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### Introduction

Caerlee Mill has been included on the Scottish Ministers Statutory list of buildings of special architectural or historic interest since 1971 and was reconfirmed as being listed at category 'B' as part of the systematic resurvey of Innerleithen Burgh in 2008. Caerlee Mill is also situated within the Innerleithen Conservation Area.

Caerlee Mill was occupied by JJ & HB Cashmere Mills Limited until January 2010 when the company was placed into administration. However, since that time a phoenix company has emerged from the previous company and is trading as Caerlee Mills Limited on a reduced footprint on the site.

It is considered by the Economic Development section of the Council that the mill has no future, as it currently stands, as there is generally no demand for the total use of such a large building, which is limited in terms of modern standards. Furthermore, the building and site has problems in relation to its layout, space standards, energy use, and vehicle access. Whilst there is scope for additional development on the site, the current layout of the existing buildings has resulted in land-locking its potential. The buildings and site have been marketed since February 2010 without any material interest in the site or formal offer being submitted.

The Listed Building status, as well as the buildings location within the Conservation Area, may have added further to the risk and uncertainty for any prospective purchaser of the site. In addition the current economic climate will not have served to benefit the future of the site. All of this has resulted in market failure.

The Council has therefore responded to this market failure

relating to risk/uncertainty and lack of information regarding the site and its future potential and has therefore commissioned a number of studies to assist in the production of this Planning Brief.

This Supplementary Planning Guidance (SPG) has therefore been informed by the contents of the 'Caerlee Mill Conservation Study' undertaken by LDN Architects who are renowned in their field and have experience with similar projects, as well as the 'Caerlee Mill: Options Appraisal' that was produced by Jura Consultants.

The planning brief should be read in conjunction with the developer guidance in Annex A.

### Purpose of the Brief

The purpose of the Brief is to provide guidance and a degree of assurance to any prospective new owner on the preferred way forward for the redevelopment of the Caerlee Mill site.

This Supplementary Planning Guidance when approved will become a material consideration in the determination of any Planning or Listed Building Application submitted.

#### Local context

Innerleithen is located within the Northern Housing Market Area, approximately 6.5 miles east of Peebles and is connected via the A72. The busy A72 runs through the settlement and connects Innerleithen with Peebles in the west, and Walkerburn and Galashiels to the east. The town sits on a significant bend in the River Tweed at a point where the valley floor opens out into wide haughland, and the majority of the built up area of the town lies on this haughland. The entrances into the town are generally quite pleasing and there is a good integration with the adjoining landscape to the north due to the mature landscape framework. The River Tweed and the flood plain dominate the southern side of the village.

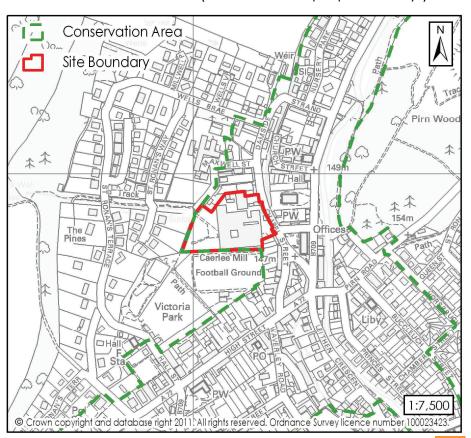
The town developed in the late 18th century on the development of the textile industry and the publication in the early 19th century of Sir Walter Scott's St Ronan's Wells. At this time the High Street was developed but it was not until the end of that century that the major expansion of the settlement occurred extending behind the High Street to the south and to the south east beyond the Leithen Water. Another major expansion also occurred after the 2nd World War with a major public housing scheme in the east towards the former Pirn House.

A Conservation Area has been designated in Innerleithen which includes much of the High Street, Leithen Road, and part of Traquair Road, Waverley Road, Horsbrugh Street, and Pirn Road. Until the late 19<sup>th</sup> century Innerleithen was a small hamlet; comprising of only a few thatched houses, a mill, and a church.

The character of the Innerleithen Conservation Area owes much to the Leithen Water that runs through the town to the Tweed. A lade to the west of the river supplied several woollen mills (one of them Brodie's Mill at Caerlee which was the first

in the Borders, established in 1788), a sawmill and Smail's Printing Works (now run by the National Trust for Scotland). Innerleithen was an ideal location for the woollen industry. Its fast flowing river offered waterpower to the mills and wool was produced in the surrounding pastoral countryside. The development of the woollen industry did not begin as a gradual process, but on a large scale with the building of Brodie's Mill.

FIGURE 1: Local Context (For illustrative purposes only.)



### **Policy context**

The Brief should be read alongside relevant national and local planning guidance, a selection of which are presented in this section.

### Scottish Planning Policy (SPP):

The SPP states within paragraph 113 under the section on 'Listed Buildings' that when determining applications for planning permission or listed building consent, planning authorities should have special regard to the "desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Change to a listed building should be managed to protect its special interest while enabling it to remain in active use." In addition, paragraph 114 states: "Enabling development may be acceptable where it can be shown to be the only means of retaining a listed building. The resulting development should be of a high design quality, protect the listed building and its setting and be the minimum necessary to enable its conservation and re-use. The new development should be designed to retain and enhance the special interest, character and setting of the listed building."

Within the section on 'Conservation Areas' the SPP states in paragraph 115 that: "Conservation areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Their designation provides a basis for the positive management of an area. A proposed development that would have a neutral effect on the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance."

### Scottish Historic Environment Policy (SHEP):

Chapter 3 of the SHEP sets out the Scottish Ministers policies on listed building consent and conservation area consent. Paragraph 3.41 states: "Listed buildings will however, like other buildings, require alteration and adaptation from time to time if they are to remain in beneficial use, and will be at risk if such alteration and adaptation is unduly constrained. In most cases such change, if approached carefully, can be managed without adversely affecting the special interest of the building."

The SHEP continues in paragraph 3.42: "Knowing what is important about a building is central to an understanding of how to protect its special interest. Applications should demonstrate that in arriving at a strategy for intervention, the importance of the building has been clearly understood and those features which contribute to its special interest have been identified."

In addition, paragraph 3.43 states: "In general the more extensive the intervention which is proposed, the more supporting information applications should provide. Where proposals involve significant intervention, evidence that less intrusive options have been considered should be provided. Where the application would have a significantly adverse effect on the building's special interest, but is believed to offer significant benefits to economic growth or the wider community, applicants should prepare a statement which justifies the intervention in relation to these benefits. This statement should demonstrate that the benefits could not be realised without the intervention proposed."

Paragraph 3.44 states that where an application proposes the demolition of a listed building, applicants will be expected to provide evidence to show that:

- a. the building is not of special interest; or
- b. the building is incapable of repair; or
- c. the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- d. the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchaser for a reasonable period.

