

HolderPlanning

Town Planning and Development Consultants

Planning, Policy & Access Team
Scottish Borders Council
Council Headquarters
Newtown St Boswells
TD6 0SA

31st January 2019

Our ref: EMC/001
Your ref:

Dear Sirs,

SCOTTISH BORDERS LOCAL DEVELOPMENT PLAN 2: MAIN ISSUES REPORT

We write on behalf of our client, [REDACTED]

This submission relates to land at south-east Lauder, as identified on the accompanying Site Location Plan (Figure 1).

The site offers clear potential as a housing development opportunity (capacity approx. 60 units). A preliminary 'Concept Masterplan' has previously been prepared and is attached to this submission (Figure 2).

[REDACTED] seeks the allocation of the land at south-east Lauder as a housing development opportunity within the Scottish Borders Local Development Plan 2 (LDP2).

Background

[REDACTED] previously promoted the site for housing development, responding to consultation on the now adopted Housing Supplementary Guidance. Following assessment, Scottish Borders Council concluded that the site should not be taken forward as part of the Housing Supplementary Guidance

In August 2017 further submissions were made in response to the Main Issues Report 'Call for Sites' again seeking the site's identification as a housing development opportunity.

In deciding not to include the site within the Main Issues Report (MIR) we note the terms of the Council's site assessment following our 'Call for Sites' submission. This raises issues relating to flood risk, access to services and "*potentially*" a moderate impact on biodiversity. The Council consider the site contributes to the immediate setting of the settlement, reference is made to it being "*constrained within the Development and Landscape Capacity Study*" and development impacting negatively on the approach to the settlement from the south.

Due to the two existing housing allocations within Lauder the Council's assessment concludes that there is no need for further allocations within Lauder "*at this time*". Nevertheless, the assessment recognises that future development options around the town boundary "*are limited*" and the site "*will likely be reconsidered in the future*".

Responding to the above matters and in support of the site's allocation for housing within emerging LDP2 we would ask that the following matters be taken into account.

Site Specific Considerations

The site represents a natural southern expansion to the settlement, as evidenced by the 'Concept Masterplan in Context' (Figure 3). The site can provide a range of house types and tenures (including affordable housing) increasing housing choice within a settlement where people want to live.

The previous 'Maitland Park' development which bounds the site was constructed with the future development of this site in mind. This is evidenced by the direct vehicular access link to the site, via Thirlestane Drive, which can appropriately service this proposal. The large SUDS basin within the site which serves the existing Maitland Park development was also designed to accommodate the future development of the site.

The site is free from any physical constraints that would impact upon development, there are no known issues relating to ground stability or ground conditions (the site's existing and historical use is agricultural). Site topography lends itself to development, the site comprising predominantly "level land" as acknowledged by the Scottish Borders Development and Landscape Capacity Study 2008.

The site is not constrained by flooding. An assessment of flood risk has previously been undertaken carried out and is presented within the accompanying Flooding Report (Goodsons, August 2017). This confirms that the SEPA flood map indicates only a narrow band of flood inundation entering the southern margins of the site from the Lauder Burn. Consistent with site topography this potential flooding is shown to be confined to the low-lying area adjacent to the burn. OS mapping shows levels at the northern and north-western site boundaries at circa 170.0m AOD, the site slopes down to the burn in a typical 'river valley', with the burn level shown to be circa 160.0m AOD to the immediate south east of the site.

The evidence presented by the Flooding Report contradicts the conclusion within the Council's Site Assessment that "*there is flood risk on substantial part of the site along southerly edge*". Rather, it demonstrates that the site is unconstrained by flooding and confirms the availability of a significant developable area within the site focused on land north of the existing SUDS basin.

Turning to the landscape issues considered by the Council to represent a constraint to development, [REDACTED] previously commissioned detailed research into landscape matters. Specifically, Mccreadie Design undertook an appraisal of the site in the context of the Scottish Borders Development and Landscape Capacity Study 2008 with the aim of establishing its capacity to accommodate additional development.

Mccreadie Design's appraisal and associated productions accompany this submission. These demonstrate that the site represents the most appropriate location for Lauder's future expansion.

The site being well-defined, visually contained and benefiting from a strong relationship to the existing settlement. Whilst development will be visible from the A68 on approach from the south this is fully consistent with the established settlement form which is bisected by the A68 from north to south.

The submitted masterplan drawings indicate that development of the site could be designed to present a positive frontage to the A68 and to offer an appropriate southern gateway to the settlement, set in the context of a strong landscape framework and capable of creating a long-term defensible settlement boundary to the south of Lauder.

It is submitted that the detailed landscape appraisal undertaken demonstrates that development within the "Level Land" Local Landscape Character Area is not constrained for reasons relating to landscape setting and there is no impediment to development progressing.

Overall, the site at south-east Lauder is deliverable and meets the specific criteria for 'effectiveness' set out in PAN2/2010: Affordable Housing and Housing Land Audits. When considered against these criteria, the site's effectiveness can be demonstrated as follows:

Ownership: the site is within the sole ownership of [REDACTED] who, upon securing a housing allocation, intend entering a commercial agreement with a developer.

Physical: there are no known constraints resulting from the site's physical attributes that would undermine its viability for development.

Public Funding: no public funding would be required to make residential development viable.

Deliverability: there are no known delivery constraints affecting the site. Lauder's accessible location dictates that appropriately sized effective sites within the settlement will be attractive to developers. The site is the subject of developer interest and is capable of being built-out within a 5-year period thereby making an important contribution to maintaining the necessary 5-year effective housing land supply.

Infrastructure: there are no known infrastructure constraints affecting the site. Water supply, foul drainage, educational capacity, electricity and telecoms are all either available or can be provided following improvements to provision. With respect to surface water drainage, there is an existing SUDS basin within the site. The SUDS basin serves the adjacent Maitland Park development and has been specifically designed to accommodate future development of the candidate site.

Land Use: The landowner can confirm that housing (private and affordable) will be the primary use of the site.

Housing Land Requirement

The MIR states *"given the established housing land supply in the LDP, low completion rates and low housing land requirement within the proposed SESPlan, it is anticipated that the LDP2 is unlikely to require a significant number of new housing allocations"*.

At the same time the MIR correctly recognises that *"the SESPlan housing land requirement has yet to be agreed by Scottish Ministers"* and *"the finalised housing land requirement is unknown at this stage"*. The MIR acknowledges that *"the housing land requirement may be increased by*

Scottish Ministers". Clearly, significant uncertainty remains as to the final housing land requirement.

It is also the case that a number of existing LDP sites, including the two allocated sites within Lauder, where development has not commenced despite being allocated for some time, have simply been 'rolled forward' into the emerging LDP2 process.

