



2018



SCOTTISH BORDERS  
LOCAL DEVELOPMENT PLAN 2  
MONITORING STATEMENT

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## 1. Foreword

- 1.1 This Monitoring Statement (MS) primarily gives consideration as to how effective planning policies have operated in practice since the Local Development Plan 2016 (LDP) was adopted. It must also take account of other emerging material matters. As set out within Circular (6/2013), evidence is required to inform plan-making, justify the plan's content and provide a baseline for later monitoring.

The MS examines a range of subjects and gives an evaluation on the progress of the policies and proposals within the LDP. It highlights how the Plan has encompassed new guidance and requirements from local and national level and considers decisions on planning applications. This is a useful gauge as to how policies are operating in practice. The MS also identifies policy areas where further work needs to be carried out.

The MS will be useful to a range of other interested parties, agencies and the general public, as well as to the Council in implementing its statutory duties. It is particularly important in relation to the procedures for preparing the new Local Development Plan 2 (LDP2), which requires up to date monitoring of policy performance and the identification of where policy needs amended. It is also a vehicle for monitoring Strategic Environmental Assessment (SEA) baseline standards and data.

## 2. Background

2.1 The MS is a statutory requirement under the Planning etc. (Scotland) Act 2006, which requires planning authorities to keep their Development Plans under review. Monitoring is important in assessing whether a Local Plan is achieving its aims and objectives and in identifying where policies need to be strengthened, maintained or altered as a result of new legislation, guidance or other information becoming available. Monitoring is key to successful forward planning which should be considered an essential pre-requisite to the review of the Development Plan.

The MS accompanies and informs the production of the Scottish Borders Local Development Plan 2: Main Issues Report (MIR). The MS monitors:

- Changes in the physical, economic, social and environmental characteristics of the Scottish Borders; and
- The impact of policies and proposals within the existing Local Development Plan.

It also sets the baseline for monitoring the Scottish Borders Council LDP2.

### 3. Policy Context

#### National Planning Framework 3

- 3.1 National Planning Framework 3 (NPF) is a long-term spatial strategy for Scotland, forming the basis of the Scottish Government’s planning led strategy for delivering sustainable development. NPF3 sets out the Scottish Government’s spatial development priorities for the next 20-30 years. The vision of NPF is outlined below.

*We live in a Scotland with a growing, low carbon economy with progressively narrowing disparities in well-being and opportunity. It is growth that can be achieved whilst reducing emissions and which respects the quality of environment, place and life which makes our country so special. It is growth which increases solidarity – reducing inequalities between out regions. We live in sustainable, well-designed places and homes which meet our needs. We enjoy excellent transport and digital connections, internally and with the rest of the world.*

NPF3 contains 4 key strategic aims, to create; **a successful sustainable place, a lower carbon place, a natural resilient place and a connected place.**

#### Scottish Planning Policy

- 3.2 The purpose of Scottish Planning Policy (SPP) is to set out national planning policies and set out policy that will help to deliver the objectives of NPF. SPP shares the same strategic aims as the NPF. SPP contains 2 principal policies, namely **sustainability** and **placemaking**. Within these 2 principal policies, there are a number of subject policies contained within SPP which need to be taken into consideration in the preparation of the MIR. These are outlined in the figure 1.

Figure 1: Subject policies contained within SPP

A successful, sustainable place	A low carbon place	A natural, resilient place	A connected place
Promotion of town centres	Delivering heat and electricity	Valuing the natural environment	Promoting sustainable transport and active travel
Promotion of rural development	Planning for zero waste	Maximising the benefits of green infrastructure	Supporting digital connectivity
Supporting business and employment		Promoting responsible extraction of resources	
Enabling delivery of new homes		Supporting aquaculture	
Valuing the historic environment		Managing flood risk and drainage	

Source: Scottish Planning Policy (SPP)

**Local Development Plan (LDP)**

3.3 The current LDP was adopted in May 2016 and alongside the Strategic Development Plan (SESPlan) forms the Development Plan. The existing LDP was prepared in the context of the 2010 Monitoring Statement and the LDP vision is outlined below. The current Development Plan contains policies and proposals used to guide and consider planning applications.

*In 2025 the Scottish Borders will continue to be an excellent place in which to live and work, with improved job opportunities, housing availability and connectivity. Development will be sustainable and meet the challenges of a changing climate. The built and natural environment will continue to be high quality and support economic development and provide for recreational and leisure activities.*

The main aims of the existing LDP are to;

- Provide an adequate range and quality of land and premises for business and industry
- Protect strategically important business opportunities

- Promote the development and regeneration of town centres
- Provide a generous supply of land for mainstream and affordable housing
- Protect and enhance the natural and built environment
- Protect important open space
- Promote green network linkages around towns
- Integrate climate change adaptation requirements such as flood prevention and sustainable renewable energy production
- Make adequate provision for waste management.

## 4. Purpose and Layout of the Monitoring Statement

- 4.1 **Part 1** of the document outlines the current socio-economic context of the Scottish Borders. This sets out statistical information and a discussion of the physical, economic, social and environmental characteristics of the area which have taken place within the Scottish Borders since the adoption of the LDP, setting out the baseline for the LDP2.
- 4.2 **Part 2** of the document critically looks at the 5 policy chapters contained within the adopted LDP, which are outlined below;
- Placemaking and Design
  - Economic Development
  - Housing Development
  - Environmental Promotion and Protection
  - Infrastructure and Standards

The assessment considers the use and effectiveness of the existing policies and proposals, in order to see whether its original aim and intent are being met. The key policies and proposals within each of these chapters will be considered in the following format throughout the MS;

- Policy Context
  - Local Plan Policies
  - Main Developments and Implementation
  - Conclusion
- 4.3 For each chapter, the relevant background policy context is set out and the policies contained within the LDP are presented. The main developments of the subject area are outlined, including reference to how the Council has responded to any policy change or other material considerations in terms of implementation. A brief conclusion of the findings is then presented, referring to the key points any future monitoring must take into account.
- 4.4 **Part 3** of the MS addresses the effectiveness of each policy contained within the LDP. Consideration is given as to whether the general policy format is appropriate, where policies can be amended, merged, removed and consideration given to any new policies which should be produced.

## 5. Summary of Findings

5.1 The following chapters examine a range of subjects, laying out relevant national and local policy, making reference to any trends and notable issues which have been raised and require to be addressed within LDP2. Where possible reference is also made to decisions on planning applications in order to gauge how effective the policies have operated in practice. Reference is also made, where relevant, as to how the Council has responded to any policy change or other material considerations in terms of implementation.

Each subject within the chapters concludes by identifying salient points which should be considered within the preparation of the MIR and taken forward into the LDP2, where appropriate. A summary of all these identified points, are outlined below.

### Place Making and Design

#### 5.2 Development Management

- The Council should continue to monitor performance figures, trends in planning application types, determination trends and appeal decisions
- The Council should continue to produce further Supplementary Guidance and Planning Briefs where appropriate as these are considered to be useful guides to the Development Management process.

### Economic Development

#### 5.3 Employment Land and Property

- The Council needs to continue to monitor the employment land supply and demand through the Employment Land Audit
- The Council should check any potential amendments to existing allocated employment land site boundaries
- The LDP2 should support the Central Borders Business Park project, which should remain a strategic priority
- The Council needs to monitor the success or otherwise of the Central Borders Business Park SPZ
- The LDP should identify additional employment land in Tweeddale/Northern HMA
- In the longer term, to ensure the area continues to capitalise on the success of the Borders Railway, a generous supply of employment land in the vicinity of the railway corridor should be maintained. Further opportunities for employment land in Galashiels and other settlements close to existing stations should be explored for potential allocation, including land at Lowood

- Review of LDP Policy ED1: Business and Industrial Land in order to reflect the nature of development activity with a greater focus in the future on high quality business developments. Review of the Employment Land Hierarchy as contained within LDP Policy ED1 and how the sites are categorised within
- Review of LDP Policy ED7: Development in the Countryside in order to encourage businesses in rural areas which are of an appropriate scale and on an appropriate site.

#### 5.4 **Town Centres and Retail**

- The Council should continue to monitor town centre vitality and viability which includes carrying out an annual footfall study, bi-annual retail survey, and town centre vitality and viability health checks
- The Council should continue to promote and support financial regeneration and improvement schemes for retail operators
- The Council should monitor the impacts of the Town Centre Core Activity Area Pilot Schemes for Hawick and Galashiels
- The Council must review the extent of current core activity designated areas within its town centres
- The Council must consider amendments to policy which will allow more flexibility of uses within town centre core activity areas, although care must be taken to ensure there are no detrimental longer term impacts, particularly with regards to town centres which are performing well
- The Council must consider other policy approaches which may help regenerate town centres.

#### 5.5 **Regeneration**

- The Council should continue to encourage redevelopment of brownfield sites for a variety of uses throughout the Scottish Borders
- The Council should review the existing redevelopment opportunities allocated within the Local Development Plan and the regeneration opportunities identified in Figures ED5a of Policy ED5
- The Council should identify new redevelopment opportunities which can be allocated in the Local Development Plan for a range of uses.

#### 5.6 **Digital Connectivity**

- The Council will continue to support and encourage the expansion of digital connectivity within the Scottish Borders. This is primarily focused through the Building Standards process.

## 5.7 Renewable Energy

- The Council must continue to promote and support renewable energy proposals within appropriate locations
- The Council must develop an Energy Efficient Plan
- The Council must develop further opportunities where heat networks, heat storage and energy centres exist or could be appropriate to ensure opportunities are maximised
- The Council must carry out further work towards identifying short, medium and longer term opportunities within development plans and action programmes to investigate the feasibility of district heating
- The recently adopted Supplementary Guidance on Renewable Energy which incorporates an updated Ironside Farrar Landscape Capacity and Cumulative Impact Study will be key documents in advising planning applications for a range of renewable energy types including wind farm proposals for larger turbines.

## 5.8 Minerals and Coal

- The Council should continue to strike a balance between utilising mineral resources and safeguarding attractive landscape, environment and communities
- The Council should prepare Supplementary Guidance relating to minerals.

## Housing Development

### 5.9 House Building

- The Council must continue to review the need for housing to meet the Strategic Development Plan (SDP) requirements and allocate housing land within the Local Development Plan (LDP) to meet any identified need. The Housing Land Audit will continue to monitor housing land supply and take up
- The Council must review and look at options for the provision of housing land within the Central Tweeddale area for LDP2 and longer term, to ensure the effective 5 year housing land supply is maintained and there are a range of provisions within each of the Housing Market Areas
- The Housing Land Audit will, in the future, refine the monitoring of affordable housing as part of the process. This will give the Council opportunity to use the results to update policies as and when required

- Review the current housing allocations within the LDP, to ensure that sites which are included within LDP2 are effective and do not have constraints which prohibit their development. This will ensure an up to date plan, which maintains an effective 5 year housing land supply and promotes the delivery of sites.

#### 5.10 **Affordable Housing**

- The Council needs to continue to develop a robust system to monitor planning applications and completions for affordable housing, to be able to update the policy where needed
- The Council needs to keep information related to the housing needs assessment up to date to be aware of any changes which may occur in terms of housing need
- Continue to work with key stakeholders and RSL's to ensure that any suitable housing sites are promoted through the LDP and/or Housing Supplementary Guidance
- Continue to work with key stakeholders and RSL's to ensure that any suitable housing sites are identified and included within the SHIP, to support the delivery of affordable housing, in meeting the Scottish Government's ambitious affordable housing targets.

#### 5.11 **Housing in the Countryside**

- The Council must continue to protect the countryside from inappropriate housing development
- The Council should continue to monitor housing development figures in the countryside and monitor the effectiveness of the Housing in the Countryside policy
- The Council must update its SPG on New Housing in the Borders Countryside in order to support Policy HD2: Housing in the Countryside.

### **Environmental Promotion and Protection**

#### 5.12 **International, National and Local Nature Conservation Designations**

- The Council should continue to monitor and protect designated conservation sites through development plan policy and the development management process via planning applications
- The Council should take cognisance of the Scottish Borders Land Use Framework in assessing sites for inclusion within the Local Development Plan 2.

### 5.13 **National and Regional Landscape Designations**

- The Council should continue to safeguard designated landscapes and ensure development will have no adverse impact upon them
- The Council will continue to carry out Strategic Environmental Assessments where required in order to assess the environmental impact on landscapes of plans, programmes and strategies
- The Supplementary Planning Guidance on Countryside Around Towns should be monitored in order to gauge its effectiveness in practice
- The Supplementary Planning Guidance on Local Landscape Designations should be monitored in order to gauge its effectiveness in practice
- Continue to give protection to the woodland resource and to the character and amenity of settlements and the countryside, maintain habitats and provide an important recreational asset
- Consider the possibility of a National Park within the Scottish Borders.

### 5.14 **Conservation Areas and Listed Buildings**

- The Council will continue to review Conservation Area boundaries, prime frontage/core areas and the effectiveness of built heritage policy
- The Council will continue to run the Scottish Borders Design Award Scheme
- The Council will seek to encourage grant schemes to enhance and safeguard the built heritage.

### 5.15 **Archaeology**

- The Council will continue to safeguard protected Historic Environment sites and buildings and ensure development proposals do not have an adverse impact on them
- The Council will continue to help review the Historic Environment sites and buildings as an ongoing process and will seek the views of Historic Environment Scotland where appropriate
- The Council will continue to maintain, update and interpret its Historic Environment Record for the purposes of providing effective advice on potential impacts through planning.

### 5.16 **Gardens and Designed Landscapes**

- The Council will continue to safeguard inventory listed and non-inventory listed Gardens and Designed Landscapes and ensure development will have no adverse impact on them.

### **5.17 Green Networks and Greenspaces**

- The Council will continue to protect Key Greenspaces from development that will result in their loss
- The Council will review its Supplementary Planning Guidance on Greenspaces
- The Council will seek to encourage developments that protect, promote and enhance the Green Network
- The Council will produce Supplementary Guidance on Green Networks to assist in their protection and promotion
- The Council will monitor the success of the Green Network through the implementation of different initiatives through monitoring of planning application approvals within the Green Network.

### **Infrastructure and Standards**

#### **5.18 Developer Contributions**

- The Council should continue to request developer contributions, as part of the development management process where appropriate, ensuring that a contribution is never used as a reason to approve a proposal, which is contrary to planning policy and is unacceptable on planning grounds
- The Council should continue to review its developer contribution costs (including annual indexation) and affordable housing on-site percentage requirements across the Scottish Borders
- The Council should continue to ensure development contributions are considered to be reasonable and fully justified
- The Council should seek to monitor the annual completion of affordable units, as part of the Housing Land Audit process.

#### **5.19 Flooding**

- The Council should continue to pay due regard to Scottish Planning Policy and consult SEPA and the Council's Flood Risk Engineer on proposals which may have flood risk issues.

#### **5.20 Transport**

- The Council should continue to protect existing access routes and promote more sustainable travel patterns including cycle and footpath routes, public transport and the extension of the Borders Railway Line

- The Council should encourage, where possible, the use of low carbon/electric vehicles.

#### 5.21 **Waste Management**

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

#### 5.22 **Cemetery Provision**

- Allocated cemetery sites within the LDP should be removed and replaced with a criteria based policy which will guide the determination of planning applications for both extensions to existing cemeteries and proposed new sites.

## Part 1: Socio Economic Context

This section of the MS provides an overview of the socio-economic context of the Scottish Borders. This allows the identification of key trends and characteristics which sets a background context which LDP2 must address.

### Population

6.1 Scottish Borders Council is located in the south east of Scotland and covers 4,743 square km and forms part of the SESPlan area. The National Records of Scotland (NRS) produces regular population estimates and projections by Council area ([www.nrscotland.gov.uk](http://www.nrscotland.gov.uk)). The NRS publish annual mid-year population projections. These projections are based on previous trends and patterns and do not reflect changes in the local and national economies nor strategies and local planning policies.

In 2017 the Scottish Borders accounted for 2% of the total population of Scotland. Figure 2 shows that the Scottish Borders population has remained largely unchanged between 2013 and 2017 with a small increase in population of 1,140 people. Figure 3 shows the estimated population projections until 2026. Furthermore, figure 3 shows that the NRS population projections indicate that this trend is set to continue with the population forecast to increase by 1.6% between 2018 and 2026.

Figure 2: Population Estimates, Scottish Borders (2013- 2017)

Year	Population Estimates	Population Change (%)
2013	113,880	+0.1
2014	114,040	+0.1
2015	114,030	-0.01
2016	114,530	+0.4
2017	115,020	+0.4

Source: National Records of Scotland, Population Mid-Year Estimates (2013 – 2017 based)

Figure 3: Population Projections, Scottish Borders (2018-2026)

Year	2018	2020	2022	2024	2026
Projected Population	114,941	115,438	115,917	116,358	116,777

Source : National Records of Scotland, Population Projections (2018 based)

### Population Structure

6.2 The previous figures demonstrate that the overall population of the Scottish Borders is gradually increasing annually. However, the population structure (age group) is also changing, which has implications for the services that the Council provides. Figure 4 and 5 highlight the changes between 2013 and 2017 in terms of the population structure of the Scottish Borders.

Figure 4: Population Structure (Age Group) 2013 and 2017

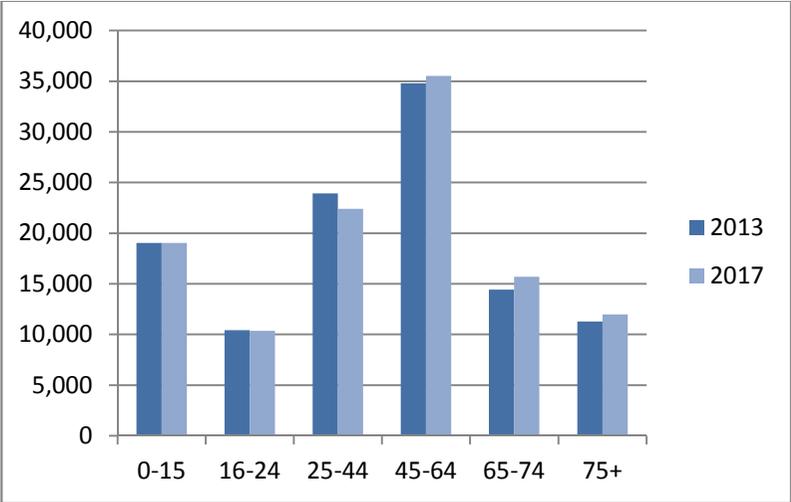
Age Group	2013	2017	Net increase/ decrease	Population Change (%)
0-15	19,030	19,026	-4	- 0.0*
16-24	10,419	10,363	-56	- 0.5
25-44	23,932	22,402	-1,530	- 6.4
45-64	34,786	35,530	744	+ 2.1
65-74	14,434	15,715	1,281	+ 8.9
75+	11,279	11,984	705	+ 6.3
<b>Total</b>	<b>113,880</b>	<b>115,020</b>	<b>1,140</b>	<b>+ 1.0</b>

Source: National Records of Scotland, Population Projections (2013 and 2017 based) \*0% due to rounding.