# <u>Guidance Note: Managing Change in the Historic</u> Environment - Demolition:

This document states that demolition is "the total or substantial demolition of a building".

Where demolition is being considered, applicants are required to have made all reasonable efforts to retain the listed building, these can include;

- the significance of the building and its setting is fully understood;
- the condition of the building has been assessed by appropriate conservation professionals;
- repair is not economically viable;
- alternative sources of finance have been explored;
- the property has been marked for a reasonable period at a price reflecting its condition to potential restoring purchasers.

### Consolidated Scottish Borders Structure Plan (2009):

Whilst other Consolidated Structure Plan policies will also apply, the key policies relating to the Planning Brief site are:

Policy N17: Listed Buildings states that the Council will seek to preserve the character of listed buildings, their setting and related fixtures, and will encourage their repair and the reuse of vacant or derelict buildings wherever possible. In addition the policy states that proposed alterations to listed buildings, their setting and related fixtures will only be permitted where such alterations maintain and preferably enhance the special architectural or historic quality of the building. Furthermore demolition will only be considered where all other alternatives have been fully evaluated.

Policy N18: Development affecting Conservation Areas states that the Council will support development affecting Conservation Areas that is of a quality and design which will preserve and enhance the special character and appearance of these areas. Development proposals should seek to retain existing features which are considered integral to the character of the Conservation Area. Furthermore there will be a presumption against development which is considered likely to have an adverse impact on a Conservation Area.

### Scottish Borders Consolidated Local Plan (2011):

Whilst other Consolidated Local Plan policies will apply, the key policies relating to the Brief site are:

Policy BE1: Listed Buildings aims to protect Listed Buildings from works that would spoil their character. In turn this will protect a major asset that contributes significantly towards the character and amenity of the Scottish Borders and represents a valuable resource for recreational, tourism and educational purposes. The Policy acknowledges that Listed Buildings are most vulnerable when they are unoccupied and consequently encouragement will be given to appropriate development that would both provide occupancy and protect and enhance the character of the building.

Policy BE4: Conservation Areas aims to preserve and enhance the character or appearance of Conservation Areas. Conservation Areas make a unique and irreplaceable contribution towards the character towards the character and quality of the Scottish Borders, and as such, must be protected from inappropriate development. The policy aims to subject applications for demolition to scrutiny such that in cases where the building is of value, demolition should be a last resort and only considered after all the alternatives have been evaluated, regardless of the quality of the replacement. The Policy acknowledges that in cases where the value of the building is limited, re-use may be of less importance and replacements of suitable quality may do more to enhance the Conservation Area.

### Supplementary Planning Guidance:

The key Supplementary Planning Guidance that will also apply when considering any application relating to this Planning Brief site are:

- Placemaking & Design
- Renewable Energy
- Use of Timber in Sustainable Construction

### The Site

### Site and Building Description:

The Caerlee Mill site is located to the immediate north of the High Street/A72 near the centre of the settlement and the entire site is situated within the Innerleithen Conservation Area. The site is approximately 1.5 hectares (Ha) in size and is occupied by the category 'B' listed Mill. In addition to the Mill buildings, the site also includes various outbuildings. The original Caerlee Mill building is three storeys in height (originally a four storey and from the exterior still appears to be), and adjoining it are a number of later mainly single storey sheds.

There are three entrances into the site, the main access is via the double access gates located in the south-eastern corner of the site along Chapel Street, with a further access to the north-eastern corner (also along Chapel Street), the third access into the site is along the western boundary off a driveway from Maxwell Street.

To the north-east of the site the Mill Lade (stemming from the Leithen Water) enters the site, is culverted below the mill and then re-emerges approximately 120 metres to the south-east adjacent to Chapel Street.

To eastern side of the site, the site boundary consists of a combination of a stone walling, some of which is of a lower height and is finished with wrought iron railings whilst the western part of the site is bounded by palisade fencing.

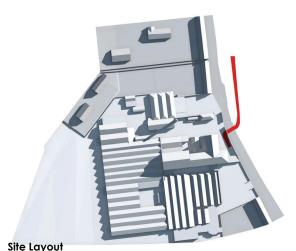
### Surrounding Area:

The site is located within the central part of Innerleithen. The surrounding land use consists of a mixture of residential properties and green space. The neighbouring properties to the north of the site are residential properties along Maxwell

Street and Damside, the Caerlee Cottages as well as the St Ronans House Residential Home. To the south of the site, there is the Innerleithen Football Ground, beyond which lie residential properties lining the High Street. Victoria Park also sits to the southwest of the site. To the west are residential properties along St Ronan's Way and St Ronan's Terrace, whilst to the east are further residential properties on Chapel Street as well as the Innerleithen Parish Church.

### Current Use:

As stated above, the Caerlee Mill in Innerleithen was occupied by JJ & HB Cashmere Mills Limited until January 2010 when the company was placed into administration. However, since that time a phoenix company has emerged from the previous company and is trading as Caerlee Mills Limited on a reduced footprint on the site.



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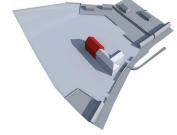
### **Historic Development**

The Caerlee Mill was the first water powered textile mill in the Borders and represents the beginning of the industrialisation and the development of textile towns in the Scottish Borders, it is also now the oldest continually operating textile mill in Scotland.

As stated above, Caerlee Mill is a category 'B' listed building. Whilst the original mill building was built in 1788 by Alexander Brodie, Caerlee Mill grew steadily as the business developed through the 19th and 20th century.

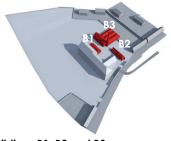


Building A1 - Brodie's Mill
Built 1788
North Wing added early 1800s
Additional east bays added early 1800s
Copyright: LDN Architects



**Building A2 - West Wing**Built 1839-1856
Copyright: LDN Architects

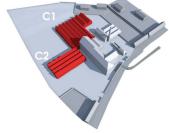
It was in the early 1800's when the first extension of the mill was added – the North Wing. Then following the sale of the mill by the heirs of Alexander Brodie to Robert Gill, the new owners mechanised the mill using steam power in 1841 and expanded the business further then adding the West Wing (c1839 – 1856); followed by the Milling Area and the Tenter House around 1850; and then the Boiler House and Steaming Shed. The Weaving Shed was then added around 1850 – 1880 and then extended using a concrete construction in 1876.



#### Buildings B1, B2 and B3

B1 - Built c1850 B2 - Built c1850 B3 - Built c1858

Copyright: LDN Architects



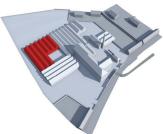
#### **Building C1 and C2**

C1 - Built in 3 phases: c1858, c1900 & C1910

C2 - Built c1900 (at the same time as C1 phase 2)

Copyright: LDN Architects

In 1886 the mill was then sold again, this time to JJ and H Ballantyne of Walkerburn, and they then around 1900-1910 extended the Weaving Shed again, which was then followed by a further extension.