Given the uncertainty surrounding the overall housing land requirement, alongside the reliance on existing sites which have demonstrated no obvious progress towards development, we would question whether the MIR has indeed identified sufficient housing development options to allow sufficient flexibility as it contends.

Conclusions

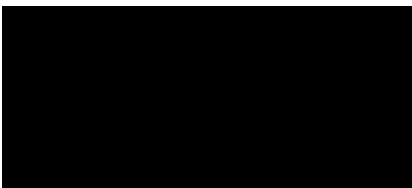
This submission specifically seeks the identification of the land at South East Lauder as a housing development opportunity within the emerging Local Development Plan 2. This would necessitate redrawing Lauder's settlement boundary to incorporate the site and allow an appropriately designed, high quality residential development to come forward (as detailed by Figure 6: Concept Masterplan in Context Including Proposed Lauder Development Boundary).

This submission has demonstrated that the land at South East Lauder is suitable for development, it is both serviced and 'effective' and its development for housing represents an economically viable and realistic prospect. The site is considered capable of making an important contribution to meeting the LDP2's housing requirement.

Should the Council again conclude that there is no requirement for additional housing land within Lauder at this time, we seek further recognition that the site represents the most appropriate location for any future settlement expansion (a point acknowledged within the Council's assessment of the site in response to the MIR Call for Sites).

We trust the terms of this submission are clear, please do not hesitate to get in touch should you have any queries or require any further information.

Yours faithfully,



Callum Fraser
Director

HolderPlanning

Enclosures:

Flooding Statement (August 2017) – Goodson Associates

Landscape and Development Capacity Appraisal (January 2017) – Mccreadie Design

Figure 1: Site Location Plan

Figure 2: Concept Masterplan

Figure 3: Concept Masterplan in Context

Figure 4: Site Location – Wider Context (incl. 2017 Ordnance Survey Datum)

Figure 5: Land to the South East of Lauder – Landscape Appraisal Overview

Figure 6: Concept Masterplan in Context Including Proposed Lauder Development Boundary

Figure 7: SEPA Flood Risk Map – Extract: Lauder

Land South East of Lauder

Development and Landscape Capacity Appraisal



Figures

- Figure 1** Site Location Plan
- Figure 2** Concept Masterplan
- Figure 3** Concept Masterplan in Context
- Figure 4** Site Location - Wider Context
- Figure 5** Land to the South East of Lauder - Landscape Appraisal Overview
- Figure 6** Concept Masterplan in Context Including Proposed Lauder Settlement Boundary
- Figure 7** SEPA Flood Risk map - Extract Lauder

1. [REDACTED] BSc Hons. MA CMLI was appointed by the [REDACTED] to undertake an independent appraisal of the subject lands, located to the South East of Lauder and adjacent to the existing development at Maitland Park, to help establish the land holding's capacity to accommodate a new form of residential development set in the context of the Scottish Borders Council publication, '**Scottish Borders Development and Landscape Capacity Study 2008**', (the '**2008 Study**') written and produced by [REDACTED] in association with [REDACTED]. The '**Lauder: Final Report**' was published in **January 2008** which essentially focused on Lauder and the landscape character around the settlement with a view to establishing "**where new housing development might be appropriate in landscape terms as part of settlement expansion.**" (**Page 3**)
2. The '**2008 Study**' methodology included an assessment of the strategic context to Lauder through to more '**detailed assessments**' of 3 No. identified study areas- Lauder South West, Lauder North West and Lauder East. '**Lauder South West**,' includes the subject lands which were identified as being located within the '**Level Land**' **Local Landscape Character Area (LLCA)**, an area of land located to the immediate south of the settlement and consisting of two rectilinear fields which extend from the edge of the settlement to Stoneyford Bridge to the South.
3. In assessing this local landscape character area and its capacity to accommodate a new form of residential development, the Council's '**2008 Study**' concluded correctly on **Page 17** that the '**Level Land**' **LLCA** is:
 - "**a relatively flat terrace of land**";
 - "**contained by rising slopes to the south west, planting associated with new houses to the north and the A68 to the east**";
 - "**grazed with fields defined by walls**";
 - affected by "**some intrusion from noise from the A68**";
 - "**no evidence identified that these fields were used for recreation**"; and,
 - "**very visible from the A68**".

4. In summarizing the key issues related to how sensitive each of the LLCA's were to new housing development the '**2008 Study**' concluded in relation to the '**Level Land**' LLCA that it had no capacity for development stating that, in relation to the whole of the Lauder South West Study Area, "**no landscape opportunities for development were identified**" (Page 24). This conclusion was based upon the findings of the assessment table set out from Page 21 of the report. The conclusions reached in the '**2008 Study**' are highlighted in bold below with the view of [REDACTED] set out in response to each conclusion highlighted in italics:

- "**the level land and generally wetter ground indicates that this area may be subject to seasonal flooding**" – *there is no evidence of the site flooding and importantly, the **SEPA Flood Map**, presented in **Figure 7** of this Report illustrates that the site is **not at risk of flooding**;*
- "**the historic character of the settlement is reinforced by the lack of new development along the A68**" – *Lauder was established on a north-south access along its Main Street following the profile of the **elevated terrace** above the Leader Water and on the western side of the valley. The settlement, it is acknowledged, whilst having grown in part to the western fringes of the '**terrace**' in more recent years, did historically extend out from its original core along the road corridor now known as A68 to the north and south. This is a **key feature** and **characteristic** of the Lauder settlement pattern;*
- "**these level fields contribute to the immediate setting of the town, but have limited contribution to the wider setting**" – *it is acknowledged that the two fields making up the '**Level Land**' LLCA have not been subject to any form of development and are of a relatively open character. However, importantly, they are well defined and only seen in views from the south from locations to the north of Stoneyford Bridge. Views from south of this location are blocked by a combination of factors including land form and established tree cover and therefore, it is considered that Stoneyford Bridge can provide a more appropriate long term '**gateway**' to Lauder. In turn, it is considered that there is scope for **part** of the LLCA to come forward for a high quality development form which would be seen not to impact on "**the wider setting**" but rather it could be designed to enhance the immediate setting to the south of Lauder by responding positively to the rural-urban interface;*

