Supplementary Planning Guidance on Replacement Windows that was produced in 2008 which carries much weight in determining planning applications for within these areas.

As a way of assisting with the improvement of some of the Conservation Areas of the Scottish Borders and in particular Kelso, the Council has recently secured funding of £307,500 from Historic Scotland for Conservation Area Regeneration Scheme

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(CARS) for the Kelso Conservation Area. The CARS is a project that aims to restore important and historic parts of the town including buildings and streets.

In addition the Council have also recently been awarded funding to implement a Townscape Heritage Initiative also in Kelso. The scheme will aid in the preservation of the historic fabric and promote regeneration in an important town centre which has steadily been in decline. The project delivers improvements to the public realm, as well as enabling building repairs and the restoration of architectural details.

The Scottish Borders has a wide range and considerable number of listed buildings comprising of 3006 in total. Figure 19 disaggregates them into each former district area and lists the category of each. More than half the Scottish Borders listed buildings are within category C(s). Reviews are carried out regularly by Historic Scotland which can include removals from the list as well as additions. Often additions are done in bulk when a specific area is chosen for review and consequently the numbers can fluctuate considerably over a period of time.

Figure 19 - Listed Buildings in Scottish Borders in 2010

	A	B	C(S)	Total
Berwickshire Total	65	398	622	1085
Ettrick & Lauderdale Total	43	241	336	620
Roxburgh Total	47	342	420	809
Tweeddale Total	28	270	194	492
All	183	1251	1572	3006

Source: Scottish Borders Council

Figure 20 confirms the high number of planning applications the Department receives for listed buildings. It is noted there are a very small number of refusals for the study period. This is likely to be due to the time officers spend at the provisional enquiry stage and during the plan processing period with officers seeking amendments to proposals where necessary which can ultimately allow the plans to be supported.

Figure 20 - Decision on Applications for Listed Building Consent

Status	2007	2008	2009
Validated	182	167	174
Approved	170	135	149
Refused	3	7	6
Appeal Sustained	0	0	0
Appeal Dismissed	2	2	2
Total	369	334	331

Source: Scottish Borders Council (Uniform Team (SI))

One of the most common types of application submitted for listed buildings is in respect of replacement windows. Inappropriate windows can have a dramatic detrimental impact on the townscape and individual buildings. The SPG on Replacement Windows was approved in 2008 following the findings of the Working Group. However, since the approval of the SPG on Replacement Windows in August 2008, Historic Scotland's *Memorandum of Guidance on Listed Buildings and Conservation Areas* has been withdrawn and has now been replaced by the *Scottish Historic Environment Policy and Managing Change in the Historic Environment Guidance Notes*. In respect to windows an individual guidance note has been produced which was published in December 2010.

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The *Managing Change in the Historic Environment Guidance Note: Windows* contains a change in policy stance from Historic Scotland. The Guidance Note now states: “*Double-glazing may be acceptable either where the existing windows are beyond repair and the new windows will match the original joinery, or where it can be incorporated within the original joinery.*” In addition, the document also states: “*Recent research has demonstrated that slim profile double glazing can be accommodated successfully in historic window frames. This solution will not be appropriate where there is the loss of historic glass.*” An amendment to the SPG was put out for public consultation to incorporate these changes. The SPG will be referred back to the Planning and Building Standards Committee for approval, taking on board all responses received.

As there are a high number of listed buildings and conservation areas in the Scottish Borders the Council processes many applications for these types. Small scale yet attractive enhancement schemes in conservation areas include the work to the Mercat Place/ Fountain in Jedburgh. In addition the category ‘A’ listed Port House has been acquired by Jedburgh Community Trust and renovation works have been completed to make the property wind and water tight. Longer term plans seek to bring the building back into use involving both businesses and the community.

The successful Scottish Borders Design Award Scheme saw the Todlaw Supported Housing - Berwickshire Housing Association residential development at Duns win an award in the New Build Category. Other categories include “New Build (individual buildings)”, Work to Existing Buildings (including conversion/extension)” and “Sustainable Design”. These award schemes encourage a better standard of design and emphasize the Council’s interest in promoting higher standards. It is considered these award schemes are of wide benefit and interest and should continue.

The Scottish Civic Trust (SCT) has compiled the Buildings at Risk Register (BAR) since 1990 in response to a concern at the growing number of listed buildings and buildings in conservation areas that were vacant or falling into a state of disrepair. The Register is maintained by the SCT on behalf of Historic Scotland. The current number of buildings at risk in the Scottish Borders is now 152, including 18 at category “A”. A building previously on the register is the category “A” listed Greenlaw Town Hall which has now been restored. The restoration was a large scale project which involved a building which had previously been at risk for a number of years. The BAR principle is in accordance with the SEA requirement to re-use or conserve vacant/derelict buildings. Figure 21 below confirms the number of Buildings at Risk in the Scottish Borders.

Figure 21 - Number of Buildings at Risk 2010

Area	Number of buildings at risk
Berwickshire	50
Ettrick and Lauderdale	32
Roxburgh	54
Tweeddale	16
Total	152

Source: Scottish Civic Trust Website (9 Sept 2010)

The SEA objective to respect the pattern, form and landscape of historic settlements is met by adopted Local Plan *Policy G1: Quality Standards for New Development* which requires that all new development is compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form. Further detail as to how this policy requirement can be implemented is provided in the

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Supplementary Planning Guidance (SPG) on Placemaking and Design. This document specifically addresses the issue of settlement pattern form and landscape through its policy and guidance. The overarching policy statement requires any development proposals to demonstrate how the applicant has addressed the following criteria:

Wider area:

- Landscape Character
- Views
- Settlement pattern
- Infrastructure

Detailed guidance is contained within the Placemaking and Design Principles section as to how developers, planners and architects can achieve this. This is a material consideration when assessing all planning applications. In the action plan for the SPG, it states the intention to undertake Design Quality Monitoring. It states that it will introduce an ongoing audit of development throughout the Borders, assessing best/worst practice and the successful application of the SPG.

6.1.4 Conclusion

The Council should continue to review Conservation Area boundaries, prime frontages/core areas and the effectiveness of built heritage policy.

The Council should proceed to formally designate the new conservation areas at Galashiels, Clintmains and Nisbet and the amendments to existing conservation area boundaries as identified in the Local Plan 2008.

The Council should undertake a Design Quality Monitoring in respect of approved planning applications.

The Council should proceed to seek approval of the amendment to the SPG on replacement windows.

The Council should continue to operate town centre grant aid schemes in order to upgrade / safeguard the built heritage.

The Council should continue to operate the Scottish Borders Design Award Scheme.

6.2 Archaeology and Ancient Monuments

6.2.1 Policy Context

The new SPP sets out the national planning policy for the historic environment and indicates how the planning system will contribute towards the delivery of Scottish Ministers Policy as set out in the Scottish Historic Environment Policy (SHEP) produced by Historic Scotland. These documents seek to conserve the Historic

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Environment. They outline national policy on the historic environment which local authorities should consider in formulating and assessing development proposals, explain how the protection of the historic environment and the promotion of opportunities for change can contribute to sustainable development and identifies a range of planning actions designed to achieve conservation objectives, including implications to development plans and development management.

6.2.2 Local Plan Policies

Policy BE2 – Archaeological Sites and Ancient Monuments. *This policy aims to give Scheduled Ancient Monuments and any other archaeological or historic sites strong protection from any potentially damaging development. It re-enforces that these sites are an irreplaceable part of Scottish Borders heritage and are of great interest and value for educational, recreational and tourism purposes.*

6.2.3 Main Developments and Implementation

The Scottish Borders has a rich built heritage and has 15,243 buildings and sites of national or local importance which are reviewed on a regular basis. 754 of these are Scheduled Ancient Monuments. Policy BE2 lays down the criteria test to evaluate proposals which may affect a protected site. In processing applications the Council practices working closely with applicants where proposals may cause conflict with a protected site.

Although the Council tries to ensure amendments and appropriate mitigation measures to proposals where conflicts with protected areas occur, in some instances historic sites have been of such a high status and interest that it has been impractical to allow new development on the site. Consequently some applications are refused, either in whole or in part, on archaeological grounds. Such cases are uncommon but recent examples of this include residential development at Caberston Avenue in Walkerburn. Large scale proposals for wind turbines often raise issues relating to protected sites. The planning application for 12no wind turbines at Broadmeadows was refused by the Planning and Building Standards Committee in June 2006 partly on the grounds of the adverse impact on archaeology within the area.

There appears little doubt applicants/developers are now more aware of the importance of archaeological and ancient monument sites and the procedures to be followed, and consequently they are considered more agreeable to work with the Council in satisfactorily safeguarding and recording any heritage feature. For any site that may have a historic interest the Council can attach a range of conditions which can require the applicant to carry out operations to ensure the proposal will have no adverse affect. Attaching such conditions to planning approvals is now common practice and this has proven to cause few insurmountable difficulties in such sites being developed. It is contended policy BE2 operates well in practice and there is little evidence of there being a need to amend it.

6.2.4 Conclusion

The Council should continue to safeguard protected Historic Environment sites and buildings and ensure development proposals do not have an adverse impact on them.

The Council should continue to help review the Historic Environment sites and buildings as an ongoing process and will seek the views of Historic Scotland where appropriate.

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6.3 Gardens and Designed Landscapes

6.3.1 Policy Context

Scottish Historic Environment Policy (SHEP) sets out the Scottish Ministers policy on Gardens and Designed Landscapes. The purpose of the Inventory of Gardens and Designed Landscapes is to identify gardens and designed landscapes of national importance at the time of designation.

6.3.2 Local Plan Policies

Policy BE3 – Gardens and Designed Landscapes. *This policy aims to protect the character of Gardens and Designed Landscapes from development that would damage their special character. At the same time the policy recognises that development may sometimes be able to be accommodated within or adjacent to these areas provided it is carefully sited and 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, sylvicultural and ecological value.*

6.3.3 Main Developments and Implementation

Currently within the Scottish Borders there are 30 such sites identified in the Inventory and Historic Scotland are currently reviewing the Inventory of Gardens and Designed Landscapes. However, it is recognised that there are many other gardens and designed landscapes within the Scottish Borders that are not included in the Inventory.

In November 2005, The Scottish Borders Woodland Strategy (SBWS) was formally approved as a Structure Plan Alteration. In continuation of the Strategy, Scottish Borders Council is implementing a series of key tasks and policies identified with an emphasis on achieving practical results with the overall intention of maximising the uses and benefits of the Borders trees, woodlands and forests. One of the projects undertaken was the Borders Designed Landscape Study which was undertaken by Peter McGowan Associates (landscape architects and heritage management consultants) with Christopher Dingwall (garden historian). The aim of the study was to review the extent and quality of designed landscapes in the Scottish Borders including both nationally designated and other areas, and investigate ways to promote positive management and where applicable restoration of these of these areas. The results of the study were included within a draft SPG circulated for public consultation.

During the consultation a very substantial consultation response was received including criticism from the Scottish Rural Property and Business Association. Concerns centred on the implications of the SPG as a way of extending the coverage of local plan policy BE3 and therefore representing the perception of a potential restriction on future planning applications. In view of the number and range of concerns expressed it was clear that there was no public consensus to support the approach contained within the SPG. It was therefore agreed by the Planning and Building Standards Committee in July 2011 that the SPG be withdrawn and the identified sites not be entered on the Sites and Monuments Record and the Historic Environment Records. The survey material will remain available as an output of the Scottish Borders Woodland Strategy and would inform the Forestry Commission in their duties.

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6.3.4 Conclusion

The Council should continue to safeguard Gardens and Designed Landscapes and ensure any proposed development will have no adverse impact on them.

7. NATURAL ENVIRONMENT

7.1 National and Regional Landscape Designations

7.1.1 Policy Context

The new Scottish Planning Policy (SPP) sets out the national policy on Landscape and Natural Heritage. The Government's commitment to sustainable development recognises that the environmental, economic and social dimensions of life are inter-related and equally important. One of the objectives of the SPP is to conserve, safeguard and, where possible, enhance the natural beauty and amenity of the countryside and the natural heritage interest of urban areas.

7.1.2 Local Plan Policies

The policies in the Local Plan related to landscape designations include:

Policy EP1: National Scenic Areas. The aim of the policy is to protect and enhance the scenic qualities of the two National Scenic Areas (NSAs) in the Borders by influencing the nature of development both within the sites and outwith them where the development affects the setting and context of the NSA within the wider landscape.

Policy EP2: Areas of Great Landscape Value. The aim of the policy is to ensure that areas of identified landscape quality, as defined by the local authority, are afforded adequate protection against inappropriate development.

7.1.3 Main Developments and Implementation

National Scenic Areas (NSA's) were introduced by the Countryside Commission for Scotland in 1980. NSAs are nationally important areas of outstanding beauty, representing some of Scotland's finest landscapes, the purpose of their designation is to preserve and enhance their character or appearance. Areas of Great Landscape Value (AGLV) are defined by local authorities in development plans with a view to safeguarding areas of regional or local landscape importance from inappropriate development. There are two NSA's and six AGLV's in the Borders. Figure 22 confirms these designations and their respective area coverage in hectares.

Figure 22 - National Scenic Areas and Areas of Great Landscape Value in the Scottish Borders

Landscape Designation	Area (ha)
Eildon and Leaderfoot NSA	3,600
Upper Tweeddale NSA	10,500
Berwickshire Coast AGLV	2,100
Cheviot Foothills AGLV	20,990
Eildon Hills/ Bowhill AGLV	12,686
Lammermuir Hills AGLV	26,895
Pentland Hills AGLV	5,394
Tweedsmuir Hills/ Upper Tweeddale AGLV	61,348

Source: Scottish Borders Council

During the Local Plan Inquiry into the Scottish Borders Local Plan in 2005, the potential impact of the principle of development of objection sites in Melrose and Gattonside on the Eildon and Leaderfoot NSA, and Peebles on the Upper Tweeddale

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NSA and the Tweedsmuir Hills/ Upper Tweeddale AGLV were key issues considered by the Reporters. The potential impact on these landscape designations was one of the main reasons for the Reporters recommending that a number of proposed allocated sites within them should not be included in the Local Plan or identified for longer term development.

A draft SPG on a review and update of Local Landscape Designations in the Scottish Borders has recently been prepared and put out for public consultation. The current designations were made in the 1960s and they have little or no written justification behind them. At the Local Plan Inquiry the Reporter stated that due to the length of time since designation and the increase in pressure from development, the Council should undertake a review of Local Landscape Designation areas where they would be desirable and appropriate. This requirement was incorporated into the adopted Local Plan (2008). The lack of justification of the existing Local Landscape Designations in the Borders meant it was decided to undertake a complete re-evaluation. As a result the Council employed Land Use Consultants to complete a Scottish Borders Local Landscape Review. Once approved by the Council the SPG will effectively designate areas of Special Landscape Areas to replace the Areas of Great Landscape Value and there will be a concise and reasoned methodology as to how these designations were set.

The Structure Plan Alteration identified new housing land allowances for settlements to address an identified shortfall. This shortfall in housing land supply was provided within the Finalised Local Plan Amendment. An Environmental Report was produced at the same time as the Structure Plan Alteration was being prepared. The Report stated that any plan should be monitored for the environmental outcomes, helping to identify the need for future corrective actions and its compliance with the Strategic Environmental Assessment (SEA) objectives.

The effect any of these new developments may have on the landscape was a major consideration and in order to ensure landscapes could accommodate further development, Development and Landscape Capacity Studies were carried out. These studies addressed landscape and visual issues as far as they relate to site choice, housing layout and strategic landscape design. Eleven settlements, or groups of settlements, were selected for individual assessment and these studies were a major guide and consideration on identifying sites for the Finalised Local Plan Amendment. The studies also identified potential sites for accommodating new settlements.

Figure 23 confirms the number of planning applications submitted within National and Regional landscape designations. There is a wide range of planning applications which can be submitted within these landscape designated areas, ranging from minor household works to wind farm proposals. Consequently the range of proposals can cover several policy criteria tests and are therefore decisions are not solely limited to landscaping issues. Even although a proposal may be within a designated area that does not automatically prevent development taking place, although this often requires closer scrutiny of proposals with amendments to plans often being required. The approval of the crematorium within the Eildon and Leaderfoot NSA is an example of this. In practice it is considered that policies EP1 and EP2 are quite clear and concise and allow sufficient safeguarding of the landscape and it is not considered they require amending, although policy EP2 will ultimately be amended to substitute the term Areas of Great Landscape Value with Special Landscape Areas.