Although there has been an increase in population between 2013 and 2017, the NRS population estimates indicate that the '0-15', '16-24' and '25-44' age groups fell by a total of 1,590, with the largest decrease being recorded in the '25-44' age group. There has been minimal change in the '0-15' age group which indicates that the number of children at school has stabilised in recent years. There is generally a low proportion of the population within the 16–24 age group; this is mainly due to many leaving the area for employment and further education.

However the decrease in the '25-44' age group of -6.4% between 2013 and 2017 could be due the population moving outwith the Scottish Borders for access to more employment opportunities. As figure 4 shows, there is a significant increase in the '65-74' and '75+' age group, which increased by 1,986 and accounted for 24% of the total population in 2017. Furthermore a large proportion of the population is '45-64' which is 31% of the total population of the Borders, as illustrated in figure 4 above. This ageing population will continue to put pressure on health care for the elderly with a lower percentage of people economically active.

Figure 5: Age Structure Comparison (2013 and 2017)



Source: National Records of Scotland, Population Projections (2013 and 2017 based)

## Household Projections

6.3 Figure 6 below highlights that overall there has been an increase of 4% in the household estimates between 2010 and 2017. Between 2010 and 2015 the annual increase in household estimates has remained constant between 0.4 and 0.5%, although there was a slightly larger increase of 0.8 to 1% between 2015 and 2017. In general the household estimates and population projection growth are proportionate.

Figure 6: Household Estimates, Scottish Borders (2010-2017)

Year	2010	2011	2012	2013	2014	2015	2016	2017
Household Estimates	52,206	52,485	52,671	52,934	53,157	53,351	53,787	54,306
Change (%)	-	+0.5	+0.4	+0.5	+0.4	+0.4	+0.8	+1

Source: National Records of Scotland, Household Estimates (2010 – 2017 based)

## Economic Activity

6.4 Figure 7 shows the number of people in employment decreased by 0.6% between 2013 and 2017; however in 2014 this peaked with 57,100 people in employment in the Scottish Borders although this has decreased in the following two years and risen to 53,500 in 2017.

In 2013, the unemployment rate for people aged 16 and over in the Scottish Borders was 5.3%; this was lower than the Scottish average of 7.7%. In 2017 the unemployment rate decreased to 3.4%. This was 1% lower than the national average of 4.4%.

National and local factors have influenced the recent trend in the Scottish Borders economy. There have been a number of local manufacturing businesses closed, industrial units and retail units. However the unemployment rate remains lower than the national average and the Borders Railway will help promote and encourage new firms to set up in the central borders area.

Figure 7: Employment within the Scottish Borders (2013 to 2017)

Year	2013	2014	2015	2016	2017
In employment (all people)	53,800	57,100	54,800	53,000	53,500
Employment Rate	74.8%	78.1%	76.1%	73.9%	74.5%
Unemployment levels for people aged 16 or over	3,000	2,700	2,300	2,400	1,900
Unemployment Rate people aged 16 or over	5.3%	4.4%	4%	4.3%	3.4%

Source: Office of National Statistics Annual Population Survey (2013 – 2017)

## **Part 2: Policy Context**

### **Placemaking and Design (PMD)**

#### **7.1 Development Management**

##### **7.1.1 Policy Context**

One of the key primary aims of all Local Plan policies is to achieve sensitive development and high quality place making and design principals through the Development Management process. The implementation of the LDP policies is a key element in determining planning applications.

The two overarching principal policies set out within Scottish Planning Policy (SPP) are sustainability and placemaking. SPP introduced a presumption in favour of development that contributes to sustainable development policy principle. SPP states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For proposals that do not accord with up-to-date plans, the primacy of the plan is maintained and SPP and the presumption in favour of development which contributes to sustainable development will be material considerations. Decisions should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP.

SPP states that placemaking is a creative, collaborative process that includes design, development, renewal or regeneration of our urban or rural built environments. The outcome should be sustainable, well-designed places and homes which meet people's needs. Placemaking is underpinned within the LDP policies, which incorporate placemaking and design policies.

Circular 3/2013: Development Management Procedures, describes the requirements for processing planning applications, stating the development management system should operate in support of the Scottish Government's central purpose – increased sustainable economic growth. This means providing greater certainty and speed of decision making as a means of creating economically, environmentally and socially sustainable places. SPP elaborates upon this role for development management.

### **7.1.2 Local Development Plan Policies**

The LDP is founded on the premise of supporting and encouraging sustainable development, and consequently all the policies contained within the LDP should be read against Policy PMD1 and PMD2. In addition to this policy PMD3 is applicable for all allocated sites. PMD4 is applicable to development outwith development boundaries and Policy PMD5 is applicable for infill development.

#### Policy PMD1: Sustainability

The Local Development Plan is founded on the premise of supporting and encouraging sustainable development in accordance with the Council's have regard to the sustainability criteria contained within the policy, which underpins all the Plan's policies and which developers will be expected to incorporate into their developments.

#### Policy PMD2: Quality Standards

This policy aims to ensure that all new developments, not just housing, is of a high quality and respects the environment in which it is contained. The policy does not intend to restrict good quality modern or innovative design but does aim to ensure that it does not negatively impact on the existing buildings or surrounding landscape and visual amenity of the area.

#### Policy PMD3: Land Use Allocations

This policy aims to ensure that sites allocated in the Local Development Plan are developed for their intended use and that any alternative use is subject to appropriate justification. This is important because the housing sites are needed to meet the Strategic Development Plan housing land requirement and business and industrial sites require to be retained to meet future demand.

#### Policy PMD4: Development Outwith Development Boundaries

The policy aims to ensure that most development is located within defined Development Boundaries. Any development proposals outwith the boundary would have to comply with the rigorous exceptions criteria contained within the policy.

#### Policy PMD5: Infill Development

The purpose of the policy is to be generally supportive infill development provided it meets certain criteria. Such development will however usually be unplanned and the policy is intended to ensure its careful assessment.

### 7.1.3 Main Developments and Implementation

Monitoring of the LDP is essential to determine how effective the policies have been in practice and from a development management point of view, this can be considered by scrutinising a number of trends. This includes the number of applications submitted and the consequent decisions, the levels of LDP departures, appeal decisions and any overturns of decisions contrary to Officer recommendation made by the Scottish Government and Local Review Body.

Figure 8 sets out the number of applications validated, approved and refused annually between 2014 and 2017. This demonstrates the trends in the number of applications which have been submitted to the Council over the past 4 years. The trends show that the number of applications validated, approved and refused has been consistently steady over the 4 year period. Figure 9 sets out the number of applications which were subject to an appeal to the Scottish Government and whether the decisions were upheld or overturned. The figures show that 50-60% of all decisions, over the four year period, were overturned by the Scottish Government. Figure 10 sets out the number of cases dealt with by the Local Review Body over the four years. The figures show that the number of cases overturned has varied between 37% and 72% over the four years. However, the number of cases being presented to the Local Review Body has also fluctuated and peaked at 39 in 2014/15.

Figure 8: Determination of planning applications

Status	2014	2015	2016	2017
Validated	1236	1261	1184	1366
Approved	1104	1247	1090	1146
Refused	60	55	47	82

Source: Scottish Borders Council (Uniform Team)

Figure 9: Appeal decisions to Scottish Government

Appeal Decisions	2014/15	2015/16	2015/16	2016/17
Upheld	10	5	2	1
Overturned	6	3	2	1

Source: Planning Performance Framework (2014/15 to 2016/17)

Figure 10: Local Review Body Appeals

<b>Local Review Body Appeals</b>	<b>2014/15</b>	<b>2015/16</b>	<b>2015/16</b>	<b>2016/17</b>
Number of cases dealt with	39	27	22	29
Upheld	19	17	6	13
Overtured	20	10	16	16

Source: Planning Performance Framework (2014/15 to 2016/17)

If an application is refused planning consent, or is approved to conditions the applicant is unhappy with, the decision may be appealed. For those applications determined under Officer Delegated Powers, any appeal would be to the Local Review Body, while applications refused by the Planning and Building Standards (P & BS) Committee would be subject to appeal via the Scottish Government. The Local Review Body consists of Councillors who sit on the P & BS Committee.

Changes to the planning system continue to be reviewed to improve the delivery of the service. The Planning etc (Scotland) Act 2006 made provisions for major changes to the Development Management system which resulted in a new scheme of delegation. It remains the case that all planning applications which are categorised as 'local development', are fully delegated to Planning Officers in respect of the decisions. There are exceptions to this, which includes in cases where there are 5 or more objections have been received. In such cases, the applications are presented to the P &BS Committee for determination. All planning applications categorised as 'major development', require to be determined at the P &BS Committee.

#### **7.1.4 Supplementary Guidance and Supplementary Planning Guidance**

As a result of the new Planning Act, Supplementary Guidance (SG) can be adopted by the Planning Authority in connection with the Local Development Plan and will form part of the Plan. Previously approved Supplementary Planning Guidance (SPG), although not formally part of the Local Development Plan, remains a material consideration in the determination of planning applications. Figure 11 below shows the SPGs and SGs prepared to date. SPGs and SGs are produced in instances where a subject matter requires up to date guidance or is under review as a result of a change in national policy, local interest or a Council request. Since the adoption of the Local Development Plan 2016, the Council has adopted Supplementary Guidance on Waste, Housing, Renewable Energy and Glentress Masterplan. The Housing SG and Renewable Energy SG were produced as a result of the Reporters recommendation, at the LDP examination. Further to these, SG and a Simplified Planning Zone (SPZ) for

Tweedbank was adopted. A Town Centre Core Activity Area (Pilot Scheme) covering Galashiels and Hawick has also been produced for a one year period.

Planning Briefs are generally prepared following the allocation of development sites of interest where it is considered guidelines should be prepared to give parameters for guidance to planning applications. In practice these briefs continue to be most useful, particularly in respect of new housing sites where the information provided has set clear criteria at the outset from which consequent planning applications must follow. This accords with the SEA requirement to encourage high quality, sustainability and resilient forms of development. This has considerably helped the provisional enquiry stage for all interested parties and has resulted in consequent planning applications being submitted generally in a more acceptable manner. It is considered that the quality and presentation of the briefs has improved within the last plan period and timetable for briefs and masterplans are programmed for the future. However, given the increasing Council budget pressures and staff resources, prioritisation will need to be considered for future planning briefs, masterplans, SGs and SPGs.

Figure 11: Supplementary Planning Guidance/SG's

<b>Title</b>	<b>Approved</b>
Affordable Housing	2015
Biodiversity	2005
Central Borders Business Park/SPZ	2018
Contaminated Land Inspection Strategy	2001
Countryside Around Towns	2011
Designing Out Crims in the Scottish Borders	2007
Developer Contributions	2011
Glentress Masterplan	2016
Green Space	2009
Housing	2017
Landscape and Development	2008
Landscape and Visual Guidance for Single and Groups of 2 or 3 Wind Turbines in Berwickshire	2015
Landscape Capacity and Cumulative Impact	2013
Local Biodiversity Action Plan	2001
New Housing in the Borders Countryside	2008
Placemaking and Design	2010

Privacy and Sunlight Guide	2006
Replacement Windows and Doors	2015
Renewable Energy	2018
Scottish Borders Woodland Strategy	2005
Shop Fronts and Shop Signage	2011
Smoking Shelters and Awnings	2006
Town Centre Core Activity Area (Pilot Scheme)	2018
Trees and Development	2008
Use of Timber in Sustainable Construction	2009
Visibility Mapping for Windfarm Development	2003
Waste Management	2015
Wind Energy	2011

Figure 12: Planning Briefs

<b>Location</b>	<b>Approved</b>
Burmouth (Lyll Terrace II)	2012
Clovenfords (Clovenfords West)	2010
Clovenfords (Meigle Farm)	2007
Coldingham (Bogangreen)	2007
Coldingham (West Paddock)	2007
Denholm (Denholm Hall Farm)	2013
Duns (Berrywell Farm)	2007
Duns (Duns Primary School)	2012
Duns (Former Berwickshire High School)	2010
Duns (Todlaw Playing Fields)	2012
Earlston (Earlston High School)	2009
Eccles (Main Street)	2011
Eddleston (Burnside)	2007
Eildon (West Eildon)	2011
Ettrick (Hopehouse)	2010

Eyemouth (Former Eyemouth High School)	2010
Eyemouth (Gunsgreenhill)	2009
Eyemouth (Harbour Road, Eyemouth Development Framework)	2014
Eyemouth (The Steading, Acredale Farm)	2007
Fountainhall (South Fountainhall)	2011
Galashiels (Borders College, Melrose Road)	2009
Galashiels (Buckholm Corner)	2007
Galashiels (Burgh Yard)	2011
Galashiels (Crotchetknowe)	2006
Galashiels (Easter Langlee)	2006
Galashiels (Forest Hill)	2007
Galashiels (Netherdale Industrial Estate)	2012
Galashiels (Stirling Street Redevelopment)	2012
Gavinton (West Gavinton)	2019
Glentress Masterplan	2016
Greenlaw (Marchmont Road)	2009
Hawick (Commercial Road)	2009
Hawick (Crumhaughill)	2007
Hawick (Gala Law)	2011
Hawick (Stirches)	2007
Hawick (Summerfield 1 and 2)	2007
Innerleithen (Caerlee Mill)	2011
Innerleithen (Clough Mills)	2006
Innerleithen (Kirklands)	2006
Jedburgh (Howden Drive)	2007
Jedburgh (Lochend and Annefield)	2010
Jedburgh (Queen Mary Site)	2010
Jedburgh (Wildcat Gate South)	2011
Kelso (Broomlands East)	2007
Kelso (Wallacenick)	2006
Lauder (Whitlaw Road Industrial Estate)	2011
Lilliesleaf (West of St Dunstons)	2011

Maxton (East Maxton)	2016
Melrose (The Croft)	2006
Morebattle (Renwick Gardens & West Renwick Gardens)	2012
Newtown St Boswells (Auction Mart Site)	2007
Newtown St Boswells (Sergeants Park 2)	2006
Newtown St Boswells (Development Framework)	2012
Peebles (Glen Crescent)	2006
Reston (Reston Auction Mart)	2008
Stow (Former Royal Hotel)	2012
West Linton (Robinsland)	2008

#### 7.1.5 Conclusion

- The Council should continue to monitor performance figures, trends in planning application types, determination trends and appeal decisions
- The Council should continue to produce further Supplementary Guidance and Planning Briefs where appropriate as these are considered to be useful guides to the Development Management process.

## **Economic Development (ED)**

### **7.2 Employment Land and Property**

#### **7.2.1 Policy Context**

Scottish Planning Policy (SPP) sets out the Scottish Government’s planning policies on supporting business and employment. SPP states that development plans should align with local economic strategies, and local authorities should allocate sites that meet the diverse needs of different sectors and sizes of businesses.

SPP states that LDP’s should allocate a range of sites for business, taking account of the following;

- Market demand
- Location, size, quality and infrastructure requirements
- Whether sites are serviced or serviceable within five years
- The potential for a mix of uses
- Accessibility to transport networks, cycling and public transport
- Integration with and access to existing transport networks.

The allocation of such sites should be informed by relevant economic strategies and business land audits, in respect of land use classes 4, 5 and 6.

SPP also requires Local Authorities to ensure that there is a range and choice of marketable sites and locations for businesses allocated in development plans, including opportunities for mixed use development. Business land audits should be undertaken by local authorities to inform reviews of development plans, monitoring should include the size, location, take up, existing use and planning status of employment sites. This is reiterated within SESPlan, stating that to achieve the vision of a thriving, successful and sustainable city region it is essential that there is sufficient employment land which is available and situated in the right locations.

The Council’s economic strategy is set out in the Scottish Borders Economic Strategy 2023. This identifies a number of opportunities including capitalising on the location of the Borders at the hub of the Carlisle, Edinburgh and Newcastle triangle of city regions, and improving the physical environment for businesses in terms of ICT, transport connectivity and modern high spec business premises.

At a Regional level, SESPlan identifies a number of significant business clusters. These are broad locations where groups of similar or complimentary business sectors or industries operate and where there are opportunities for expansion. The Plan includes clusters of different types of businesses or opportunities that share a common geography, such as new opportunities made possible by the new Borders Rail Link. The clusters have been identified for their contribution or potential contribution to the city region's distinctive economy. Within the Scottish Borders, the Borders Rail Clusters identify potential opportunities along the Borders Rail Line, for business services, food and drink and tourism.

In respect of the rural economy, SESplan states that the rural area provides significant benefits to the urban population including food production, water supply, renewable energy, timber production, tourism and recreation.

SESPlan also highlights that the Borderlands initiative is a national cross-border project involving Scottish Borders, Dumfries and Galloway, Carlisle City, Cumbria and Northumberland Councils. It seeks to deliver improved infrastructure, transport and communication links, economic growth and employment opportunities in the rural areas of southern Scotland and northern England. The creation of a new South of Scotland Enterprise Agency will cover Dumfries and Galloway and the Scottish Borders and will offer a once in a generation opportunity to improve the level of investment in economic growth, skills and innovation. It is intended that the new Agency will closely align its work with Scottish Enterprise, Skills Development Scotland, Scottish Funding Council and Visit Scotland.

## **7.2.2 Local Development Plan Policies**

### Policy ED1: Protection of Business and Industrial Land

This policy seeks to ensure adequate supplies of business and industrial land are retained and are not diluted by other uses. The policy recognises the financial difficulty in bringing forward new business and industrial land in a rural area such as the Borders where, in the provision of businesses premises there is a market failure situation. The policy seeks to protect such resources in the long term and complements the Council's economic strategy.

### Policy ED2: Employment Uses Outwith Business and Industrial Land

This policy seeks to restrict business and industrial developments to sites allocated for employment, redevelopment and mixed use, or safeguarded employment land. The purpose of the policy is to protect residential amenity, and to retain town centres for more appropriate uses such as shopping and leisure.

#### Policy ED7: Business, Tourism and Leisure Development in the Countryside

The aim of the policy is to allow for appropriate employment generating development in the countryside whilst protecting the environment and to ensure that business, tourism and leisure related developments are appropriate to their location.