- **“The sense of arrival is characterised by the gateway which is created by the woodland which is at the junction with the B6362, and the young woodland located in front of the new housing on arrival”** – *The established woodland/tree belt cover and the weir at Stoneyford Bridge provide a mature gateway feature to Lauder as the features combine to create a sense of arrival and in turn, block views of Lauder from south of this location. Should development be realised across the subject lands the young woodland planting introduced to the south of the Maitland Park development will, in time, establish to form an important layer in the green framework within which the long term settlement will be seen. The subject lands therefore, offer real scope for a high quality urban edge development to come forward which will be seen to enhance the immediate setting to the town, replacing the existing, relatively abrupt, edge with a development that could offer a much more appropriate interface between Lauder and its rural setting; and,*
- **“settlement expansion would be easily seen from the A68”** – *as stated above, the A68 forms the backbone to the town and its establishment and therefore, inter-visibility with the A68 is already a key characteristic of Lauder and its relationship to this major road corridor.*

5. In addition, it is acknowledged that the **‘2008 Study’** does make **positive** statements about the **‘Level Land’ LLCA**. These conclusions, set out below in bold, are consistent with the findings of the Appraisal undertaken on behalf of the [REDACTED] in that:

- **“this low lying land.....is also sheltered by rising land and woodland to the south west”;**
- **“no significant earth moving would be required to accommodate development”;**
and
- **“the area is close to all facilities and amenities.” (Page 23)**

6. In the context of the **‘2008 Study’** and further assessments undertaken on behalf of the [REDACTED], it is considered that there is real scope for the subject lands, identified in **Figure 1 – ‘Site Location Plan,’** to come forward for a residential-led form of development. This is based upon the following conclusions.

7. The existing settlement form has been defined by its setting, located on an “**elevated ridge above a lower lying plain and tucked against rising land to the west.**” (Page 11 ‘**2008 Study**’). These landscape characteristics resulted in the establishment of an ‘**elongated settlement**’ form which, in effect, and as highlighted in the ‘**2008 Study**’, has remained a key characteristic of Lauder over the years with the town growing out from “**its long main street (now the A68)**” (Page 13). This pattern of growth, according to the ‘**2008 Study**’, may have been slightly compromised by more recent development, however, it is clear that Lauder remains a linear settlement form, squeezed between the rising land form to the west and the historic gardens and designed landscape associated with Thirlestane Castle to the east. It is considered therefore, that continued growth along the A68 corridor following the valley form would be seen to be **acceptable** as long as any site(s) that comes forward is **unconstrained** and relates well to the existing and emerging settlement form. (**Figure 5, Land to the South East of Lauder – Landscape Appraisal Overview**)
8. In relation to the ‘**Level Land**’ LLCA, as defined in the figures presented in the ‘**2008 Study**’, it is considered that this local landscape character area benefits from a relatively flat terrain, has a close relationship to the established settlement form (as illustrated in **Figure 1, Site Location Plan**) and, importantly, is visually “**contained by rising slopes to the south west**” which form part of the significantly more sensitive ‘**Steep Convex Slopes**’ LLCA.
9. It is acknowledged that a new tree planting belt has been introduced along the boundary of the relatively recently completed Maitland Park development to the south of Lauder however, it is considered that, taking into account the fact that the subject lands are, from the evidence available, unconstrained, and the fact that the new tree belt will be retained and incorporated into the established network of green infrastructure across Lauder, there is clear capacity for a new form of residential-led development to be accommodated across this land holding.
10. **In conclusion** therefore, it is considered that the subject lands could come forward for development with the **Development Boundary** for Lauder redrawn to include the land holding as the subject lands are:
 - visually well contained to views on the A68 from the south by the established woodland associated with the land around Stoneyford Bridge, a logical long term ‘gateway’ to Lauder when approached from the south;

- well defined and have a direct relationship to the existing settlement form, where the existing woodland belt planted up immediately to the south of the Maitland Park development should be seen as a landscape 'layer' within the extended settlement form helping to soften the transition from urban development to rural landscape to the south of Lauder;
- part of the relatively flat '**Level Land**' LLCA with the potential to accommodate development within the site defined by the Lauder Burn river corridor. The Lauder Burn, significantly, helps to define a large proportion of the existing settlement form to the south west of Lauder and therefore, the release of the subject lands, as defined in **Figure 1, 'Site Location Plan,'** would be consistent with how the settlement has evolved over time in this area with, importantly, the '**Steep Convex Slopes**' LLCA kept free of development and remaining a key landscape feature forming the "**backdrop to the town when viewed from the north and east.**" (**Page 18, '2008 Study'**);
- **not constrained** for development due to flooding as concluded in the '**2008 Study**' but rather, all available evidence on flooding would advise that the land does not flood. This is illustrated in the **SEPA Flood Map (Figure 7, SEPA Flood Risk Map-Extract: Lauder)** as the Lauder Burn is not shown to be at risk of significant flooding at this location. In addition, as part of the well planned development at Maitland Park, a Sustainable Urban Drainage System (SUDS Basin) has been constructed close to the Lauder Burn, and this has been designed to accommodate surface water drainage from both the existing development and, it is understood, from future development across the subject lands. The SUDS Basin is currently in the process of being adopted by Scottish Water to help reinforce its acceptability in terms of design and location, **out with** the flood plain;
- of a quality which would allow a new development form to be established which can fully address any constraints and opportunities evident across the land holding as well as the '**Environmental Sustainability Principles for Lauder**' set out from **Page 15** of the Scottish Borders Council sponsored '**2008 Study**';

- a logical location for the growth of Lauder with the **Concept Masterplan** presented in **Figure 2** of this Report illustrating how a new development form could be planned to offer a new '**gateway development**' to the south of the town with the Lauder Burn corridor planned as a new fully integrated recreational resource incorporating enhanced nature conservation facilities. This approach would be fully consistent with the findings of the '**2008 Study**', as the Burn corridor will be seen as "**a well-defined settlement edge**" (**Page 27**) to Lauder at this location framed by the rising land form associated with the '**Steep Convex Slopes**' LLCA to the west; and,
- the most appropriate location for development on the edge of Lauder as it is a well-defined site, visually well contained and with a strong relationship to the existing settlement form. Development **will** be visible from the A68 but this is **fully consistent** with the established settlement form as the A68 already bisects the town from north to south, creating a linear space from which all the main sectors of the town are accessed. In relation to the A68 and its relationship to the subject lands, the important factor will be to ensure that any new development is designed to present a positive frontage to this important road corridor and to offer an appropriate form of southern '**gateway**' to the town with an outward looking development form, set in the context of a strong landscape framework enhancing the features already established in this area.

11.0 It is against these conclusions that I would recommend to Scottish Borders Council that the '**Development Boundary**' limit for Lauder can be redrawn to reflect the plan presented in **Figure 6, 'Masterplan in Context Including Proposed Lauder Development Boundary'** and to allow an appropriately designed, high quality residential development to come forward, consistent with current best practice guidance and policy which will lead to the creation of a long term defensible settlement boundary to the south of Lauder based upon known constraints and opportunities including SEPA's flood risk maps.