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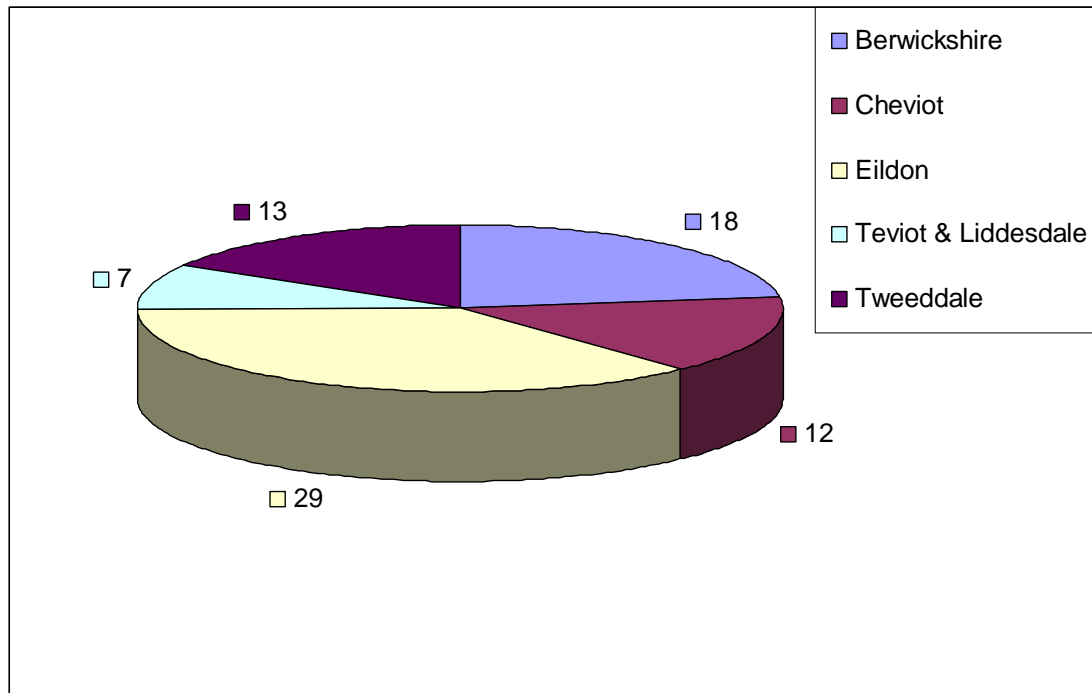
Figure 23 - Applications Submitted within National and Regional Landscape Designations

	AGLV			NSA		
	2007	2008	2009	2007	2008	2009
Validated	323	273	211	106	105	87
Approved	256	388	175	87	83	69
Refused	26	20	10	7	8	5
Appeal (sustained)	0	3	0	1	0	2
Appeal (dismissed)	7	5	1	3	3	1

Source: Scottish Borders Council (Uniform Team (SI))

As figure 24 confirms in 2010 there were a total of 79 Tree Preservation Orders across the Scottish Borders, this is an increase of three from 2009. This figure will continue to be reviewed and further additions will be added where trees or groups of trees are considered to have significant amenity value or are considered to be at risk.

Figure 24 - Tree Preservation Orders



Source: Scottish Borders Council

The Scottish Borders Council identified a core area that would benefit from the Finalised Local Plan *policy EP3: Countryside Around Towns (CAT)*. This identified areas located in the Central Borders and stretches from Galashiels to St Boswells. This is a unique area given development pressures within it and the fact there are a number of settlements within it where coalescence is a major concern. This policy designation was identified through a detailed survey of the area investigating the value of four key issues: landscape, biodiversity, historical features and accessibility. The core area scored highly in all categories, highlighting the need to provide further protection for the area and also to initiate a strategy that provides opportunities for enhancements. The CAT policy does not only assist in the prevention of coalescence and the protection of important green space opportunities, but can also provide a framework in which these identified areas can be further improved through planting,

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landscaping and recreational facilities. This includes grant aid incentive schemes such as Woodland Around Towns and Whole Farm Reviews. In order to ensure the CAT policy achieves its objectives, it is important to monitor its effectiveness in practice. For example, this could involve a further assessment of the overall area to see whether the high scores are still achieved within the area and whether the boundary requires adjusting in response to development requirements or loss of high quality.

7.1.4 Conclusion

The Council should continue to safeguard designated landscapes and ensure development will have no adverse impact on them.

The Council should finalise the Supplementary Planning Guidance on Designated Landscapes and implement the designation of new Special Landscape Areas.

The Council will continue to carry out Strategic Environmental Assessments where required in order to assess the environmental impact on landscapes of plans, programmes and strategies.

Supplementary Planning Guidance on Countryside Around Towns should be monitored in order to gauge its effectiveness in practice.

7.2 International, National and Local Nature Conservation Designations

7.2.1 Policy Context

SPP states that planning authorities should take a broader approach to natural heritage than just conserving designated or protected sites and species, taking into account the ecosystems and natural processes in their area. A strategic approach to natural heritage in which wildlife sites and corridors, landscape features, watercourses, and areas of open space are linked together in integrated habitat networks can make an important contribution to the maintenance and enhancement of biodiversity and to allowing ecosystems and natural processes to adapt and respond to changes in the climate. Planning authorities should seek to prevent further fragmentation or isolation of habitats and identify opportunities to restore links which have been broken. Where possible, planning authorities should seek benefits for species and habitats from new development including the restoration of degraded habitats. SPP states that any development plan or development proposal which is likely to have a significant effect on a Natura site and is not directly connected with or necessary to the conservation management of that site must be subject to an Appropriate Assessment. Planning permission must not be granted for development that would be likely to have an adverse effect on a European protected species or species protected under the Wildlife and Countryside Act 1981

The Environmental Assessment of Plans and Programmes (Scotland) Regulations 2004 requires a Strategic Environmental Appraisal (SEA) as part of the preparation of all plans and programmes related to the planning process

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7.2.2 Local Plan Policies

Policy NE1 - International Nature Conservation Sites. *The aim of the policy is to give wildlife sites of international importance adequate protection from development, in accordance with European Directives and UK legislation. Where development is not directly connected with, or necessary to site management for nature conservation, and is likely to have a significant effect on the qualifying interests of a designated or proposed Natura site, an assessment is required to determine the impacts of the proposal upon the qualifying interests.*

Policy NE2 – National Nature Conservation Sites. *This policy seeks to give nature conservation sites of national importance adequate protection from potentially damaging development.*

Policy NE3 – Local Biodiversity. *This policy safeguards and enhances local biodiversity in line with the Council's environmental policies and its commitment to sustainability.*

Policy NE5 - Development Affecting the Water Environment. *The policy is aimed at ensuring that development does not adversely affect any of the complex components that comprise the water environment or cause further deterioration in ecological status.*

Policy NE6 - River Engineering Works. *The aim of the policy is to provide watercourses with adequate protection against inappropriate or insensitive river engineering works.*

Policy EP4 – Coastline. *The policy is aimed at ensuring that the coastline, in particular the “undeveloped coast” out with the Eyemouth settlement boundary, is afforded adequate protection from inappropriate development. Tourism and other development pressure could conflict with nature conservation objectives.*

Policy Inf6 - Sustainable Urban Drainage. *The aim of the policy is to address the pollution problems that stem from the direct discharge of surface water into watercourses. Sustainable drainage reduces the amount of flooding and diffuse pollution, improves environmental quality and protects the ecological and amenity value of watercourses.*

7.2.3 Main Developments and Implementation

Habitats which are particularly significant in the Borders include Ramsar sites which are wetlands of international importance selected by the Ramsar Convention (1971). Three are located within the Borders at Westwater reservoir, Greenlaw Moor and Hoselaw Loch and are designated for wildfowl and waders covering an overall area of 349 hectares. Special Protection Areas (SPAs) and Special Areas of Conservation (SACs) are strictly protected sites designated under the EC Habitats Directive. There are ten SACs and five SPAs located in the Scottish Borders, all habitat types and species included are those considered to be most in need of conservation at a European level. Natura 2000 Sites are the collective term for internationally designated nature conservation sites including SACs, SPAs and Ramsar sites. These are designated because of their habitat and/or species interest and are of the following main type: rivers, birds, upland and/ or bogs, coastal or woodland. A main objective of the SEA is to protect and enhance species and habitat.

Although there have been many planning applications for proposals within protected designations such as RAMSAR sites, SAC's, SPA's, NNR's and SSSI's, listing these

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applications and the decisions may be of little benefit as any refusals may not necessarily be on the grounds of impacts on such designations. Other reasons for refusal may have been given. However, it would be correct to say that any proposals which would have an adverse impact on such designations would not be supported. Consequently, if a planning application raises issues in respect of a protected area, mitigation measures would be discussed and considered in an effort to ensure there was no net adverse impact. A typical example of this would be in respect of a wind farm proposal where a new replacement habitat may be required for black grouse. Decision making on planning applications in respect of local biodiversity is supported by the Local Biodiversity Action Plan and Supplementary Planning Guidance on Biodiversity.

It is considered that in practice the safeguarding of protected sites is recognised and acknowledged by applicants and landowners and they are aware that in order to gain planning consent for proposals, where required they will need to address and carry out any necessary mitigation measures. Many applicants are aware of these issues at the outset and try to build them into their schemes.

The Department continues to produce SEA's and in accordance with The Conservation (Natural Habitats, &c) Regulations 1994 (as amended) the MIR process is also assessing Natura 2000 sites through a Habitats Regulations Appraisal. If likely significant effects are identified that cannot be mitigated in a straightforward fashion then an appropriate assessment should be undertaken to determine whether the likely significant effect will result in adverse effects on the site integrity of respective European Sites.

7.2.4 Conclusion

The Council should continue to monitor and protect designated conservation sites through development plan policy and the development management process via planning applications

8. ECONOMIC DEVELOPMENT

8.1 Employment Land and Property

8.1.1 Policy Context

Scottish Government policy relating to retail and economic development in Scotland is contained within Scottish Planning Policy (SPP). This was previously contained within SPP2 – Economic Development, 2002. The policy states that Local Authorities should respond to the diverse needs and locational requirements of different sectors and sizes of businesses and take a flexible approach to ensure that changing circumstances can be accommodated and new economic opportunities realised. SPP requires Local Authorities to ensure that there is a range and choice of marketable sites and locations for businesses allocated in development plans, including opportunities for mixed use development, to meet anticipated requirements and a variety of size and quality requirements. It states that marketable land should meet business requirements, be serviced or serviceable within 5 years, be accessible by walking, cycling and public transport, and have a secure planning status. The supply of marketable sites should be regularly reviewed.

8.1.2 Local Plan Policies

Policies that cover employment issues include:

- ED1: Protection of Employment Land - *The aim of the policy is to ensure that adequate supplies of employment land are retained for business and industrial use and are not diluted by a proliferation of other uses.*
- ED2: Employment Uses Outwith Employment Land – *The aim of the policy is to ensure that within Development Boundaries of settlements, industrial and business uses are generally restricted to employment land sites.*
- G8: Development Outwith Development Boundaries - *The aim of the policy is to ensure that most development is located within defined Development Boundaries. It is considered that development outwith the Development Boundary should not be seen as an alternative to allocated sites where these are available and therefore, should only be an “exceptional” occurrence.*
- D1: Business, Tourism & Leisure Development in the Countryside – *The aim of the policy is to allow for appropriate employment generating development in the countryside whilst protecting the environment in the countryside and to ensure that business, tourism and leisure related developments are appropriate to their location.*

8.1.3 Main Employment Developments and Implementation

The annual Employment Land Audit provides information on the main employment developments. There is a diverse range of industrial units in the Borders. Although there are few large businesses remaining, this includes a number of large outmoded older factories. Public sector provision of units or support funding for new units has been required. While few companies appear to have built their own new industrial units, the position is now changing. Private developers are also now involved in building some units and renovating older premises for lease/sale. There are few modern, attractive, purpose-built ‘business estates’ in the area, the notable exception being Cavalry Park in Peebles. Most other sites are not capable of any further substantial development.

The Local Plan Amendment identified the need to give more weight to safeguarding allocated employment land. Following a report by Ryden and the Department’s own

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monitoring process, the need for the allocation of further employment land was recognised in certain parts of the region and the Consolidated Local Plan consequently allocated sites at the following: Tweed Horizons, Newtown St Boswells (high amenity); Galashiels; Kelso; Hawick; Earlston; Jedburgh; Morebattle; Eyemouth; Coldstream; Peebles (including a high amenity site) and Lauder.

It is acknowledged that there is a limited supply of serviced employment land and it is recognised that market conditions make it very difficult for the public sector to deliver the required product. There is also a need to augment the area's portfolio of employment land and property particularly in the Central hub around Tweedbank and within the Tweed corridor in or around the vicinity of Peebles. Potential amendments to existing allocated employment land site boundaries should also be carried out.

The Employment Land Audit provides information on employment land supply at 31 March 2010 and land take up over the previous four years, 1 April 2006 to 31 March 2010. Figure 25 shows the land take up.

Figure 25 – Employment Land Take Up 2006 – 2010

HMA	Settlement	2006	2007	2008	2009	2010
Berwickshire	Chirnside	0	0	0	0	0.1
	Coldstream	0	0.2	0.2	0	0
	Duns	0.7	0.1	2.2	0.7	0.5
	Eyemouth	0	0.3	0	0	0.4
	Greenlaw	-	-	0.1	0	0
	Swinton	-	-	0	0	0
	Whitsome	-	-	0	0	0.9
	Landward	-	-	-	-	0.8
	HMA Total		0.7	0.6	2.5	0.7
Central	Earlston	0	0	0	0	0
	Galashiels	0	0	0	0	0
	Hawick	0.2	0	0	0	0
	Jedburgh	0.2	0	0	0	0
	Kelso	0	0	0.3	0	0
	Newtown St Boswells	0	0.1	0	0	0
	Selkirk	0.3	0.1	1.3	0.9	0.5
	St Boswells	0.2	0	0	0	1.4
	Tweedbank	0	0	0	0.5	0
HMA Total		0.9	0.2	1.6	1.5	1.9
Northern	Innerleithen	0	0	0	0	0.1
	Peebles	0	2.2	0.2	1.5	0
	HMA Total	0	2.2	0.2	1.5	0.1
Southern	Newcastleton	-	-	0	0	0
	HMA Total	-	-	0	0	0
Scottish Borders		1.6	3.0	4.3	3.7	4.7

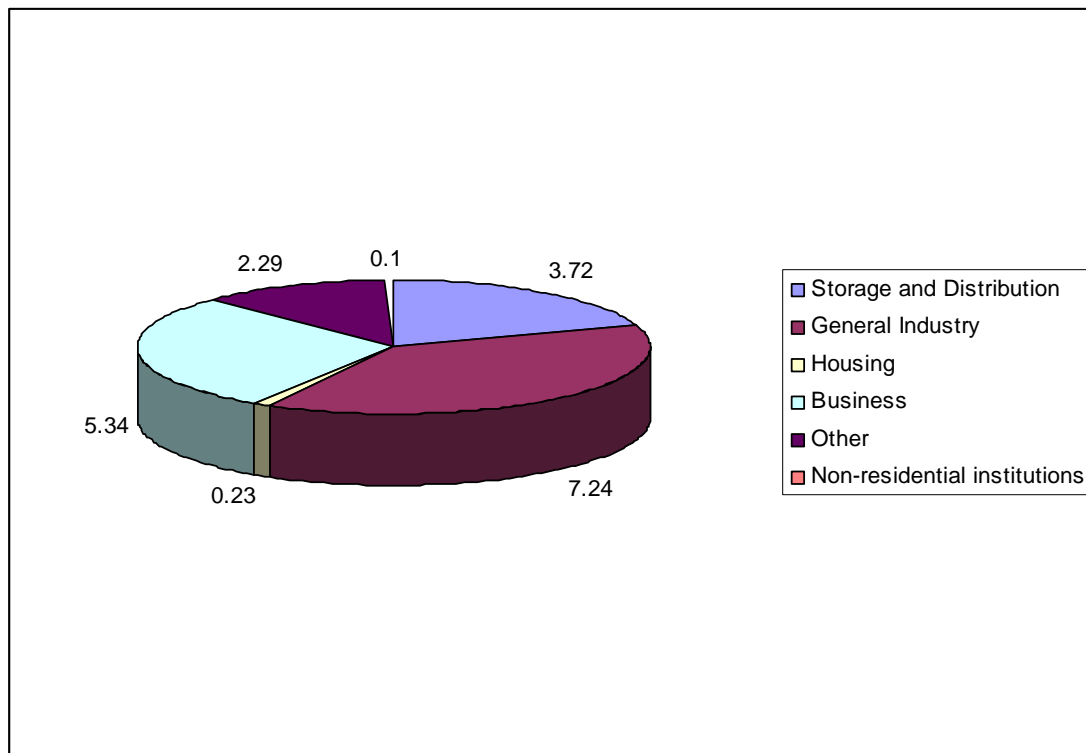
Note: Figures are in hectares and have been subject to rounding

Source: Scottish Borders Council

Figure 26 shows the employment land take up use type. Between 2006 – 2010, 17.3 of employment land has been taken up. The land uses developed include: general industry (7.24ha), business (5.34ha), storage and distribution (3.72ha), non-residential institutions (0.1ha) and other (2.29ha).

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Figure 26 – Employment Land Take Up – Use Type (hectares) 2003 – 2010



Source: Scottish Borders Council

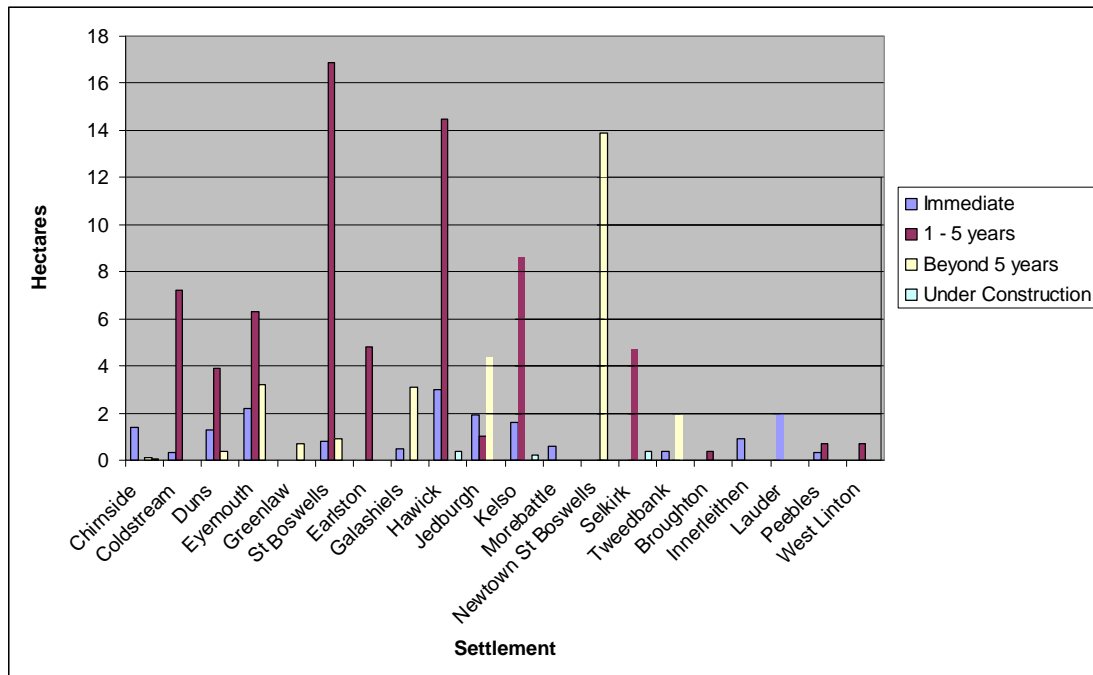
Of the total area of employment land taken up, 2ha (43%) was developed on Greenfield sites with 2.7ha (57%) being developed on brownfield land. In previous years there has been an approximate equal split between the take up of Greenfield and brownfield, with the exception of the 2008 audit, where the majority of take up was on brownfield land. The 2010 audit experienced a larger take up of brownfield sites in comparison to Greenfield between 1 April 2009 and 31 March 2010.