#### Policy PMD4: Development Outwith Development Boundaries

The aim of the policy is to ensure that most development is located within defined Development Boundaries. Any development proposals outwith the boundary would have to comply with the rigorous exceptions criteria contained within this policy. It is considered that development outwith the Development Boundary should not be seen as an alternative to allocated sites where these are available and therefore, should only be an 'exceptional' occurrence.

### **7.2.3 Main Developments and Implementation**

The Council's annual Employment Land Audit (ELA) monitors the supply, take-up and status of employment land within the Scottish Borders. The LDP 2016 did not allocate any new business or industrial land sites. The 2017 ELA, states that the overall established employment land supply was 107 hectares. As part of the LDP all allocated business and industrial sites are classified as either; Strategic High Amenity, Strategic Business and Industrial, District or Local along with criteria for each of the classifications.

Despite the diverse range of business and industrial land that exist in the Borders, there are few modern, attractive, purpose-built 'business parks' in the area, the notable exception being Cavalry Park in Peebles. The absence of such premises within the Central Borders, together with the arrival of the Borders Railway, have been catalysts for the Central Borders Business Park in Tweedbank, which would see land and buildings safeguarded for Class 4 Business use. Supplementary Guidance has been adopted to support this project and a Simplified Planning Zone (SPZ) Scheme has been approved which enables certain development to take place without the need for planning consent. It is considered that this will create an employment led redevelopment, providing choice and quick delivery for businesses considering locating in this part of the Scottish Borders.

SPP and SESplan both require local authorities to provide a range and choice of employment land sites. The ELA identified that there remains a limited number and range of sites within the Northern area and none in the Southern area. The Council has recently commissioned a Development Options Study to identify and assess options for housing and employment land in the Western Rural Growth Area, centred around Peebles. The Study identifies potential development areas for the short and long term taking account of the key environmental and recreational assets of the area. These will be presented as options within the Main Issues Report (MIR).

The Council's annual ELA sets out information on employment take-up, including new developments on allocated employment land and windfall developments. The take-up of employment land between 2010 and 2017 is set out in Figure 13 below. This shows that levels of employment land take-up have been relatively low over recent years.

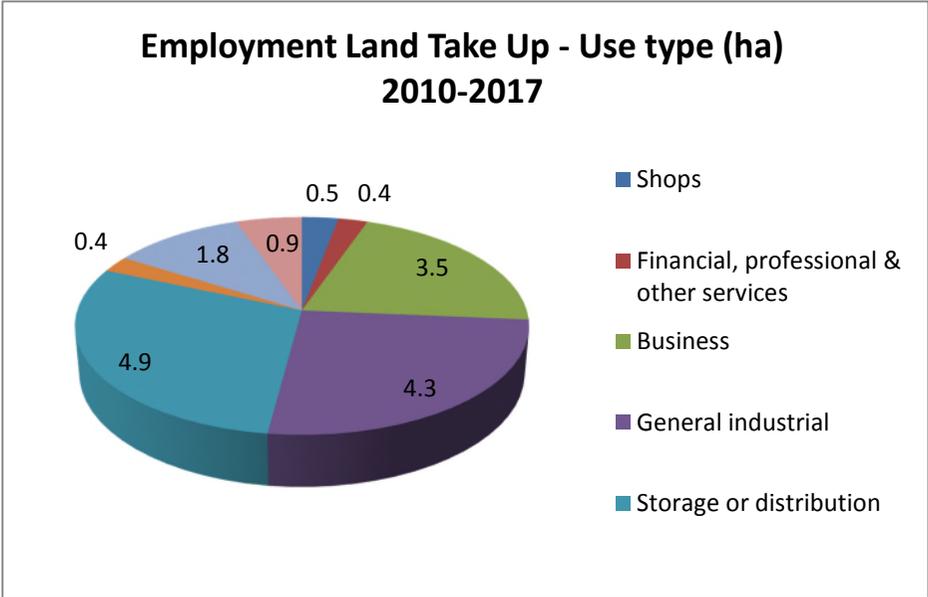
Figure 13: Business and Industrial Land Take Up 2010 - 2017

HMA	Settlement	2010	2011	2012	2013	2014	2015	2016	2017
<b>Northern</b>	Innerleithen	0.1	0	0	0	0	0.4	0	0
	Peebles	0	0	0	0	0	0	0.3	0
	<b>Area Total</b>	<b>0.1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.4</b>	<b>0.3</b>	<b>0</b>
<b>Central</b>	Galashiels	0	0	0	0	0	0	0	0.4
	Hawick	0	0.5	0.5	0	0	0.2	0.2	0
	Jedburgh	0	0	0.2	0	0	0	0	0
	Kelso	0	0	0.7	0.8	0	0.6	0.4	0
	Selkirk	0.5	0.2	0.4	1.1	0.4	0	0.2	0
	St Boswells	1.4	0.6	0	0	0	0	0	2.1
	<b>Area Total</b>	<b>1.9</b>	<b>1.3</b>	<b>1.8</b>	<b>1.9</b>	<b>0.4</b>	<b>0.8</b>	<b>0.8</b>	<b>2.5</b>
<b>Berwickshire</b>	Chirnside	0.1	0	0	0	0	0.7	0	0
	Duns	0.6	0.2	0	0.7	0	0	0	0
	Eyemouth	0.4	0	0	0.2	0	0	0	0
	Greenlaw	0	0	0	0	0	0.1	0	0
	Landward	0.8	0	0	0	0	0	0	0
	Whitsome	0.8	0	0	0	0	0	0	0
	<b>Area Total</b>	<b>2.7</b>	<b>0.2</b>	<b>0</b>	<b>0.8*</b>	<b>0</b>	<b>0.8</b>	<b>0</b>	<b>0</b>
<b>Southern</b>	<b>Area Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Scottish Borders</b>		<b>4.7</b>	<b>1.5</b>	<b>1.8</b>	<b>2.7</b>	<b>0.4</b>	<b>2</b>	<b>1.1</b>	<b>2.5</b>

Source: Scottish Borders Council Employment Land Audit (2010 to 2017) \*figures do not add due to rounding

Figure 14 shows the employment land take up by use type. Between 2010 and 2017, 16.7 hectares of employment land has been taken up. The land uses developed include: business (3.5ha), general industry (4.3ha), storage and distribution (4.9) and other (4.0ha).

Figure 14: Employment Land Take Up 2010 to 2017 (Use Type) (ha)



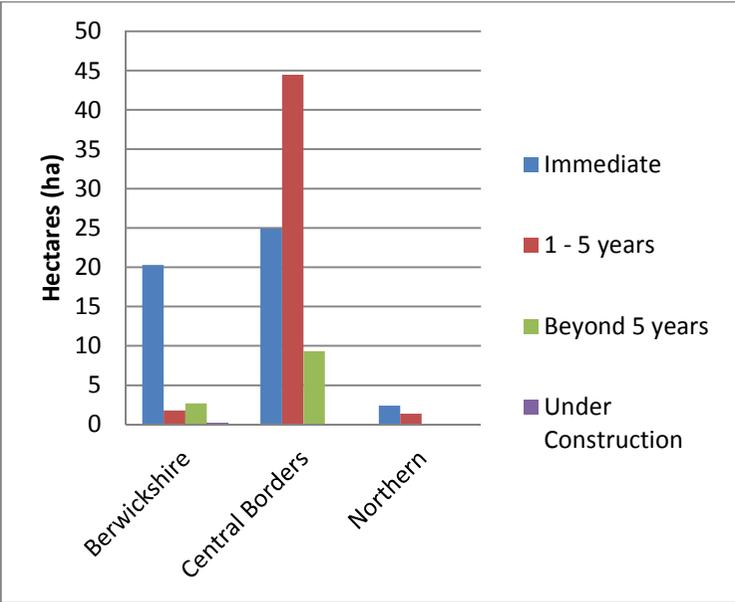
Source: Scottish Borders Council Employment Land Audit (2010 to 2017)

Of the total area of employment land taken up, 1.8 (69%) hectares was developed on Greenfield sites with 0.8 (31%) hectares on brownfield land. Scottish Borders Council has monitored the take up of employment land since 2003. Previously, the highest levels of take up were recorded in 2003 (5.3ha) and 2008 (4.3ha). Between 2005 and 2008 there was an annual increase in the take up of employment land in the Borders. This was followed by a decrease between 2008 and 2009 audit of 0.6ha. The period between April 2009 and 31 March 2010 experienced a take up of 4.7ha, which is an increase of 1ha since the previous audit. Take up levels since 2010 have been relatively low, with 2014 being the lowest at 0.4ha. The most recent audit in 2017 found take up to be up at 2.5ha.

The supply of and demand for employment land needs to be monitored in order to assess the effectiveness of the existing LDP policies. The ELA is reviewed annually and identifies both supply and demand. It includes sites allocated or safeguarded in the adopted LDP. Demand is monitored

through the analysis of take up, noted above. Figure 15 shows the availability of employment land by housing market area. This shows that there is a clear shortage of immediately available employment land within the Northern Housing Market Area and none within the Southern Housing Market Area.

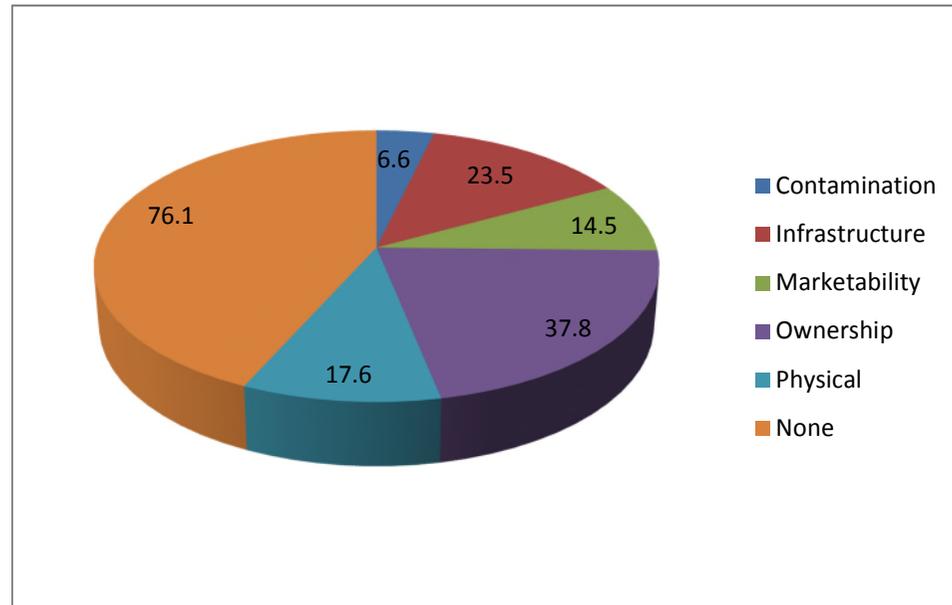
Figure 15: Availability of Employment Land Supply by Housing Market Area 2017



Source: Scottish Borders Council Employment Land Audit

The Employment Land Audit 2017 found that 44% of the established land supply is of strategic quality and 42% is of district quality. The Audit records the main constraints on each site including contamination, infrastructure, marketability, ownership and physical. A breakdown of this is confirmed in Figure 16.

Figure 16: Breakdown of Employment Land Constraints (ha) 2017



Source: Scottish Borders Council Employment Land Audit

With the production of the MIR the consequent Local Development Plan 2, some new challenges must be considered.

#### 7.2.4 Conclusions

- The Council needs to continue to monitor the employment land supply and demand through the Employment Land Audit
- The Council should check any potential amendments to existing allocated employment land site boundaries
- The LDP2 should support the Central Borders Business Park project, which should remain a strategic priority
- The Council needs to monitor the success or otherwise of the Central Borders Business Park SPZ
- The LDP should identify additional employment land in Tweeddale/Northern HMA

- In the longer term, to ensure the area continues to capitalise on the success of the Borders Railway, a generous supply of employment land in the vicinity of the railway corridor should be maintained. Further opportunities for employment land in Galashiels and other settlements close to existing stations should be explored for potential allocation, including land at Lowood
- Review of LDP Policy ED1: Business and Industrial Land in order to reflect the nature of development activity with a greater focus in the future on high quality business developments. Review of the Employment Land Hierarchy as contained within LDP Policy ED1 and how the sites are categorised within
- Review of LDP Policy ED7: Development in the Countryside in order to encourage businesses in rural areas which are of an appropriate scale and on an appropriate site.

## **7.3 Town Centres and Retail**

### **7.3.1 Policy Context**

Scottish Planning Policy (SPP) outlines that planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into town centres. The planning system should:

- Apply a town centre first policy when planning for uses which attract significant numbers of people including retail and commercial leisure, offices, community and cultural facilities
- Encourage a mix of uses in town centres to support their vibrancy, vitality and viability throughout the day and into the evening
- Ensure development plans, decision making and monitoring support successful town centres
- Consider opportunities for promoting residential use within town centres where this fits with local need and demand

The document states that plans should identify a network of centres and explain how they can complement each other, adopting a sequential town centre first approach.

The current LDP recognises how important town centres are to the economic growth and vibrancy of the Scottish Borders, taking into consideration the sequential approach outlined within SPP. The LDP sets out district town centres, which the Council seeks to develop and enhance the role of these town centres. A network of centres and growth of the retail sector will be supported through directing development to the district town centres. The LDP also attempted to provide flexibility and maintain vitality in designated Core Activity Areas of town centres by specifying types of development which will be approved in those areas.

Within the Core Activity Areas, proposals for uses other than Class 1 (shops) or 3 (food and drink) at ground level will normally be refused. Classes 1 and 3 generate most footfall which is vital to regenerating town centres. Proposals for other uses, including Class 2 will be assessed in terms of their contribution towards the core retail function of the area and will only be acceptable where there is a significant positive contribution to the core retail function.

### **7.3.2 Local Development Plan Policies**

#### Policy ED3: Town Centres and Shopping Development

The aim of the policy is to guide new shopping development to town and village centres and encourage an appropriate mix of town centres uses. This will help protect and enhance the vitality and viability of these centres, particularly those district town centres identified on the Local Development Plan Proposals Maps.

#### Policy ED4: Core Activity Areas in Town Centres

The aim of the policy is to encourage public activity within Core Activity Areas in Town Centres. In order to support the vitality and viability of core activity areas, acceptable uses and restricted to Class 1 (shops) and 3 (food and drink) of the Use Class Order.

### **7.3.3 Main Development and Implementation**

Figure 17 shows the number of planning applications for new retail development submitted with the period of 2013 and 2017. Over the 5 year period, there have been a total of 19 retail applications for new class 1 or 3 developments within the Scottish Borders, of which 18 were approved and one withdrawn. It should be noted that these numbers do not represent the total number of new shops in the Borders as there will have been a number of new shop units opened through permitted development. The applications were mainly for changes of use of existing premises to retail units or coffee shops. Figure 18 shows that in the last 5 years there have been 10 approvals for new retail outwith town centres. In 2017 there was one application for new retail development outwith a town centre however it was withdrawn.

Figure 17: Applications for new retail development (2013 to 2017)

<b>Applications for New Retail Development</b>						
<b>Status</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>Total</b>
<b>Validated</b>	6	3	7	2	1	19
<b>Approved</b>	6	3	6	2	1	18
<b>Refused</b>	0	0	0	0	0	0
<b>Appeal</b>	0	0	0	0	0	0
<b>Withdrawn</b>	0	0	1	0	0	1
<b>Pending Decision</b>	0	0	0	0	0	0

Source: Scottish Borders Council

Figure 18: New retail development outwith town centres (2013 to 2017)

<b>New Retail Development Outwith Town Centres</b>						
<b>Status</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>Total</b>
<b>Validated</b>	3	3	2	2	0	10
<b>Approved</b>	3	3	2	2	0	10
<b>Refused</b>	0	0	0	0	0	0
<b>Appeal</b>	0	0	0	0	0	0
<b>Withdrawn</b>	0	0	0	0	1	1
<b>Pending Decision</b>	0	0	0	0	0	0

Source: Scottish Borders Council

Policy ED3 seeks to develop and enhance the role of town centres in the Scottish Borders. The policy supports the growth of the retail sector through directing development to the following district town centres: Duns, Eyemouth, Galashiels, Hawick, Innerleithen, Jedburgh, Kelso, Melrose, Peebles and Selkirk. Applications for out-of-town centre development, including retail, are assessed against a large number of strict criteria to ensure no or extremely minimal impact on the town centre, but a wide range of uses are readily supported within a town centre.

Large scale retail developments outwith the designated town centres can draw large numbers of customers away from the local high streets and squares. Therefore it is important to carry out regular town centre health checks to monitor vitality and viability, as stipulated by SPP.

Scottish Borders Council undertakes a bi-annual retail survey, to monitor the take up and vacancy of town centre premises, including vitality and viability assessments of settlements. A retail vacancy survey is carried out in the largest 18 settlements in Scottish Borders. Figure 19 below shows the results from Summer 2013 to Winter 2017 surveys. The overall retail outlook over the last 5 years has been mixed with some towns performing well, such as Kelso, Melrose and Peebles, while others have suffered higher vacancy rates, particularly Galashiels and Hawick . The number of retail units and the vacancy rates will continue to be monitored.

Generally most of the settlements vacancy rates have remained at a similar level over the past 5 years which is reflected in the overall Scottish Borders retail vacancy rate being predominantly 11% to 12% over the last 5 years. Better performing towns include Eyemouth, Kelso, Melrose and Peebles while poorer performing towns include Chirnside, Coldstream, Earlston, Galashiels and Hawick. It will therefore be important for the local planning system to look to encourage growth in the poorer performing areas while looking to maintain and improve a high standard of retail offering in the better performing towns. From the numbers below in Figures 19 and 20, the LDP2, will need to consider a more flexible range of uses in town centres and core activity areas, taking account of the current performance of the town in question.