Figure 1 - Site Location Plan

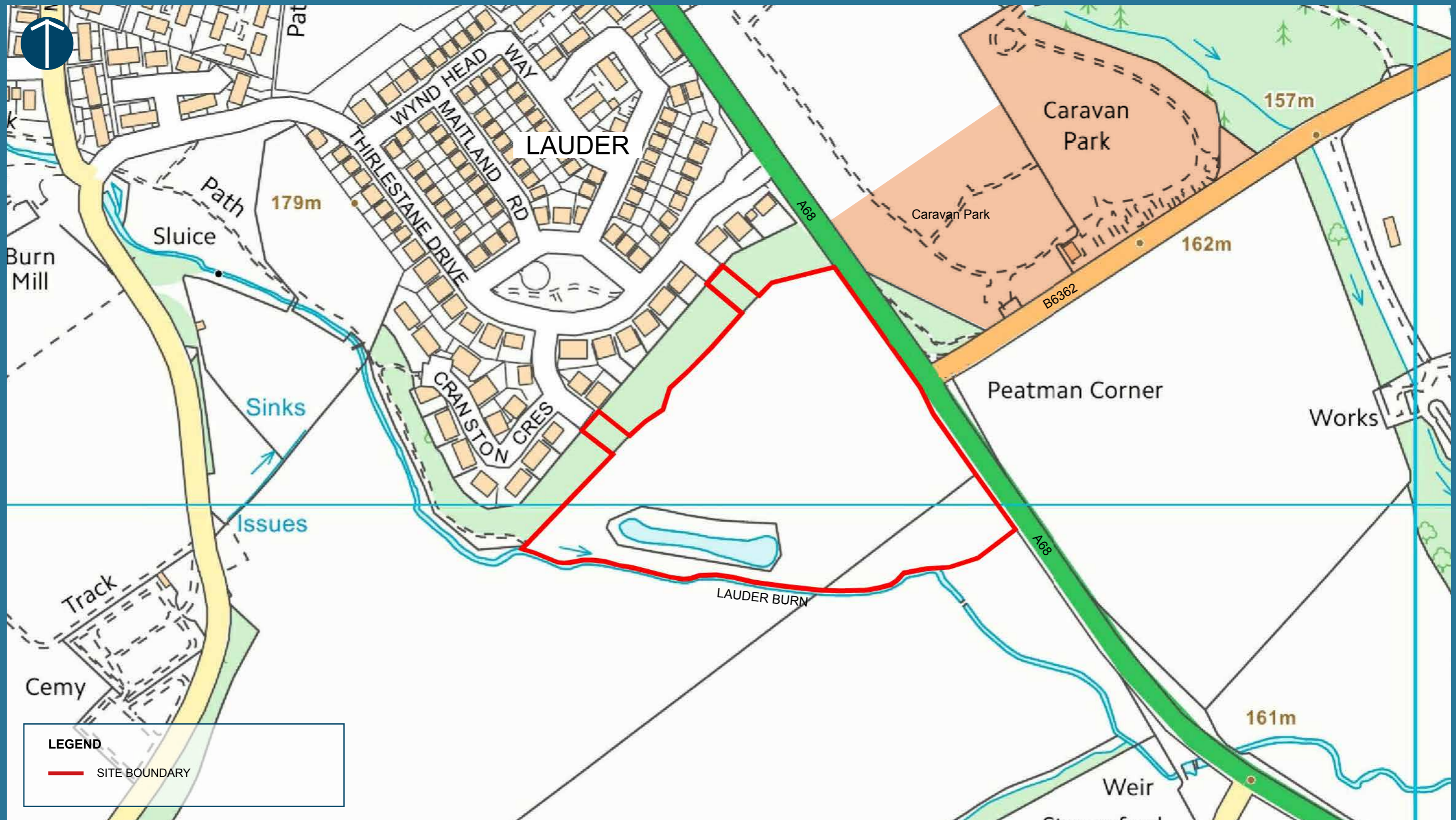


Figure 2 - Concept Masterplan



Figure 3 - Concept Masterplan In Context

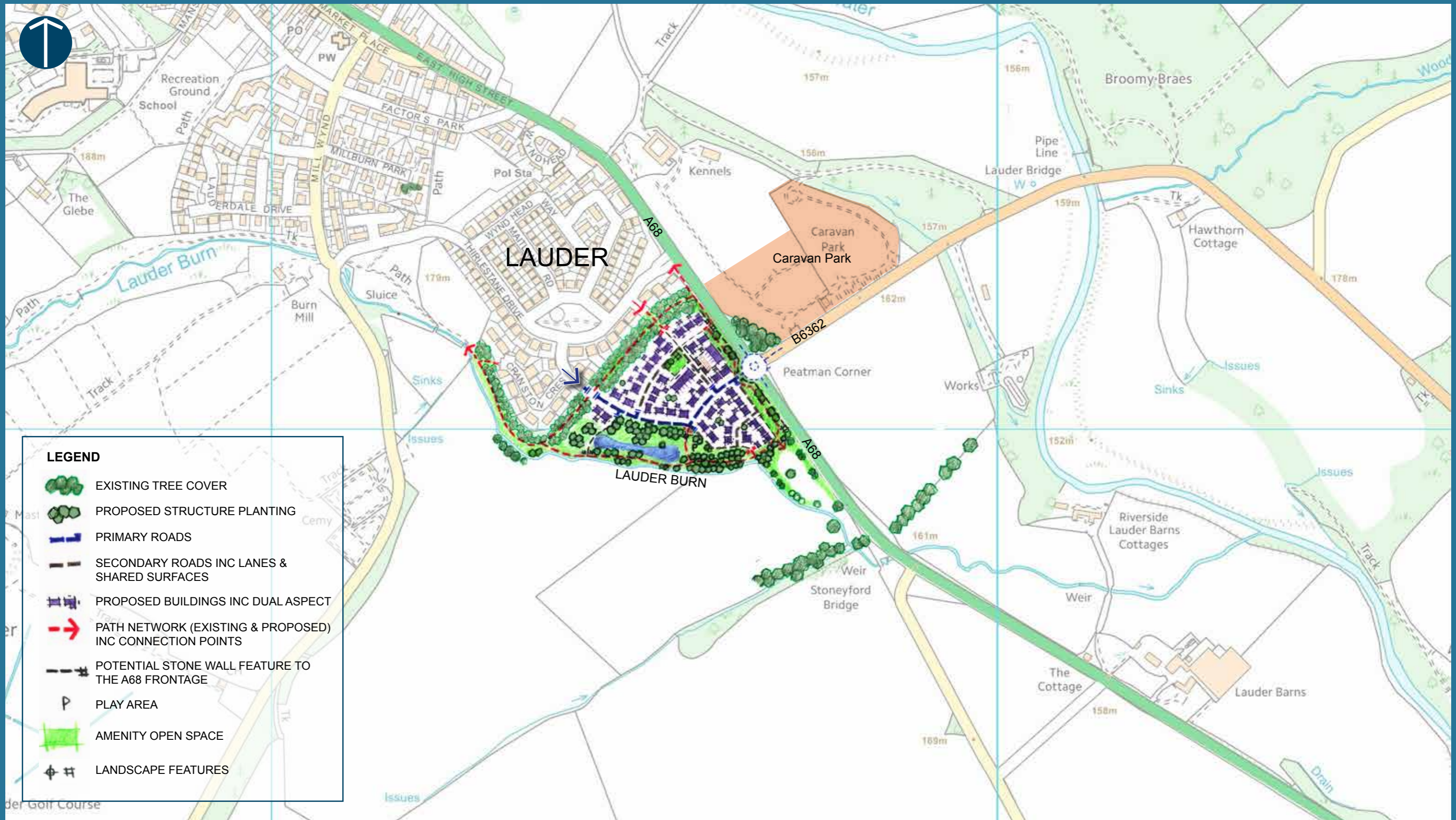


Figure 4 - Site Location - Wider Context