Scottish Borders Council has monitored the take up of employment land since 2003. Previously, the highest levels of take up were recorded in 2003 (5.3ha) and 2008 (4.3ha). Between 2005 and 2008 there was an annual increase in the take up of employment land in the Borders. This was followed by a decrease between the 2008 and 2009 audit of 0.6ha. The period between 1 April 2009 and 31 March 2010 has experienced a take up of 4.7ha, which is an increase of 1ha since the previous audit. A contributing factor to this increase is the inclusion of 8 new allocated sites since the 2009 audit. These sites were brought forward as part of the Local Plan Amendment.

The supply of and demand for Employment Land needs to be monitored in order to assess the effectiveness of the Local Plan policies. The Employment Land Audit is reviewed annually and identifies both supply and demand. It includes sites allocated or safeguarded in the Local Plan. Demand is monitored through the analysis of take up, noted above. Figure 27 shows the availability of employment land by settlement. This shows that Eyemouth, Hawick and Lauder have the largest supply of immediately available employment land.

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Figure 27 - Availability of Land Supply by Settlement Graph 2010



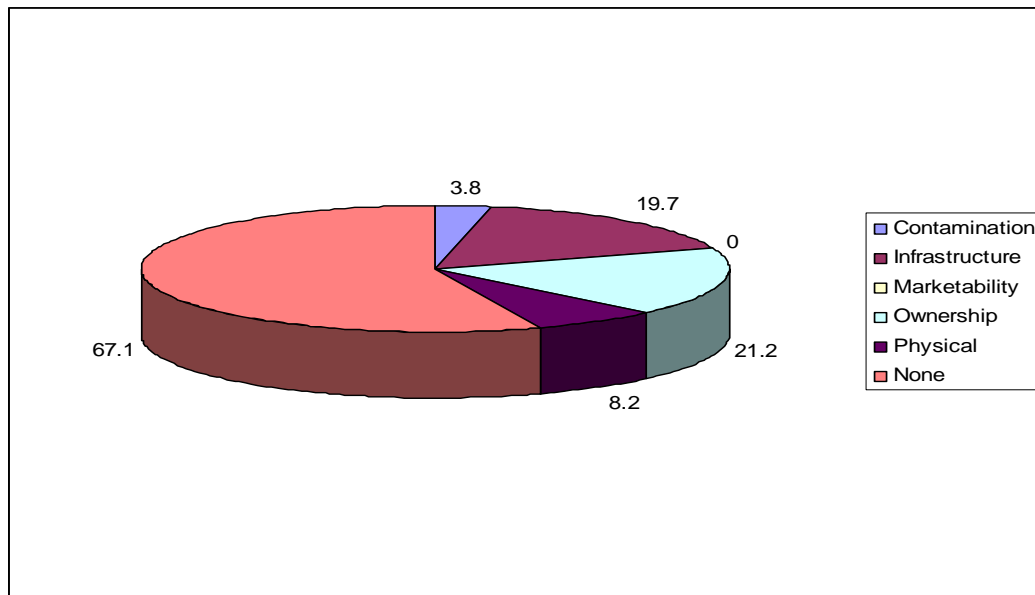
Note: Areas shown are site area not full developable area (and include constrained sites)
Source: Scottish Borders Council

The Employment Land Audit 2010 found that 63% of the established land supply is of local quality and 37% is of regional quality. No land is categorised as being of national quality. The Audit records the main constraints on each site, including contamination, infrastructure, marketability, ownership and physical. A breakdown of this is confirmed in Figure 28.

With the production of the Main Issues Report and the consequent Local Development Plan, some new challenges must be considered. This includes the confirmation of policy support for digital connectivity. Advanced digital connectivity infrastructure, which includes broadband and telecommunications, is essential to an area as large and rural as the Scottish Borders to help achieve economic growth and can help reduce vehicle emission issues through reducing the need to travel. Consideration should also be given to reviewing the current hierarchy of employment sites.

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Figure 28 – Breakdown of Employment Land Constraints (hectares) 2010



Source: Scottish Borders Council

8.1.4 Conclusion

The Council needs to continue to monitor the employment land supply and demand through the Employment Land and Property Audit.

The Local Development Plan should identify more employment land within Peebles, or at least within the vicinity of Peebles, and review existing allocated employment land holdings in the vicinity of Tweedbank.

The Council should check any potential amendments to existing allocated employment land site boundaries.

Employment policy should be updated to support and encourage the expansion of digital connectivity.

Consideration should be given to the review of the current hierarchy of employment sites

8.2 Retail

8.2.1 Policy Context

The Scottish Borders Consolidated Local Plan 2011 recognises that shopping is a key function of town centres, which together with other businesses, leisure and community facilities contribute to their vitality and viability. Retailing is a feature of daily life and is a major industry, providing jobs and services in the local community. New retail development can act as a catalyst to further investment in addition to creating employment opportunities and associated growth.

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Previously guidance relating to retailing was contained within SPP 8 – Town Centres and Retailing. However this has been superseded by Scottish Planning Policy (SPP). In essence SPP seeks to support and enhance the roles of town centres, locate retail development within or adjacent to town centres or where no realistic opportunities are available in a town centre, consider alternative locations which are not deemed to affect its vitality or viability and to identify and protect retail prime frontages. These principles are supported under Structure Plan policies E17 and E18.

8.2.1 Local Plan Policies

Retailing in town centres:

- Policy ED4 – Prime Retail Frontage
The aim of this policy is to give protection to shop uses on the prime retail frontages as defined in the larger settlements. This will prevent the gradual loss of shop uses in locations where shops are regarded as important to vitality and viability
- Policy ED5 – Town Centres
The aim of this policy is to encourage an appropriate mix of town centre uses that will maintain and enhance the vitality and viability of town centres.

Retailing outwith town centres:

- Policy ED3 – Shopping Development
The aim of this policy is to guide new shopping development to town and village centres and thereby help protect and enhance the vitality and viability of these centres, particularly the defined centres in the largest settlements. A 'sequential test' ensures that the first preference for retail development is given to town centre sites, followed by edge-of-centre sites and only as a last resort, out-of-centre sites.

8.2.3 Main Developments and Implementation

Figure 29 confirms the number of planning applications for new retail development submitted within the period 1st January 2006 to 31st December 2009. Over a four year period there has been a total of 27 retail applications within the Scottish Borders of which 96% have been approved.

Figure 29 - Applications for New Retail Development

Status	2006	2007	2008	2009	Total
Validated	12	13	6	6	37
Appeal	0	1	0	0	1
Approved	8	8	5	6	27
Pending Decision	1	1	0	0	2
Refused	2	1	1	0	4
Withdrawn	1	2	0	0	3

Source: Scottish Borders Council

Figure 30 shows the decisions made on retail applications submitted outwith town centres where settlements have formal town centres identified under policy ED5. The reduction in the number of proposals is largely the result of the current economic downturn.

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Figure 30 - New Retail Development Out with Town Centres

Status	2006	2007	2008	2009	Total
Validated	7	8	3	1	19
Approved	3	6	2	1	11
Refused	2	1	1	0	4
Appeal	0	1	0	0	1
Withdrawn	1	0	0	0	1
Pending Decision	1	0	0	0	1

Source: Scottish Borders Council

Policy ED4 seeks to protect retail floor space within certain town centres. The policy remains in force within Galashiels, Hawick, Kelso, Melrose and Peebles. Given the current economic downturn and the resultant increase in vacant town centre units, the Council may consider a temporary more lenient approach to policy ED4 in a town centre(s) where vacancy rates are high and footfall is on the decline. The Scottish Borders Consolidated Local Plan does not include a prime retail frontage within Selkirk. In processing the Plan it was ultimately considered that a more flexible policy approach is appropriate to the future well being of Selkirk town centre.

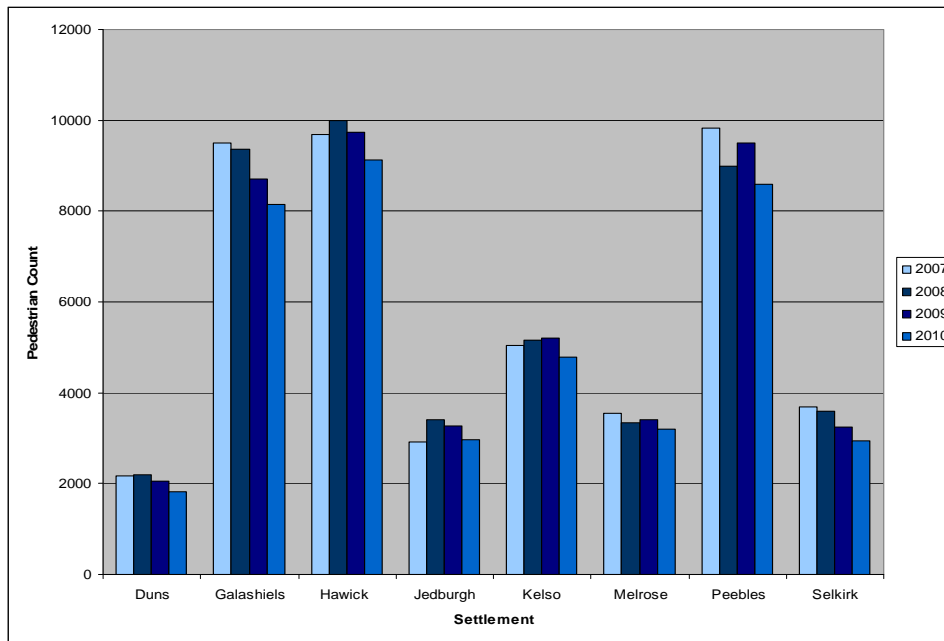
Large scale retail developments such as Asda and Tesco in Galashiels and Sainsbury's in Kelso can affect retailing in the immediate vicinity as well as drawing customers from other Borders towns. It is therefore important town centre health checks are carried out to monitor their vitality and viability. One means of monitoring town centre footfall is the carrying out of pedestrian flow surveys. This involves the manual counting of pedestrian movements at varied town centre locations during a typical six hour day.

Footfall surveys have been undertaken annually by the Council since October 2007. The footfall surveys include the largest settlements in the Borders including Galashiels, Hawick, Peebles, Kelso, Jedburgh, Duns, Selkirk and Melrose. Figure 31 shows the average weekly footfall for each settlement. Hawick is the largest of the settlements in the Borders with a population of 13,990¹, and it is noted it had the highest average weekly footfall at a count point of 9131. Peebles had the second highest recorded figure of 8589 which is a significantly high footfall level in proportion to the settlement size, although this is likely to be due to the towns tourist appeal. Each settlement experienced a decline in footfall in 2010, which is most likely to be a direct result of the economic downturn which is being experienced with retailing being one the key sectors being affected.

¹ General Register Office for Scotland, Mid-2008 Population Estimates

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Figure 31 – Average weekly footfall October 2007 – October 2010



Source: Scottish Borders Council

The pedestrian footfall survey is undertaken annually using the same methodology and count points, therefore trends can be established and significant changes in the footfall can be identified. The evaluation of survey findings can form the basis as to what course of action the Council could take to increase the vitality and viability of town centres. The findings can also give useful advice in relation to development control planning applications and help in the analysis of Retail Impact Assessments and provide data for Public Inquiries.

A bi-annual retail vacancy rate survey is also carried out covering the main eighteen settlements in the Borders. Figures 32 and 33 shows the results from December 2006 to December 2009. The number of retail units which have been included in the retail survey has increased bi-annually since 2006. The significant increase between December 2006 and December 2007 was due to the inclusion of an additional five settlements into the survey. The number of vacant units has also increased during the period covered by the retail surveys. The lowest average vacancy rate recorded in the retail survey was in December 2007, although changes in the average rate have ranged between 1-4% between each survey. The current average vacancy rate is 10% this is the highest rate recorded since the survey began and is a result of the current economic slowdown. The vacancy rate will continue to be monitored to avoid any major negative impact on settlements.

Figure 32 - Town Centre Retail & Vacant Units December 2006 – December 2009

	December 2006	December 2007	December 2008	December 2009
Total no. of retail units	1277	1415	1451	1456
No. of vacant units	107	101	121	144
Average vacancy rate	8%	7%	8%	10%

Source: Scottish Borders Council

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Figure 33 - Vacancy rates by settlement December 2006 – December 2009

	2006	2007	2008	2009
Settlement	December	December	December	December
Hawick	12%	10%	10%	14%
Galashiels	8%	7%	12%	14%
Galashiels 2 nd centre	3%	2%	4%	6%
Peebles	5%	6%	4%	6%
Kelso	4%	8%	6%	5%
Selkirk	17%	8%	11%	12%
Jedburgh	10%	12%	11%	13%
Eyemouth	4%	5%	9%	9%
Duns	6%	6%	13%	11%
Innerleithen	10%	2%	13%	4%
Coldstream	13%	14%	6%	6%
Tweedbank	0%	0%	0%	0%
Earlston	0%	6%	0%	9%
Melrose	6%	1%	4%	4%
West Linton	*	0%	7%	14%
Lauder	*	10%	5%	5%
Newtown St Boswells	*	0%	0%	8%
St Boswells	*	8%	17%	17%
Chirnside	*	8%	0%	0%

Source: Scottish Borders Council

** Note: The method of surveying changed from Nov/Dec 2006 which surveyed both ground floor and first floor units to only surveying ground floor units in 2007*

At a settlement level it appears that significant changes have been recorded in Chirnside, Earlston, Newtown St Boswells, St Boswells and West Linton, although only one additional vacant unit has been identified in each settlement. However due to the low number of retail units within each of these settlements the vacancy rate appears higher.

Since December 2009, the majority of settlements included within the survey have experienced an increase in vacancy rates. Earlston and West Linton are the only settlements where the vacancy rate has decreased during this period.

Vacancy rates and retail uptake will continue to be monitored to identify any areas where issues are occurring as a result of the economic downturn such as retailers going into administration and the potential impacts of this within town centres. Woolworths is a recent example of a large chain high street retailer which has ceased trading and has left a number of vacant units in town centres across the Borders. However due to the prominent central location of these stores businesses have been encouraged to take up these units.

Town Centre checklists are also carried out annually to assess the vitality of the main town centres in the Scottish Borders, as the current physical appearance, attractiveness, accessibility and range of uses can dictate interest and usage. The checklists include a wide range of considerations, including, for example, appearance of buildings, evidence of recent investment by retailers, availability and quantity of visitor infrastructure (eg street furniture, public toilets, payphones and signage),

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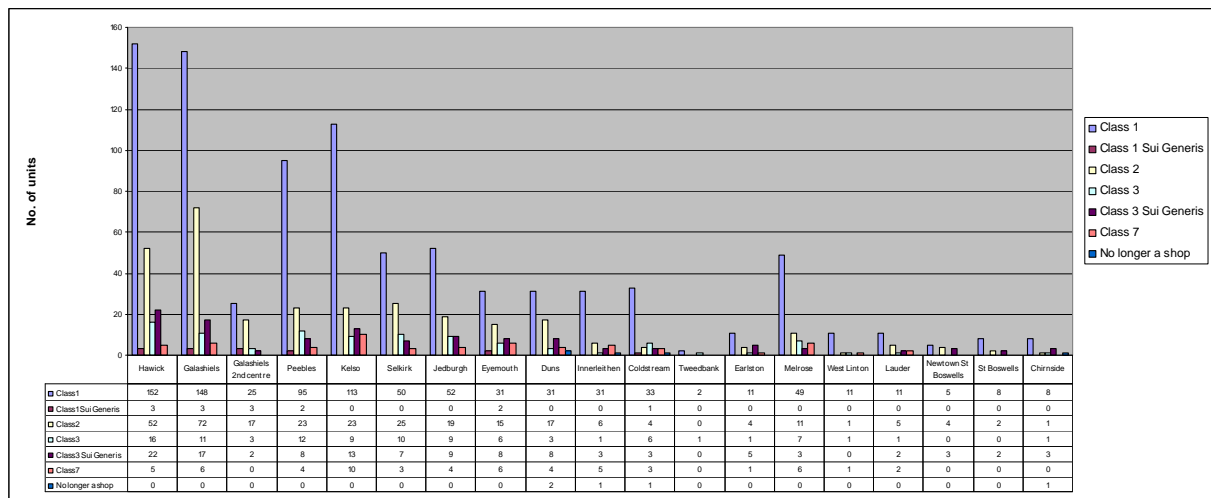
presence of open space, landscaping, cycling / pedestrian provision, location and quality of car parks, presence of CCTV cameras etc.

A retail capacity study is also being carried out. The purpose of this study is to establish the volume of retail development which could be accommodated within the Borders and to provide recommendations for future policy development in light of the emerging Local Development Plan.

As part of the Scottish Government Town Centre Regeneration Fund, Hawick is to benefit from £353,000 of funding which has been allocated for environmental improvements to the town centre. Also as part of this fund Jedburgh has been allocated £606,745 to assist a Town Centre Regeneration Project.