Figure 19: Town centre retail vacancy rates (Summer 2013 to Winter 2017)

Settlement	Summer 2013	Winter 2013	Summer 2014	Winter 2014	Summer 2015	Winter 2015	Summer 2016	Winter 2016	Summer 2017	Winter 2017
<b>Chirnside</b>	15%	8%	15%	27%	30%	27%	30%	30%	30%	20%
<b>Coldstream</b>	4%	10%	12%	12%	12%	15%	17%	18%	20%	20%
<b>Duns</b>	9%	8%	8%	8%	13%	11%	8%	6%	8%	8%
<b>Earlston</b>	4%	4%	0%	0%	0%	5%	14%	17%	19%	15%
<b>Eyemouth</b>	10%	9%	8%	9%	7%	7%	7%	7%	7%	7%
<b>Galashiels</b>	15%	15%	19%	18%	18%	17%	16%	19%	18%	15%
<b>Wilderhaugh (Gala 2<sup>nd</sup>)</b>	11%	7%	11%	11%	16%	16%	20%	20%	20%	20%
<b>Hawick</b>	16%	17%	14%	16%	14%	14%	14%	13%	15%	14%
<b>Innerleithen</b>	2%	2%	2%	4%	4%	2%	4%	4%	12%	12%
<b>Jedburgh</b>	10%	9%	9%	9%	11%	14%	15%	12%	13%	13%
<b>Kelso</b>	9%	8%	7%	9%	5%	7%	7%	5%	6%	6%
<b>Lauder</b>	5%	5%	5%	11%	11%	11%	11%	11%	11%	16%
<b>Melrose</b>	1%	0%	0%	3%	4%	6%	9%	9%	11%	8%
<b>Newtown St Boswells</b>	17%	17%	25%	25%	18%	9%	8%	0%	0%	8%
<b>Peebles</b>	9%	6%	6%	7%	6%	6%	6%	4%	8%	8%
<b>Selkirk</b>	15%	16%	16%	16%	11%	12%	10%	10%	11%	14%
<b>St Boswells</b>	9%	9%	9%	0%	0%	0%	0%	0%	0%	0%
<b>Tweedbank</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%
<b>West Linton</b>	0%	0%	0%	0%	0%	0%	0%	0%	0%	8%

Source: Scottish Borders Council Retail Survey (Summer 2013 to Winter 2017)

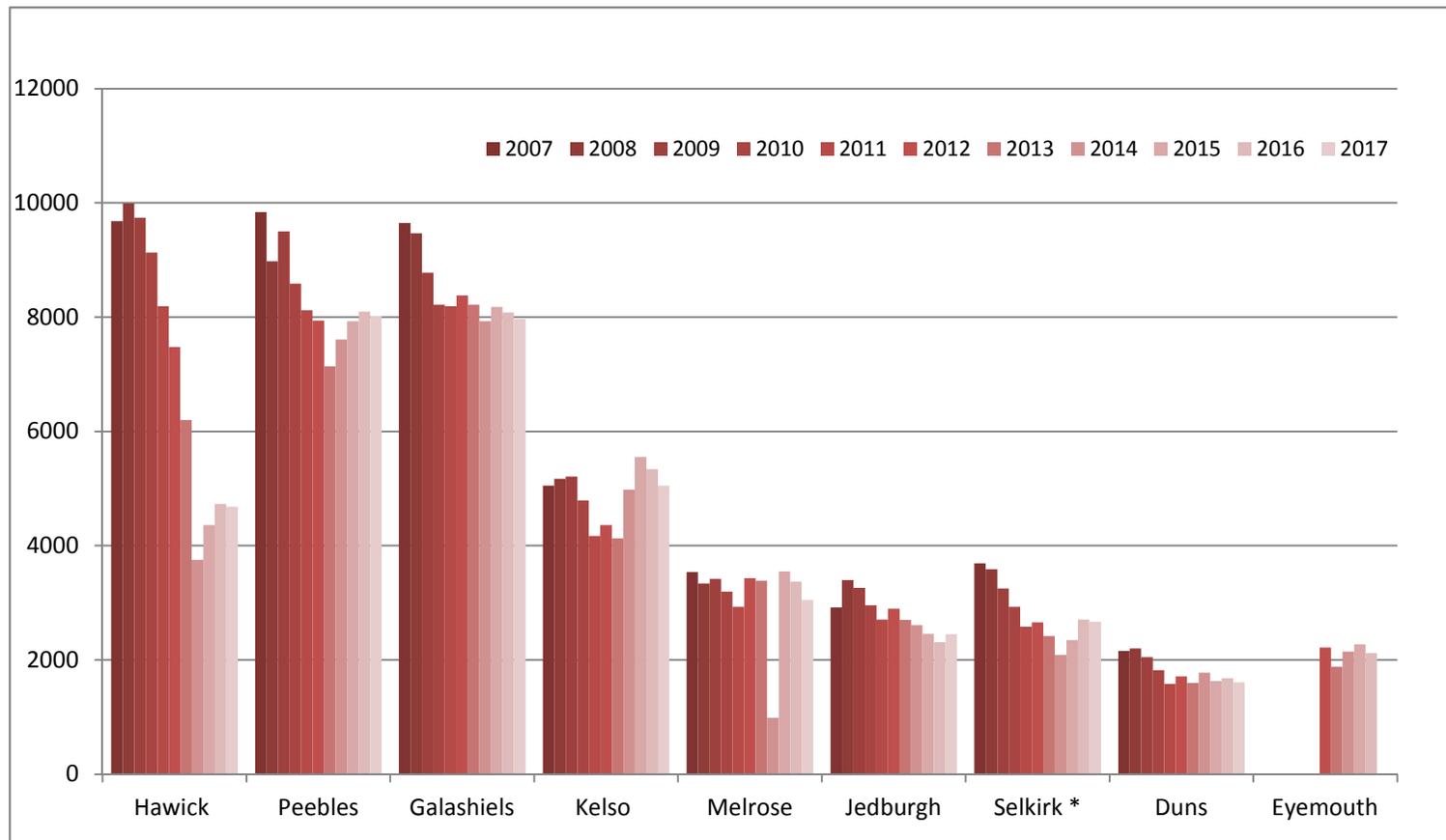
Figure 20: Town centre retail and vacancy rates (Summer 2013 to Winter 2017)

<b>Town Centre Retail and Vacant Units</b>										
	<b>Summer 2013</b>	<b>Winter 2013</b>	<b>Summer 2014</b>	<b>Winter 2014</b>	<b>Summer 2015</b>	<b>Winter 2015</b>	<b>Summer 2016</b>	<b>Winter 2016</b>	<b>Summer 2017</b>	<b>Winter 2017</b>
<b>Total no. Retail Units</b>	1440	1435	1440	1436	1434	1430	1434	1434	1427	1424
<b>No. Vacant Units</b>	156	149	153	166	152	157	161	157	177	170
<b>Average Vacancy Rate</b>	11%	10%	11%	12%	11%	11%	11%	11%	12%	12%

Source: Scottish Borders Council Retail Survey (Summer 2013 to Winter 2017)

Annual pedestrian footfall surveys have been undertaken in Duns, Galashiels, Hawick, Jedburgh, Kelso, Melrose, Peebles and Selkirk by the Council since October 2007 and Eyemouth since 2012. The surveys help to monitor town centre performance. Figure 21 below shows the average weekly footfall for each settlement (the counts are taken every year using the same methodology and count points, so trends and significant changes over time can be established). Of the three larger Border towns it is clearly shown that Hawick town centre sees fewer pedestrians than in the past but Galashiels and Peebles have remained relatively steady in the last 3 to 4 years. Generally since footfall monitoring started in 2007, most towns have witnessed a decrease in numbers which may be the result of several factors including the economic recession and the growth of internet retailing. Kelso and Melrose have managed to perform well and don't follow the general trend.

Figure 21: Borders towns town centre footfall (2007 to 2017)



Source: Scottish Borders Council Footfall Report 2017

Town centre health checks are also carried out annually to assess the vitality of the main town centres in the Scottish Borders. The checks take into account a wide range of considerations including the appearance of buildings, visitor infrastructure, cycling/pedestrian provision and the presence of open space. Vacancy rates and retail update will continue to be monitored to identify any areas where issues are occurring.

In the context of generally declining footfall in town centres and growing challenges for town centre retail, the LDP2 must continue to provide a high level of support to town centres in order to regenerate and maintain their vitality and attractiveness. Policy ED3 should continue to support a wide range of uses within town centres. Policy ED4 will be reviewed to consider changes that could be made to allow for a more flexible approach to proposals within core activity areas, depending on the circumstances of the town centre and the potential use, whilst maintaining a robust policy to make planning decisions against. A one year pilot scheme in Hawick and Galashiels is being tested offering a more flexible approach to uses within the town centre core activity areas.

The Council continues to invest in producing schemes and grants outwith the planning system which assist in the vitality of town centres including the Hawick Action Plan and Conservation and Regeneration Schemes (CARS). CARS funding has benefitted Hawick, Kelso and Selkirk. Similarly work has started on Jedburgh CARS and further funding may be sought for a further Hawick project.

#### **7.3.4 Conclusions**

- The Council should continue to monitor town centre vitality and viability which includes carrying out an annual footfall study, bi-annual retail survey, and town centre vitality and viability health checks
- The Council should continue to promote and support financial regeneration and improvement schemes for retail operators.
- The Council should monitor the impacts of the Town Centre Core Activity Area Pilot Schemes for Hawick and Galashiels
- The Council must review the extent of current core activity designated areas within its town centres
- The Council must consider amendments to policy which will allow more flexibility of uses within town centre core activity areas, although care must be taken to ensure there are no detrimental longer term impacts, particularly with regards to town centres which are performing well
- The Council must consider other policy approaches which may help regenerate town centres.

## 7.4 Regeneration

### 7.4.1 Policy Context

Scottish Planning Policy (SPP) encourages Councils to promote opportunities for regeneration for a variety of uses including economic development, town centre improvements and sustainable development in both urban and rural areas.

### 7.4.2 Local Development Plan Policies

#### Policy ED5: Regeneration

The aim of this policy is to promote opportunities for regeneration for a variety of uses including housing, employment or retailing which will support the opportunity of bringing vacant/derelict land back into productive use and to enhance the surrounding environment.

### 7.4.3 Main Developments and Implementation

Scottish Borders Council actively encourages regeneration and therefore introduced Policy ED5 as part of the Local Development Plan 2016. Redevelopment opportunities are specifically allocated within the current LDP 2016.

Within the Scottish Borders a number of towns have benefitted from recent regeneration projects, these include:

- The **Kelso Townscape Heritage Initiative** (THI) was a partnership project funded by the Heritage Lottery Fund, Historic Scotland and Scottish Borders Council to regenerate the historic centre of the Kelso Conservation Area through the provision of grant funding to eligible properties for external fabric repairs. The project was complemented by a major town centre streetscape improvement project delivered by the Council to improve traffic management, pedestrian access and civic spaces. In addition, the Council redeveloped a former long standing gap site in the heart of the town centre with EU funding This provided a bespoke new building with business units and an integrated transport interchange and WC facilities on the ground floor.
- **Selkirk Conservation Area Regeneration Scheme** (CARS) focused on a range of heritage and conservation based regeneration activities within the town centre over a five year period up to March 2018. This included grants for repairs and restoration as well as a grant for conservation upgrade work focusing on the high street and market place. As part of this, significant external fabric repairs were also completed to the spire of the Category A listed Selkirk Court House. The project was complimented by a town centre streetscape project to

improve traffic management, pedestrian access and safety and develop a much improved market place for events and activities. The CARS Scheme acted as a catalyst for other major investment in the town at two derelict sites on key approaches to the town centre.

- **Jedburgh** is currently benefitting from a **Conservation Area Regeneration Scheme (CARS)** which is running from 2017 until 2022. The main aim of the Jedburgh CARS is to support the repair of traditional buildings (Pre-1919) within a defined area of the town using appropriate traditional methods of construction. The Scheme provides grant funding to conserve and enhance properties and to stimulate new business activity within the town centre. The Scheme will also contribute to small scale public realm improvements works at Abbey Ramparts, delivered by the Council to enable events and other activities to be hosted at Abbey Place.
- **Hawick Action Plan** – Following the decline of one of the major knitwear companies in Hawick, the Hawick Action Plan was developed by the Council and Scottish Government in conjunction with key national stakeholders and local business and community groups in 2016. The Action Plan is structured around three key themes which were identified and agreed by the key stakeholders, which are: Theme 1: ‘Great Place for Working and Investing’; Theme 2: ‘Great Place for Living & Learning’; and Theme 3: ‘Great Destination to Visit’. The Council has working to take forward actions within the Plan with other key stakeholders, local businesses and other local organisations in Hawick.
- **Hawick Business Growth Project** – Significant funding has been committed to Hawick from the Scottish Government to support the redevelopment of the former Armstrongs department store, which is currently derelict and on the Buildings at Risk Register. The site is being developed as a business incubator hub to encourage small business start ups in Hawick. The funding has also been used to develop four new industrial units at Galalaw Business Park for growth businesses and potential new inward investment into Hawick. Funding is also being used for feasibility work to determine key issues of sites, which have been vacant for over ten years, and explore potential development opportunities.
- **Hawick Textiles Training Centre for Excellence** – a new training centre is being established in Hawick to tackle a critical skills shortage, which is currently hampering textiles companies’ efforts to boost their productivity. The project led by the Council has been a partnership with local textile manufacturers, Scottish Enterprise textile team and the Head of Creative Industries at Skills Development Scotland. Funding support for this project has been secured from the South of Scotland Economic Partnership (SOSEP).
- **Hawick Conservation Area Regeneration Scheme Proposal** – the Council is progressing the development of a Conservation Area Regeneration Scheme proposal for Hawick town centre. A funding application will be submitted to Historic Environment Scotland in

November 2018. If successful with the funding application, this will see over major investment to support town centre regeneration in Hawick over a five year period (similar to the Schemes outlined above for Selkirk and Jedburgh).

- The **Galashiels Masterplan** has been developed by key partners and agencies in conjunction with the local community with the aim of regenerating the town centre. The masterplan focuses on six town centre locations within Galashiels and highlights the creation of world class connectivity, a quality active travel network and investment in existing and new buildings as key requirements if Galashiels is to become an international town which is an attractive place to live, work and visit.
- The Galashiels vision includes regeneration-led activities, with the opening of the **Great Tapestry of Scotland (GTS) Visitor Centre**, which is the first phase component of development. The project involves the conversion of the Category B listed former Post Office building, complemented by a bespoke new building on the redundant former Poundstretcher site. The new attraction will provide a permanent home for the Tapestry – a 143 metre long community arts project which involved over 1,000 volunteers stitching the entire story of Scotland - as well as temporary space for exhibitions, and flexible space for education, learning and events.

By identifying projects and sites within the LDP, this can significantly assist Scottish Borders Council with grant funding applications such as those for place based regeneration schemes from various sources. As a result this helps to make the Borders more attractive to residents, businesses, visitors and investors. The Council has developed the Town Centre Index based on a range of regularly collected statistics in order to better understand the situation in each town and to provide an objective basis for prioritising public sector interventions and investment in town centres. The index provides a snapshot of the relative socio-economic health of each town. It is updated annually to ensure the most up-to-date statistics are included in the assessment.

#### **7.4.4 Conclusions**

- The Council should continue to encourage redevelopment of brownfield sites for a variety of uses throughout the Scottish Borders
- The Council should review the existing redevelopment opportunities allocated within the Local Development Plan and the regeneration opportunities identified in Figures ED5a of Policy ED5
- The Council should identify new redevelopment opportunities which can be allocated in the Local Development Plan for a range of uses.

## **7.5 Digital Connectivity**

### **7.5.1 Policy Context**

Scottish Planning Policy (SPP) sets out the Scottish Government’s planning policies on supporting digital connectivity. SPP notes that the planning system should support:

- Development which helps deliver the Scottish Government’s commitment to world-class digital connectivity
- The need for networks to evolve and respond to technology improvements and new services
- Inclusion of digital infrastructure in new homes and business premises; and
- Infrastructure provision which is sited and designed to keep environmental impacts to a minimum.

### **7.5.2 Local Development Plan Policies**

#### Policy ED6: Digital Connectivity

The policy aims to encourage digital connectivity within the Scottish Borders. The Council will support proposals which lead to the expansion and improvement of the electronic communications network in the Borders, provide it can be achieved without any unacceptable detrimental impact on the natural and built environment. This includes delivery of core infrastructure for telecommunications, broadband, and other future digital infrastructure.

### **7.5.3 Main Developments and Implementation**

The Scottish Government is committed to delivering superfast broadband access (with speeds of at least 30Mbps) to every home and business in Scotland by the end of 2021. There are significant areas of the Scottish Borders which are already fibre enabled with others expected to receive fibre broadband by the end of December 2018. There are also, however, areas where fibre broadband is not currently available such as the Etrick Valley, Yarrow Valley and Tweedsmuir. Digital Scotland is currently evaluating options to extend fibre broadband coverage to these areas. In remote rural locations improved digital connectivity must continue to be addressed.

Digital connectivity is critical to the economic development and competitiveness of the Scottish Borders. The Scottish Borders Local Development Plan Policy ED6 offers planning support to development proposals which lead to the expansion and improvement of the digital communications network, provided no detrimental impact on the natural and built environment results.

#### **7.5.4 Conclusions**

- The Council will continue to support and encourage the expansion of digital connectivity within the Scottish Borders. This is primarily focused through the Building Standards process.

## **7.6 Renewable Energy**

### **7.6.1 Policy Context**

Scottish Government and national planning legislation continue to promote and emphasis the need to local authorities to facilitate the transition to a low carbon economy. The Climate Change (Scotland) Act 2009 requires all public bodies to contribute to the emissions targets in the Act and to deliver the Government's climate change programme. The need to mitigate the causes of climate change and the need to adapt to its short and long term impacts should be taken into account in all decisions within the planning process. The generation of heat from renewable sources and low carbon technologies can help reduce dependence on fossil fuels and reduce the output of harmful emissions.

The Scottish Government recently produced the Scottish Energy Strategy: the future of energy in Scotland 2017 which confirms new energy targets and continuing support and promotion of maximising climate change ambitions. The Scottish Government's Onshore Wind Policy Statement 2017 gives clear support for the promotion of further renewable energy types including wind farms and it confirms the economic and community benefits wind farms offer. The Climate Change Plan 2018 confirms the level of ambition and implementation of delivery in order to address climate change. Scottish Borders Council has been proactive in supporting a range of renewable energy types. In implementing statutory duties to support both renewable energy and protect the landscape and the environment, the Council seeks a balance between these objectives within the decision making process.

National Planning Framework 3 (NPF) and Scottish Planning Policy (SPP) are supportive of promoting renewable energy and also identify the need to support other key sustainability principles of social, economic and environmental considerations.