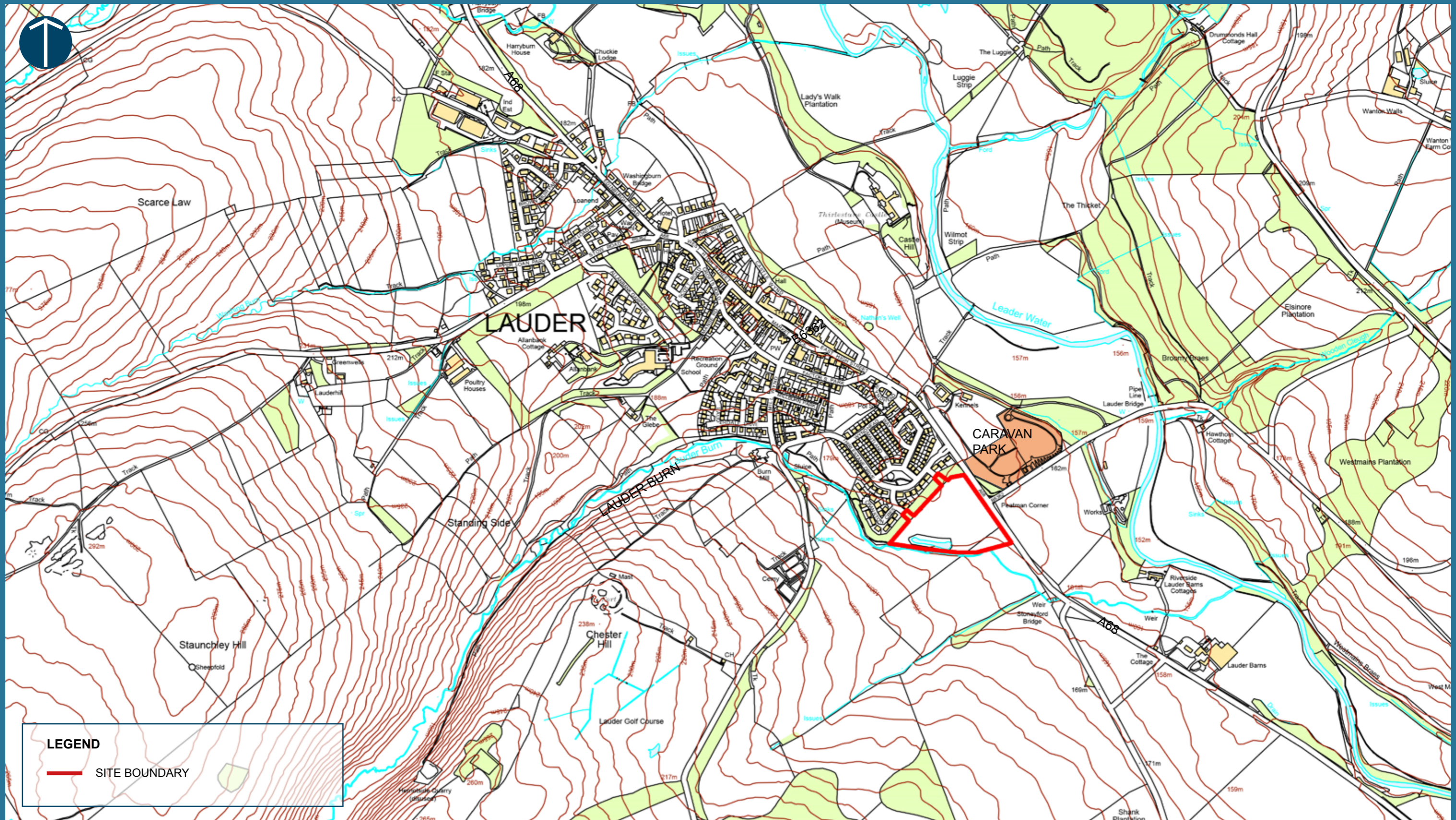


Figure 5 - Land to the South East Of Lauder – Landscape Appraisal Overview

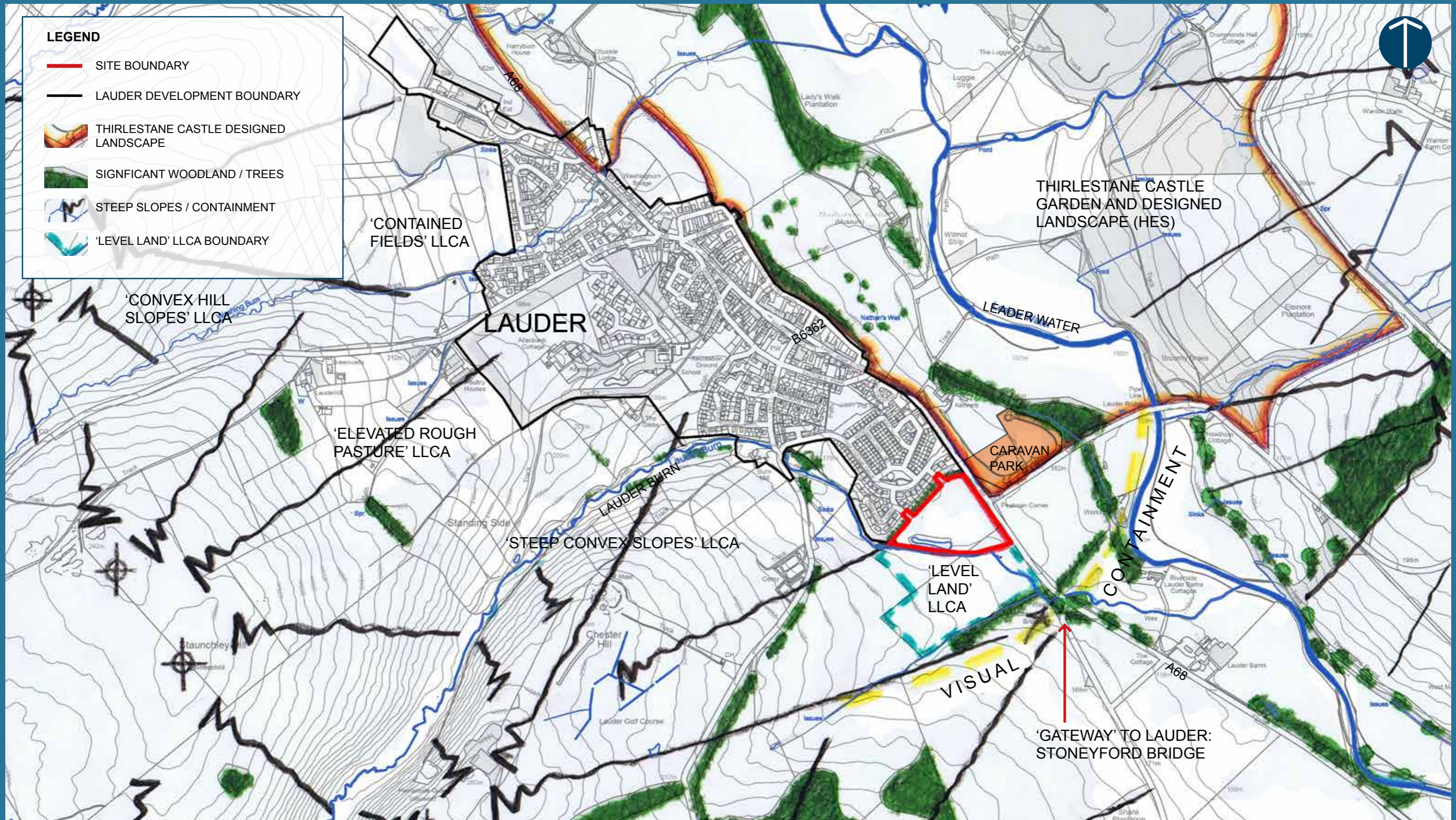


Figure 6 - Concept Masterplan in Context Including Proposed Lauder Development Boundary