Building D1
Built in 2 phases: c1920s & c1930s
Copyright: LDN Architects

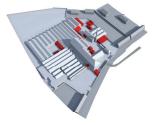


Building D2
Built c1920 to 1925
Possibly incorporating earlier c1858 building
Copyright: LDN Architects

Around 1925 – 1930 the first three bays of the Hand Knitting Sheds were built which were then extended by a further three bays in the mid 1930s; it was around this time that the offices were also added.



**Building E**Built in 2 phases: c1920s & c1930s
Copyright: LDN Architects



Outbuildings
Built post 1930s
Copyright: LDN Architects

Whilst the mill was closed during the Second World War, it reopened in 1945 and was renamed as 'Ballantyne Sportwear Co Ltd'. It was then in the 1960s that an additional floor was added to Brodie's Mill.

### **Towards a Way Forward**

The Council is aware that considerable funding is required to deliver the restoration and reuse of the site. To encourage this takes place the Council has already commissioned consultants to undertake a Conservation Study to assist in determining the potential for new development and in doing so define the level of significance of each of the parts of the Mill building.

This section therefore deals with the Cultural Significance of the Caerlee Mill site and is based on the outcomes of the Caerlee Mill Conservation Study undertaken by LDN Architects. In order to establish a context within which informed decisions about change can be made and substantiated with rigour and consistency, the characteristics which are of cultural significance of the Caerlee Mill site need to be considered and taken into account.

# Significance of the Place

The architectural and historic interest of the Caerlee Mill is acknowledged by the Mill being included on the Scottish Ministers statutory list at category 'B'. The list description states that "Caerlee Mill was the first water powered textile mill in the Borders and highly significant as it marks the beginning of the industrialisation and the development of the textile towns in the area. The mill demonstrates the evolution of the industry over centuries, including water turbine technology. It is now (2007) the oldest continually operating textile mill in Scotland."

The Cultural Significance of any monument, whether of national importance or more local significance, can be characterised by reference to one or more of the following; the characteristics are in three groups:

- Intrinsic those inherent in the monument
- Contextual those relating to the monument's place in the landscape or in the body of the existing knowledge; and
- Associative more subjective assessments of the associations of the monument, including with current or past aesthetic preferences.

The Cultural Significance of the Caerlee Mill site may be summarised as:

#### Intrinsic:

The Mill stands as physical evidence to the history of the textile industry in the Scottish Borders. The Mill is "complete" and the various stages of its development and changes in operation are evidenced in the fabric of the buildings as they are today. Whilst the appearance of the site and its buildings has changed over the years, the core of the original building i.e. Brodie's Mill with the added North Wing survives with sufficient honesty in its exterior to demonstrate the place's long history.

#### Contextual:

The Brodie's Mill which dates from 1788 was the first water-powered woollen mill of the Industrial Revolution in the Borders, and its construction marked the beginning of industrialisation and development of the Borders textile towns. Whilst they are of relatively little architectural merit, the fabric of the Caerlee Mill buildings charts the growth and decline of the textile and knitwear business in the Borders and the Ballantyne companies in particular. The mill is the oldest textile mill in continuous operation in Scotland. Brodie's Mill, Tenter House, the mill chimney and the boiler house in particular has been and remains the dominant elements within the Mill site and are important landmarks within the townscape.

#### Associative:

The Caerlee Mill has not only been an important economic driver for Innerleithen throughout its history but has also been a key employer for generations of local people. The operator of the Mill for much of its life has been the Ballantyne group of companies and, whilst they have gone through numerous ownership changes, the company name has always been associated, world-wide, with high quality knitwear. In addition, the original builder of Caerlee Mill, Alexander Brodie, was recognised as a philanthropist and worked to improve the conditions of local people of the time.

### Defining Level of Significance

The Caerlee Mill Conservation Study undertaken by LDN Architects has defined in detail the various levels of Significance of the Caerlee Mill site.

The purpose of identifying different levels of Cultural Significance is, however, to establish a rational hierarchy within which the relative importance of each aspect of Significance can be related to that of the whole place. For the purposes of the 'Caerlee Mill Conservation Study' undertaken by LDN Architects it was considered that five levels of significance were sufficient to measure each aspect of significance and compare it to the others consistently. The levels, their importance, and their implications for conservation policy are as follows:

Level of Significance			Importance	Conservation Policy
	Α	Exceptional	International	Reveal, maintain and enhance significance through meticulous preservation, conservation, restoration or reconstruction.
	В	Considerable	National	Reveal, maintain, and enhance significance but some adaptation and supplementary construction may be considered to accommodate future compatible uses.
	С	Some	Regional	Reveal, maintain, and enhance significance but acceptable options may, subject to consensual agreement based on expert analysis, include alteration, removal or demolition in whole or part.
	D	Little	Local	Interventions, alterations or demolition to suit new purposes are appropriate.

Detrimental

Improve or remove

Intrusive

Based on the evidence gathered to date, the overall level of Cultural Significance of the historic core i.e. Brodie's Mill is 'B', which is defined as 'Considerable' and is considered to be of national importance and is the sites most important feature; whilst the overall Caerlee Mill is 'C' and is considered to be of 'Some' significance and therefore of regional importance.

In the case of the entire Caerlee Mill site LDN Architects consider, "preserving as found" is a conservation approach that would theoretically protect the developmental history of the site as an increasingly rare and complete surviving historical example of its type. It is not, however, a viable option since such an approach would not likely attract the finance necessary to repair the existing buildings nor provide the financial income required to maintain the buildings in the long-term. It would therefore neither protect the site's longterm future nor reveal any aspect of its significance or that of individual buildings. It is also extremely unlikely that the mill as a whole would be considered of sufficient merit and public benefit as an industrial historical monument for it to be taken into long-term State Care. The mill will not therefore survive intact on its own merit and other conservation options have to be considered.

The primary heritage objective must therefore be to develop deliverable proposals that:

- Protect, reveal and enhance the significance of Brodie's Mill, and
- Retain, repair and re-use as many of the existing buildings as possible either for their designed use or compatible new uses.