In addition to this the Council are supporting local businesses by offering the opportunity to improve the exterior of their retail units through the 'Shopfront Improvement Scheme'. During 2010, the scheme operated in 17 settlements in the Borders with the aim to provide a more attractive shopping environment.

Figure 34 - Number of Units per Use Class Order within Town Centres December 2009



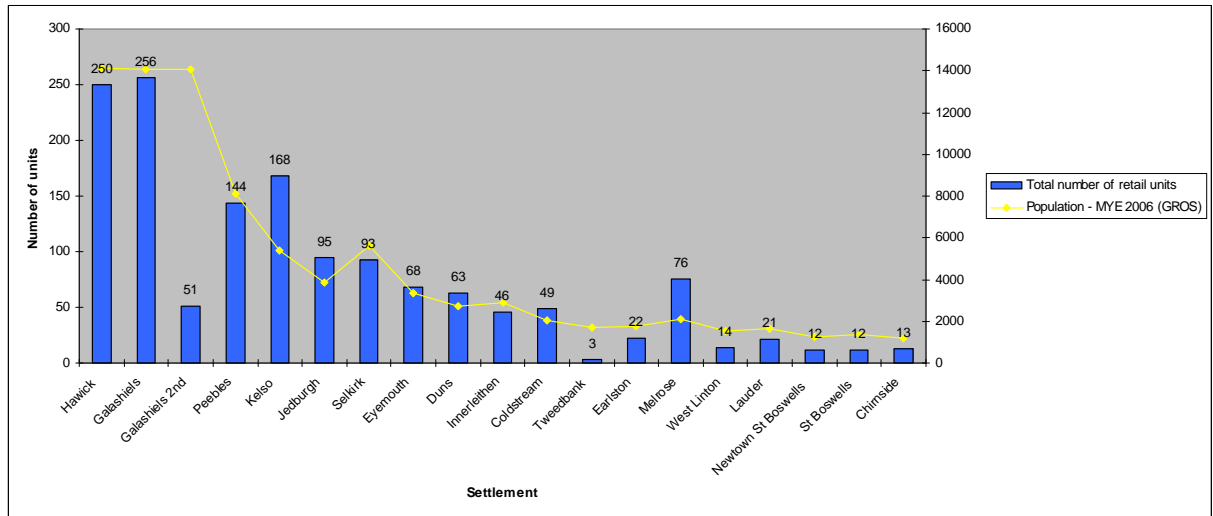
Source: Scottish Borders Council

Figure 34 shows the number of records by use class order and settlement in December 2009. These results will allow further monitoring of units changing use and where units have changed use class order. The figure shows that all settlements have a clear majority of Class 1 activities in town centres. Galashiels and Hawick have a large number of units included in Class 2, which includes banks and offices. The highest numbers of Class 3 Sui Generis, which include hot food take away premises, are found in Hawick and Jedburgh.

Figure 35 shows the number of retail units in relation to the size of the settlement. In the majority of settlements the number of units is in proportion to the size of each settlement except for Tweedbank and Melrose. In the case of Melrose this is due to the tourist appeal of the settlement with the retail units being supported by the high numbers of visitors. The low number of units located within Tweedbank is due to the settlements close proximity to Galashiels where there are large range of shops and supermarkets, many of which are multiples/chains, although a public house / restaurant has recently been developed at the side of Gunsknowe Loch.

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Figure 35 - Total number of retail units (December 2009) and settlement population estimates



Source: Scottish Borders Council

Future surveys will continue to develop, which will likely include minor changes to methodology. Examples of future additions might be more detailed surveying of activities above ground floor such as identifying areas of a shop, storage or flat on the first floor. Improved links to Assessors records and to GIS will significantly improve the use and quality of the survey database. This will help update the database with changes in addresses for owner, occupier and proprietor as well as changes in use.

8.2.4 Conclusion

The Council should continue to monitor town centre vitality and viability which includes the carrying out of pedestrian footfall studies, retail vacancy surveys, survey the Use Classes of operational units and carry out town centre vitality checklists

The Council should continue to monitor any adverse impacts the large new retail stores may have on town centres.

The Council should continue to promote and support financial regeneration and improvement schemes for retail operators.

The Council should consider the findings of the Retail Capacity Study with a view to establishing the volume of retail development which could be accommodated within the Scottish Borders and to provide possible recommendations for future policy development.

9. HOUSING

9.1 Affordable Housing

9.1.1 Policy Context

National policy relating to affordable housing is included in Scottish Planning Policy (SPP). The policy focuses on how the planning system can contribute to the provision of affordable housing.

Planning Advice Note (PAN) 2/2010 'Affordable Housing and Housing Land Audits' supersedes PAN 74 and provides advice and information on how the planning system can support the Government's commitment to increase the supply of affordable housing. The PAN also considers the role of the Housing Need and Demand Assessment (HNDA) and the Local Housing Strategy (LHS) in facilitating the delivery of affordable housing. In addition to this it is essential to have a policy within the local plan if the planning system is used to support affordable housing provision.

9.1.2 Local Plan Policies

- Policy H1 – Affordable Housing
This policy aims to ensure that new housing development provides an appropriate range and choice of 'affordable' units as well as mainstream market housing.

9.1.3 Main Developments and Implementation

The Scottish Borders Council Housing Needs and Demand Assessment (HNDA) was updated in 2008-09 and provides a general overview of housing issues and showed local trends and changes in the Borders. The situation is evident in the Borders with the need for affordable housing being linked to low income levels and the reduced availability of social rented housing. In addition to the HNDA the Council has also produced a Local Housing Strategy (LHS) which provides a strategic direction to address housing need and demand and inform future investment in housing and related services across the Scottish Borders. The Council also produced a Strategic Housing Investment Plan (SHIP) which shows how affordable housing investment priorities set out in the LHS will be delivered in practice in the forthcoming five year period.

The Council has produced supplementary planning guidance (SPG) relating to Structure Plan and Local Plan policies on affordable housing. The SPG describes how the housing needs assessment is the starting point for the policy. The guidance also describes different types of affordable housing contributions and sets out supplementary policy notes on housing needs assessment, thresholds, site/off-site provision, commuted payments and exceptions. The SPG includes the percentage requirement for contributions to affordable housing by Housing Market Area. As part of the Structure Plan Alteration the number of housing market areas was reduced from seven to four. The information in the 2006 Housing Need Assessment has been used to calculate new levels of affordable housing requirements based on the four housing market areas. The new contribution levels will be included in future reviews of the SPG. The SPG allows consideration to be given as to whether affordable housing is provided on or off site or whether an alternative commuted sum may be made towards affordable housing elsewhere within the Housing Market Area.

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The SPG also sets out the Council's need to monitor planning applications and completions. The requirement to distinguish and monitor affordable completions is also mentioned in PAN 2/2010. A system is continually developing where affordable housing can be monitored through the Housing Land Audit. New sites that are fully or in part developed for affordable housing are programmed in the audit. A system for monitoring completions and detailed information on affordable units is currently under development. A procedure note has also been produced to outline how the affordable housing policy will be administered.

The Council produces an annual return for the Scottish Government as part of the Affordable Housing Consent Survey. This survey records all affordable housing provision through the planning system including public subsidy or developer contributions in the form of land, built units or commuted payments.

In the last year development of applications for solely affordable housing has taken place in a number of places, including in Galashiels (Low Buckholmside and Balnakiel), and there are various examples of affordable housing being approved and built as part of larger scale planning proposals e.g Kelso (Broomlands), Jedburgh and Sprouston.

The SEA for the Structure Plan Alteration identified headline objectives to "provide environmental conditions which promote health and wellbeing" and to "provide affordable housing for the community". In practice these requirements are being met through the affordable housing policy initiatives.

9.1.4 Conclusion

The Council needs to continue to develop a robust system to monitor applications and completions for affordable housing to be able to update the policy when needed.

The Council also needs to keep information related to the housing needs assessment up to date to be aware of any changes that might occur in terms of housing need.

9.2 House Building

9.2.1 Policy Context

The main policy document relating to housing is Scottish Planning Policy (SPP) which supersedes SPP3 'Planning for Homes'. The SPP provide policy guidance on:

- the identification of housing need and demand on a more consistent and robust basis through joint working between local authorities and a range of partners;
- the use of the planning system to facilitate the construction of well-designed, good-quality housing in sustainable locations;
- the allocation of a generous supply of land to meet identified housing requirements across all tenures, including affordable housing;
- mechanisms to help ensure that planned housing is built, including quick and efficient review of development plans to enable the maintenance of a 5-year effective land supply; all of which supports
- the creation of high-quality places, which support the development of sustainable communities.

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SPP sets out a requirement for Council's to undertake a Housing Land Audit (HLA) annually to monitor housing completions and effective land supply. The aim of the audit is to ensure sufficient effective land supply to meet the requirement for at least 5 years. The audit process should involve consultation with housing and infrastructure providers.

9.2.2 Local Plan Policies

- Policy H1- Affordable Housing
This policy aims to ensure that new housing development provides an appropriate range and choice of 'affordable' units as well as mainstream market housing.
- Policy H2 – Protection of Residential Amenity
The aim of this policy is to protect the amenity of both existing established residential areas and proposed new housing developments.
- Policy H3 – Land Use Allocations
This aim of this policy is to ensure that sites allocated in the Local Plan are developed for their intended use and that justification is provided for an alternative use.

The Structure Plan Alteration was approved by Scottish Ministers in June 2009. The Alteration identifies new housing requirements for the Housing Market Areas in the Scottish Borders. The requirement identified in the Alteration is brought forward in the Finalised Local Plan Amendment which has now formed the Consolidated Local Plan.

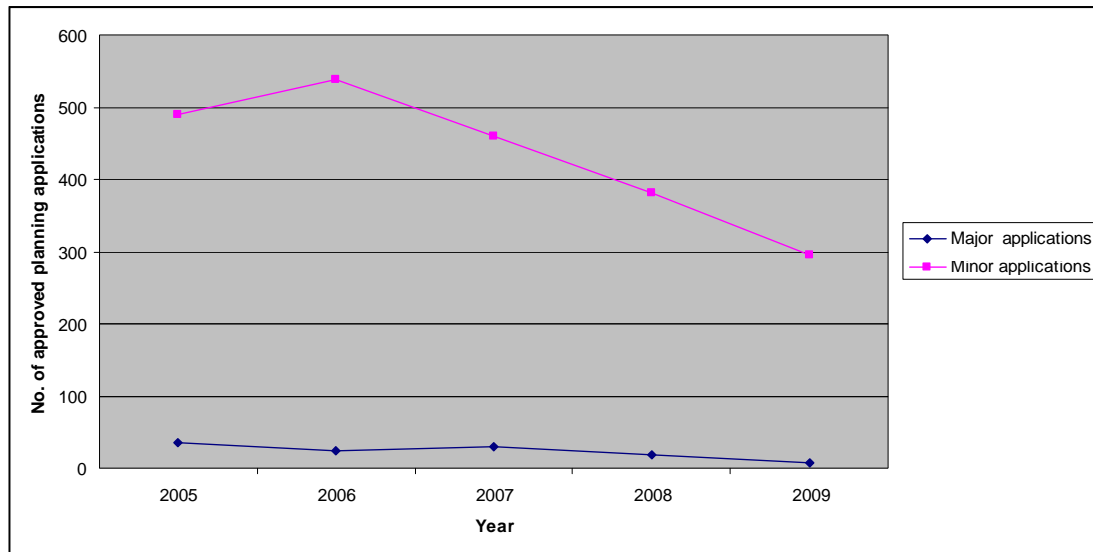
9.2.3 Main Developments and Implementation

Nationally the demand for housing has continued to grow due to social changes, longer life expectancy and in-migration. The 2008 based household projection predicts the number of households in Scotland to increase by 21% by 2033, the number of households in the Borders is projected to increase by 27%, which is substantially greater than the national average.

The Scottish Borders has experienced this changing demand and increase in planning applications for new housing proposals. The region has experienced a growing interest from national house builders in recent years, although there has been a drop in the number of applications in the last two years due to the change in the economic climate. Figure 36 shows the number of approved applications for the last five years, where there has been a decrease in both major and minor planning applications.

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Figure 36 - Approved Planning Applications 2005 - September 2009



Examples of developments recently completed or underway by national house builders are the Persimmon/Charles Church development in Lauder, Barratt at Tweedbank and CALA and Bryant Homes in Peebles. Development at Easter Langlee, Galashiels is due to be commenced in the near future by Persimmon Homes.

In the last two years the number of housing completions has been relatively high, 717 units in 2007 and 659 units in 2008 compared to the average over the last five years which is 577 units. Figure 37 shows the completion rates for the last 5 years. The table also shows that the majority of development takes place in the Central Borders Housing Market Area.

Figure 37 - Completion Rates by Housing Market Area

Housing Market Area	2005	2006	2007	2008	2009
Berwickshire	91	108	212	165	126
Central Borders	196	267	394	352	352
Northern	129	102	105	136	126
Southern	1	1	6	6	9
Total	417	478	717	659	613

Source: SBC Housing Land Audit 2009

The Housing Land Audit (HLA) is one of the key processes for monitoring housing development across the Borders. The audit includes sites in the Consolidated Local Plan and sites with planning permission for housing. The Council carry out an annual HLA to monitor the housing land supply in the area and to comply with the requirements in Scottish Planning Policy (SPP). The audit includes information on the number of effective housing units as well as how many units are constrained for development. Figure 38 shows the number of established units over the past five years. The established number includes effective (planned development years 1-5), potentially effective (programmed development in years 6-7) and constrained units.

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Figure 38 - Number of Established Units by Housing Market Area

Housing Market Area	2005	2006	2007	2008	2009
Berwickshire	1621	2352	2386	2537	2430
Central Borders	3177	5043	4953	4851	4644
Northern	662	1100	1130	1230	1080
Southern	75	89	115	133	136
Total	5535	8584	8584	8751	8290

Source: SBC Housing Land Audit 2009

The SEA for the Structure Plan Alteration identified a headline objective to “provide environmental conditions which promote health and wellbeing”. The additional considerations in the SEA included the requirement for provision of homes for families. The SEA objective is met in that the Council is allocating housing land to meet the housing requirement in the area.

9.2.4 Conclusion

The Council needs to continue to review the need for housing to meeting the SDP requirements and allocate housing land within the Local Development Plan to meet any identified need. The Housing Land Audit will continue to monitor housing land supply and take up.

The Housing Land Audit will, in the future, refine the monitoring of affordable housing as a part of the process. This will give the council opportunity to use the results to update policies as and when required.

9.3 Housing in the Countryside

9.3.1 Policy Context

The main guidance and advice relating to Housing in the Countryside is contained within the Scottish Planning Policy (SPP).

The policy stance in the SPP places emphasis on enabling development in rural areas which supports prosperous and sustainable communities whilst protecting and enhancing environmental quality.

The SPP states that the aim is not to see small settlements lose their identity nor to suburbanise the Scottish countryside but to maintain and improve the viability of communities and to support rural businesses. The SPP continues that in more accessible and densely populated areas most new development should be in or adjacent to settlements; whilst in less populated areas, small scale housing and other development which supports diversification and other opportunities for sustainable economic growth whilst respecting and protecting the natural and cultural heritage should be supported in a range of locations.

PAN 72, published in 2005, places a strong emphasis on design and quality. The advice contained within this document sets out the key design principles which need to be taken into account by both applicants and planning authorities for preparing development plans, supporting guidance and determining applications.

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These principles are supported under Structure Plan policies H5: Housing in the Countryside: Conversion and Rebuilding, H6: Housing in the Countryside: Building Groups and H7: Housing in the Countryside: Isolated Housing.

9.3.2 Finalised Local Plan Policies

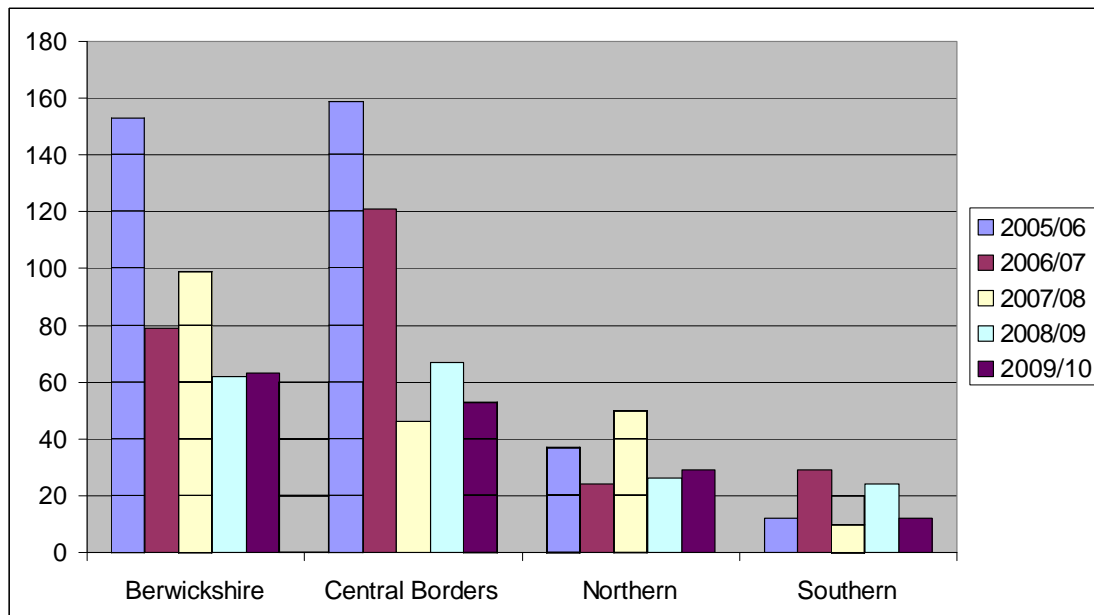
Policy D2 – Housing in the Countryside. *This policy aims to encourage a long-term sustainable pattern of appropriate rural housing development that restricts development outwith defined settlements, in accordance with the need to support existing services and facilities in villages and the promotion of sustainable travel patterns; to allow only small scale appropriate additions to existing identifiable building groups, or within dispersed building groups in the southern housing market area where they function as anchor points; to allow appropriate conversions and rebuilding in the countryside; to protect the environment from inappropriate and sporadic new housing development; and to support rural businesses. The policy restricts isolated new housing in the countryside in accordance with government guidance unless it can be satisfactorily substantiated by an economic justification.*

9.3.3 Main Developments and Implementation

Approvals

In total over a five year period (2005/06 – 2009/10) approvals amounted to 1155 which equates to an annual average of 231. Figure 39 confirms that in both Berwickshire and the Central Borders Housing Market Areas approvals peaked in the year 2005/06. The lowest number of approvals in all Housing Market Areas took place in the year 2009/10. This may have been influenced by the newly amended Housing in the Countryside policy D4 set out in the consolidated Local Plan which gives more restriction on new build opportunities in rural areas, as well as the economic downturn.