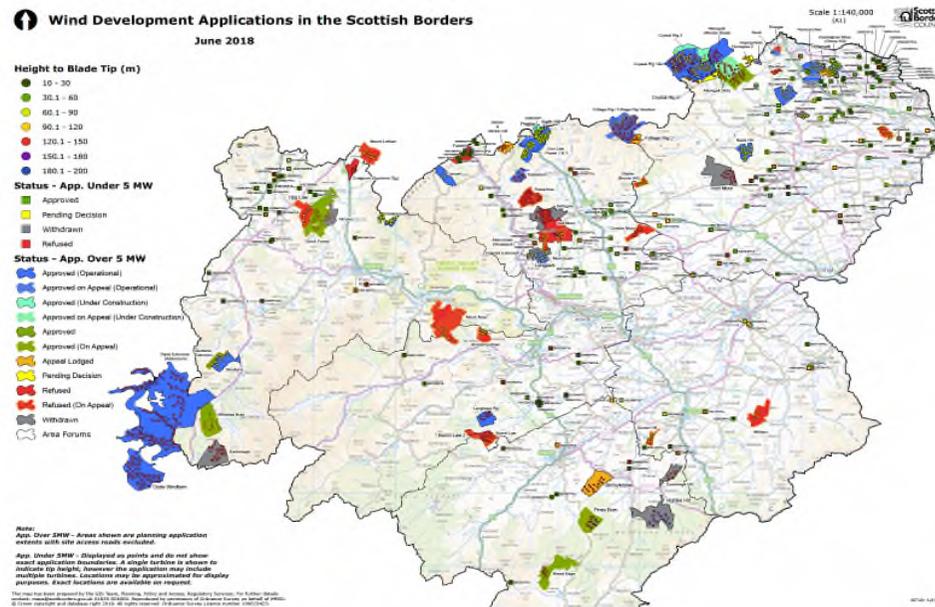
### **7.6.2 Local Development Plan Policies**

Renewable energy proposals particularly wind farms, cover a range of issues and therefore a number of policies are relevant when considering planning applications. However, the primarily policy is policy ED9 – Renewable Energy Developments. The aim of the policy is to support renewable energy proposals, to guide development to appropriate locations and to advise on the factors to be taken into account in considering proposals. The Council's Supplementary Guidance (SG) on Renewable Energy has recently been cleared by Scottish Ministers and now forms part of the Development Plan, giving it added weight within the decision making process. The SG includes an update of the Ironside Farrar Landscape Capacity and Cumulative Impact Study which is a component part of the SG and therefore now part of the Development Plan.

### 7.6.3 Main Developments and Implementations

Most types of renewable energy proposals are fairly non contentious and few applications are submitted. Proposals for anaerobic digestion systems can raise some neighbouring land use issues, mainly from residential properties, though it is considered the SG on Renewable Energy gives further advice on this subject, as well as giving links to other relevant papers which can help guide planning applications. The most contentious type of renewable energy proposals are wind farms. There are well known and highly conflicting opinions on windfarms, ranging broadly from those supporting the principles the renewable energy opportunities turbines offer to those concerned about perceived detrimental impacts these proposals have on the landscape and environment. The Council continues to receive a high number of applications for wind farm as is identified in figure 22. Figure 22 confirms the Council continues to take a proactive approach to supporting wind farms in what are considered to be appropriate locations.

Figure 22: Planning Applications for Turbine Developments over 5MW



Source: Scottish Borders Council (GIS Team)

With the removal of subsidies and feed-in tariffs it is likely that in order to make turbines financially efficient to erect, turbine heights will increase. It is envisaged that soon applications will be submitted for turbines up to 200m in height. Clearly such applications will need to be scrutinised very carefully and it is considered the recently adopted SG on Renewable Energy and the Ironside Farrar Landscape Capacity Study 2016 will be key documents to help guide decision making for all renewable energy proposals including those for the aforesaid higher turbines.

The Scottish Government also requires Council's to produce an Energy Efficiency Plan to and identify where heat networks, heat storage and energy centres exist or could be appropriate to ensure opportunities are maximised. Further work towards identifying short, medium and longer term opportunities within development plans and action programmes should be carried out to investigate the feasibility of district heating.

#### **7.6.4 Conclusions**

- The Council must continue to promote and support renewable energy proposals within appropriate locations
- The Council must develop an Energy Efficient Plan
- The Council must develop further opportunities where heat networks, heat storage and energy centres exist or could be appropriate to ensure opportunities are maximised
- The Council must carry out further work towards identifying short, medium and longer term opportunities within development plans and action programmes to investigate the feasibility of district heating
- The recently adopted Supplementary Guidance on Renewable Energy which incorporates an updated Ironside Farrar Landscape Capacity and Cumulative Impact Study will be key documents in advising planning applications for a range of renewable energy types including wind farm proposals for larger turbines.

## **7.7 Minerals and Coal**

### **7.7.1 Policy Context**

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

At a Regional level, SESPlan acknowledges that an adequate and steady supply of minerals is essential to support sustainable economic growth. The SDP requires that Local Development Plans:

- Safeguard mineral resources from sterilisation where appropriate
- Identify areas of search for aggregate minerals and coal, or where appropriate, specific sites
- Set out the criteria to be addressed when assessing individual proposals, including restoration and enhancement
- Support and encourage the use of secondary and recycled aggregates.

### **7.7.2 Local Development Plan Policies**

#### Policy ED11: Safeguarding of Mineral Deposits

The aim of the policy is to ensure that minerals are not unnecessarily sterilised through inappropriate development. It acknowledges that minerals are a valuable non-renewable resource and should be protected.

#### Policy ED12: Mineral and Coal Extraction

The policy aims to ensure that mineral working is carried out with minimal adverse impact on the environment and with appropriate restoration measures following extraction. Areas of search are identified, with coal being in the north west and south west of the region.

### 7.7.3 Main Developments and Implementation

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

Applications for mineral workings are relatively infrequent in the Scottish Borders. At present there are 13 active mineral sites within the area, although these range in size from large scale long term operations to short term small scale sites. The main extraction sites are at Craighouse Quarry near Redpath, Soutra Quarry and Kinegar Quarry at Cockburnspath. There are no working open cast coal sites in the Scottish Borders.

The main issue with mineral proposals is addressing the conflict of utilising these important resources and safeguarding the attractive landscape, environment and communities. Figure 23 confirms the number of applications submitted for mineral extraction since 2010 .

Figure 23: Decisions on minerals application (2010 to 2017)

	2010	2011	2012	2013	2014	2015	2016	2017
<b>Validated</b>	3	1	0	2	1	2	1	2
<b>Approved</b>	2	0	0	2	0	1	1	1
<b>Refused</b>	0	0	0	0	0	0	0	0
<b>Withdrawn</b>	1	1	0	0	0	1	0	0
<b>Appeal</b>	0	0	0	0	0	0	0	0

Source: Scottish Borders Council (Uniform Team)

Of those approved most have been subject to a considerable number of onerous planning conditions requiring mitigation measures which have been attached to the consents following extensive consultations. It is considered that in practice policies ED11 and ED12 offer sufficient detail and guidance which work well to adequately enable the determination of planning applications for mineral works. Consequently it is not considered there is any justification to amend or supersede them.

The Scottish Borders Minerals Draft Subject Local Plan was produced in 1998. Much of that document is now well out of date including one useful part which incorporates a map identifying Areas of Search for minerals. There is a requirement for the Council to produce SG on Minerals and it remains the desire to produce this when manpower and time constraints allow. When produced the SG will be useful to a range of users.

The Council's planning enforcement section and environmental health monitor mineral operations and their compliance with conditions where required. The SEA baseline requirement is to avoid the blighting of mineral assets.

Policy ED12: Mineral and Coal Extraction of the LDP 2016 includes a plan showing the broad areas of search for minerals across the Scottish Borders.

#### **7.7.4 Conclusions**

- The Council should continue to strike a balance between utilising mineral resources and safeguarding attractive landscape, environment and communities
- The Council should prepare Supplementary Guidance relating to minerals.

## Housing Development (HD)

### 7.8 House Building

#### 7.8.1 Policy Context

Scottish Planning Policy (SPP), states that house building makes an important contribution to the economy. Planning can help address the challenges facing the housing sector by providing a positive and flexible approach to development. In particular, new homes should be made in areas where economic investment is planned or there is a need for regeneration or to support population retention in rural and island areas.

SPP states that the planning system should:

- Identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5 year supply of effective housing land at all times
- Enable provision of a range of attractive, well-designed, energy efficient, good quality housing, contributing to the creation of successful and sustainable places
- Have a sharp focus on the delivery of allocated sites embedded in action programmes, informed by strong engagement with stakeholders.

Development Plans should be informed by a robust and credible housing need and demand assessment (HNDA) prepared in line with the Scottish Government's HNDA Guidance. This assessment provides part of the evidence base to inform Development Plans as well as Local Housing Strategies (LHS). The HNDA, Development Plan and LHS processes should be closely aligned, with joint working between housing and planning teams. Plans should address the supply of land for all housing, setting out the housing supply target for each housing market area. The housing supply target is a policy view of the number of homes the authority has agreed will be delivered in each housing market area over the period of the Development Plan. Within the overall housing supply target, plans should indicate the number of new homes to be built over the plan period. The figure should be increased by a margin of 10-20% to establish the housing land requirement, in order to ensure that a generous supply of land for housing is provided. The exact extent of the margin will depend on local circumstances, but a robust explanation for it should be provided in the plan. The LDP should set out the housing supply target and housing land requirement for each housing market area in the plan area, up to Year 10 from the expected year of adoption.

SPP sets out a requirement for Planning Authorities to actively manage the housing land supply through the preparation of an annual housing land audit as a tool to critically review and monitor the availability of effective housing land, monitor the development progress of sites through the

planning process, monitor housing completions, ensure that a generous supply of land for house building is maintained and that there is always enough effective housing land for at least five years. A site is only considered effective, where it can be demonstrated that within five years it will be free of constraints and can be developed for housing. The audit process should involve consultation with housing and infrastructure providers.

SESPlan sets out the housing supply requirement for the Scottish Borders, broken down into affordable and mainstream, which includes an additional 10% generosity. The LDP will ensure that there is a sufficient supply of housing land to meet the housing land requirement over the 10 year period from the expected date of adoption.

SPP sets out a requirement for Council's to undertake the aforesaid Housing Land Audit (HLA) annually to monitor completions and effective land supply. Appendix 1 of the current LDP sets out the Council's current methodology for monitoring the effective housing land supply.

### **7.8.2 Local Development Plan Policies**

#### Policy HD3: Protection of Residential Amenity

The policy aims to protect the amenity of both existing established residential areas and proposed new housing developments. The policy applies to areas where the predominant use is residential; such areas are not identified on the Proposals Maps given that the predominant use of an area can change over time.

#### Policy HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding

The policy is intended to assist the Council to maintain the 5 year effective housing land supply at all times, while safeguarding particularly sensitive areas from development. The areas indicated in the settlement profiles for longer term expansion and protection shall be safeguarded accordingly.

#### Policy PMD3: Land Use Allocations

This policy applies to all the allocated land use proposals as shown on the proposals maps. The aim of this policy is to ensure that sites allocated in the Local Development Plan are developed for their intended use and that any alternative use is subject to appropriate justification.

### **7.8.3 Main Developments and Implementation**

Nationally, the demand for housing has continued to grow due to social changes, longer life expectancy and in-migration. Figure 24 shows the population projections, by age group, between 2013 and 2017. The table highlights that the population below the age of 45 has decreased whilst

the population over 45 has increased. The marked increase of those aged 65 and older will have a continuing impact on health and social care. Figure 25 shows population projections between 2017 and 2026. The table forecasts an increasing ageing population with a reduction in the working age population. The 31% increase in the number of people aged 75 and older highlights there will be increasing pressure on health, housing and social care services.

Figure 24: Population Structure (Age Group) (2013 and 2017)

Age Group	2013	2017	Net increase/ decrease	Population Change (%)
0-15	19,030	19,026	-4	-0.0*
16-24	10,419	10,363	-56	-0.5
25-44	23,932	22,402	-1,530	-6.4
45-64	34,786	35,530	744	2.1
65-74	14,434	15,715	1,281	8.9
75+	11,279	11,984	705	6.3
<b>Total</b>	<b>113,880</b>	<b>115,020</b>	<b>1,140</b>	<b>1.0</b>

Source: National Records of Scotland, Population Projections (2013 and 2017 based) \*0% due to rounding.

Figure 25: Population Projections (Age Group) (2017 to 2026)

Age Group	2017	2026	Net increase / decrease	Population Change (%)
0-15	19,026	19,190	164	0.9
16-24	10,363	9,565	-798	-7.7
25-44	22,402	22,899	497	2.2
45-64	35,530	32,712	-2,818	-7.9
65-74	15,715	16,672	957	6.1
75+	11,984	15,739	3,755	31.3
<b>Total</b>	<b>115,020</b>	<b>116,777</b>	<b>1,757</b>	<b>1.5</b>

Source: National Records of Scotland, Population Projections (2017 and 2026 based)

The Scottish Borders experienced a growth in housing completions up until 2011, where the completion rates has steadily dropped, this is shown in figure 26. This is a result of the economic recession and the remaining completions of sites which received consent pre-recession. Since 2011, there is a notable lack of national house builder interest in developing within the Scottish Borders. Furthermore, in more recent years a number of local house builders have ceased trading. It is acknowledged that there is a lack of development finance and the availability of mortgage finance for buyers in recent years, which proves difficult for the delivery of housing within the Scottish Borders. This all demonstrates the direct impact upon rural areas, as a result of the current economic climate.

Figure 26: Number of housing completions by HMA (2010 to 2017)

Housing Market Area	2010	2011	2012	2013	2014	2015	2016	2017
Berwickshire	102	81	65	56	50	55	89	31
Central	213	280	123	163	151	143	162	169
Northern	166	131	69	76	77	71	120	44
Southern	6	18	9	11	10	3	2	6
<b>Total</b>	<b>487</b>	<b>490</b>	<b>266</b>	<b>306</b>	<b>288</b>	<b>272</b>	<b>373</b>	<b>250</b>

Source: Housing Land Audit (2010 to 2017)

The HLA monitors the established housing land supply within the Scottish Borders by HMA, which includes; effective (Years 1-5), potentially effective (Year 6 & 7) and constrained units. Figure 27 below shows the annual trends in the established housing land supply, between 2010 and 2017. The established housing land supply decreased between 2010 and 2015, however increased in the 2016 HLA. The increase was a result of the inclusion of the new LDP allocations. The LDP provided an additional 565 housing units over 13 sites, which were included in the contributions towards the housing land requirement. The LDP used the 2012 HLA as the baseline for the contributions towards the housing land requirement. However, the baseline was altered through the LDP examination process, to take into consideration the 2014 HLA. Appendix 2 of the LDP was updated, as part of the examination process, taking into consideration the potential supply (HLA 2014), completions (2009-2014), demolitions (2014-2025) and the new housing allocations, resulting in a total contribution of 12,506 units towards the housing land requirement. Due to the shift in baseline, there was an identified shortfall in housing of 916 units. In line with Policy HD4, the Council produced Supplementary Guidance on Housing, which identified an additional 926 units within the Scottish Borders, to contribute towards the housing land requirement. The Housing SG was formally adopted in November 2017 and the additional units will ensure that an effective 5 year housing land supply is maintained going forward. The Housing SG sites will be added to the 2018 HLA and are now a material planning consideration, alongside the LDP.

Figure 27: Established housing land supply by HMA (2010 to 2017)

HMA	2010	2011	2012	2013	2014	2015	2016	2017
<b>Berwickshire</b>	2374	2385	2298	2152	2031	1990	2120	2000
<b>Central</b>	6142	5863	5720	5625	5318	5269	5429	5169
<b>Northern</b>	1414	1361	1324	1229	1167	1082	1315	1292
<b>Southern</b>	237	223	198	183	173	175	130	125
<b>Total</b>	<b>10,167</b>	<b>9832</b>	<b>9540</b>	<b>9189</b>	<b>8689</b>	<b>8516</b>	<b>8994</b>	<b>8586</b>

Source: Housing Land Audit (2010 to 2017)

Scottish Ministers announced More Homes Scotland, which is an overarching approach to support the increase in the supply of homes across all tenures which incorporate a variety of existing and new initiatives, to help deliver its target of over 50,000 affordable homes by 2021. The Council's Strategic Housing Investment Plan is a key document for identifying strategic housing projects to assist in supporting the operational delivery of the affordable housing programme.

Whilst the western area has a considerable amount of undeveloped allocated housing land, it should be noted that much of this is within Innerleithen and Walkerburn. Due to a number of physical and infrastructure constraints, further housing options within Peebles and the surrounding area are limited.

SPP sets out that LDP's should maintain at least a 5 year supply of effective housing land at all times. There are a number of sites which are included within the LDP, which have either no developer interest and/or have received no planning consent, many of these date back over 20 years. These sites require to be reviewed, to assess whether they are effective and whether there are any constraints preventing development.

#### 7.8.4 Conclusions

- The Council must continue to review the need for housing to meet the Strategic Development Plan (SDP) requirements and allocate housing land within the Local Development Plan (LDP) to meet any identified need. The Housing Land Audit will continue to monitor housing land supply, including the effective land supply and annual take up
- The Council must review and look at options for the provision of housing land within the Central Tweeddale area for LDP2 and longer term, to ensure the effective 5 year housing land supply is maintained and there are a range of provisions within each of the Housing Market Areas

- The Housing Land Audit will, in the future, refine the monitoring of affordable housing as part of the process. This will give the Council opportunity to use the results to update policies as and when required
- Review the current housing allocations within the LDP, to ensure that sites which are included within LDP2 are effective and do not have constraints which prohibit their development. This will ensure an up to date plan, which maintains an effective 5 year housing land supply and promotes the delivery of sites.

## **7.9 Affordable Housing**

### **7.9.1 Policy Context**

National policy relating to affordable housing is included within Scottish Planning Policy (SPP). The policy focuses on how the planning system can contribute to the provision of affordable housing. SPP states that authorities may seek a percentage affordable housing contribution from developers of new housing developments where this is justified by the Housing Need and Demand Assessment (HNDA) and is included in the Local Housing Strategy (LHS) and Development Plan. Section 69 and 75 Legal Agreements are mechanisms for ensuring and collating payments towards off-site affordable housing, should it be sought.

Planning Advice Note (PAN) 2/2010, '*Affordable Housing and Housing Land Audit*' provides advice and information on how the planning system can support the Governments commitment to increase the supply of affordable housing. The PAN also considers the role of the HNDA and the LHS in facilitating the delivery of affordable housing. In addition to this, it is essential to have a policy within the LDP, which can be used to support affordable housing provision within the Scottish Borders.

More Homes Scotland is an overarching approach by the Scottish Government to support an increase in the supply of homes across all tenures in Scotland. It incorporates a variety of existing and new initiatives to help deliver its target of over 50,000 affordable homes by 2021.

SESPlan sets out the housing supply targets for each local authority within the SESplan region for 2018-2030, split between affordable and mainstream. The housing supply targets were informed by the 2015 SESplan HNDA. The targets are reasonable, deliverable and supported by compelling evidence, set out in the SESPlan Housing Background Paper. The majority of the need and demand identified in the 2015 HNDA is for affordable housing. Whilst the affordable targets are ambitious and set higher than 2010-2015 delivery levels, it is not possible to deliver the 4000 plus affordable homes per annum suggested by the HNDA.