Therefore the appropriate conservation policy for the Caerlee Mill site should be:

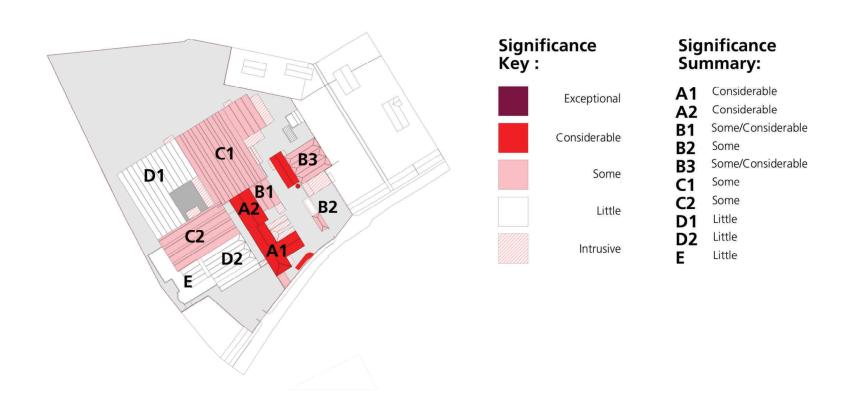
"protect, enhance, and reveal the most significant buildings on the site whilst altering, converting and demolishing less significant buildings necessary to accommodate viable new uses essential to the site's revitalisation as a focal point of the Innerleithen Conservation Area and townscape and reveal the significance of the site's most important buildings".

The Cultural Significance of each of the buildings of the Caerlee Mill site is set out on the following page.

# FIGURE 2: Significance Summary

For illustrative purposes only.

# Significance Summary



**LDN** Architects

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### **Site Constraints and Opportunities**

To achieve a successful development the following constraints and opportunities should be considered.

### Constraints

- Given the importance of the listed building onsite as well as the position of the site within the Innerleithen Conservation Area, any development will have to preserve or enhance the character and appearance of the Conservation Area
- The heritage value of the Caerlee site can be found within the historical context of the Mill both within the Innerleithen settlement and within the Borders as a whole. The constraints that arise from the significance of the various parts of the Caerlee Mill buildings primarily relate to the need to protect, reveal and enhance the heritage core of the site
- There is a need to ensure the dominance of the Mill and its chimney is retained in the townscape
- The layout of the site should consider any wider opportunities
- The residential amenity of the neighbouring properties will need to be taken into account
- The three access routes into the site should be preserved
- There is potential for archaeology on the site
- Potential contamination on site.



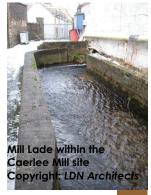


# Opportunities

- Take the opportunity for the reuse of a brownfield site within Innerleithen which offers a range of facilities and a bus service
- Take advantage of the category B Listed Caerlee Mill and its location within the Innerleithen Conservation Area
- The potential for new development should take the opportunity to support the restoration and maintenance of the existing Listed building onsite
- Take the opportunity to create a sustainable place, taking advantage of the proximity to the settlements centre and the good transport links to the wider area
- Take advantage of the attractive location close to the mill lade and adjacent access route
- Potential to create a link to connect with the existing access route to the west that provides access towards Caerlee Hill, the Lee Pen and to Glenormiston Farm
- Maintain the existing listed stone walls and railings around the site
- Make best use of the running water in the lade.



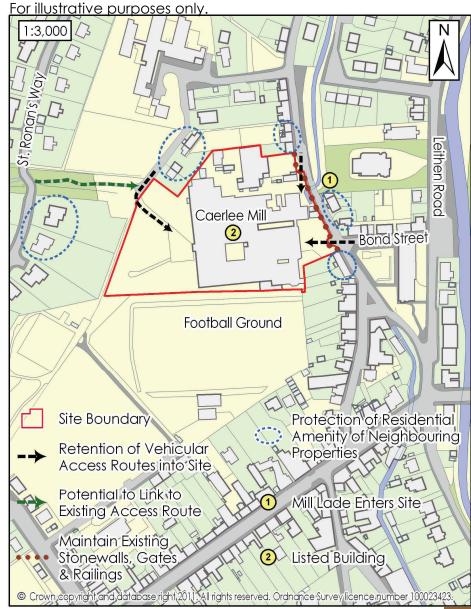




Although parts of the buildings on the listed Caerlee Mill site are in poor condition and require investment to prevent further deterioration of the historic fabric, other parts are in reasonable and even good condition. In considering the process to restore the Caerlee Mill buildings, viable economic uses need to be found so as to safeguard the future of the listed building as well as to provide financial assistance to contribute to any ongoing maintenance and repair. Nevertheless, as stated above it is acknowledged that as the Caerlee Mill building stands at present, there is currently no demand for the total use of building which is considered to be limited in terms of modern standards.

In considering possible new uses and developments, the Council wish to ensure that any new uses and development will enhance the Caerlee Mill site as well as promote its heritage value not only within Innerleithen but also for the Scottish Borders.

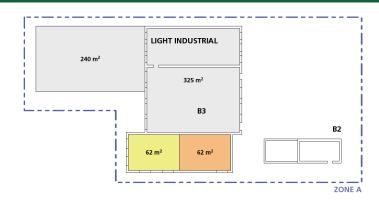
# FIGURE 3: Constraints and Opportunities

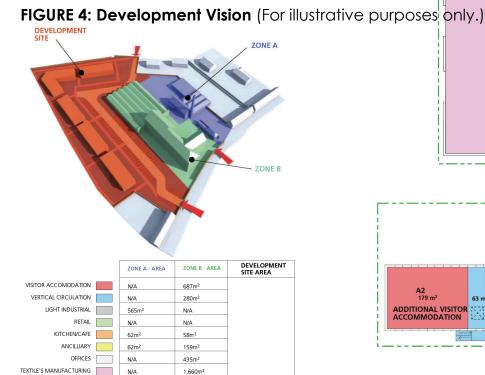


# **Preferred Way Forward**

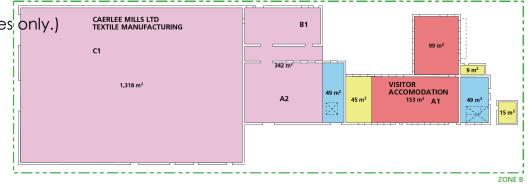
### Vision for the Caerlee Mill Site

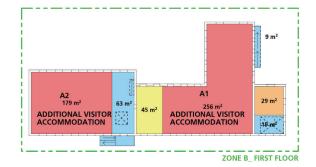
The Vision for the Caerlee Mill site is to create a high quality mixed use area incorporating the restoration of the historic core of the site along with the provision of enabling development. The new development will take advantage of the proximity to the countryside, respect the existing settlement and conservation area as well as the setting of the listed building. The aim is to create an area where there will be a strong emphasis on improved links to the town centre as well as being a place where people will actively choose to live and work.

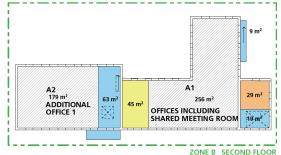




3279m<sup>2</sup>







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This section deals with the preferred way forward to promote the redevelopment of the former mill and the site. As set out in the section 'Towards a Way Forward' (informed by the Caerlee Mill Conservation Study), the development approach should be to reveal, maintain and enhance the heritage core of the site and introduce sympathetic enabling development.