Figure 39 - Approvals by Housing Market Area



Source: Scottish Borders Council ((IST) All figures based on the Adopted LP Boundary)

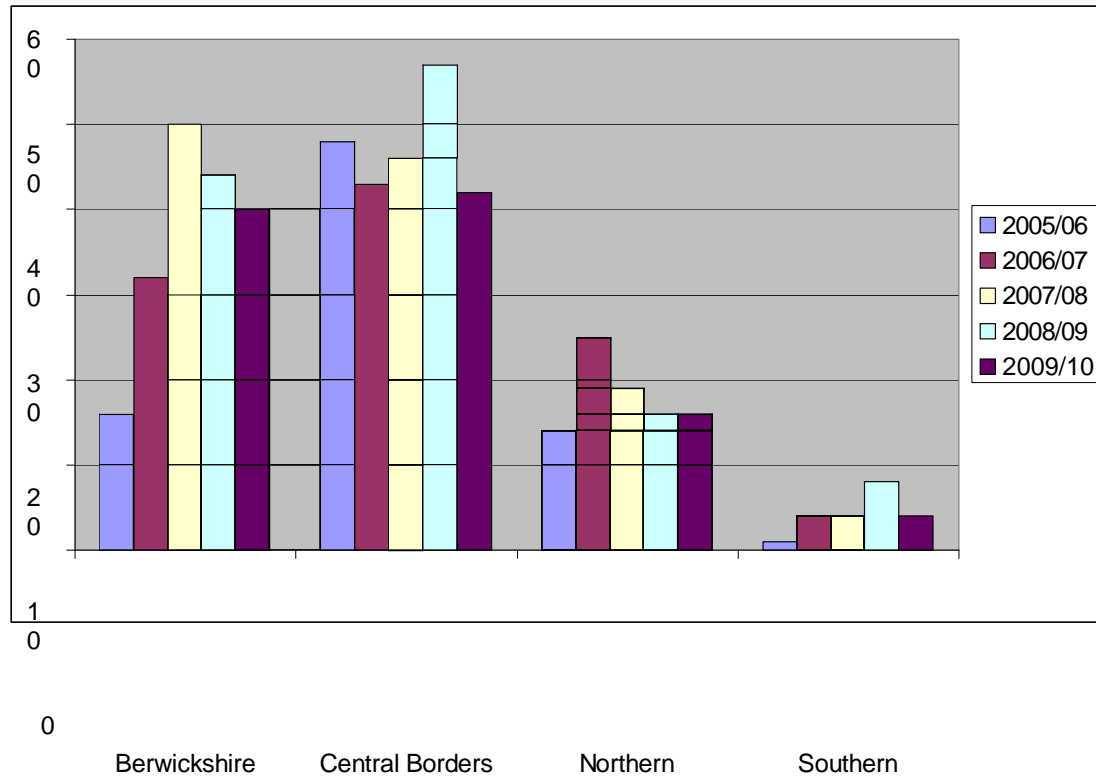
Completions

Figure 40 shows over a five year period, completions amounted to 529 which equates to an annual average of 106. The greatest number of completions continues to take place in the Berwickshire and Central Borders Housing Market Areas. However,

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completions in the Southern Housing Market Area have seen a gradual rise in recent years which indicates that the part of policy D4 which seeks to promote appropriate rural housing development in dispersed communities in the Southern Borders which were experiencing de-population is effective. Currently, Housing in the Countryside accounts for an average of 19% of the total completions in the Scottish Borders.

Figure 40 - Completions by Housing Market Area

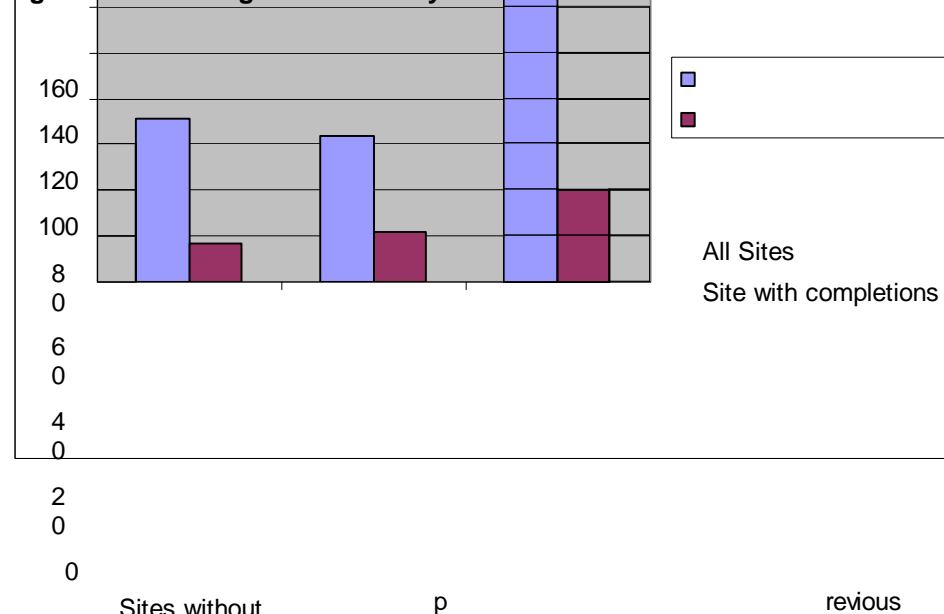


Source: Scottish Borders Council ((IST) All figures based on the Adopted LP Boundary)

Steadings/Conversions

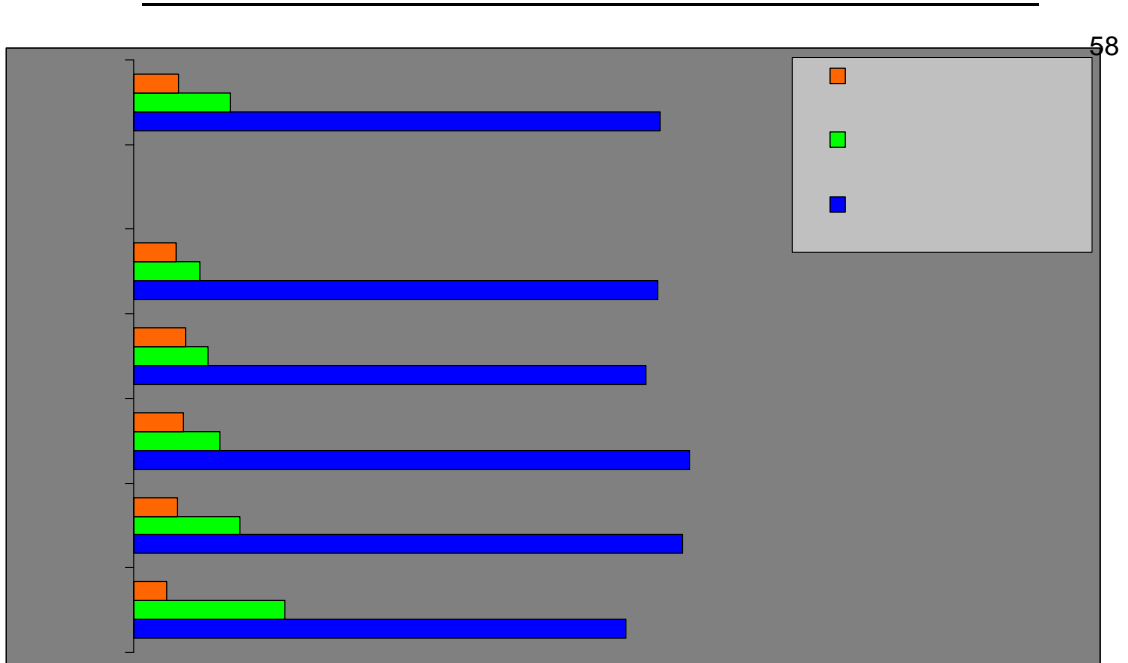
Figure 41 shows the overall numbers of Housing in the Countryside sites relating solely to "conversions". The overall number of sites relating to conversions within this last 5 years is 135 however, 64 of those have had a previous planning history. Overall out of the 135 sites only 39 have had at least one completion.

Figure 41 - Housing in the Countryside - Conversions



Sites with previous planning history All sites with steady planning history application in 5 yrs

Source: Scottish Borders Council ((IST) All figures based on the Adopted LP Boundary)



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Comparison of Completions, Approvals and Established Supply

Figure 42 shows that the established Housing in the Countryside supply has risen slightly. It is also evident that the number of approvals clearly exceeds the number of completions and the established supply in 2010 would provide for some 12 years of development at current rates.

Figure 42 - Relationship between Completions, Approvals and Established Supply

Year	Annual Average	Scottish Borders Completions	Scottish Borders Approvals	Scottish Borders Established Supply
2010	106	125	231	1253
2009	102	125	179	1224
2008	104	119	205	1330
2007	79	104	253	1312
2006	361	79	361	1176

Source: Scottish Borders Council ((IST) All figures based on the Adopted LP Boundary)

Whilst the current Housing in the Countryside policy approach is in line with national policy, it is clear that from the results of the research undertaken that the numbers of approvals continue to outstrip the number of completions; the established supply which equates to 12 years supply far exceeds what is considered necessary given current completion rates. Whilst the established supply continues to remain high and has risen from the 2009 level, the number of planning approvals has decreased slightly again from 179 approvals in 2009 to 157 approvals in 2010. As can be expected by the current economic climate the number of completions has also decreased slightly from the previous year. It will continue to be important to ensure that development is appropriate to its location, is sustainable and energy efficient. Similarly, development of groups of buildings including steading conversions should only be acceptable where they are sympathetic to the character of the surrounding area and its buildings.

The Consolidated Local Plan made a change to the Housing in the Countryside policy D4 as a result of the sometimes considerable extent existing building groups were allowed to be extended under the policy. The amendment to this policy set out now states that any building group can be extended by a maximum of 2no units or 30%, whichever is the greater. This amendment sets a clear numerical cap and takes cognisance of the size of the existing building group. This amendment will be monitored to gauge its effect in practice and the Housing in the Countryside SPG will be altered accordingly.



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9.3.4 Conclusion

The Council must continue to protect the countryside from inappropriate housing development.

The Council should continue to monitor housing development figures in the countryside and monitor the effectiveness of the Housing in the Countryside policy.

The Council must update its SPG on New Housing in the Borders Countryside in order to support the amendments to policy D4 as stated within the Consolidated Local Plan.

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10.1 Transport

10.1.1 Policy Context

Scottish Planning Policy (SPP) replaced SPP 17: Planning for Transport. The SPP promotes more sustainable modes of traffic in order to reduce emissions from transport sources as a contribution to achieving Scottish Government gas emission targets. The planning system should support a pattern of development which reduces the need to travel, facilitates travel by public transport and freight movement by rail or water, and provides safe and convenient opportunities for walking and cycling. Accessibility issues and street layout and design should be part of the design and planning process from the outset. The SPP lays down parking policy requirements, states the important role of ensuring an efficient strategic transport network, identifies airports and seaports considerations, and lists freight and roadside facility issues to be addressed.

A Local Transport Strategy was adopted in 2007/08 for the Scottish Borders and the proposals in this document work in tandem with Local Plan policies.

10.1.2 Local Plan Policies

Policy Inf1- Transport Safeguarding. *This policy prevents development that would affect future strategic transport schemes.*

Policy Inf2 - Protection of Access Routes. *This seeks to uphold access rights by protecting existing access routes.*

Policy Inf3 - Road Adoption Standards. *This requires road construction consent for new access routes to ensure that construction is to Council adopted standards.*

Policy Inf10 - Transport Development. *This promotes improvements that assist in meeting the Council's economic, social and environmental objectives for sustainable travel patterns.*

Policy Inf11 - Developments that Generate Travel Demand. *This promotes sustainable travel patterns and to ensure that significant travel generating development are properly scrutinised.*

Policy G1 - Quality Standards for New Development. <i>Seeks to ensure that all new developments are of a high quality and provides linkages for public transport connections etc.</i>	
Policy G5 - Developer Contributions. <i>Aims to ensure that any additional impact on infrastructure is absorbed by the landowner/developer.</i>	
Policy G6 - Developer Contributions Related to Railway Reinstatement. <i>Seeks developer contributions towards the cost of the Waverley Railway when housing developments are considered to benefit from the new line.</i>	

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10.1.3 Main Developments and Implementation

Transport is a vital ingredient of the Scottish Borders due to the size and rural nature of the area. There are three main areas that contribute to transportation in the area:

Road Network

Good trunk roads are important to facilitate the effective distribution of goods and services, and to maintain the Scottish Borders position as an attractive location for companies to invest and create roads. There are five trunk roads which travel through the region:

- A68 – Edinburgh – Jedburgh – Carter Bar.

- A7 – Galashiels – Carlisle.

- A1 – Edinburgh – Berwick-upon-Tweed.

- A6091 – Galashiels – Newtown St Boswells.

- A702 – Edinburgh – Biggar.

There are also a number of other strategic routes in the area which are not trunk roads:	

- A7 – Edinburgh - Galashiels

- A72 – Biggar – Peebles – Galashiels.

- A697 – Carfraemill – Coldstream – Morpeth.

- A6105 – Earlston – Berwick upon Tweed.

- A698 – Hawick – Kelso – Coldstream – Berwick-upon Tweed.

- A699 – Selkirk – St Boswells – Kelso.

- A703 – Peebles – Leadburn.

Rail Services

There are currently no rail services in the Scottish Borders. However, with the successful promotion of the Waverley Railway (Scotland) Bill in July 2006, it is hoped that rail services will be running on the old Waverley Line from Edinburgh to Tweedbank by the end of 2014. In addition, the eastern Borders can access the East Coast Main Line at Dunbar and Berwick-upon-Tweed. There is a possibility that a station may be reopened at Reston in the future.
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Bus Services

At present, approximately 30% of the bus network is operated commercially by private companies such as First Group and Munros and approximately 70% of the network is subsidised by SBC to communities that would not be able to sustain a commercial service. The absence of a railway service means that a number of strategic services are provided by bus, many at the expense of the Council.

The Council provides free school transport for approximately 4,000 pupils under the Education Act. Over 12% of primary school pupils and 37% of high school pupils qualify for free transport. School transport has a key role in sustaining the rural public transport network with over 90% of local bus services used to carry school or college students during peak periods.

Major Transport Projects

Recently a number of major transport related projects and policy achievements and projects have been programmed, commenced and completed. These major projects include:

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- The design and construction of a 3-lane overtaking section of carriageway on the A68 at Soutra for the Scottish Executive. It has proved to be so successful that it has been adopted nationally as an area of good practice;
- The planning, design and completion of the continuing progress of the Galashiels Inner Relief Scheme. This is a multi-phased town centre development which is linked to retail expansion and a new transport interchange;
- The completion of the A7 Hawick Traffic Relief Scheme, which has given through traffic an alternative route avoiding the town centre;
- The completion of the A72 Clovenfords to the Nest Scheme;
- Improvements to main routes including A72, A699, A703, A701 and A6105
- The successful progress of the Waverley Railway (Scotland) Bill through the Scottish Parliament. The Bill was granted Royal Assent in July 2006;
- A three-year route development grant from the Scottish Executive was procured in 2005 to double the frequency of key bus services on a number of routes to and from Edinburgh, designed to encourage more sustainable travel;
- The continued implementation of the Safer Routes to School policy throughout the Borders area, including the introduction of school travel plans and 20mph schemes;
- Improvements to public transport infrastructure, including new bus stops, shelters and raised kerbing;

There are a number of areas that need to be monitored in order to assess the effectiveness of the Local Plan policies:

Method of Travel

The SEA baseline identifies the need to reduce travel and encourage sustainable forms of transport. The Census data from 2001 provides information on the method of travel to work or study by 'day time' population in the Scottish Borders and is listed below in figure 43. This shows that the second most popular form of transport to work after the car is on foot. Cycling and walking are the two most sustainable modes of transport due to the environmental impacts being minimal. In 1999, the Council introduced a Local Cycle Strategy to develop a cycle infrastructure, encouraging safe cycling throughout the region, maximising opportunities for walking and cycling and promotion of a healthier lifestyle. The Council has also produced a Core Path Network Plan, which identifies access to the countryside, for commuting, shopping, getting to school and linking to the wider community.

Figure 43 - Method of Transport Used to Travel to Work or Study in the Borders

Method of Travel to work or study	Number of People
Total 'day time' population	100,495
'Day time' population not currently working or studying	36,997
'Day time' population that works or studies mainly at/from home	6,006
Train	77
Bus, minibus or coach	6,318
Taxi or minicab	389
Driving a car or van	24,375
Passenger in a car or van	6,489
Motorcycle, scooter or moped	187
Bicycle	849
On foot	18,401
Other	407

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Strategic infrastructure including roads, utilities and services

It is essential that the infrastructure of the Scottish Borders is maintained and expanded in line with development. The public road network of the Borders is approximately 1900 miles in length. Figure 44 shows 95% of traffic that travels through the Borders is on rural roads mainly due to the wide dispersion of many rural communities throughout the region. There is great dependence on the car due to a lack of alternative transport methods in the region such as a rail station, airport or coastal port. Traffic volumes peak during the summer months as large numbers of tourists visit the Borders and with car ownership increasing more pressure is being applied to the road network.