### **7.9.2 Local Development Plan Policies**

#### Policy HD1: Affordable and Special Needs Housing

The policy aims to ensure that new housing development provides an appropriate range and choice of 'affordable' units as well as mainstream market housing. The provision of affordable housing is a material consideration in the planning system, and the development plan is recognised as an appropriate vehicle through which it may be facilitated by planning authorities.

### 7.9.3 Main Developments and Implementation

The Scottish Borders Council (HNDA) was updated in 2015 and provides a general overview of housing issues and showed local trends and changes in the Borders. The need for affordable housing is linked to the low income levels, increased unemployment rate and reduced availability of social rented housing. The HNDA is used to inform the 'housing supply targets' for the Scottish Borders, based on household projections and economic scenarios, which are contained within the SESPlan.

The Council has also produced the Local Housing Strategy (LHS) (2018-2023), which provides a strategic direction to address housing need and demand and inform future investment in housing related services across the Scottish Borders. Scottish Local Authorities are required to prepare a LHS every five years, setting out a vision for the supply, quality and availability of housing in their local area. The LHS is the key planning document, providing a framework of action, investment and partnership-working to deliver these local priorities.

The Council has recently produced the Strategic Housing Investment Plan (SHIP) (2017-2022), which will be the key document in the identification of strategic housing projects to assist in achieving the Government's ambitious affordable housing target by 2021. The SHIP not only assists the Government in meeting the affordable housing target, but reinforces authorities as the strategic housing authority and sets out its strategic investment priorities for affordable housing in order to achieve the priorities identified in the LHS.

The Council has produced Supplementary Planning Guidance (SPG) related to Local Plan policies on affordable housing. The SPG describes how the HNDA is the starting point for the policy. The SPG sets out a range of categories of housing that are accepted as meeting the definition of affordable housing; social rented housing, shared ownership, shared equity, subsidised low cost home ownership, unsubsidised LCHO, private below market rent and mid market rent. The percentage requirement for contributions to affordable housing by the 4 Housing Market Areas, is currently 25%, in line with SPP. The guidance describes acceptable thresholds for on site provision, commuted sum provision and exceptions. Any revised contribution levels will need to be included in future reviews of the SPG. The SPG allows consideration to be given as to whether affordable housing is provided on or off site and whether an alternative commuted sum may be made towards affordable housing elsewhere, within the HMA.

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

Given the recent funding available for the delivery of affordable housing, there have been a number of recent affordable housing developments completed within the Scottish Borders. These include; extra care housing, an affordable element within a mainstream housing development and solely affordable housing developments.

#### **7.9.4 Conclusions**

- The Council needs to continue to develop a robust system to monitor planning applications and completions for affordable housing, to be able to update the policy where needed
- The Council needs to keep information related to the housing needs assessment up to date to be aware of any changes which may occur in terms of housing need
- Continue to work with key stakeholders and RSL's to ensure that any suitable housing sites are promoted through the LDP and/or Housing Supplementary Guidance
- Continue to work with key stakeholders and RSL's to ensure that any suitable housing sites are identified and included within the SHIP, to support the delivery of affordable housing, in meeting the Scottish Government's ambitious affordable housing targets.

## **7.10 Housing in the Countryside**

### **7.10.1 Policy Context**

The main guidance and advice relating to Housing in the Countryside is contained within the Scottish Planning Policy (SPP). The policy states that the planning system should in all rural areas promote a pattern of development that is appropriate to the character of the particular rural area and the challenges it faces and encourage rural development that supports prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality. In the areas of intermediate accessibility and pressure for development, plans should be tailored to local circumstances, seeking to provide a sustainable network of settlements and a range of policies that provide for additional housing requirements, economic development, and the varying proposals that may come forward, while taking account of the overarching objectives and other elements of the plan.

Plans should set out a spatial strategy which makes provision for housing in rural areas in accordance with the spatial strategy, taking account of the different development needs of the local communities.

### **7.10.2 Local Development Plan Policies**

#### Policy HD2: Housing in the Countryside

This policy aims to encourage a sustainable pattern of development focused on defined settlements in accordance with the need to support existing services and facilities and to promote sustainable travel patterns. For the exceptions to this general approach the Housing in the Countryside policy aims to encourage housing development in appropriate locations in the countryside. The policy sets the basis for the consideration of small scale appropriate additions to existing identifiable building groups, or within dispersed building groups located within the Southern Housing Market Area. It should be noted that in the context of building groups, that it may be the case that some building groups are considered to be complete and are therefore unable to accommodate further development. The policy also aims to allow appropriate conversions, restoration and replacement in the countryside. However, the policy restricts isolated new housing in the countryside unless it can be satisfactorily substantiated by an economic justification. In doing this, the policy will protect the environment from inappropriate and sporadic new housing development whilst still being able to support rural communities and businesses.

For housing proposals which come forward within the Countryside Around Towns (CAT) policy, Policy EP6 will apply. Where the new proposal relates to an existing building group and the proposal is acceptable under Policy HD2, and it can be demonstrated that the high quality environment

will be maintained, the proposal could be permissible. In addition, where a proposal is in relation to the replacement of an existing dwelling within the CAT then it may be acceptable if it meets the criteria of Policy H2 (e).

Policy EP6: Countryside Around Towns

This policy aims to ensure that the identified Countryside Around Towns (CAT) area and the high quality living environment it provides is protected. The policy aims to prevent piecemeal development, which would detract from the area’s environment, and to avoid coalescence of settlements, thereby retaining their individual identity. Where a proposal is assessed under the CAT policy and the Housing in the Countryside Policy, it is the CAT policy that will carry the greater weight. This will be the case except for where a proposal is put forward to build within the confines of an existing building group as opposed to extending outwith it, where it can be shown the high quality environment will be maintained. In this situation the proposal could be permissible under the CAT policy but will still have to meet the requirements of the Housing in the Countryside policy.

**7.10.3 Main Developments and Implementation**

Within the Scottish Borders, like other rural authorities, housing outwith settlement boundaries plays a large role in terms of the effective land supply and completions within the area. Figure 28 below shows the approvals outwith settlement boundaries between 2013/14 and 2016/17, where housing would be required to be assessed against Policy HD2: Housing in the Countryside, as contained within the LDP. The largest number of approvals outwith settlement boundaries was recorded within the 2015/16 HLA at 112 units. The other years were consistently between 64 and 79 approvals.

Figure 28: Approvals outwith settlement boundaries (2013/14 to 2016/17), by HMA

Housing Market Area	2013/14	2014/15	2015/16	2016/17
Berwickshire	19	20	59	33
Central	17	37	41	22
Northern	19	17	11	12
Southern	9	5	1	3
<b>Scottish Borders</b>	<b>64</b>	<b>79</b>	<b>112</b>	<b>70</b>

Source: Scottish Borders Council Housing Land Audit (2013/14 to 2016/17)

Figure 29 and 30 show the annual completions within the Scottish Borders, between 2013/14 and 2016/17. Figure 30 focuses on completions which are outwith settlement boundaries and therefore assessed against Policy HD2: Housing in the Countryside. Figure 29 shows that the highest level of

completions annually is within the Central HMA, where most of the larger settlements are located. A very low level of completions are recorded in the Southern HMA, this is due to the rural nature of the HMA with only one main settlement which attracts a low level of development. The total number of completions in the past five years has peaked at 373 units in the 2016 HLA. Within the 2017 HLA, there has been a decrease of 123 completions. The completion rate remains lower than pre-recession completion rates, with many of the sites under construction within the Borders at a slow rate or stalled, due to the lack of developer/mortgage finance. Figure 30 shows that when compared to the number of overall completions, completions outwith settlement boundaries accounts for between 11% and 17% of the overall completions over the 4 year period.

Figure 29: Completions by HMA (2013/14 to 2016/17)

Housing Market Area	2013/14	2014/15	2015/16	2016/17
Berwickshire	55	50	55	89
Central	163	151	143	162
Northern	77	77	71	120
Southern	11	10	3	2
<b>Scottish Borders</b>	<b>306</b>	<b>288</b>	<b>272</b>	<b>373</b>

Source: Scottish Borders Council Housing Land Audit (2013/14 to 2016/17)

Figure 30: Completions by HMA (Outwith settlement boundaries (2013/14 to 2016/17)

Housing Market Area	2013/14	2014/15	2015/16	2016/17
Berwickshire	18	11	12	17
Central	17	22	15	10
Northern	11	8	8	9
Southern	6	3	1	6
<b>Scottish Borders</b>	<b>52</b>	<b>44</b>	<b>36</b>	<b>42</b>

Source: Scottish Borders Council Housing Land Audit (2013/14 to 2016/17)

One of the challenges of the LDP2 will be to consider the continuing high number of proposals submitted for houses in the countryside. Whilst current policy can support individual houses in cases, for example, an economic justification can be made, generally there must be the existence of a building group of at least three houses which a proposal must be considered an appropriate addition to. In essence this policy approach is to prevent a proliferation of houses which would have a cumulative detrimental impact on the Scottish Borders countryside. It is considered that the policy performs well as part of the current LDP.

Consideration could be given to a more flexible approach which could allow support of single isolated houses in the countryside. However, this would require a number of caveats to ensure high quality design with appropriate locations. Careful consideration would be required to ensure the design and materials are of exceptional design quality which enhance or compliment the local setting. Furthermore, houses would need to respect the sense of place and be of an appropriate size and mass, and conform with the Council's SPG on Placemaking and Design specifically those relating to landform, microclimate, localised views and landscaping. Consideration could also be given to the support for contemporary designs of housing.

#### **7.10.4 Conclusion**

- The Council must continue to protect the countryside from inappropriate housing development
- The Council should continue to monitor housing development figures in the countryside and monitor the effectiveness of the Housing in the Countryside policy
- The Council must update its SPG on New Housing in the Borders Countryside in order to support Policy HD2: Housing in the Countryside.

## **Environmental Promotion and Protection (EP)**

### **7.11 International, National and Local Nature Conservation Designations**

#### **7.11.1 Policy Context**

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

In 2011, the Scottish Government published its first Land Use Strategy, the development of which is a key commitment to their response to climate change. The Government sets out a vision to guide thinking about how we use our land and how we want to see that develop in the future. Therefore, the Land Use Strategy takes a strategic approach to the many different economic, environmental and social challenges facing land use in Scotland. Scottish Borders Council were one of two Councils to undertake a pilot study and subsequently published the Land Use Framework. The aim is to enable more informed and integrated decisions to be made about how we use the land within the Scottish Borders in a sustainable manner.

The Environmental Assessment (Scotland) Act 2005 requires Strategic Environmental Assessments (SEA) to be prepared for all qualifying public plans, programmes and strategies. The Council adopted Supplementary Planning Guidance on Biodiversity in 2005 and the Local Biodiversity Action Plan (LBAP) in 2001. The LBAP is currently subject to review at the moment.

### 7.11.2 Local Plan Policies

#### Policy EP1: International Nature Conservation Sites and Protected Species

The policy aims to give designated or proposed Natura sites (includes SAC & SPA sites), Ramsar sites and sites where there is the likely presence of European Protected species (EPS) protection from potentially adverse development. As part of a Habitats Regulation Appraisal (HRA), where a proposal could have a likely significant effect on a Natura Site, an appropriate assessment will be required to demonstrate that the proposal will not affect the integrity of the site. If there is evidence to suggest that an EPS is present on site or may be affected by a proposed development, their presence must be established and any likely impact on the species fully considered prior to the determination of the planning application.

#### Policy EP2: National Nature Conservation and Protected Species

The policy aims to protect nationally important nature conservation sites and protected species. Nationally important sites are legally protected by their designations as Sites of Special Scientific Interest (SSSI) for their floral, fauna, geological and geomorphological interests, and as National Nature Reserves (NNR) for the conservation of habitats and species.

#### Policy EP3: Local Biodiversity

The policy aims to safeguard and enhance local biodiversity, in line with the Council's environmental policies and its commitment to sustainability.

#### Policy EP15: Development Affecting the Water Environment

The policy aims to ensure that development does not adversely affect any of the complex components that comprise the water environment, for example, rivers, lochs, groundwater, wetland, coastal waters and estuaries or cause further deterioration in ecological status.

#### Policy EP16: Air Quality

The policy aims to protect air quality and in so doing complement other policies to protect land and water. This in turn will help to fulfil the Council's environmental commitments and its contribution to addressing climate change.

### Policy EP14: Coastline

The policy aims to ensure that the coastline, in particular the 'undeveloped coast' outwith the respective coastal settlement boundaries, is afforded adequate protection from inappropriate development. Tourism and other development pressure could conflict with nature conservation objectives.

#### **7.11.3 Main Developments and Implementation**

Supplementary Planning Guidance: Biodiversity, was adopted in 2005, which provides guidance for the protection of nature conservation sites. Figure 31 below outlines the hierarchy of designation ranges from international, national, through to local level of importance. There are 10 Special Areas of Conservation (SAC) within the Borders and 5 Special Protection Areas (SPA) which are strictly protected sites designated under the EC Habitats Directive, all habitat types and species included are those considered to be most in need of conservation at a European level. Ramsar sites are wetlands of international importance selected by the Ramsar Convention (1971), there are 3 located within the Borders; Westwater Reservoir, Greenlaw Moor and Hoselaw Loch. They are designated for wildfowl and waders covering an overall area of 349 hectares.

Natura 2000 Sites are the collective term for internationally designated nature conservation site including SAC's, SPA's and Ramsar Sites. These are designated because of their habitat and/or species interest and are of the following main type: rivers, birds, upland and/or bogs, coastal or woodland. A main objective of the SEA is to protect and enhance species and habitat.

National nature conservation areas comprise nationally important sites, which are Sites of Special Scientific Interest (SSSI) and National Nature Reserves (NNR). There are 2 NNR's and 95 SSSI's within the Borders. SSSI's are legally protected for their floral, faunal, geological and geomorphological interests, while NNR sites are protected for the conservation of habitats and species. Policy EP1 provides protection for international designations, while Policy EP2 provides protection for national designations, along with protected species. Policy EP1 also aims to protect any adverse impacts upon the presence of European Protected Species (EPS) from potentially adverse development.

Figure 31: Hierarchy of habitat and species designations (SPG: Biodiversity)

<b>International</b>	Special Protection Areas (SPA)	Birds
	Special Areas of Conservation (SAC)	Habitats
	Ramsar Sites	Wetlands
<b>National</b>	Sites of Special Scientific Interest (SSSI)	Habitats
	National Nature Reserves (NNR)	Habitats
<b>Local</b>	Local Wildlife Sites	Habitats

Source: Scottish Borders Council SPG on Biodiversity

Although there have been a number of planning applications for proposals within protected designations such as Ramsar, SAC, SPA, NNR and SSSI, listing these applications and the decisions may be of little benefit, as any refusals may not necessarily be on the grounds of such designations. Other reasons for refusal may not have been given. However, proposals which would result in an adverse impact upon such designations, would not be supported. Consequently, if a planning application raises issues in respect of a protected area, mitigation measures would be discussed and considered in an effort to ensure that there is no net adverse impacts. An example of this would be in respect of a wind farm proposal where a new replacement habitat maybe required for black grouse. Decision making on planning applications in respect of local biodiversity is supported by the Local Biodiversity Action Plan and Biodiversity SPG. An update to the existing LBAP is currently out for public consultation and will be SG once adopted.

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

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

#### 7.11.4 Conclusions

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

- The Council should take cognisance of the Scottish Borders Land Use Framework in assessing sites for inclusion within the Local Development Plan 2.

## **7.12 National and Regional Landscape Designations**

### **7.12.1 Policy Context**

Scottish Planning Policy (SPP) sets out the national policy on Landscape and Natural Heritage. One of the outcomes in SPP is '*A natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use*'. SPP states that the environment is a valued national asset offering a wide range of opportunities for enjoyment, recreation and sustainable economic activity. Planning plays an important role in protecting, enhancing and promoting access to our key environmental resources, whilst supporting their sustainable use.

### **7.12.2 Local Plan Policies**

The policies in the Local Development Plan relating to landscape designations are outlined below.

#### Policy EP4: National Scenic Areas

The policy aims to protect and enhance the scenic quality of the two National Scenic Areas (NSA), at Eildon and Leaderfoot and Upper Tweeddale, by influencing the nature of development both within the sites and outwith them, where the development affects the setting and context of the NSA, within the wider landscape.

#### Policy EP5: Special Landscape Areas

The policy aims to ensure local areas of identified landscape quality, known as Special Landscape Areas (SLA) are afforded adequate protection against inappropriate development and that potential maintenance and enhancement of the SLA is provided for.

#### Policy EP13: Trees, Woodlands and Hedgerows

The policy aims to give protection of the woodland resource, in turn, to the character and amenity of settlements and the countryside, maintain habitats and provide an important recreational asset. The policy seeks to protect and enhance the whole resource, not only individual trees that might be protected by a Tree Preservation Order; safeguarded by a condition on a planning application; or located within a Conservation Area.

Policy EP6: Countryside Around Towns (CAT)

The policy aims to ensure that the identified Countryside Around Towns (CAT) area and the high quality living environment it provides is protected. The policy aims to prevent piecemeal development, which would detract from the area’s environment, and to avoid coalescence of settlements, thereby retaining their individual identity.

**7.12.3 Main Developments and Implementation**

National Scenic Areas (NSA’s) were introduced by the Countryside Commission for Scotland in 1980 and are national designations. NSA’s are nationally important areas of outstanding beauty, representing some of Scotland’s finest landscapes, the purpose of their designation is to preserve and enhance their character or appearance. Special Landscape Areas (SLA’s) are local designations and the Local Authority will seek to safeguard their landscape quality and will have particular regard to the landscape impact of any proposed development, including the visual impact. Supplementary Planning Guidance was adopted for Local Landscape Designations in August 2012. There are two NSA’s and 9 SLA’s within the Scottish Borders. Figure 32 confirms these designations and their respective area coverage in hectares.

Figure 32: National Scenic Areas and Special Landscape Areas within the Scottish Borders

<b>Landscape Designations</b>	<b>Area (ha)</b>
Eildon and Leaderfoot NSA	3877
Upper Tweeddale NSA	12770
Tweedsmuir Uplands	53569
Tweed Valley	10959
Tweed, Ettrick and Yarrow Confluences	11994
Tweed Lowlands	6819
Teviot Valleys	15693
Lammermuir Hills	25057
Berwickshire Coast	4469
Cheviot Foothills	18603
Pentland Hills	5950

Source: Scottish Borders Council

As part of the LDP, the Council undertook a recent review of the former 6 Areas of Great Landscape Value (AGLV's), as the designations of these dated back to the 1960's and has little written justification. The AGLV's were replaced with Special Landscape Areas (SLA's) and an accompanying SPG was produced, with background documents, setting out a concise and reasoned methodology as to how these designations were set.