In considering the way forward for the Caerlee Mill site, LDN Architects in their 'Caerlee Mill Conservation Study' identified six potential options. These options entailed:

# Option 1: Retain and re-use all buildings

- Repair and development of all buildings
- Caerlee Mills Ltd is relocated within Zone C together with area for expansion, mill shop and visitor facilities
- New light industrial accommodation created in Zone A
- Brodie's Mill, Zone B, developed as lettable office accommodation
- Enabling development site created
- Remove modern structures

### Option 2: Create Enabling Development Site

• New light industrial accommodation created in Zone A

Option 1

Copyright: LDN Architects

- Caerlee Mills Ltd is relocated within Zone C with visitor facilities in Zone B
- New light industrial accommodation created in Zone C
- Brodie's Mill, Zone B, developed as lettable office accommodation with shop and café on ground floor

- Hand knitting sheds, mill shop and offices removed
- Enabling development site created.

### Option 3: Leisure Development

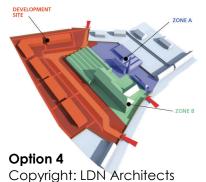
- Caerlee Mills Ltd is relocated within Zone A including new accommodation
- Brodie's Mill, Zone B, developed as lettable office accommodation with visitor accommodation on ground floor
- Zone C hand-knitting sheds and weaving sheds converted to leisure use
- Development site probably required for carparking and other facilities related to leisure use.

### Option 4: Remove Later Buildings

- New light industrial accommodation created in Zone A
- Caerlee Mills Ltd is relocated within Zone B
- Brodie's Mill, Zone B, developed as lettable office accommodation with visitor accommodation on ground floor
- Later weaving sheds, hand knitting sheds, mill shop and







offices removed

• Enabling development site enlarged.

### Option 5: Maximise Enabling Development

- New light industrial accommodation created in Zone A for Caerlee Mills Ltd or others
- Mill café, shop and museum formed in ground floor of Brodie's Mill, Zone B
- Upper floors of Brodie's Mill,
   Zone B, developed as lettable office accommodation
- All other buildings demolished
- Enabling development site maximised.



Option 6: Demolish all Buildings

# Identification of the Preferred Way Forward

To assist in identifying the preferred way forward, *Jura Consultants* were appointed by the Council to undertake the 'Caerlee Mill: Options Appraisal'. The Options Appraisal sought to examine the potential development options for the site (as identified above) from a market and financial perspective while *LDN*'s input focused on the significance and heritage of the Caerlee Mill. *Jura Consultants* identified 'Option 4: Remove Later Buildings' as the preferred way forward for the Caerlee Mill site.

Jura Consultants undertook a market and financial appraisal of the options with the overall project objectives to determine the most appropriate way forward for the Caerlee Mill. The project objectives were:

- 1. To preserve the heritage of the building(s)
- 2. To maintain employment
- 3. To use the site as a springboard for creating employment
- 4. Achievability/sustainability.

The conclusions from the report were that the retention and refurbishment of the entire complex of buildings at Caerlee Mill was likely to be extremely difficult. The critical issues revolved around the market, financial and development risks associated with the site.

The continued accommodation of Caerlee Mills Limited is achievable assuming that its accommodation can be rationalised into a reduced footprint centred on Building C1 (Weaving sheds), with some scope for negotiation around the continued occupation of other buildings in the short-term.

Brodie's Mill demonstrates potential for reuse but the investment required and the forecast financial returns confirm that this will require considerable grant and other external funding and does not represent a commercial opportunity for a developer. The reuse of the site will require the separation of Brodie's Mill and Building C1 (occupied by Caerlee Mills Limited) from the remainder of the site.

Jura Consultants consider that the current critical issues influencing the level of interest from developers are as follows:

- The site remediation costs, including the existence of asbestos on the site
- The risk associated with obtaining statutory approvals
- The restoration costs associated with the future use of Brodie's Mill, such that the developers would prefer to see this pursued separately by a Building Preservation Trust or

- similar
- The requirement to contribute to the Brodie's Mill restoration costs
- The acquisition cost.

Furthermore, Jura Consultants state that the critical issues influencing the restoration of Brodie's Mill are as follows:

- The ability to find a willing purchaser / long-term owner
- The ability to secure a funding package, including external grant funding and developer contributions
- The essential requirement for developer contributions in market and financial conditions that render this difficult
- The ability to generate a long-term sustainable revenue stream from subsequent re-use

Therefore in considering the critical issues above, it is necessary that any new development that takes place on the site must take the form of enabling development.

Taking the findings from *Jura Consultants* into consideration, it is considered that any such Enabling Development on the site should:

- a. not materially harm the heritage values of the place or its setting
- avoid detrimental fragmentation of management of the place
- c. secure the long-term future of the place and, where applicable, its continued use for a sympathetic purpose
- resolve problems arising from the inherent needs of the place, rather than the circumstances of the present owner, or the purchase price paid
- e. Provide sufficient subsidy

- f. demonstrate that the amount of enabling development is the minimum necessary to secure the future of the place, and that its form minimises harm to other public interests
- g. only be considered if the public benefit of securing the future of the significant place through such enabling development decisively outweighs the dis-benefits of breaching other public policies
- h. take potential opportunities from the wider locale into consideration.

## Range of Acceptable Uses

Whilst the existing use onsite is currently classed as manufacturing, the site has not been identified within the Consolidated Local Plan and therefore, any planning application for an alternative use would be considered on its merits. Consolidated Local Plan Policy G7: Infill Development is generally supportive to suitable infill development provided that it meets certain criteria set out in the plan. That criteria includes that the new proposal does not conflict with the established land use of the area; it does not detract from the character and amenity of the surrounding area; the individual and cumulative effects of the development can be sustained by the social and economic infrastructure and that it does not lead to over-development or 'town and village cramming'; that it respects the scale, form, design, materials and density of its surroundings; that adequate access and servicing can be achieved, particularly taking account of water and drainage and schools capacity; and it does not result in any significant loss of daylight or privacy to adjoining properties as a result of overshadowing or overlooking.

The preferred way forward promotes a mixed use for the Caerlee Mill site. The development could contain a mixture of light industrial, commercial, tourism/leisure/recreation use, alongside residential. It should be noted that this does not preclude the opportunity for other uses which would have the potential to sit alongside the Caerlee Mill and enhance it, as well as promote its heritage value not only within Innerleithen but also for the Scottish Borders. The overall intention for the Caerlee Mill site is to reveal, maintain and enhance the heritage core and introduce sympathetic enabling development.

It is considered that "live / work" units could be a sympathetic development that would enhance the character of the site. However, any such development would have to be of an architectural quality and character that is appropriate and sympathetic to the setting of the mill.

Any new development should be designed to retain and enhance the special interest, character and setting of the listed building, as well as take account of the sites position within the Innerleithen Conservation Area. The design and layout of the proposed new development should take account of the Mill Lade. Parking, landscaping, the provision of a Sustainable Urban Drainage, and consideration of waste collection facilities will also need to be incorporated into any new proposals for the site.