Figure 44 - Scottish Transport Statistics 2009 - Estimates for Traffic on Major Roads in the Scottish Borders

Type of Road	Million Vehicle Kilometres
Trunk A, Urban	18
Trunk A, Rural	372
Non Trunk A, Urban	28
Non Trunk A, Rural	439
Total All Major Roads	857

Source: Department of Transport

The rapid response team, SB Local, was introduced in selected areas throughout the Borders in 2004 and has proven a considerable success, with positive feedback from elected members, community councils and the general public.

10.1.4 Conclusion

The Council should continue to protect existing access routes and promote more sustainable travel patterns including cycle and footpath routes, public transport and the Waverley Line.

10.2 Waste Management

10.2.1 Policy Context

The Scottish Government launched Scotland's first Zero Waste Plan (ZWP) in June 2010. This sets out the Scottish Government's vision for a zero waste society where all waste is seen as a resource; waste is minimised, valuable resources are not disposed of in landfills, and most waste is sorted, leaving only limited amounts to be treated.

In accordance with Scottish Planning Policy (SPP), the goal of Zero Waste means following a 'Waste Hierarchy' (an order of preference) for how we deal with waste i.e. eliminating the unnecessary use of raw materials, then reusing and recycling products with disposal the last option.

The ZWP sets out new measures including the following:

- Development of a Waste Prevention Programme for all wastes, ensuring the prevention and reuse of waste is central to all our actions and policies
- Landfill bans for specific waste types therefore reducing our greenhouse gas emissions and capturing the value from these resources

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- Separate collections of specific waste types, including food, to avoid contaminating other materials, increasing reuse and recycling opportunities and contributing to our renewable energy targets
- Two new targets that will apply to all waste: 70 per cent target recycled, and maximum 5 per cent sent to landfill, both by 2025
- Restrictions on the input to all energy from waste facilities, in the past only applicable to municipal waste, therefore encouraging greater waste prevention, reuse and recycling.
- Encouraging local authorities and the resource management sector to establish good practice commitments and work together to create consistent waste management services, benefitting businesses and the public.
- Improved information on different waste sources, types and management highlighting further economic and environmental opportunities
- Measure the carbon impacts of waste to prioritise the recycling of resources which offer the greatest environmental and climate change outcomes

SPP requires that all development plans identify appropriate locations for required waste management facilities, where possible allocating specific sites, and provide a policy framework which facilitates the development of these facilities.

10.2.2 Local Plan Policies

Policy 'Inf7 - Waste Management Facilities. *This is the main policy in the Local Plan*

<p><i>related to waste management. The policy complements the Structure Plan policy on waste management which requires new facilities to be in accordance with the Area Waste Plan and Scottish Borders Waste Strategy. This provides for a Materials Recovery Facility and Langlee Waste Treatment works and waste transfer stations at</i></p>						
<p><i>Hawick (Mansfield Depot), Galashiels (Easter Langlee) and Duns (Cumledge). Langlee is the only site for new facilities that has been identified for this local plan. Community recycling points is being developed to encourage local recycling within</i></p>						
<p><i>communities. Local recycling is encouraged in new developments through Policy G1 'Quality Standards for New Development'.</i></p>						
<p><i>The policy states that applications for waste management facilities, including treatment plants, landfill sites and waste to energy developments, will be assessed against the principle of the development in terms of its location and the details of the application.</i></p>						
<p>10.2.3 Main Developments and Implementation</p>						

The Structure Plan strategy for growth has implications for the management of waste. The Council is currently working on a waste treatment project that will divert waste away from landfill. So far a tendering process has been undertaken for a plant that would deal with waste from the Scottish Borders Council area. Land use implications of options for future waste management will be addressed in reviews of the Local Plan.

The Structure Plan identifies areas which still have capacity for landfill. The sites are located in Preston Cleuch near Duns, Dunion near Jedburgh and at Easter Langlee in Galashiels.

Scottish Borders Council actively encourages waste recycling and has six community recycling centers and sixty eight recycling points across the region. The Scottish Borders follows the key principles of the waste hierarchy to ensure waste is managed with a sustainable approach with landfill used as a last resort for residual waste.

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The majority of commercial and household waste from the Borders goes to landfill although Scottish Borders Council is one of the leading local authorities in Scotland in relation to meeting recycling targets. In 2009/2010 Scottish Borders Council waste arisings totalled 70,498 tonnes with 26% being recycled and 12% being composted 25,190 tonnes of bio-degradable municipal waste was land filled during the same period. This meets the allowance of 27,648 tonnes set by the Landfill allowances scheme monitored by SEPA. Figure 45 shows a more detailed breakdown of figures for the periods –2006/2007-2009/2010.

Scottish Borders aims to maximise diversion of waste from landfill by increasing the recycling, composting and resource recovery from waste.

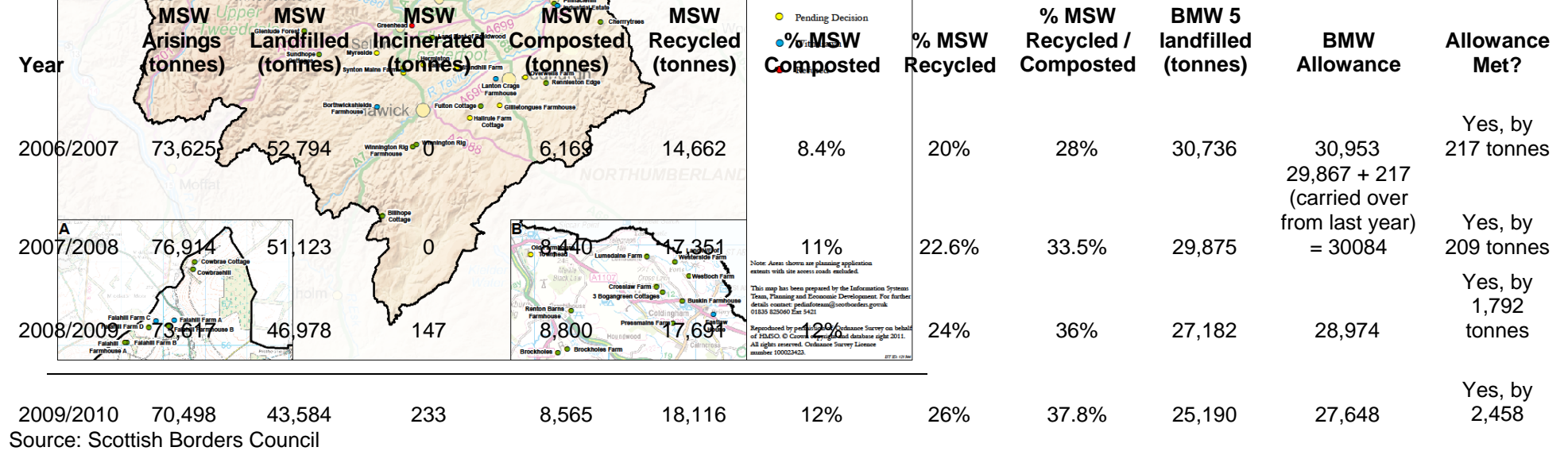
The SEA for the Structure Plan Alteration identified a headline objective to “Provide environmental conditions which promote health and wellbeing.” The additional considerations in the SEA included promotion of sustainable management of waste according to the waste hierarchy. The SEA objective is met in that the Council follows the key principles of the waste hierarchy to ensure waste is managed with a sustainable approach with landfill used as a last resort for residual waste.

10.2.4 Conclusion

The Council needs to continue to encourage use of the existing policies and follow the waste hierarchy to achieve higher levels of recycling and minimise need for landfill to meet national requirements.

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Figure 45 – Breakdown of Refuse Disposal



11.1 Renewable Energy

11.1.1 Policy Context

Scottish Planning Policy (SPP) was published in February 2010 and superseded SPP6 – Renewable Energy Developments. The SPP broadly aims to ensure the delivery of renewable energy targets and 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, including the preparation of a spatial strategy. PAN 45 covered the characteristics of the main types of electricity generation developments, using renewable energy resources likely to be deployed in Scotland. It gives advice on technologies, i.e. wind power, hydro-power and energy from biomass and wastes, the significant planning issues likely to arise and how these can be addressed. Planning Advice Note (PAN) 45: Annex 2: Spatial Frameworks and Supplementary Planning Guidance for Wind Farms produced in December 2008 gave further advice to planning authorities on required SPGs for wind farms.

As part of the modernisation of the planning system, the intention to scale back the amount of planning advice issued by the Government was announced in October 2008. The Planning Advice series is being retained but some PANs are being withdrawn and others will be merged and updated. This will result in an overall reduction in the number of PANs and an increased focus on technical matters.

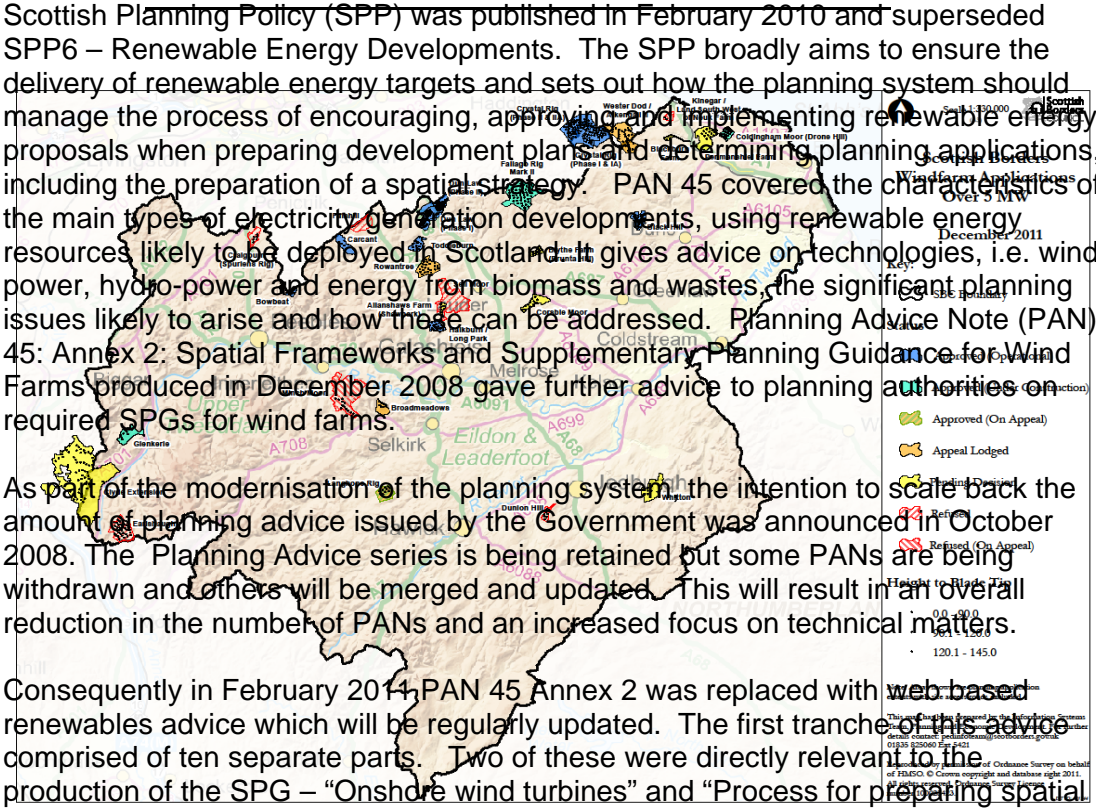
Consequently in February 2014 PAN 45 Annex 2 was replaced with web based renewables advice which will be regularly updated. The first tranche of this advice comprised of ten separate parts. Two of these were directly relevant to the production of the SPG – “Onshore wind turbines” and “Process for preparing spatial strategies for wind farms”.

11.1.2 Local Plan Policies

Policy D4 – Renewable Energy Development. *The aim of this policy is to support the development of renewable energy whilst ensuring the impacts of the environment are properly controlled. The policy focuses on wind energy as it recognises that it is the main form of renewable energy likely to affect the Scottish Borders during the plan period, although it also makes provision for other technologies.*

11.1.3 Main Developments and Implementation

Interest in renewable energy production has arisen in response to growing concern about the rise in atmospheric levels of carbon dioxide and other greenhouse gases and the change in global climate this could be causing. In order to meet international obligations the UK and Scottish Government are committed to reducing greenhouse gas emissions. Much of the new power generation capacity will come from wind farms and that in the short term these will be primarily onshore as opposed to offshore. Scotland has one of the windiest climates in Europe giving the country great potential to use this resource to generate electricity. The overall Scottish electricity generated targets from renewable resources e.g. wind (on and offshore), biomass, landfill gas, wave, solar are now stated as 31% by 2011 and 100% by 2020.



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Scottish Borders Council has taken a proactive role in supporting wind farms in instances where proposals are considered to be in acceptable locations. The following web links confirm the status of all wind turbine proposals submitted within the Scottish Borders including those submitted for scoping / screening proposals - http://www.scotborders.gov.uk/downloads/file/7862/windfarm_database_june_2014 http://www.scotborders.gov.uk/downloads/file/52/windfarm_screening_and_scoping_sites_may_11 . Figure 46 confirms the no of planning applications, status and location of submitted proposals for wind farms in the Scottish Borders which are 5MW or less in capacity.

Figure 46 - Wind Farm Applications within Scottish Borders of 5MW or less



Figure 47 confirms the no of planning applications, status and location of submitted proposals for wind farms in the Scottish Borders which are over 5MW's in capacity. Figures 46 and 47 and the preceding web link confirm the continuing extremely high interest in wind turbine proposals within the Scottish Borders which are amongst the highest in Scotland. The physical impacts of all these proposals on the Borders landscape are a major concern from a number of sources throughout the region. The conflict of supporting national renewable energy targets and ensuring these proposals will not cause irreparable damage to the landscape, tourism and consequently the Scottish Borders economy is one of the main challenges to the Council. This does not solely relate to larger scale proposals but also the increasing number of proposals for smaller scale turbine(s) as a result of the interest in Feed In Tariffs. The community benefits turbines can offer are an attractive proposition to many parties, although it is important these are considered separately to any planning policy and development management consideration.

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In order to support renewable energy proposals The Scottish Government encouraged planning authorities to produce Supplementary Planning Guidance (SPG) to draw up policies to address this. Existing SBC policy which dates back to the structure plan is out of date and in order to fully address wind farm proposals in the Scottish Borders it was critical that an SPG as required by Scottish Government was produced and adopted.

Figure 47 - Wind Farm Applications within Scottish Borders over 5MW

In May 2011 the Planning and Building Standards Committee approved an SPG on wind energy. Although the SPG makes reference to other means of renewable energy the main part relates to wind farms which are the most common means of wind farm supply as well as being the most contentious.

The SPG provides a clear statement of the criteria which the council will use to assess future planning applications for onshore wind energy developments and associated infrastructure. The SPG is a material consideration to future decision making on all planning applications for on-shore wind energy development and associated infrastructure. In preparing planning applications applicants should address both the policy development criteria and the spatial strategy which identifies levels of areas of significant protection and areas of search for wind turbines.

Policy D4 – Renewable Development was updated in line with the reporter's recommendation following the Local Plan Public Inquiry. It has since been tested at recent wind farm public inquiries and is generally accepted as a robust and up to date policy. However, the SPG was considered an opportunity to add additional guidance notes to it following practical experiences and issues raised during recent wind farm public inquiries

Policy D4 also seeks to encourage a range of other means of renewable energy uses such as, for example, biomass, hydropower, biofuel technology and solar power. It

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would appear there have been few planning applications directly proposing some of these although obtaining hard figures to confirm this is difficult. The Council adopted SPG 18 on Renewable Energy which sets out planning requirements for the use of renewable energy systems for new and existing developments, and the requirements for the reduction of carbon dioxide emission levels from new developments. It also details a number of renewable energy technologies and includes information on energy efficiency.

The Department continues to produce a high number of design briefs for sites which are allocated in the adopted Local Plan. A common theme for all briefs is to continue to promote and address issues of energy use and generation. This includes consideration of more sustainable energy generation through localised generation (e.g. wind, biomass, energy from waste) and supply of heat and power through district heating or combined heat and power (chp) schemes. Design briefs also address the ability to reduce carbon dioxide emissions through a more sustainable approach to design which results in energy efficiency, including orientation to maximise solar gain and shelter (through land form or built development) through appropriate site and individual building design. Design briefs also reinforce the Council's commitment to achieving carbon dioxide emissions as detailed in SPG18 in accordance with SPP and PAN84. The support and promotion of renewable energy within these planning briefs has been beneficial to a range of users.

11.1.4 Conclusion

The Council should continue to monitor the effectiveness of the SPG on wind energy and update the data sets within the spatial strategy as constraints are amended and superseded. This should include, for example, the inclusion and appropriate protection of future designated Special Landscapes Areas within the Scottish Borders. Particular attention should be given to the balance between implementing the national support for wind turbines and the protection of the Borders landscape and habitats. Particular consideration and monitoring should be given to any adverse cumulative impacts of turbines, including proposals for small scale developments.

The Council should continue to promote and address issues of energy use and generation including through design and the use of sustainable materials within planning briefs.

12. RURAL RESOURCES

12.1 Minerals

12.1.1 Policy Context

Scottish Planning Policy (SPP) supersedes both SPP 4 – Planning for Minerals and SPP 16 – Opencast Coal. SPP states that planning authorities should have regard to the availability quality, accessibility and requirement for mineral resources when preparing development plans. These areas should be identified and safeguarded and the criteria to be satisfied by development proposals should be set out. The planning process should aim to minimise significant negative impacts on the amenity of local communities and the natural and historic environment and proposals should only be supported where adequate mitigation measures can be carried out.