There is a wide range of planning applications which can be submitted within these landscape designated areas, ranging from minor household works to wind farm proposals. Consequently, the range of proposals can cover several policy criteria tests and are therefore decisions not solely limited to landscaping issues. Even although a proposal may be within a designated area that does not automatically prevent development taking place, although this often requires closer scrutiny of proposals with amendments to plans often being required. The approval of the crematorium within the Eildon and Leaderfoot NSA is an example of this. In practice, it is considered that policies EP4 and EP5 are quite clear and concise and allow sufficient safeguarding of the landscape and it is not considered they require amending. The recent review of the AGLV's, being replaced with SLA's, has ensured that the local landscape designations within the Scottish Borders are backed up with concise and reasoned methodologies, as to how these designations were set.

The 'Feasibility Study for a proposed Scottish Borders National Park' commissioned by a local campaign group has been submitted to the Council for consideration along with their Position Statement issued in September 2017. The study includes setting out the background to National Parks in Scotland, the challenges and needs of the southern Borders, it seeks to identify the special qualities that would meet the qualifying criteria for the proposed designation and sets out a number of boundary options. The Main Issues Report is considered an appropriate vehicle to seek public opinion on a National Park. The designation of a National Park is ultimately a matter for Scottish Ministers following an assessment and recommendation by Scottish Natural Heritage. Whilst the support of the Council for such a proposal would be a material consideration for Scottish Ministers it is unlikely to be the key determining factor in their final decision.

As part of the Finalised Local Plan, the Council identified a core area which would benefit from Countryside Around Towns (CAT) policy. This identified areas located in the Central Borders which stretches from Galashiels to St Boswells. The aim of the CAT policy is to identify and conserve areas of undeveloped land between settlements to prevent coalescence from occurring and promoting landscape enhancements within the identified areas. The policy designation was identified through a detailed survey of the area investigating the value of four key issues: landscape, biodiversity, historical features and accessibility. The core area scores highly in all categories, highlighting the need to provide further protection for the area and also to initiate a strategy that provides opportunities for enhancements.

The CAT policy aims to ensure that the identified CAT area and the high quality living environment it provides is protected. The policy aims to prevent piecemeal development, which would detract from the area's environment, and to avoid coalescence of settlements, thereby retaining

their individual identity. There is also an enhancement element of the policy which requires proposals to consider the maintenance and improvement of the high quality environment, for example through improvements to landscaping, planting or recreational access. This includes grant aid incentive schemes such as Woodland Around Towns and Whole Farm Reviews. The SPG Countryside Around Towns provides additional detail on the implementation of the policy.

As part of the LDP, an additional criteria was included within the CAT policy, *'In the case of new build housing it must be located within the confines of an existing building group as opposed to extending outwith it and it must be shown the high quality environment will be maintained. The definition of a building group is stated within Policy HD2 Housing in the Countryside'*. Prior to this, no additional dwellings were permitted within an existing building group in the CAT area.

In order to ensure the CAT policy achieves its objectives, it is important to monitor its effectiveness in practice. For example, this could involve further assessment of the overall area to see whether the high scores are still achieved within the area and whether the boundary requires adjusting in response to development requirements or loss of high quality. Furthermore, the number of applications for house buildings within existing building groups in the CAT area should be monitored.

#### **7.12.4 Conclusions**

- The Council should continue to safeguard designated landscapes and ensure development will have no adverse impact upon them
- The Council will continue to carry out Strategic Environmental Assessments where required in order to assess the environmental impact on landscapes of plans, programmes and strategies
- The Supplementary Planning Guidance on Countryside Around Towns should be monitored in order to gauge its effectiveness in practice
- The Supplementary Planning Guidance on Local Landscape Designations should be monitored in order to gauge its effectiveness in practice
- Continue to give protection to the woodland resource and to the character and amenity of settlements and the countryside, maintain habitats and provide an important recreational asset
- Consider the possibility of a National Park within the Scottish Borders.

## **7.13 Conservation Areas and Listed Buildings**

### **7.12.1 Policy Context**

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires planning authorities to determine which parts of its areas are of architectural or historic interest and to safeguard them for the enjoyment and benefit of future generations and ensure that any new development should preserve or enhance their varied character. Scottish Planning Policy aims to conserve the historic environment and Historic Environment Scotland (HES) Policy Statement guides the operation of decision making in the Scottish planning system. In addition, the “Managing Change in the Historic Environment” guidance notes explains how to apply the policies contained within the HES Policy Statement. The 1997 Act also allows the Secretary of State to compile or approve lists of buildings of architectural or historic interest and such buildings are afforded statutory protection. Development plan policies should ensure any proposals will have no adverse effect on the character or appearance of any listed building.

### **7.13.2 Local Development Plan Policies**

#### Policy EP7: Listed Buildings

This policy aims to protect listed buildings from works that would spoil their historic and architectural interest. 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 recreation, tourism and education purposes.

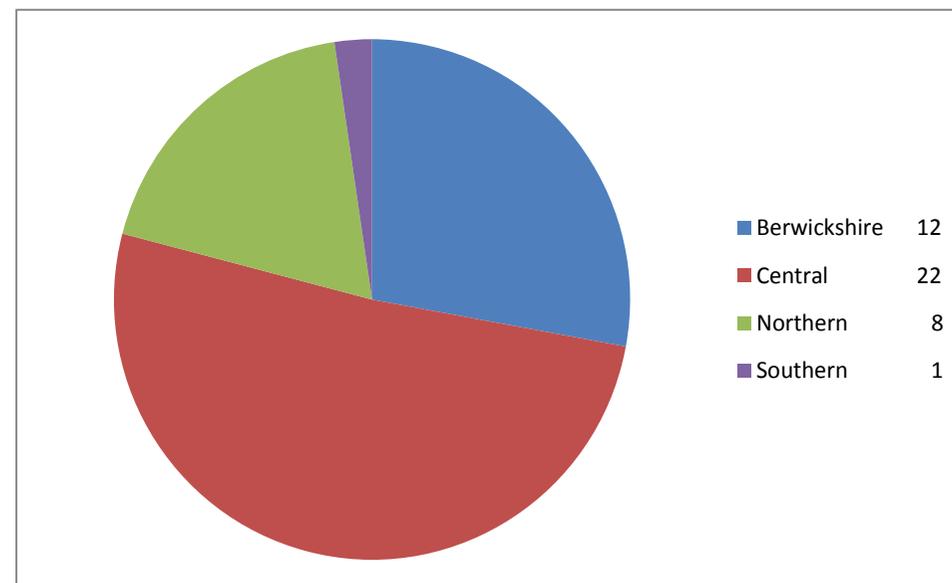
#### Policy EP9: Conservation Areas

This policy aims to preserve or enhance the character or appearance of Conservation Areas. Conservation Areas make a unique and irreplaceable contribution towards the character and quality of the Scottish Borders. The policy also aims to subject applications for demolition to scrutiny such that in cases where the building is of merit, demolition should be the last resort and only considered after all the alternatives have been evaluated, regardless of the quality of the replacement. The current use of the building will be considered and efforts made to seek alternative uses. In the 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.

### 7.13.3 Main Developments and Implementation

To date Scottish Borders Council has designated 43 conservation areas all relating to town and village centres covering a wide range of building designs and townscapes. Figure 33 confirms the location of these listings. Most of these Conservation Areas were first designated in the 1970's and the Town and Country Planning (Scotland) 1997 Act also requires planning authorities to continually review these Areas in order to give consideration to altering them by means of reducing or enlarging them and also to identify and formalise new Areas. Since their first adoption, all Conservation Areas have been reviewed, with 12 Conservation Areas being extended as part of the monitoring process and a further three new Conservation Areas designated - Galashiels, Nisbet and Clintmains. The formal designation process of new and confirmed Conservation Areas was undertaken in 2012.

Figure 33: Conservation Areas in Scottish Borders (2016)



Source: Scottish Borders Council

Recent changes to the planning system in terms of the implementation of 'The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011' came into place on 6<sup>th</sup> February 2012. These changes have resulted in Article 4 Directions being superseded.

Class 2B of the Order states that “Any improvement, addition or other alteration to the external appearance of a dwellinghouse that is not an enlargement” is not permitted development. This includes replacement doors and windows which were the principal elements covered by the range of Article 4 Directions that were established by the Council. With 43 Conservation Areas now designated within the Scottish Borders, the Council continues to receive a high number of planning applications within Conservation Areas.

The number of applications submitted in years - 2013, 2014 and 2015 is set out in figure 34 below. Despite the designation of an additional three Conservation Areas in 2012, the number of applications validated have considerably reduced since the previous Monitoring Report (583 applications in 2007; 504 applications in 2008 and 455 applications in 2009), this is likely to be as a result in the downturn in the economy. Nevertheless, it is noted that the number of applications validated within Conservation Areas are steadily on the increase again. Of those applications approved, a high percentage will have required amendments to plans so as to gain officer support.

Figure 34: Decisions on Applications within Conservation Areas

Status	2013	2014	2015
Validated	293	338	372
Approved	277	296	287
Refused	11	10	8
Appeal Sustained	3 (Local Review Body)	3 (Local Review Body)	2 (Local Review Body)
Appeal Dismissed	4 (Local Review Body)	3 (Local Review Body)	1 (Local Review Body)
<b>Total</b>	<b>558</b>	<b>650</b>	<b>670</b>

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

Within Conservation Areas certain groups of buildings have been identified as being worthy of gaining further protection with regards to replacement windows proposals and are consequently identified as being prime frontage / core areas which in essence ensures planning applications are scrutinised more to ensure the quality of these groups of buildings is safeguarded. This was incorporated into a Supplementary Planning Guidance (SPG) on Replacement Windows and Doors that was updated in 2015 which carries much weight in determining planning applications within these areas.

As a way of assisting with the improvement of some of the Conservation Areas of the Scottish Borders and in particular Selkirk, the Council has secured funding of £1010,000, this includes a contribution of £795,000 from Historic Environment Scotland for Conservation Area Regeneration Scheme (CARS) for the Selkirk Conservation Area. The CARS is a project that aims to restore important and historic parts of the town including buildings and streets. The project is running for a five year period until March 2018. As at June 2016, 46 individual grants supporting 25 building projects have been issued. In respect to the education element of CARS, the scheme has held 80 events covering various topics relating to history and heritage, and skills, repair and maintenance. These have assisted in educating not only homeowners in the importance of maintaining their properties, but also professionals working within the built environment including architects and planners.

In addition, in January 2017 the Jedburgh CARS Steering Group successfully obtained funding of just over £1million for a heritage led regeneration project for Jedburgh town centre. The funding secured includes £866,500 from Historic Environment Scotland and £150,000 from Scottish Borders Council. The scheme will run until March 2022.

An earlier Townscape Heritage Initiative (THI) project was run in Kelso from April 2010 to March 2015 and benefited more than 40 properties in the town. This included eight priority properties from prominent areas of the town of which some were included in the Buildings At Risk Register. The project also provided assistance to the wider streetscape upgrade of the town centre which included improvements to the town square which included the relaying of 12,000 cobbles and improving pedestrian access.

The Scottish Borders has a wide range and considerable number of listed buildings comprising of 3005 in total. Table 35 disaggregates them into each former district areas and lists the category of each. More than half the Scottish Borders listed buildings are category C listed. Reviews are carried out regularly by Historic Environment Scotland which can include removals from the list as well as additions. Often additions are done in bulk when a specific area is chosen for review and consequently the numbers can fluctuate considerably over a period of time.

Figure 35: Listed Buildings in the Scottish Borders (2016)

	A	B	C	Total
<b>Berwickshire</b>	65	394	624	1083
<b>Ettrick &amp; Lauderdale</b>	43	240	332	615
<b>Roxburgh</b>	45	340	424	809
<b>Tweeddale</b>	30	249	219	498
<b>All</b>	183	1223	1599	3005

Source: Scottish Borders Council

Figure 36 confirms the high number of applications for Listed Building Consent that the Department receives. It is noted there are a very small number of refusals for the study period. This is likely to be due to the time officers spend at the provisional enquiry stage and during the application processing period with officers seeking amendments to proposals where necessary which can ultimately allow the plans to be supported. Like the number of applications within conservation areas, it is also evident that the number of applications for Listed Building Consent has also reduced in number from the time the previous Monitoring Report undertaken (the number of applications validated in 2007 was 182, in 2008 it was 167 and in 2009 it was 174).

Figure 36: Decision on Applications for Listed Building Consent (2013 to 2015)

Status	2013	2014	2015
Validated	109	113	136
Approved	123	102	128
Refused	0	0	3
Appeal Sustained	0	0	0
Appeal Dismissed	0	0	0
<b>Total</b>	<b>232</b>	<b>215</b>	<b>267</b>

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

One of the most common types of application submitted for Listed Buildings is in respect of replacement windows. Inappropriate windows can have a dramatic detrimental impact on the townscape and individual buildings. The current SPG on Replacement Windows and Doors was approved in 2015 following the findings of the review of the Development Plan Working Group in 2014/2015. The updated policy now seeks for the material, glazing and method of opening to be retained on category A and B Listed Buildings. Whilst within category C Listed Buildings, the repair of components on a like for like basis is preferable to the replacement of a whole unit however; in all Listed Buildings the introduction of double glazing may be acceptable. Also, in relation to category C Listed Buildings, in specific and justified circumstances it may be acceptable for replacement windows to be made from uPVC.

At the time of writing, it is noted that Historic Environment Scotland undertook a consultation on the Managing Change in the Historic Environment: Windows, that consultation closed in April 2017. In that respect, it may be necessary to consider the contents of the Council's current

SPG on Replacement Windows and Doors.

As there are a high number of listed buildings and conservation areas in the Scottish Borders the Council processes many applications for these types. Small scale yet attractive enhancement schemes in conservation areas include the Market Place in Galashiels. In addition, some works have also been undertaken on the category C listed 'Victoria Buildings' along Channel Street/High Street. Whilst also in Peebles, the prominent category B listed Veitch's building, that sits on the corner of the High Street and the Northgate has also been brought back into use following sitting vacant in excess of eight years.

The successful Scottish Borders Design Award Scheme was run again in 2016. This saw 'The Wave' at Kirkton Manor winner in the best residential new build category, with 'Little Lindisfarne' (Hawick) and 'The Maple Tree House' (Melrose) also commended in that category. Within the works to an existing building category, the winner was 'Blakeburn' at Wester Housebyres, Melrose, whilst also in that category 'Born in the Borders' (Lanton) received a commendation. 'Leet Haugh' in Coldstream was also declared the winner of the placemaking award with 'Old School Place' (Lauder) receiving a commendation in that category also. In the commercial new build category the new sports complex at Peebles High School was the winner. For the special award for conservation and design, the winner was 'Marchmont House' near Polwarth

The Buildings at Risk Register has been in operation in Scotland since 1990 in response to a concern at the growing number of listed buildings and buildings in Conservation Areas that were vacant and had fallen into a state of disrepair. The Register is currently maintained by Historic Environment Scotland, and provides information on properties of architectural or historic merit throughout the country that are considered to be at risk. The current number of buildings at risk in the Scottish Borders is now 173, including 21 at category 'A'. The Buildings at Risk Register notes that at present there are 11 properties categorised as 'Restoration in Progress'.

The BAR principle is in accordance with the SEA requirement to re-use or conserve vacant / derelict buildings. Figure 37 below confirms the number of Buildings at Risk in the Scottish Borders.

Figure 37: Number of Buildings at Risk (2016)

Scottish Borders Buildings at Risk	Number
Berwickshire	60
Ettrick and Lauderdale	33
Roxburgh	62
Tweeddale	18
Total	173

Source: Historic Environment Scotland (11 May 2016)

Vacant buildings that are important Listed Buildings particularly within our communities can be a concern. When vacant these buildings are vulnerable, and finding new uses buildings is paramount to ensuring their survival and long term retention. It has become apparent that these buildings which are often also on the Buildings at Risk Register, may require additional assistance to ensure their restoration, conversion and retention. An example in recent years is Caerlee Mill, Innerleithen where the Council assisted by commissioning studies to assist in securing the long term retention of the mill, although it is noted at present that a new use has yet to be found for the site. However, it was concluded that an element of enabling development would be required to secure the retention of the building. Likewise, former Kelso High School site currently in the ownership of the Council is a similar example. In that instance the Council also commissioned studies to determine the significance of various elements of the building and to assist in how the conversion and development of the site may take place.

The SEA objective to respect the pattern, form and landscape of historic settlements is met by Local Development Plan *Policy PMD2: Quality Standards* which requires that all new development is compatible with, and respects the character of the surrounding area, neighbouring uses, and neighbouring built form. Further detail as to how this policy requirement can be implemented is provided in the Supplementary Planning Guidance (SPG) on Placemaking and Design. This document specifically addresses the issue of settlement pattern form and landscape through its policy and

guidance. The overarching policy statement requires any development proposals to demonstrate how the applicant has addressed the following criteria:

*Wider area:*

- Landscape Character
- Views
- Settlement pattern
- Infrastructure

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

#### **7.13.4 Conclusions**

- The Council will continue to review Conservation Area boundaries, prime frontage/core areas and the effectiveness of built heritage policy
- The Council will continue to run the Scottish Borders Design Award Scheme
- The Council will seek to encourage grant schemes to enhance and safeguard the built heritage.

## **7.14 Archaeology**

### **7.14.1 Policy Context**

The SPP sets out the national planning policy for the historic environment and indicates how the planning system will contribute towards the delivery of Scottish Ministers requirements as set out in the Historic Environment Scotland (HES) Policy Statement and the Managing Change in Historic Environment Guidance Notes. These documents seek to conserve the Historic Environment. They outline national policy on the historic environment which local authorities should consider in formulating and assessing development proposals, explain how the protection of the historic environment and the promotion of opportunities for change can contribute to sustainable development. They also identify a range of planning actions designed to achieve conservation objectives, including implications to development plans and development management. Planning Advice Note (PAN) 2/2011: Planning and Archaeology also sits alongside the aforementioned documents, and assists in informing the day-to-day work of a range of local authority advisory services in the handling of archaeological matters within the planning process

### **7.14.2 Local Development Plan Policies**

#### Policy EP8: Archaeology

This policy aims to give Scheduled Monuments and any other archaeological or historic asset including battlefields or landscapes, strong protection from any potentially damaging development. Archaeological assets and historic buildings represent an irreplaceable part of the Scottish Borders heritage and environment. In addition to their inherent historical importance, they are of great interest and value for educational, recreational and tourism purposes.