# Cross Subsidy

In order to secure the restoration and future maintenance of the listed Caerlee Mill, any new development that takes place must cross-subsidise the Mill's future.

It should be noted that the demolition of parts of the listed Caerlee Mill will only be supported in order to allow the enabling development to take place, thereby securing the long-term future of the category 'B' listed Caerlee Mill.

The enabling development should ensure to subsidise the cost of repair, maintenance and the conversion to the optimum viable use of the listed Mill.

### **Development Contributions**

In normal circumstances, new development, particularly housing development would be assessed for potential developer contributions. However in this particular case, there is a national requirement to facilitate the retention of an important listed building. In these circumstances, it is considered that developer contributions should be waived where a sympathetic development is proposed.

# **Conditions on Any Planning Approval**

Any planning consent, if recommended for approval, will also need to contain specific safeguards in respect of:

- Detailed drawings for the physical alterations to the listed buildings.
- The implementation of the physical works in connection with a Listed Building Consent application (assumed to be granted) would be conditional on the granting of planning permission for the new development works
- Financial contribution to be made to the works to the listed buildings - cross-subsidy from the "development site" including proposed phasing and a Section 75 agreement.

### **Submission Requirements**

This section sets out the requirement for development proposals. Any proposals should reflect this planning brief and also the developer guidance in Annex A. The following assessment should be submitted to the Council at an early stage to achieve an effective development management process.

### Design Statement

Developers must illustrate the development vision principles in their design statement and demonstrate that due consideration has been given to the following issues for the local area:

- Spaces between buildings
- Sustainable environment
- Density and use
- Localised topography
- Views
- Vegetation pattern
- Boundary treatment
- Streets
- Treatment of elevations

and the following key issues for proposed buildings:

- Scale/proportion/materials/colour/articulation
- Relationship to site plot
- Relationship to adjacent buildings/structures
- Contribution to wider townscape
- Distinctiveness
- Listed Building
- Conservation Area

### Traffic Assessment (TA)

Developers may need to demonstrate through a traffic assessment how the development will function in transport

terms with emphasis on sustainable travel patterns.

# <u>An Extended Phase 1 Habitat Survey & Ecology</u> Requirements

This survey should be included in any submission and identify semi-natural vegetation and other wildlife habitats, it will also inform the Ecological Impact Assessment.

The Mill Lade through the site flows into the Leithen Water, part of the River Tweed SSSI/SAC. Development of the site must take account of this, both in relation to water quality and potential impact on otter, who may use the lade. The buildings would need to be surveyed for bats and birds prior to any demolition or development. The biodiversity of the site could be enhanced through the installation of swift bricks or nest boxes and bat bricks.

### Drainage Impact Assessment

A drainage impact assessment needs to be included in any submission and address issues such as the development's impact on the catchment area and waste and surface water drainage solutions.

The development to include a Sustainable Urban Drainage System to treat surface water run-off.

## **Energy Efficiency Statement**

Developers must submit a statement for the Council's approval detailing how energy efficiency measures and low and zero carbon technologies will be incorporated into the development proposals, and the level of CO<sub>2</sub> reduction that will be achieved. The non-domestic aspects of the development must be assessed against BREEAM (Building Research Establishment Environmental Assessment Method) principles and it is expected that it would achieve an

'excellent' rating.

### Checklist for key submission requirements

### **Eco-homes**

An Eco-home statement should demonstrate how advice has been sought from a licensed assessor at an early stage in the project to ensure that the estimated rating will be obtained. A full list of licensed assessors can be found at the EcoHomes website (www.ecohomes.org).

### Landscaping Statement

The statement should include how maintenance of proposed and existing planting will be managed in the future.

### Refuse Vehicle Access Strategy

The strategy should include details of suitable turning areas for refuse vehicles, swept path analysis and details of bin locations.

### Contamination

An appropriate assessment of any contamination within the site should be undertaken, with any mitigation measures identified and undertaken prior to any development.

# Listed Building

Any alterations to the Category B listed building would likely require a separate application for listed building consent.

## <u>Archaeology Statement</u>

There are two potential issues with below ground archaeology. First, the mill complex is within the area where it would be expected to find evidence for the medieval and early post-medieval occupation of the town. Second, and more importantly, there could be extensive built below ground works (mill leads, wheel pits, etc) that will require investigation during redevelopment.

Key parts of submission	Included in submission?
Design Statement	
Traffic Assessment	
Phase 1 Habitat Survey	
Drainage Impact Assessment	
Energy Efficiency Statement	
Eco-home Statement	
Landscaping statement	
Refuse Vehicle Access Strategy	
Contamination Assessment	
Listed Building Consent Application	
Archaeology Statement	

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#### Annex A – Developer Guidance

#### Introduction

The main aim and principle of the Scottish Borders Consolidated Local Plan is to support and encourage sustainable and high quality development. The Council produce planning briefs that set out the development vision and the main strengths, weaknesses, opportunities and constraints on sites allocated in the Local Plan to achieve this.

The Council has also produced detailed guidance in the form of Supplementary Planning Guidance (SPG) on a number of topics. The Council is continually adding to the list of SPGs that needs to be considered when developing development proposals. The full list of SPGs and draft SPGs is available on the Council's website.

The aim of this supporting document to planning briefs is to set out guidance to developers that apply to all or most allocated housing sites. As all sites are different in character and landform they also have different strengths and potential constraints to address to be able to achieve a sustainable place through the use of **energy efficient design**, creation of **sustainable buildings**, **landscape enhancements** and creation of streets and spaces. Consideration should be given to 'Designing out Crime' and 'Trees and Development' and 'Landscape and Development'.

This document will direct developers to existing SPGs and the main Consolidated Structure Plan and Consolidated Local Plan policies and other policy documents which need to be considered when working up development proposals. The list of policies is not exhaustive and the document will evolve over time and be amended to include up to date policies and recommendations. Council departments and sections referred to in this document can be contacted on 0300 100 1800 or see detailed contact list in planning briefs.

### **Energy efficient design**

# Sustainable design

The Council is committed to improving the sustainability of the built environment of the Borders. The Building Research Establishment's "EcoHomes" has a recognised standard of sustainable design. This covers the following topic areas:

- Energy
- Transport
- Pollution
- Materials
- Water
- Land use and ecology
- Health and wellbeing
- Site / building management.

Developments will be expected to achieve the "Eco-Homes" rating of "Excellent". This standard is assessed using the Building Research Establishment Environmental Assessment Method (BREEAM) and can be applied across the spectrum of housing types. The Eco-Homes excellent standard can be achieved through creative design such as making best use of natural daylight and choosing construction materials that are appropriate to the climate conditions of the development site. This means that even starter homes which are very price sensitive can be built to these standards

(where the incorporation of technologies such as solar panels and wind turbines may not be financially viable).