12.1.2 Local Plan Policies

Policy R2 – Safeguarding of Mineral Deposits. *The aim of this policy is to ensure that minerals are not unnecessarily sterilised through inappropriate development.*

Policy R3 – Mineral and Coal Extraction. *This policy aims to ensure that mineral working is carried out with minimal adverse impact on the environment and with appropriate restoration measures following extraction.*

12.1.3 Main Developments and Implementation

The Scottish Borders contains a variety of mineral resources, many of which are being extracted to serve the needs of a wider market area. This is particularly the case in the north of the region where a substantial proportion of the minerals which are worked are exported to Edinburgh and the Lothians. Although the overall volume and rate of mineral production in the Scottish Borders is not substantial when compared with many other parts of the UK, it is significant in a local context

Applications for mineral workings are relatively infrequent in the Scottish Borders. At present there are 17no approved mineral sites within the area, although these range in size from large scale long term operations to short term small scale sites. The main extraction sites are at Craighouse Quarry near Redpath, Soutra Quarry and Kinegar Quarry at Cockburnspath. There are no working open cast coal sites in the Scottish Borders.

The main issue with mineral proposals is addressing the conflict of utilising these important resources and safeguarding the attractive landscape, environment and communities. Figure 48 confirms the no of applications submitted for mineral extraction since 2006. It is noted that all have been approved, although these include a number of borrow pits relating to wind farm proposals and were approved for relatively short term use. Although all these proposals were approved, they have been allowed subject to a considerable number of often onerous planning conditions requiring mitigation measures which have been attached following extensive consultations. The Councils Planning enforcement section and environmental health monitor mineral operations and their compliance with conditions where required. A SEA baseline requirement is to avoid the blighting of mineral assets.

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Figure 48 - Decisions on Mineral Applications

Status	2006	2007	2008	2009
Validated	0	3	2	4
Approved	0	3	2	4
Refused	0	0	0	0
Appealed	0	0	0	0

Source: Scottish Borders Council (Uniform Team (SI))

Following the Local Plan Public Inquiry and modification process policies R2 and R3 were ultimately amended for the new Local Plan. This involved replacing the quoted Structure Plan policies E6 and E9 respectively and replacing these with more specific criteria based policies which are of more use from a development control point of view. The justification for these policies was also amended to state that the criteria also relates to land out with the Scottish Borders. These two policies are therefore relatively new and up to date and it is considered that in practice they offer sufficient detail and guidance to work well and to form the basis for judging planning applications for mineral works. Consequently there is no need to amend or supersede them.

The Scottish Borders Minerals Draft Subject Local Plan was prepared in 1998. The document attempts, within a national policy framework, to reconcile the competing needs and differing views of those parties with a legitimate interest in the mineral

<p>planning process. It includes identifying where deposits should be safeguarded, defining areas of search, indicating sites and areas where other considerations are likely to militate against mineral working, provides a framework for development control decisions and sets out a programme for regular monitoring of mineral workings. Much of the document is outdated, including one useful part which incorporates a map identifying Areas of Search for minerals. Part of the SESplan Strategic Development Plan gives a commitment for planning authorities to prepare up to date Areas of Search maps for mineral extraction. This commitment should be undertaken as the map in the 1998 Draft Plan needs amending to take cognisance of updated identified constraints and its publication would be beneficial to a range of users.</p>				
<p>12.1.4 Conclusion</p> <p>The Council should continue to strike a balance between utilising mineral resources and safeguarding attractive landscape, environment and communities.</p> <p>The Council should prepare an Areas of Search map for minerals for the Scottish Borders, probably prepared as Supplementary Planning Guidance.</p>				

MONITORING STATEMENT

13.1 Policy Review

13.1.1

The first part of the MS has studied specific subject matters and identified how effective policies have been in practice and consequent actions to be taken.

The second part of this MS intends to gauge the effectiveness of policies within the consolidated Local Plan. For each policy a summary is made of its apparent effectiveness and any other comments of note, consideration is given as to whether the policy should remain in its current form, whether it should be removed and whether any amendment is required. These findings can be viewed in figure 50.

Figure 49 has been compiled taking on board the findings of the first part of the MS for each subject matter, feedback from internal and external users of the policies and national policy requirements.

<p>National guidance now seeks to encourage shorter, more concise policies which are considered more user friendly. The MS acknowledges this and would wish the LDP to implement this in due course. There are also opportunities for merging similar types of existing policy. However, it is considered that if policies are diluted too much then some clarity can be lost, and ultimately interpretation of policies can be varied and more grey areas appear. It would also seem inappropriate to reduce certain policies size solely for the reason of shortening them. An example would be the amendment to policy D2 – Housing in the Countryside which has recently gone through examination as part of the Local Plan Amendment. This amended policy is now part of the consolidated Local Plan and one of the more lengthy policies, but to reduce its size would result in a loss of some of the important and necessary criteria considerations. It is therefore not desirable to reduce the size of some policies.</p> <p>Consequently it is considered the LDP should follow a middle ground which shortens policies where possible but not to the degree whereby important criteria</p>				
<p>considerations are omitted leaving areas of uncertainty for policy implementation. Some policies offer similar advice and could be merged where possible and updates of relevant new national planning guidance will be incorporated in to plan. The link between existing structure plan and local plan policies is reviewed in order to ensure all strategic structure plan policies are addressed at the local plan level and to prevent duplication of policies where possible.</p>				
<p>The policy format currently includes a justification attached at the end of each policy. The justification gives a summary of the reasoning behind the policy and often gives useful background and/or further practical advice which can help interpretation and use of the policy. Consultation responses have confirmed that the policy justifications are helpful in practice and that these should remain. Similarly the cross references at the end of each policy section are considered useful advice and a check of other possible linked policies which may be relevant, and it is considered these should also be retained.</p>				

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Figure 49 – Policy Review				
Policy	Comments	Retain in principle	Merge / Streamline	Conclusion
G1 - Quality Standards for New Development	<p>Although quite detailed and lengthy it is probably the most used policy and it works well in practice.</p> <p>Policy needs strengthened to reflect the requirements of the Zero Waste Plan. It is also suggested SPG on</p>	Yes	-	<p>It is considered that the policy will be substantially retained but with updates to reflect the requirements of the Zero Waste Plan.</p> <p>Integration of relevant aspects of SP policies N20, I4 and I5 into policy G1 will be considered.</p> <p><i>Statutory SPG</i></p> <ul style="list-style-type: none"> • A new SPG on waste management will be considered • Designing out Crime in the Scottish Borders • Greenspace
	<p>waste management issues for construction could be appropriate to address avoidance of damage or discharge to water courses, soil storage, the re-use of soils on site rather than exporting them as waste for example. If this was proposed it should be stated in the policy.</p>			<ul style="list-style-type: none"> • Landscape and development • Placemaking and design • Privacy and Sunlight Guide • Replacement Windows (update to be agreed by Planning and Building Standards Committee) • Use of Timber in Sustainable Construction • <u>Greenspace Strategy</u>
	<p>Also need to consider integration of SP policies N20 'Design', I4 'Public Transport Provision' and I5 'Cycling' into policy</p>			_____

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G2 - Contaminated Land	G1. Incorporates main principles of SP policy I18.	Yes		It is considered that the policy will be substantially retained.
G3 - Hazardous Developments	A wording change will be incorporated to reflect that SNH would only wish to be consulted by developers preparing their assessments where there are potential impacts on sites designated for their natural heritage value. Although used infrequently it is still a policy needed for guidance and reference in certain circumstances. Should be retained.	Yes	-	<p>A wording change will be incorporated to reflect that SNH would only wish to be consulted by developers preparing their assessments where there are potential impacts on sites designated for their natural heritage value.</p> <p><u>A reference to</u> the Environmental Protection Act should be added in the justification.</p> <p><i>Relevant SPG</i> Contaminated Land Inspection Strategies</p> <p>It is considered that the policy will be substantially retained.</p>
G4 - Flooding	Policy incorporates main principles of SP policy I15.	Yes	-	Policy retained but likely to be amended to reflect the requirements of the Flood Risk Management (Scotland) Act 2009. Identifying areas of land that could contribute towards sustainable flood management measures will be considered further.
	The policy justification should be updated to reflect the new requirements under the Flood Risk Management (Scotland) Act 2009.		-	The SFRA work to be undertaken should be referenced in the policy justification.

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	Policy update needed to identify (and safeguard) areas of land that contribute/could potentially contribute towards sustainable flood			
G5 - Developer Contributions	management measures as part of the spatial strategy. The Strategic Flood Risk Assessment covers some of this work and should be referenced in the justification of the policy. Point 1 possibly requires amending as developer contributions for treatment of surface or foul waste water are not required.	Yes	-	<hr/> <p>Policy substantially retained but consideration to be given to the removal of point 1 on developer contributions for foul or surface waste water and to amend policy point 6 to reflect improvements in the water environment in line with River Basin Planning objectives.</p> <p><i>Relevant SPG</i></p>
G6 - Developer Contributions related to Railway	Point 6 (of the policy) improvements to the water environment in line with River Basin Planning objectives could be included. No issues identified.	Yes	-	<p>Development Contributions</p> <hr/> <p>It is considered that the policy will be substantially retained.</p> <p><i>Relevant SPG</i></p> <p>Development Contributions</p>

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Reinstatement				
G7 - Infill Development	Recent update in LPA. No issues identified with current policy.	Yes		It is considered that the policy will be substantially retained.
G8 - Development outwith Development Boundaries	Appears to work well in practice. Mostly used for affordable housing proposals. The policy does work for economic development proposals, especially combined with Policy D1.	Yes	- -	It is considered that the policy will be substantially retained. <u>Relevant SPG</u> Affordable Housing Countryside Around Towns Landscape and Development New housing in the Borders Countryside Placemaking and Design Local Landscape Designations
BE1 - Listed Buildings	No issues identified. Incorporates principles of SP policy N17 – Listed buildings.	Yes		It is considered that the policy will be substantially retained. <u>Relevant SPG</u>
BE2 - Archaeological Sites and	Policy comprises of reiteration of Structure Plan policies N14 -	Yes	- Consider potential to a single policy	Landscape and Development Placemaking and Design Replacement windows It is considered that the policy will be substantially retained.
Ancient Monuments	National archaeological sites, N15 - Regional and local archaeological sites and N16 - Archaeological evaluation, preservation and recording’.			There will be consideration to place the SP policies under one overarching policy with appropriate sub-division to maintain appropriate policy coverage. There is a need to identify battlefield sites.

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	The SP policies may be included as one but then sub-divided and			
BE3 - Gardens and Designed Landscapes	reassessed to not weaken the protection in place. Policy incorporates principles of SP policy N13 'Gardens and	Yes	-	It is considered that the policy will be substantially retained. Insert wording change to reflect Historic Scotland being the only
BE4 - Conservation Areas	Designed Landscapes'. The policy will need to be amended to remove reference to consultation with SNH as Historic Scotland is now the sole consultee for planning applications which might affect a site in the Inventory of Gardens and Designed Landscapes. No issues identified. Incorporates principles of SP policies N18 - Development affecting Conservation Areas and N19 - Demolition of	Yes	-	consultee for planning applications which might affect a site in the Inventory of Gardens and Designed Landscapes. <i>Relevant SPG</i> Greenspace Landscape and Development Trees and development It is considered that the policy will be substantially retained. <i>Relevant SPG</i> Landscape and Development Placemaking and Design Replacement Windows
BE5 - Advertisements	Buildings in Conservation Areas. Policy D3 – Advertisements in the Countryside could be	-		It is considered that the policy will be substantially retained. <u>Consideration</u> of incorporating policy D3.

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BE6 - Protection of Open Space	<p>incorporated in order to have all advertisement guidance under one policy.</p> <p>LDP aims to identify open space areas worthy of protection within</p>	-		Policy text will need to be amended in line with the identification of key open spaces within the development boundaries
BE7 - Care Homes	<p>development boundaries. Wording of policy will need to be amended to incorporate this.</p> <p>Policy appears to reflect principles of SP policies C4 – Sports Facilities, C5 – Protection of playing fields / sports pitches and C6 – Open Space</p> <p>Policy could be updated to give further guidance on siting of proposed care homes, giving reference to for example, proximity to services.</p>	Yes	-	<p><i>Relevant SPG</i> Landscape and Development Placemaking and design Local Landscape Designations</p> <p>It is considered that the policy will be substantially retained.</p> <p>Minor update to include reference to other site considerations.</p>
BE8 - Caravan and Camping Sites	<p>Relates only to new proposals. This does not protect existing facilities from development and this clarification should be added to the policy.</p>	Yes	-	<p>It is considered that the policy will be substantially retained, but including a consideration of policy clarification in relation to the protection of existing non-residential sites from development, and on occupancy conditions.</p> <p>Update policy text to make reference to new proposals.</p>

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BE9 - Education Safeguarding	No issues identified.	Yes		It is considered that the policy will be substantially retained.
BE12 - Further Housing Land Safeguarding	No issues identified	Yes	-	It is considered that the policy will be substantially retained.
NE1 - International Nature Conservation Sites	Repeats Structure Plan policy N2. Consideration of merging policies NE1 and NE2. In addition consider incorporating main detail from SP policies N2-N8. Aim to produce coherent workable policy/policies. Because of the differing legal basis of international, national and local nature conservation sites, we consider it would be better to keep these policies separate.	-	Possible merge with policies NE1 and NE2	<i>Relevant SPG</i> Affordable Housing Countryside Around Towns Interim Housing Policy Consideration of potential to merge with policies NE1 and NE2, although there may be legal complexities regarding this. It is considered that policy NE3 will be substantially retained.
NE2 - National Nature Conservation Sites				<i>Relevant SPG</i> Biodiversity Greenspace Local Biodiversity Scottish Borders Woodland Strategy Wind energy
NE3 - Local Biodiversity				
NE4 - Trees, Woodlands and Hedgerows	Useful and used a lot. However, more reference could be made to these as having “amenity value” rather than just a	Yes	-	It is considered that the policy will be substantially retained, with update of reference to “amenity value” and reference made to individual trees and hedgerows. <i>Relevant SPG</i>

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<p>NE5 - Development affecting the Water Environment</p>	<p>“resource”, and reference should be made to the policy covering individual trees and single hedgerows which may have particular amenity significance. Possible inclusion of integrating SP policies N8 -The River Tweed System’ and I13 - Water Quality.</p>	<p>Yes</p>	<p>-</p>	<p>Biodiversity Greenspace Local Biodiversity <u>Scottish Borders</u> Woodland Strategy</p> <p>It is considered that the policy will be substantially retained.</p> <p>Consideration to extend the policy by including recommendation to encourage improvement works as part of development; to include no unacceptable impact to water quality or morphology;</p>
	<p>The policy should also aim to encourage improvement works as part of development; that paragraph 2 of the policy is expanded to include no unacceptable impact to water quality or morphology and that a</p>			<p>and consideration of the pressures affecting the water environment and the objectives of the Solway/Tweed RBMP.</p> <p>Consider integration of SP policies N8, I13.</p> <hr/>
	<p>fifth component to the policy is included which considers the current pressures affecting the water environment and the objectives set out in the Scotland and Solway Tweed River Basin Management Plans 2009-2015.</p>			<hr/>

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	Possible integration of SP policies N8 'The River Tweed System', I13 Water Quality.			
NE6 - River Engineering Works	No issues identified. Morphology could be also included as a consideration; that the policy is expanded to also cover engineering improvement; and that	Yes	-	It is considered that the policy will be substantially retained. Consider the possibility of including morphology, engineering improvement, The Water Environment CA Regulations 2011 and reference to SNH and the River Tweed.
EP1 - National Scenic Areas	the justification should also include reference to The Water Environment (Controlled Activities) (Scotland) Regulations 2011. In particular, the fact that authorisation from SEPA is likely to be required for most river engineering works, similar text could be used with reference to SNH and River Tweed Commission. Repeats Structure Plan policy N10. Possible merge with EP2 – Areas of Great Landscape Value.	-	Possible merge with policy EP2 - Areas of Great	It is considered that the policy will be substantially retained, but with reference to Landscape and visual impacts rather than just landscape impacts.
EP2 - Areas of				Possible merge with policy EP2 - Areas of Great Landscape

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<p>Great Landscape Value</p>	<p>Work from SNH on NSAs will feed into this, although this may be unlikely to affect the wording of the policy.</p> <p>It should be considered to revise the policy to include Landscape and visual impacts rather than just “landscape impacts”.</p> <p>New policy identified</p>	<p>Yes</p>	<p>Landscape Value and integrating with SP policy N9 ‘maintaining landscape character</p>	<p>Value and integrating with SP policy N9 ‘Maintaining Landscape Character’. Future work from SNH on NSA’s to be considered.</p> <p><i>Relevant SPG</i> Countryside Around Towns Landscape and Development Wind Energy Local Landscape Designations (AGLV)</p> <p>It is considered that the policy will be substantially retained.</p>
<p>EP3 - Countryside Around Towns</p>	<p>within Local Plan Amendment. No practical Issues.</p> <p>Need for confirmation of relationship between Countryside Around Town policy and Housing in the Countryside policy.</p>	<p>-</p>	<p>-</p>	<p>Need for confirmation of relationship between Countryside Around Town policy and Housing in the Countryside policy.</p> <p><i>Relevant SPG</i> Countryside Around Towns Landscape and Development Local Landscape Designations</p>
<p>EP4 - Coastline</p>	<p>No issues identified. Policy re-iterates SP policy N12 - Coastline</p> <p>Recommended that the 3rd criterion is expanded as follows:</p> <p>(iii) ...damage to the landscape character,</p>	<p>Yes</p>	<p>-</p>	<p>It is considered that the policy will be substantially retained.</p> <p>The proposal to amend the 3rd criterion to include <i>quality of the natural environment</i> will be considered further.</p> <p>Title reference of SP policy N12 to be removed from LP policy.</p> <p><i>Relevant SPG</i> Local Landscape Designations</p>