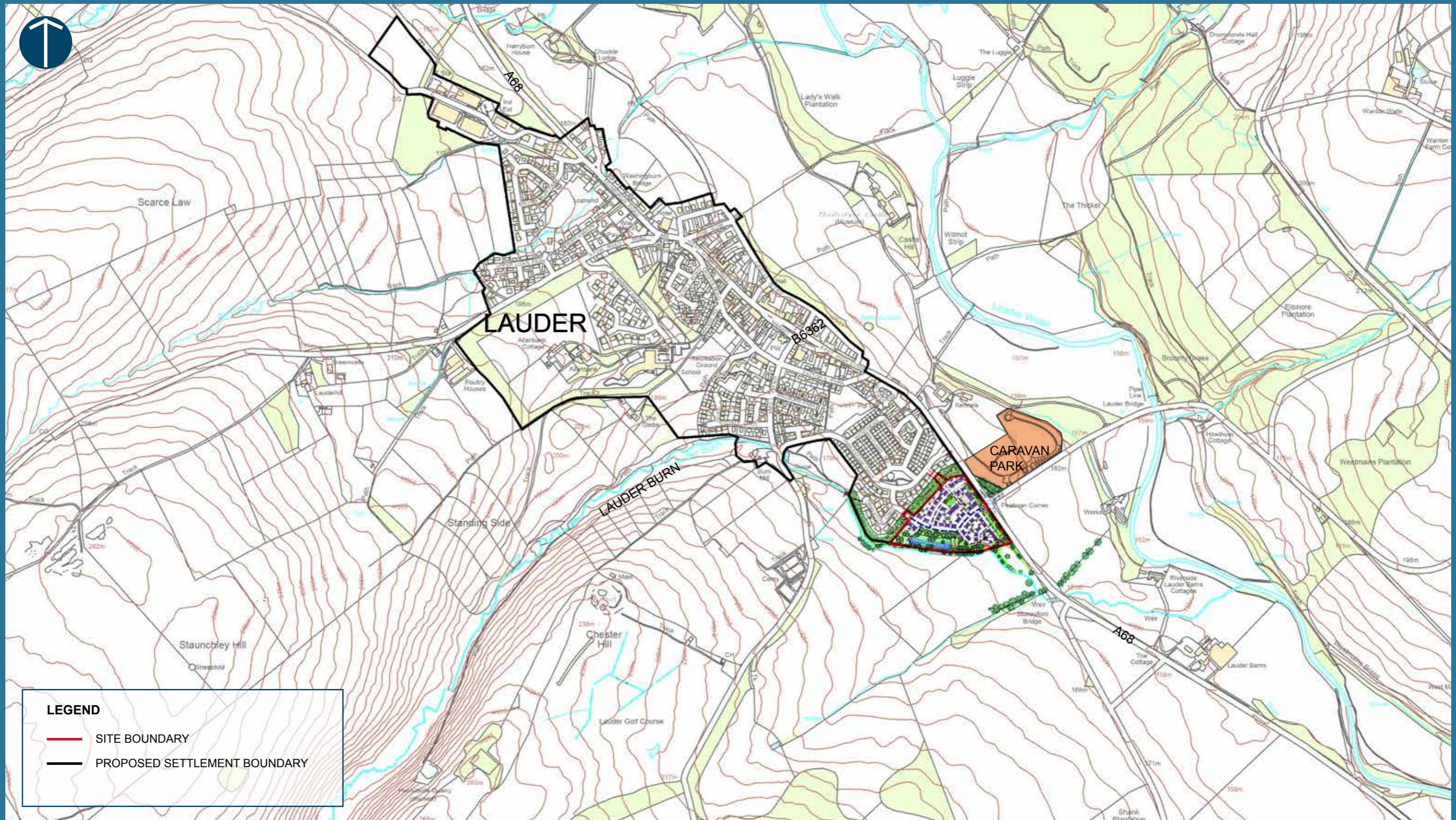
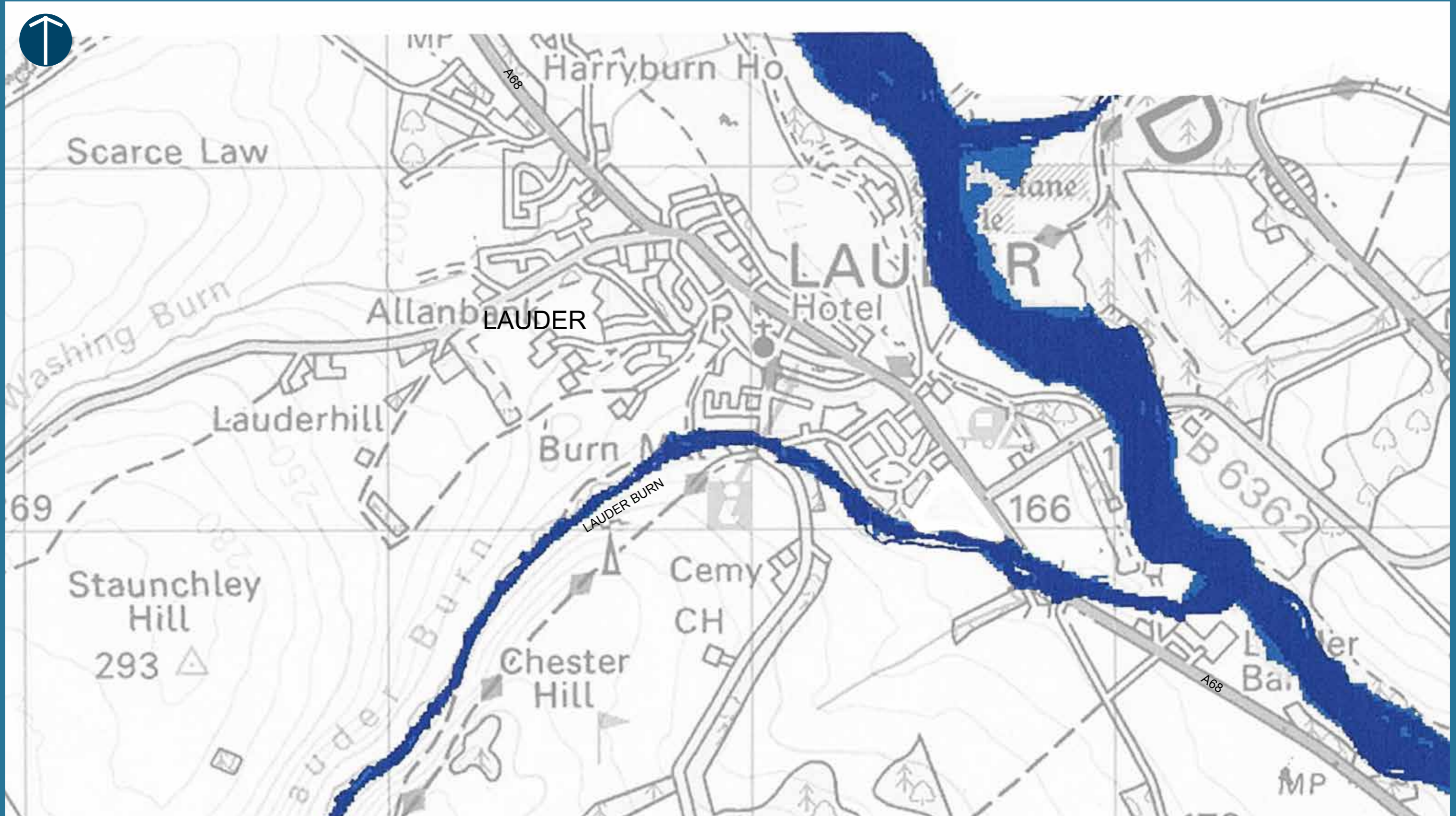