The Eco-Homes standard includes making full use of energy conservation techniques, including:

- Reduction of primary energy use and reduction of CO<sup>2</sup> emissions through, for example, the siting, form, orientation and layout of buildings which maximise the benefits of heat recycling, solar energy, passive solar gain and the efficient use of natural light; and the use of planting to optimise the balance between summer shading and winter heat daylight gain.
- Reduction of water consumption through for example use of water butts for garden use, low-water consumption white goods, showers and WC's, grey water recycling for internal use.
- Green specification of materials including those for basic building elements and finishing elements.
- Reduction of construction waste through for example sorting and recycling construction waste on-site.
- Designing for life-cycle adaptability.

Advice should be sought from a licensed assessor at an early stage in the project to ensure that the estimated rating will be obtained. A full list of licensed assessors can be found at the Eco-Homes website (<a href="www.ecohomes.org">www.ecohomes.org</a>) or by contacting the BREEAM office.

Construction methods should allow for building deconstruction which enables fittings and materials to be re-used and / or recycled at the end of the building's life.

### Renewable energy & energy efficiency

Development proposals should comply with all relevant national policy to reduce carbon emissions from development, to achieve high standards of energy conservation and to provide on-site renewable energy production where appropriate. These provisions are highlighted in Policy G1 (5) – 'Quality Standards for New Development' of the Local Plan in the 'Renewable Energy' SPG. Developers must comply with these policies and provide evidence of how they have addressed them. Onsite energy generation should be incorporated into the development wherever possible as well as sustainable building construction and design.

The Consolidated Scottish Borders Structure Plan) Policy I21 "Small Scale Renewable Energy Technologies" states:

"Proposals for community and small scale renewable energy generation (or related techniques) will be encouraged where they have no significant adverse impact on the natural and built environment or amenity of the area."

"All developers, whatever the nature of their proposals, will be encouraged to consider the potential to use materials, designs and technologies which either reduce the impact of energy consumption or reduce the environmental impact of energy generation when formulating proposals."

The Consolidated Local Plan (CLP) 2011 Principle 1 (Sustainability) states:

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

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

The CLP policy G1 (5) identifies the standards which will apply to all development, including that:

" ... in terms of layout, orientation, construction and energy supply, the developer has demonstrated that appropriate measures have been taken to maximise the efficient use of energy and resources, including the use of renewable energy and resources and the incorporation of sustainable construction techniques in accordance with supplementary planning guidance referred to in Appendix D."

The planning system supports low and zero carbon development through the use of energy efficiency, micro-generation and renewable energy systems. The Council's approved SPG18: Renewable Energy requires all future developments with a total cumulative floorspace of 500m² or more to reduce carbon dioxide (CO₂) emissions by 15% beyond the 2007 Building Regulation CO₂ emissions levels. This 15% reduction should be considered a minimum requirement.

#### The SPG on Renewable Energy states:

- (1) The Council now requires all future developments with a total cumulative floorspace of 500m<sup>2</sup> or more to reduce carbon dioxide emissions (CO<sub>2</sub>) by 15% beyond the 2007 Building Regulations carbon dioxide emission levels.
- (2) To achieve this reduction, consideration should first be given to energy efficiency and building design measures.
- (3) Where the 15% reduction cannot be met through energy efficiency and design measures then on-site low or zero carbon technologies (LZCT) including renewable energy systems should be used.
- (4) Developments under 500m² are also strongly encouraged to achieve an additional 15% reduction in carbon dioxide emissions through these measures.
- (5) All applications for planning permission will also now require a statement on how energy efficiency measures and low and zero carbon technologies have been incorporated into the development proposal.

Planning Advice Note 84 Reducing Carbon Emissions in New Development (PAN84) provides information and guidance on achieving and demonstrating reduced CO<sub>2</sub> emissions.

To achieve the required reduction in CO<sub>2</sub> emissions the development should first give consideration to energy conservation measures and sustainable design and construction techniques to reduce the energy demand of the development. Once

energy demand has been minimised consideration should then be given to the use of low and zero carbon technologies (LZCT) for on-site heat and / or power generation. LZCT includes community heating schemes and combined heat and power schemes which would serve the development as whole.

Developers must submit a statement for the Council's approval detailing how energy efficiency measures and low and zero carbon technologies will be incorporated into the development proposal, and the level of CO<sub>2</sub> reduction that will be achieved.

In this respect, developers should bear in mind the timescale for development in relation to Government proposals for progressive increases in CO<sup>2</sup> reductions to meet the 2016 target of net zero carbon emissions for new dwellings. Council aspirations are in line with Government thinking on carbon neutral developments. Meeting these targets is increasingly likely to involve site-wide approaches and communal energy technologies rather than installations on individual dwellings.

Broad guidance on the CO<sup>2</sup> emissions reductions achievable from a range of sustainable energy technologies is provided in the table below:

Scale of technology	Name of technology	Potential CO2
		emissions
		reduction
Site-wide / communal	Biomass district heating	Up to 70%
	Gas combined heat and power (CHP)	Up to 50%
	Biomass combined heat and power (CHP)	Up to 50%
	Wind turbine(s)	Up to 50%
Individual dwelling	Biomass boiler	Up to 65%
	Solar photovoltaic cells / panels	Up to 35%
	Ground source heat pump	Up to 35%
	Advanced improvements to the building fabric	Up to 30%
	Solar thermal hot water	Up to 25%
	Air source heat pump	Up to 20%
	Intermediate improvements to the building fabric	Up to 20%
	Micro wind turbine	Up to 5%
	Micro combined heat and power	Up to 5%

(Source: Entec report for Scottish Borders Council (April 2008))

This table is for indicative purposes only. The Energy Saving Trust and specialist suppliers and contractors will be able to provide up-to-date information and advice which may be of use to developers in formulating proposals.

## Water and wastewater capacity

Local Plan policy Inf5 'Waste Water Treatment Standards' outlines the Council's view of the preferred way of dealing with wastewater. In terms of water and wastewater capacity and network issues early contact with Scottish Water is recommended.

### Sustainable urban drainage systems (SUDS)

Provision for SUDS that effectively manage the flow of rain water runoff by treating it within the site and accords with current design principles are required in all developments. Guidance is outlined in Local Plan policy Inf6 'Sustainable Urban Drainage' and in PAN61 'Planning and Sustainable Urban Drainage System'. Scottish Water and SEPA can provide more detailed advice.

#### **Sustainable Buildings**

#### Design and placemaking

The Council has produced a SPG on 'Placemaking and Design'. The document sets out the key sustainable placemaking objectives that any new development in the Scottish Borders should strive to achieve.

Key considerations that need to be considered to achieve high quality buildings and places are summarised in the figure below:



National guidance is available in a number of documents including 'Designing Places: A Policy Statement for Scotland', PAN67 'Housing Quality' and PAN 77 'Designing Safer Places'.