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<p>EP5 - Air Quality</p>	<p><i>quality of the natural environment</i> or to the nature conservation etc.</p> <p>Although used infrequently, there are still scenarios where it has an important role to play, e.g. applications for quarrying and landfill.</p>	<p>Yes</p>	<p>-</p>	<p>It is considered that the policy will be substantially retained.</p>
<p>ED1 - Protection of Employment Land</p>	<p>Consequently it should remain as a stand alone policy.</p> <p>Amendment within LPA has given more protection to safeguarded employment land. Possibility of policy laying down a hierarchy of employment sites in order to consider the possibility of some employment sites incorporating mixed use within them.</p> <p>The policy does not explicitly reference the need to protect existing waste management sites (as per Zero Waste Plan and Scottish Planning</p>	<p>-</p>	<p>-</p>	<p>Possibility of policy laying down a clearer hierarchy of employment sites in order to consider the possibility of some <u>employment sites</u> incorporating mixed use (non-retail) within them.</p> <p>Consider the need to protect existing waste management sites.</p> <p>Ensure SP policies E12, E13, E14, E15 and E16 are integrated where relevant into policy ED1.</p> <p><i>Relevant SPG</i> Potential for Waste Management SPG</p>

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	<p>Policy).</p> <p>Ensure SP policies E12 'Employment land supply'; E13 'Business and industry', E14 'Area Regeneration', E15 'Inward Investment' and E16 'Rural Economic Development' are integrated where relevant into LP policy ED1</p>			
ED2 -	Policy updated via the	Yes		It is considered that the policy will be substantially retained.
<p>Employment Uses outwith Employment Land</p> <p>ED3 - Shopping Development</p>	<p>LPA process. No issues identified.</p> <p>Much used policy to consider retail proposals. Considered policy is clear and works well in practice. Policy currently comprises of SP policies E17 Location of Retailing Developments and E18 - Out of Centre Retail Developments. Village shops have some protection under policy Inf12.</p>	Yes	-	<p><u>It is considered</u> that the policy will be substantially retained.</p> <p>Consideration could be given to establishing a network of centres in the form of a hierarchy, clearly outlining the function and role that each centre would provide. This may require an amendment to text within policy ED3.</p>

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	Consideration could be given to establishing a network of centres in the form of a hierarchy, clearly outlining the function and role that			
ED4 - Prime Retail Frontage	each centre would provide. This may require an amendment to text within policy ED3. Given current economic downturn and high vacancy rate of shop units in some town centres, a more holistic approach could be considered to this policy which seeks to restrict	-	-	<p>Possibility of reviewing extent of frontages covered by policy ED4, and considering a proactive approach to promote opportunities for complementary uses within them. Consideration could be given to allocating prime retail frontages in further towns.</p> <p><i>Relevant SPG</i> Shopfronts and shop signage</p>
	non Class 1 development. This could include the possibility of reviewing extent of frontages covered by policy ED4, and considering opportunities for complimentary uses			
	to improve town centre vitality and viability. Consideration could be given to allocating prime retail frontages in further towns.			

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ED5 - Town centres	<p>Policy used frequently and appears to work well in practice. However, the extent of town centre areas could be reviewed, although this would not necessarily require an amendment to the policy text.</p> <p>Consider integration of SP policy E19 'Town centre enhancement' into policy.</p>	Yes	-	<p>It is considered that the policy will be substantially retained.</p> <p><u>Consider integration</u> of SP policy E19 into policy ED5. Consideration to be given to reviewing the extent of town centre areas.</p> <p><i>Relevant SPG</i> Shopfronts and shop signage</p>
H1 - Affordable Housing	<p>Policy works well in practice. However, the current economic and development climate poses challenges to successful implementation. This could be addressed in the first instance through a review of detailed implementation policy</p>	Yes	-	<p>It is considered that the policy will be substantially retained. However, consideration to be given to detailed policy implementation through the Affordable Housing SPG.</p> <p><u>Relevant SPG</u> Affordable Housing New housing in the Borders countryside</p>
	<p>within the SPG on Affordable Housing.</p> <p>SP policies H9 – Affordable and Special needs Housing and policy H10 – Affordable</p>			

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	Housing and Special needs Housing : Exceptions are covered by policy H1 and the SPG on Affordable			
H2 - Protection of Residential Amenity	Housing. No reference to rural scenarios on protecting residential amenity. It refers to impact on amenity of “residential areas”. Policies H2 and G1- Quality Standards for new Development don’t sufficiently cover this. Policy could be	Yes	-	It is considered that the policy will be substantially retained. Consider minor update giving reference to confirm policy also refers to rural scenarios.
H3 - LandUse Allocations	updated to include this reference. Policy works appears to work satisfactorily in practice. Reference should be made to identification of land allocated for regeneration purposes.	Yes	-	It is considered that the policy will be substantially retained. Reference should be made to identification of land allocated for regeneration purposes.
Inf1 - Transport Safeguarding	No issues identified. Retaining Waverley Line route remains important and is covered by this policy.	Yes	-	It is considered that the policy will be substantially retained. The policy could be amended to incorporate the part of the SP policy I3 relating to safeguarding of former railway lines where the re-use of public transport is unlikely, this would safeguard former railway lines where they are, or have the potential to be, used for

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<p>Inf2 - Protection of Access Routes</p>	<p>The policy generally reflects the principles of SP policy I3 - Protection of former Railway Routes', although a policy should reflect the part relating to where re-use of public transport is unlikely, the Council will safeguard former railway lines where they are, or have the potential to be, used for walking, cycling and recreational use. No issues identified.</p> <p>Ensure policy appropriately reflects related SP policies e.g C8 'Access network'; I6 'National cycle network', I7 'Walking'.</p>	<p>Yes</p>		<p>walking, cycling and recreational use.</p> <p><i>Relevant SPG</i> Development contributions</p> <p>It is considered that the policy will be substantially retained and checked to ensure it reflects principles of relevant SP policies.</p> <p><i>Relevant SPG</i> Biodiversity Countryside Around Towns Greenspace Local Biodiversity Scottish Borders Woodland Strategy Local Landscape Designations</p>
<p>Inf3 - Road Adoption Standards</p>	<p>Possible merge with Inf4 - Parking Provisions and Standards. Adoption standards may need updating and clarity that "relaxation of standards" refers to standard of</p>	<p>-</p>	<p>Possible merge with policy Inf4 - Parking Provisions and Standards</p>	<p>It is considered that the policy will be substantially retained.</p> <p>Update standards (or at least within the appendix) and possible merge with Inf4.</p>

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	road, not number of houses which can be allowed from a particular road.			
Inf4 - Parking Provisions and Standards	Possible merge with Inf3 - Road Adoption Standards. Updating of standards in appendix to be checked for any required updating. Policy takes account of SP policy I11 'Parking provision in New Development'.	-	Consider merge with policy Inf3	It is considered that the policy will be substantially retained. Possible updates of standards and / or within the appendix and possible merge with Inf3.
Inf5 - Waste Water Treatment Standards	Under point 2 of the policy Scottish Water meet the cost of providing strategic capacity at treatment works in order to enable development. In addition developers must meet the cost of local sewerage network infrastructure. This point should be removed from the hierarchy. Under points 4 to 6 of the policy Scottish Water and	Yes	Consider possible merge with Inf6 - Sustainable Urban Drainage	It is considered that the policy will be substantially retained. Possible merge with Inf6. The proposals to amend point 2 and 4-6 to reflect the suggestions from Scottish Water and SEPA will be considered further. The proposed guidance that is mentioned has not yet been viewed by SBC. Other proposed minor changes to text by SEPA / Scottish Water likely to be carried out. Key policies to which this policy should be cross-referenced should include NE1 International Nature Conservation Sites and NE2 National Nature Conservation Sites.

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	<p>SEPA have been preparing guidance on the acceptability or otherwise of proposals for private water provision</p>			
	<p>Scottish Water state that any temporary treatment solutions must be agreed between SW, SEPA and the developer and as such no business case is made to Scottish Water.</p> <p>In addition the text “<i>sewered area</i>” should be amended to “served or immediately adjacent to the public sewer network” and “<i>Consultation with SEPA...</i>” should have “and Scottish Water” added.</p> <p>Option 4 should read “<i>private sewage treatment system</i>” over “septic tank”.</p>			<hr/>
	<p>Key policies to which this policy should be linked</p>			

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	should include NE1 International Nature Conservation Sites and			
Inf6 - Sustainable Urban Drainage	NE2 National Nature Conservation Sites. Policy reflects related SP policy I14	Yes	Possible merge with Inf 5 - Waste	<u>It is considered</u> that the policy will be substantially retained. Possible merge with Inf5.
	Consideration to be given as to excluding reference to SEPA in the first criterion of the policy and that the policy could be strengthened by encouraging developers to integrate SUDS as part of green infrastructure on site. This approach enables connectivity from the		Water Treatment Standards	Possible exclusion of reference to SEPA within policy. Consideration to be given to encouraging developers to integrate SUDS as part of green infrastructure and that SUDS are a legal requirement will be considered. _____
	green networks/integrated habitats network perspective.			
	Reference should be made in the justification to the fact that SUDS are a legal requirement under the Controlled			
	Activities (Scotland) Regulations 2011 for all			

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	new development. The only exception to this is			
Inf7 - Waste Management Facilities	<p>for single houses, or where the discharge would be to coastal waters.</p> <p>In meeting objectives of the Zero Waste Plan the policy could be strengthened by inclusion of the need to safeguard existing waste management facilities from incompatible neighbouring development; support for the waste hierarchy and</p>	Yes		<p>Proposals to strengthen the policy to reflect the Zero Waste Plan will be considered further.</p> <p>Ensure policy reflects SP policy E17 on Waste Management.</p> <p>Key policies to which this policy should be cross-referenced should include NE1 International Nature Conservation Sites and NE2 National Nature Conservation Sites.</p> <p><i>Relevant SPG</i> Waste Management</p>
Inf8 - Radio Telecommunications	<p>the need to move waste management up the hierarchy; inclusion of the strong links between energy, heat and waste planning.</p> <p>Ensure policy appropriately reflects SP policy E17 on Waste Management.</p> <p>Rarely used now. However, reluctant to remove as there may be</p>	Yes		<hr/> <p>It is considered that the policy will be substantially retained.</p>

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Inf9 - Development within Exclusion Zones	future occasions for its use. The policy reflects SP policy I23. No issues identified.	Yes	-	It is considered that the policy will be substantially retained. <i>Relevant SPG</i> Contaminated Land Inspection Strategies.
Inf10 - Transport Development	The policy still has relevance and use. Ensure policy incorporates relevant aspects of SP policies e.g. I1 'Transportation and Development', I2 'Rail services', I8 'Trunk Roads', I9 'Other strategic roads' and I10 'Forestry Roads'.	Yes	-	It is considered that the policy will be substantially retained. Reflect relevant related SP policies e.g. I1 'Transportation and Development', I2 'Rail services', I8 'Trunk Roads', I9 'Other strategic roads' and I10 'Forestry Roads'. <i>Relevant SPG</i> Development Contributions
Inf11 - Developments that Generate Travel Demand	Possibility of policy incorporated within a relevant existing policy e.g. policy G1, relevant roads policy.	-	Possible merge within a relevant existing policy.	Possibility of policy incorporated within a relevant existing policy e.g. policy G1, relevant roads policy.
Inf12 - Public Infrastructure and Local Service Provision	New policy added via LPA. No issues in practice.	Yes	-	It is considered that the policy will be substantially retained.
Inf12a – Crematorium	New policy added via LPA. No issues in	Yes	-	It is considered that the policy will be substantially retained.

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<p>Provision</p> <p>D1 - Business, Tourism and Leisure Development in the Countryside</p>	<p>practice.</p> <p>Covers a wide range of proposals but no major issues identified in practice.</p> <p>Consider including examples of uses which are appropriate to rural character.</p> <p>Consider integration of SP policy E2 'Farm Diversification' E3 'Timber Processing Facilities'.</p>	<p>Yes</p>	<p>-</p>	<p>It is considered that the policy will be substantially retained.</p> <p>No change to policy, but consider integration of SP policies E2 and E3.</p> <p>Consider including examples of uses which are appropriate to rural character.</p> <hr/>
<p>D2 - Housing in the Countryside</p>	<p>Policy updated via LPA and the related SPG is being update in accordance with these changes. Detailed policy implementation matters e.g. 'start of local plan period', 'definition of houses under construction' best dealt with through associated SPG. Further consideration needs to be given to the 'anchor points' in the Southern</p>	<p>Yes</p>	<p>-</p>	<p>It is considered that the policy will be substantially retained.</p> <p>Consideration to be given to the identification and policy approach towards anchor points in the Southern Housing Market Area.</p> <p>Possible cross reference required regarding the implications of policy EP3 Countryside Around Town.</p> <p><i>Relevant SPG</i> Affordable Housing Landscape and Development New Housing in the Borders Countryside</p>

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	<p>Housing Market Area, i.e. those dispersed settlements that serve a wider community function, and the appropriate policy approach to them.</p> <p>SP policies H6 – Housing in the Countryside: Conversion and Rebuilding, H7 – Housing in the Countryside: Building Groups and H8 Housing in the Countryside: Isolated Housing are reflected within policy D2 and the SPG on Housing in the Countryside.</p> <p>Possible cross reference required regarding the implications of policy</p>			
D3 - Advertisements in the Countryside	<p>EP3 Countryside Around Town.</p> <p>Could be merged with policy BE5 – Advertisements in order to have all advertisement guidance under one policy.</p>	-	Possibly merge with policy BE5	Possibly incorporated into policy BE5.

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<p>D4 - Renewable Energy Development Rural Resources</p>	<p>SPG on wind energy gave further policy guidance to policy D4 in respect of wind turbine proposals. The SPG also gives more details on a range on wind turbine related issues. Comment has been made that there is no policy criteria considerations specifically relating to anemometer masts. D4 and G1 closest, but not ideal.</p> <p>Wording could be amended to support all forms of renewable and low carbon energy</p>	<p>Yes</p>	<p>-</p>	<p>Minor update to refer to anemometer masts. Justification to be part amended to confirm the SPG on wind energy has been approved.</p> <p>Consideration to renew the policy to reflect support of all renewable and low carbon technologies, areas of search for other renewable and low carbon energy developments; recognise the role of decentralised and local renewable or low carbon sources of heat and power; and support for decentralised and local energy generation will be considered.</p> <p><i>Relevant SPG</i> Countryside Around Towns Wind Energy</p>
	<p>technologies and to encourage identification of areas of search and sites for other renewable and low carbon energy developments; to recognise the role of decentralised and local renewable or low carbon sources of heat and power, including energy</p>			<p>_____</p>

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	<p>from waste facilities and maximising the re-use of surplus heat; to support decentralised and local energy generation and the associated infrastructure in order to support a range of different sources, scales and method of renewable and low carbon energy generation; and recommend (under policy item 5 Commercial Wind Farms) to cover the potential impact of wind farms on peat-land.</p> <p>It is also the case that</p>			
<p>R1 - Protection of Prime Quality Agricultural Land</p>	<p>the SPG will need to be updated to reflect the outcome of the Local Landscape Designation review SPG.</p> <p>There appears a slight conflict between the quoted policy R1 and the SP policy E1 which should be regularised.</p> <p>SP policy E11 relates to Peat Extraction and</p>	-	-	<p><u>It is considered</u> that the policy will be substantially retained.</p> <p>Policy R1 to be amended to ensure compliance with SP policy E1.</p> <p>R1 to be extended to include the protection of carbon rich soils, especially peat. Consideration to be given to amending the policy to reflect that where development on peat is permitted, it is suggested the inclusion of a requirement in the policy to ensure</p>

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<p>R2 -</p>	<p>policy R1 could be extended to incorporate this consideration.</p> <p>Policy could be extended to include the protection of carbon rich soils, especially peat. The extraction of peat is covered in SP policy E11 and needs to be picked up in LDP policy.</p> <p>Where development on deep peat is permitted, it is suggested the inclusion of a requirement in the policy to ensure that the areas of deepest peat are avoided.</p> <p>Following the Local Plan</p>	<p>Yes</p>	<p>-</p>	<p>that the areas of deep peat are avoided.</p> <p>It is considered that the policy will be substantially retained.</p>
<p>Safeguarding of Mineral Deposits</p>	<p>Public Inquiry policy R2 was amended and the policy is considered up to date. An SPG should be prepared to form part of the LDP which primarily identifies areas of search for all mineral sites. It should also seek to establish a mechanism</p>			<p>Incorporate relevant aspects of SP policies E6, E7, E8, E9, and E10.</p> <p><i>Relevant SPG</i> Potential Minerals SPG Contaminated Land Inspection Strategies</p>

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for defining appropriate local market areas, for assessing demand and ensuring the availability of an adequate supply.

It should be ensured that relevant aspects of SP policies E6 'safeguarding mineral deposits', E7 'Minerals and sustainability' and E8 'Local Market Areas for Minerals', E9 'Mineral Developments' and E10 'Opencast coal and related minerals' are adequately addressed within the LP policy

R3 - Mineral and Coal Extraction

Following the Local Plan Public Inquiry policy R3 was amended which involved replacing the quoted SP policy and replacing it with a more specific criteria based policy. The policy is considered up to date. An SPG should be prepared to form part of the LDP which primarily identifies areas of search

Yes

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It is considered that the policy will be substantially retained.

Incorporate relevant aspects of SP policies E6, E7, E8, E9, and E10.

Relevant SPG
Potential Minerals SPG
Contaminated Land Inspection Strategies

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for all mineral sites. It should also seek to establish a mechanism for defining appropriate local market areas, for assessing demand and ensuring the availability of an adequate supply.

It should be ensured that relevant aspects of SP policies E6 'safeguarding mineral deposits', E7 'Minerals and sustainability' and E8 'Local Market Areas for Minerals', E9 'Mineral Developments' and E10 'Opencast coal and related minerals' are adequately addressed within the LP policy.