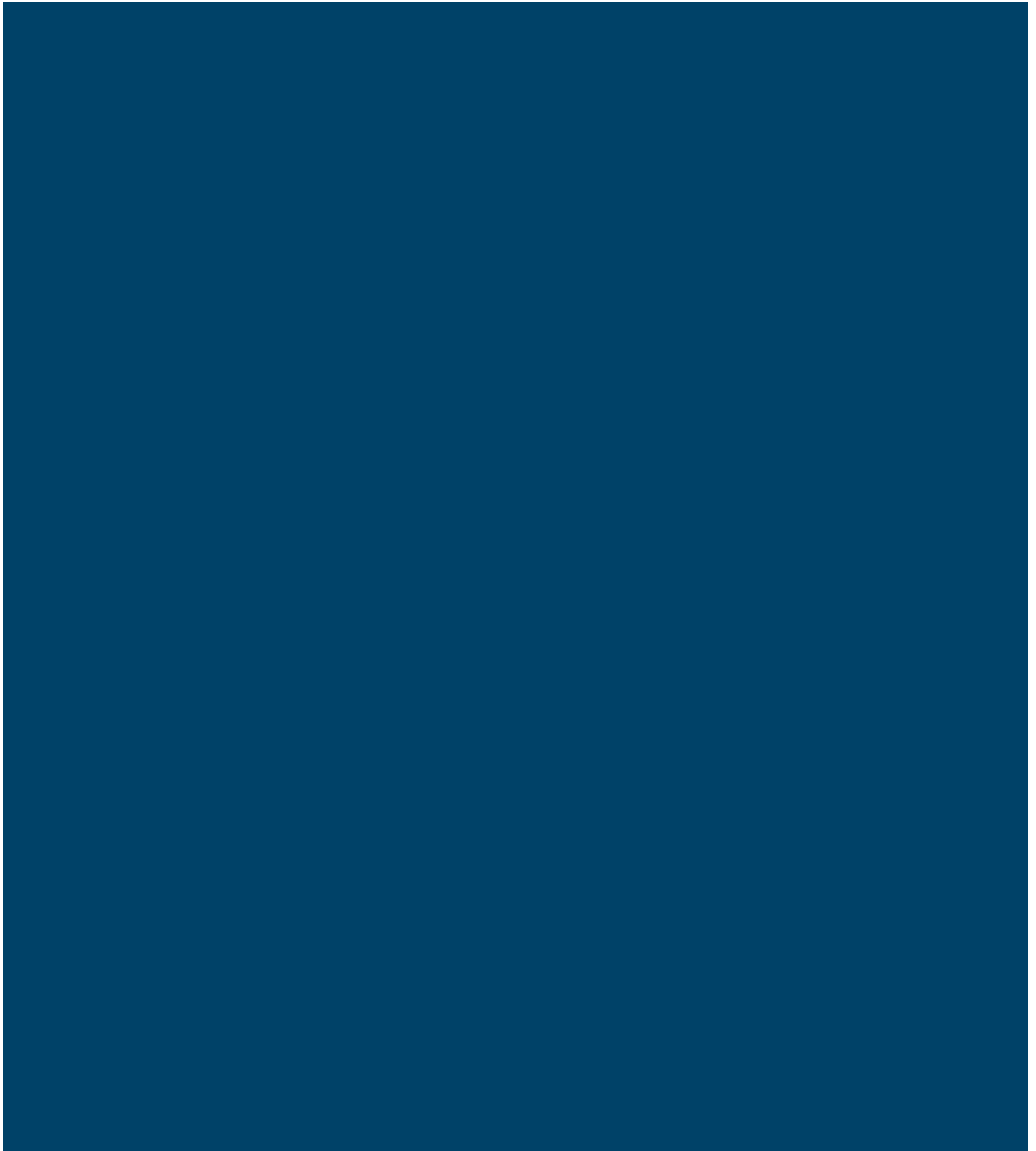
Figure 7 - SEPA Flood Risk Map - Extract Lauder