#### Designing out crime

The Council has an approved SPG on 'Designing out Crime in the Scottish Borders' that aims to improve awareness amongst the development industry and householders, and includes practical guidance to ensure the following topics are considered to create an attractive and safer environment:

- Planning of sites (including phasing)
- Layout of sites (roads and footpaths)
- Layout of development (casual surveillance)
- Landscaping (location and type of planting and maintenance)
- Lighting
- Design (site and house design)

National guidance is available in PAN 77 'Designing Safer Places'.

#### Affordable housing

The requirement for affordable housing should be met in line with Consolidated Local Plan Policy H1 'Affordable Housing' and the SPG on Affordable Housing. The proportion of affordable housing to be provided will be in accordance with the present policy and depends on what housing market area a specific site in included in.

Affordable housing units are likely to be required on site and should be designed to integrate with other houses on the site.

The current levels of contributions are included in the table below.

Housing Market Area	Affordable Housing Requirement (%)	
Berwickshire	25	
Central Borders	25	
Northern	25	
Southern	25	

Some sites in the Local Plan will be located close to or in conservation areas or close to listed buildings. For new development not to have a negative impact on the built heritage, the Council has outlined its policies in BE1 'Listed Buildings' and BE4 'Conservation Areas'. Other relevant policy documents are Historic Scotland's Scottish Historic Environment Policy (SHEP).

Consolidated Structure Plan policy N14, N15 and N16 and Consolidated Local Plan policy BE2 'Archaeological Sites and Ancient Monuments' requires detailed investigation where a development proposal impact on Scheduled Ancient Monuments, nationally important sites not yet scheduled, or any other archaeological or historical site. National guidance is available in Scottish Planning Policy (SPP) and SHEP. The Council's Archaeology Officer can provide more detailed advice.

#### Landscape enhancements

#### Open space, green space and play areas

Policy G1 'Quality Standards for New Developments' in the Consolidated Local Plan and Consolidated Structure Plan policy C6 'Open Space' covers the provision of open space in new developments. Structure Plan policy C7 'Play Areas' needs to be considered as well as the SPG 'Green Space' when preparing development proposals.

The SPG on Green Space states that the Council may, in line with SPP11, require developers:

- "To provide or fund additional provision where there are identified quantitative deficiencies in provision within the appropriate distance thresholds of a proposed development, or where the development will result in quantitative deficiencies.
- To contribute to the enhancement of existing provision when there is a
  identified qualitative deficiency in provision when there is an identified
  qualitative deficiency in provision within the appropriate distance thresholds of
  a proposed development and one effect of the development will be to
  increase the demand pressure on these spaces and facilities."

The requirement for developments can be very different and the Council will use quantity standards set out in the SPG to determine the scale of contributions required towards new off-site provision or the enhancement of existing off-site provision. Details of the standards are included in the SPG and it also encourages preapplication discussions with the Planning Officers.

Advice on national level is available in SPP and PAN65 'Planning and Open Space'.

### Ecology, habitats and trees

Consolidated Local Plan policies NE3 'Biodiversity', NE4 'Trees, Woodlands and Hedgerows' and the SPGs on 'Trees and Development', 'Landscape and

Development' and 'Biodiversity' provide guidance on these issues and list what is required for developments.

The main principle for protection of biodiversity is to promote development that is sustainable and protect biodiversity so there is no net loss of biodiversity. The degree of protection of a site depends on its position within the hierarchy of designations to protect species and habitats.

The key considerations in terms of landscape are:

- Landscape implications of planning applications in terms of site context, proposed layout, future use and maintenance
- Minimise impact by retaining existing trees, shrubs, boundary features etc. wherever possible.

In respect of the Ecological Impact Assessment, further guidance is available in the Council's Supplementary Planning Guidance for biodiversity: <a href="http://www.scotborders.gov.uk/life/planningandbuilding/plansandresearch/6003.html">http://www.scotborders.gov.uk/life/planningandbuilding/plansandresearch/6003.html</a> Section 4.2 (*Ecological Impact Assessment*), Section 4.3.1 (*Demolition or change of use etc*).

In terms of trees and development, developer should:

- Ensure development schemes include measures to safeguard trees and where appropriate to supplement an area's tree cover
- Provide detailed tree and land survey for application sites in close proximity to trees, or on site which trees are growing.

Detailed arrangements for future maintenance of landscaping on a site will be requested as part of any planning application. Early contact with the Council to discuss biodiversity, trees and landscaping issues is recommended.

#### Landscape designations

A number of allocated sites are located in the proximity of landscape designations, for example Gardens and Designed Landscapes, National Scenic Areas, Areas of Great Landscape Value, Special Area of Conservation and Site of Special Scientific Interest. These designations are protected against adverse impact from development through Consolidated Local Plan policies BE3 'Gardens and Designed Landscapes', NE1 'International Nature Conservation Sites', NE2 'National Nature Conservation Sites', EP1 'National Scenic Areas' and EP2 'Areas of Great Landscape Value' as well as Consolidated Structure Plan policies and national policies. Planning proposals for sites in close proximity should detail the impact on these areas and how to mitigate the adverse impact.

### Creation of streets and spaces

### Roads and access

Road design should not be conceived in isolation, but as an element in the overall design of the development. The Council's 'Standards for Development Roads' should serve as a guide for the form of development on the site, but should be flexible enough so as not to inhibit the design of an innovative less car dominant layout which respects the landform and character of the area. More details are available in Local Plan policies Inf2 'Protection of Access Routes', Inf3 'Road Adoption Standards' and the Council's Transportation Standards (Scottish Borders Consolidated Local Plan Appendix D) and the 'Designing Streets' manual. The national documents promote an informal system of well connected streets with natural traffic calming (building lines, squares, shared road surfaces etc) built in and equal priority given to all transport modes such as passenger transport, walking and

cycling. Developers are advised to contact the Council's Roads Planning Service for further advice.

### **Parking**

In a development where car parking spaces are allocated to individual properties the provisional requirement will be two parking spaces per dwelling unit (discounting garages). There will be a 25% requirement for visitor parking to be provided in groups of two spaces or more. For communal car parking the provisional requirements, which include visitor parking, is 1.5-1.75 spaces per dwelling unit. More details are available in Consolidated Local Plan policy Inf4 'Parking Provision and Standards' and the Council's Transportation Standards (Scottish Borders Consolidated Local Plan Appendix D). Developers are advised to contact the Council's Roads Planning Service for further advice.

The developer should consider a range of solutions to reduce the impact of car parking on the residential environment. These might include a combination of:

- Avoiding front garden space being entirely given over to parking
- Using traditional front garden walls and hedges to structure the street appearance
- Designing in shared small scale semi-private courtyard parking
- Placing larger parking courtyards behind perimeter blocks
- Building shared surfaces in traditional materials rather than using coloured concrete block surfaces – for example in parking zones, subject to adoption requirements, and domestic driveways.