Land South East Of Lauder

Date: January 2017 Scale: 1:10,000 @ A3

mccreadiedesign



Holder Planning
5 South Charlotte Street
Edinburgh
EH2 4AN

LTR/PI3719/LT

03 August 2017

For the attention of [REDACTED]

Dear Sirs

**Publication Consultation on Draft Supplementary Guidance:
Housing Land at South-East Lauder (Site Ref: ALAUD008)
Flooding Statement**

We refer to the instruction by your client for a statement on flooding to support representations to Scottish Borders Council in respect of the above area of land.

Introduction & Background

This assessment has been produced to support the application for allocation in the latest local plan. It will take into account the recommendations of the Scottish Planning Policy (SPP) issued by the Scottish Executive in February 2010, Planning Advice Note PAN61 Planning and Sustainable Urban Drainage Systems issued by the Scottish Executive in July 2001 and Sewers for Scotland 3rd Edition, issued by the Scottish Water in April 2015. SPP identifies flood risk as a specific consideration in the allocation and release of sites for new development. The Government's sustainable development strategy makes it a requirement to assess forms of development for areas at risk of flooding. This is to avoid an unnecessary increase in the requirement for flood defences. A requirement of SPP is that developers, making planning applications on sites that are potentially at risk from flooding, or could materially increase the probability of flooding elsewhere, should consult with the Local Authority and, where appropriate, produce a Flood Risk Assessment for their proposals.

Site Overview

The proposed site is situated on the south-east side of Lauder, Berwickshire, and is generally triangular in shape (see Figure 1). It is bounded as follows:

Site Overview

The proposed site is situated on the south-east side of Lauder, Berwickshire, and is generally triangular in shape (see Figure 1). It is bounded as follows:

- To the east and north east by the A68 Trunk Road;
- To the south by the Lauder Burn and beyond by un-developed open land;
- To the north west by a wooded margin and beyond by residential property in Lauder.

The site is currently un-developed agricultural land and is occupied by grazing livestock. A man-made detention basin is located close to the southern site boundary. This is understood to serve as a drainage outfall for the residential development to the north west.

Existing Watercourses

The Lauder Burn is a tributary watercourse to Leader Water. It generally flows in a south easterly direction, adjacent to the site, running parallel to its southern boundary.

Upstream of the site, the burn skirts the southern side of Lauder, crossing beneath the Mill Wynd / Thirlestane Drive junction by means of twin corrugated metal arch culverts. As it passes the site, the burn is characterised by gentle meanders and by low banks. The burn turns southwards and away from the site as it approaches the A68 Trunk Road, running parallel to this road for approx. 160m. It then turns northwards towards the road to run beneath two separate structures. A large masonry arch bridge, carrying a footpath, and a smaller rectangular culvert beneath the A68. Beyond the A68, the watercourse runs a short distance to a confluence with Leader Water to discharge into this watercourse.

Anticipated Fluvial Flooding

The SEPA flood map has been reviewed and indicates a narrow band of flood inundation entering the southern margins of the site from the Lauder Burn.

Some of the limitations of the SEPA flood map should however be made clear at this stage. The river flood map was developed, with OS contouring and Digital Terrain Modelling (DTM) level data, using a two-dimensional flood modelling method. It does not show flooding from small burns, i.e. where the area draining to the river is less than 3km². The flood map only includes hydraulic structures and defences such as bridges, culverts and flood storage areas where appropriate information was available. This means that surcharged culverts and blockages that can significantly affect the flow of water may not be included.

In any event, the potential flooding envelope shown appears to be entirely consistent with the existing topography and observations found on site with respect to the adjacent watercourse.

OS contour mapping shows the high point of the site on its northern and north-western side at a level of circa 170.0m AOD. The site falls down to the burn in a typical 'river valley', with the burn level shown to be circa 160.0m AOD to the immediate south east of the site.

The landform on the southern side of the burn is characterised by a steeper fall than the northern (site) side. Visual inspection has identified low-lying land within the site, immediately adjacent to the burn and existing detention basin, before the slopes quickly take the level up to the higher levels characteristic in the middle and northern parts of the site. The potential flooding is shown to be confined to this low-lying area by the burn.

It is therefore considered that it would be possible to develop a large part of the proposed site ensuring that potential fluvial flooding from the Lauder Burn would be a low risk. This would require further flooding assessment / modelling to better define the anticipated flooding extent together with adoption of an appropriate freeboard to finished floor levels of any buildings to suit the requirements of the planning authority.

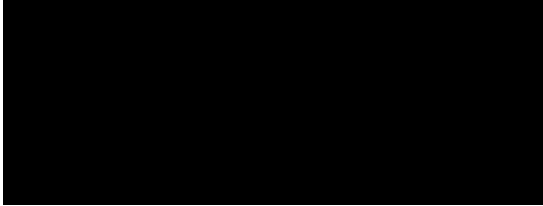
Conclusions

Conclusions

In conclusion, fluvial flood risk from the Lauder Burn to a proposed development is considered to be low, based on the review of site topography and site observations. Further flooding assessment / modelling will be necessary to define the anticipated flooding extent and building floor levels appropriate to the development should be determined during planning and detailed design.

Trusting that this is sufficient for your current purposes, please do not hesitate to contact us if you require anything further.

Yours faithfully



Enc.

Figure 1 - Site Location Plan