### **7.14.3 Main Developments and Implementation**

The Scottish Borders has a rich built heritage and has 20,592 historic buildings and archaeological sites of national, regional or local importance. The Council maintains and continually updates the Historic Environment Record through which these are reviewed on a regular basis. 736 of these are Scheduled Monuments. Policy EP8 lays down the criteria test to evaluate proposals which may affect designated and undesignated historic environment assets and their settings. In processing applications the Council works closely with applicants where proposals may cause conflict with an asset or its setting, or where it is deemed there is potential for an area to contain unrecorded archaeological remains. There appears little doubt applicants/developers are now more aware of the importance of historic environment assets and the procedures to be followed and are consequently more agreeable to work with the Council in satisfactorily safeguarding and recording any heritage feature. For any site that may have

a historic or archaeological interest the Council can attach a range of conditions which can require the applicant to carry out operations to ensure the proposal will either have no adverse affect, or successfully mitigate impacts by design or specialist recording. Attaching such conditions to planning approvals is now common practice and this has proven to cause few insurmountable difficulties in such sites being developed. Consequently it is contended policy EP8 operates well in practice.

Although the Council tries to reach compromises with applicants where possible, in some instances historic sites have been of such a high status and interest that it has been impractical to allow new development on the site. Consequently some applications are refused, either in whole or in part, on archaeological grounds. Such cases are uncommon but recent examples of this include a wind farm application at Whitton Edge which was refused on the basis of impacts to the settings of Scheduled Monuments and the overall setting impact on an area of historic landscape. In the majority of cases where mitigation conditions for potential direct impacts are made, the results have not impeded development, and several have contributed positively to our understanding of the historic environment. The expansion of a quarry on Soutra Hill led to the excavation of a Bronze Age burial cairn, site of a timber circle or henge and the identification of previously unknown prehistoric cultivation remains. The construction of an access track for the Fallago Wind Farm enabled the excavation of a rare early medieval Anglo-Saxon farmstead. A consented development of a building plot in the centre of Jedburgh was preceded by evaluation and excavation of a probable medieval building. The expense of fully excavating the structure to mitigate its loss ultimately led to a redesign of the development to exclude the archaeological features and leave them in situ as per SPP.

#### **7.14.4 Conclusions**

- The Council will continue to safeguard protected Historic Environment sites and buildings and ensure development proposals do not have an adverse impact on them
- The Council will continue to help review the Historic Environment sites and buildings as an ongoing process and will seek the views of Historic Environment Scotland where appropriate
- The Council will continue to maintain, update and interpret its Historic Environment Record for the purposes of providing effective advice on potential impacts through planning.

## **7.15 Gardens and Designed Landscapes**

### **7.15.1 Policy Context**

Scottish Planning Policy states that planning authorities should protect and where appropriate, seek to enhance gardens and designed landscapes included in the Inventory of Gardens and Designed Landscapes and designed landscapes of regional and local importance.

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

The HES Policy Statement also notes that there are also many gardens and designed landscapes that do not meet the criteria set for national importance but nevertheless make an important contribution to the local historic environment and landscape character of the area. Therefore, planning authorities are encouraged to develop policies within their development plans for the identification and future management of such non-inventory sites.

### **7.15.2 Local Development Plan Policies**

#### Policy EP10: Gardens and Designed Landscapes

This policy aims to protect the character of Gardens and Designed Landscapes from development that would adversely affect their special character. At the same time, the policy recognises that development can sometimes be accommodated within or adjacent to these areas provided it is carefully sited and sensitively designed. Gardens and Designed landscapes are a historically important element of the Scottish Borders landscape. In addition they may also provide landscape settings for important buildings, be architecturally or artistically important in themselves, and/or have horticultural, silvicultural and ecological value.

### **7.15.3 Main Developments and Implementation**

Currently within the Scottish Borders there are 33 sites identified in the Inventory of Gardens and Designed Landscapes within the Scottish Borders. However, it is also recognised that there are many other gardens and designed landscapes within the Scottish Borders that are not included in the Inventory.

In November 2005, The Scottish Borders Woodland Strategy was formally approved as a Structure Plan Alteration. In continuation of the Strategy, Scottish Borders Council is implementing a series of key tasks and policies identified with an emphasis on achieving practical results with the overall intention of maximising the uses and benefits of the Borders trees, woodlands and forests. In 2012, the Council produced a Technical Advice Note for the Woodland Strategy. The Advice note provides guidance as well as a description of the types of woodland and forest that the Woodland Strategy seeks to encourage, and the issues that need to be addressed when proposing planting schemes. In addition, another project undertaken was the Borders Designed Landscape Study which commenced in December 2006 and was undertaken by Peter McGowan Associates (landscape architects and heritage management consultants) with Christopher Dingwall (garden historian). The aim of the study was to review the extent and quality of designed landscapes in the Scottish Borders including both nationally designated and other areas, and investigate ways to promote positive management and where applicable restoration of these of these areas. The Study also identified recognisable designed landscapes of regional and local importance. A total of 184 sites were identified within the Study and these sites are now included within the Council's Historic Environment Records.

#### **7.15.4 Conclusions**

- The Council will continue to safeguard Inventory listed and non-inventory listed Gardens and Designed Landscapes and ensure development will have no adverse impact on them.

## **7.16 Green Networks and Greenspaces**

### **7.16.1 Policy Context**

The Scottish Planning Policy (SPP) sets out the national policy on the Natural Environment. The Government is committed to the protection, enhancement and promotion of green networks as an integral component of successful placemaking. Green infrastructure and improved access to greenspace can assist in building stronger and healthier communities as well as being an essential part of our environmental performance and climate resilience.

### **7.16.2 Local Development Plan Policies**

The policies in the Local Development Plan related to greenspace and green networks include:

#### Policy EP11: Protection of Greenspace

The aim of the policy is to protection to a wide range of defined types of greenspace (also known as open space) within settlements and to prevent their piecemeal loss to development. The policy also aims to protect and safeguard the most important spaces within settlements. The greenspaces covered by this policy are based on the typology contained in the Scottish Government's Planning Advice Note (PAN) 65.

#### Policy EP12: Green Networks

The aim of the policy is to promote and support developments that enhance Green Networks. The policy also aims to protect existing Green Networks and avoid where possible their fragmentation. It is recognised however, that while the Local Development Plan (LDP) identifies a series of green networks, it should be noted that there are numerous other local green networks throughout the Scottish Borders which are also covered by this policy.

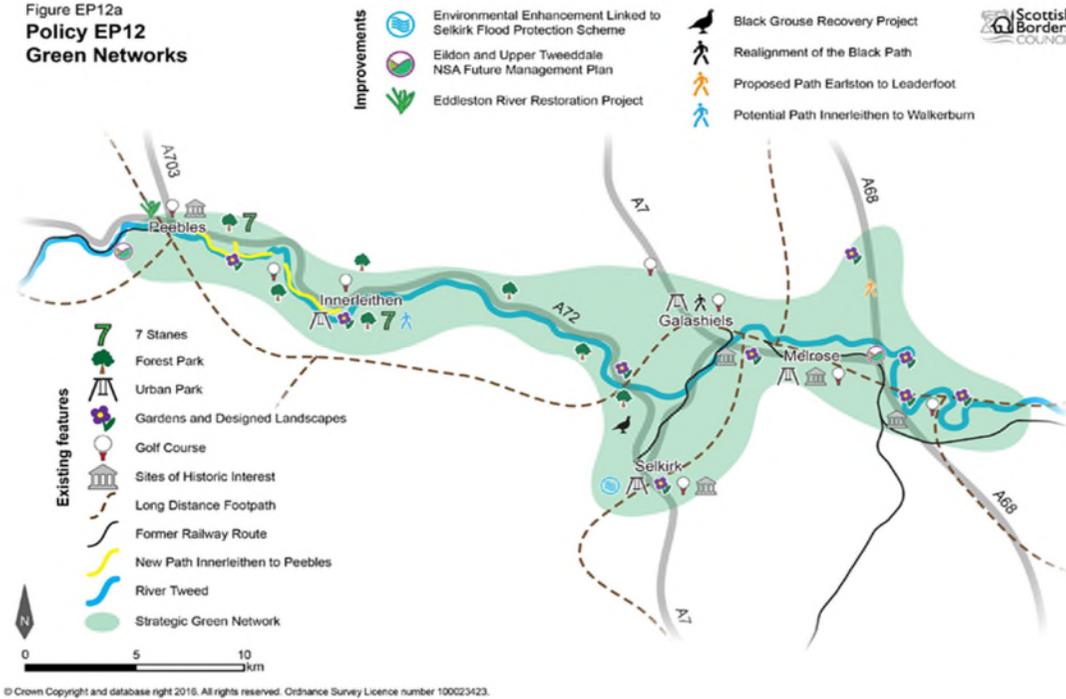
### **7.16.3 Main Developments and Implementations**

The Scottish Borders benefits from a rich and attractive natural environment, with green networks and key greenspaces playing a key role in successful placemaking. The current Adopted LDP (2016) identifies a series of green networks and green spaces, and it is noted that these areas are of local importance. These are shown below in Figure 38.

Currently the LDP identifies a Strategic Green Network, this green network is made up of various components that attract and encourage participation from the greatest number of people. It is focused on an area that assists the greatest in supporting sustainable economic growth, tourism, recreation, the creation of an environment that promotes a healthier-living lifestyle, and the protection and enhancement of biodiversity, and has the potential to improve water quality, promote flood protection and reduce pollution.

The Strategic Green Network runs from Peebles to Clovenfords and then connects with Galashiels, up to Earlston, to St Boswells and also takes in the area around Selkirk. The proposed strategic green network will encourage and promote improvements in the environmental quality of the areas identified. The strategic green network works alongside and enhances the Development Strategy contained within the SESplan.

Figure 38: Scottish Borders Strategic Green Network



Source: Scottish Borders Council Local Development Plan 2016

The LDP also identifies networks in and around the towns of Duns, Eyemouth, Hawick, Jedburgh, Kelso and Lauder. It is considered that in line with the development strategy these key networks identified provide the opportunity for the enhancement of biodiversity, quality of life, and sense of place of each of these settlements; as well as assisting to support sustainable economic growth, tourism, recreation, the creation of an environment that promotes a healthier-living lifestyle, and the protection and enhancement of biodiversity, and have the potential to improve water quality, promote flood protection and reduce pollution.

The former railway lines represent a network of over 175 miles of former track-bed which links many of the larger towns, and as such offers considerable potential for alternative uses mainly walking and cycling. The LDP safeguards these routes also as they have the potential to be used for walking, cycling, and recreation.

The LDP also identifies a number of Key Greenspaces. The aim in the identification of these greenspaces is to protect and safeguard the most important spaces within settlements. The current LDP identifies 176 Key Greenspaces within settlements in the Scottish Borders.

To assist in the enhancement of the Scottish Borders Green Network, the Council in partnership with Forest Enterprise Scotland produced the Glentress Masterplan. That document was approved as Supplementary Guidance. The purpose of the Glentress Masterplan is to guide the future sustainable development of the Glentress forest visitor attraction located in the Tweed valley between Peebles and Innerleithen. The Masterplan presents a strategic context for this part of the valley and sets out proposals for development to enhance the visitor attraction. The Masterplan includes indicative proposals for an enhanced centre, a new site for cabins and parking.

In 2009, the Council approved a Supplementary Planning Guidance (SPG) on Green Space. That document also contained a Green Space Strategy. The aim of the Green Space Strategy is to set out what the Council aims to do in conjunction with its partners to ensure the protection of greenspaces, sustainable provision, management and maintenance to meet the needs of existing and new communities as well as visitors to the Borders. It is the intention of the Council to review the current SPG on Greenspace.

#### **7.16.4 Conclusions**

- The Council will continue to protect Key Greenspaces from development that will result in their loss
- The Council will review its Supplementary Planning Guidance on Greenspaces
- The Council will seek to encourage developments that protect, promote and enhance the Green Network
- The Council will produce Supplementary Guidance on Green Networks to assist in their protection and promotion

- The Council will monitor the success of the Green Network through the implementation of different initiatives through monitoring of planning application approvals within the Green Network.

## Infrastructure and Standards (IS)

### 7.17 Developer Contributions

#### 7.17.1 Policy Context

Circular 3/2012: Planning Obligations and Good Neighbour Agreements, sets out the circumstances in which planning obligations can be used and how they can be concluded effectively. The Waverley Railway (Scotland) Act 2006 allows financial contributions from certain residential developments towards the Waverley line re-instatement. Supplementary Planning Guidance was prepared by Scottish Borders Council in relation to Developer Contributions (2011) and Affordable Housing (2011). The Appendices contained within the Developer Contributions SPG (2011) are updated annually to reflect indexation of contributions. Section 69 and 75 Legal Agreements as laid down in the Local Government (Scotland) Act 1973 and the Town and Country Planning (Scotland) Act 1997 (as amended by The Planning etc. (Scotland) Act 2006), respectively are mechanisms for ensuring and collating such payments.

#### 7.17.2 Local Plan Policies

The main Local Development Plan policies relating to developer contributions are:

##### Policy IS2: Developer Contributions

The policy seeks to ensure that by means of either a Section 69 or 75 Legal Agreement, the quality of services and facilities is not compromised by new developments. When practical, it aims to ensure that any deficiencies in infrastructure and services or to environmental impacts, any or all of which will be created or exacerbated as a result of the development, are absorbed by the land owner or developer.

##### Policy IS3: Developer Contributions related to the Borers Railway

This policy seeks developer contributions towards the cost of re-instating the Waverley Railway Line in postcode sectors where new housing development is considered to benefit from, or be enhanced by, the Waverley Rail Link

#### 7.17.3 Main Developments and Implementation

New development can have a positive effect on the Scottish Borders, providing new homes, job opportunities and economic investment. However, development can place additional pressures and deficiencies on existing infrastructure and services within the area, including: schools, roads,

community facilities and the local environment. The Council seeks to ensure that new development takes place in locations and at times where it can be adequately serviced. Where new development proposals place a burden on existing infrastructure, services or the environment, developer contributions can be used to seek to improve these through other funding mechanisms, where necessary. Where a site is otherwise acceptable in terms of planning policy but cannot proceed due to deficiencies in infrastructure and services or to environmental impacts, any or all of which will be created or exacerbated as a result of the development, the Council will require developers to make a full or partial contribution towards the cost of addressing such deficiencies. Policy IS2, as contained within the LDP sets out instances where such contributions could be considered and the Developer Contributions SPG (2011) sets out further details.

It is common practice for planning applications to be approved with development contributions being made either by Section 69 or 75 Legal Agreements. These most commonly relate to affordable housing, the Waverley line re-instatement, play areas and education provision. Affordable housing generally requires an on-site provision of 25% or an off-site commuted sum, where considered appropriate. The Waverley line payment requirement generally covers the Central Borders, Northern Ettrick and Lauderdale. Education provision relates towards new school provision or extensions to existing schools, where they are unable to accommodate proposed role demand from projected residential proposals within the catchment area. There may be instances throughout the course of the Local Development Plan, where additional contributions are sought for specific pieces of work or projects.

Section 69 Legal Agreements require the applicant to make full settlement of any identified contributions prior to the release of planning consent and the commencement of the proposed development. Section 75 Legal Agreements allow the contribution settlement to be deferred to a mutually agreeable point in the future (e.g) upon completion, habitation or sale of houses. The contributions can therefore be settled once cash-flow is released from the proposed project or borrowing capacity is achieved.

It should be noted that currently affordable housing policy compliant proposals are exempt from all contribution requirements, with the exception of play facility commuted sums. The Council currently monitors the annual overall completion rate for housing within the Scottish Borders through the Housing Land Audit process, which programmes the likely year of completion for developments.

Whilst the need for developer contributions continues to affect the planning application processing period, this is a fundamental part of the process and procedures continue to be reviewed to give clarity to developers on their likely contribution requirements and efforts made to speed up the process. The requirement for specific developer contributions is often challenged by applicants. This has happened more often recently largely due to the economic downturn, where applicants have concerns that as development margins are less, proposals are less viable. As a consequence, developers feel that contributions should be reduced for certain proposals or removed completely until the economy recovers.

#### **7.17.4 Conclusions**

- The Council should continue to request developer contributions, as part of the development management process where appropriate, ensuring that a contribution is never used as a reason to approve a proposal, which is contrary to planning policy and is unacceptable on planning grounds
- The Council should continue to review its developer contribution costs (including annual indexation) and affordable housing on-site percentage requirements across the Scottish Borders
- The Council should continue to ensure development contributions are considered to be reasonable and fully justified
- The Council should seek to monitor the annual completion of affordable units, as part of the Housing Land Audit process.

## **7.18 Flooding**

### **7.18.1 Policy Context**

National policy on flooding is contained within Scottish Planning Policy (SPP), which encourages a precautionary approach to flood risk, taking account of the predicted effects of climate change. SPP states the planning system should prevent development which would have a significant probability of being affected by flooding or would increase the probability of flooding elsewhere. Piecemeal reduction of the functional floodplain should be avoided given the cumulative effects of reducing storage capacity.

The Flood Risk Management (Scotland) Act 2009 sets in place a statutory framework for delivering a sustainable and risk-based approach to managing flooding. This includes the preparation of assessments of the likelihood and impacts of flooding, and catchment focused plans to address these impacts. The new Act introduces a new approach to managing flooding in Scotland. Its overall aim is to reduce the negative effects of all sources of flooding on human health, economic activity, the environment and cultural heritage. It builds upon the existing functions of public bodies by ensuring that functions are properly co-ordinated and lead to a joined-up and sustainable approach to managing the impact of flooding.

In 2016, the Local Flood Risk Management Plans (LFRMP) were published and set out the duties which Local Authorities need to take forward within Flood Risk Management (2016-2022). There are fourteen Local Plan Districts across Scotland which must be taken into account when development plans are prepared. Scottish Borders Council is the Lead Local Authority for the Tweed Local Flood Risk Management Plan.

### **7.18.2 Local Development Plan Policies**

The main Local Development Plan policies relating to flooding are:

#### Policy IS8: Flooding

This policy discourages development from taking place in areas which are, or may become, subject to flood risk. Where some level of risk may be acceptable, it also provides for development to be designed such as to minimise it. The policy also provides guidance to developers on the information that will be required in support of a development proposal which may be at risk of flooding.

#### Policy IS9: Waste Water Treatment Standards and Sustainable Urban Drainage

The aim of the policy is to address the pollution and flooding problems that stem from the direct discharge of surface water into watercourses

### Policy EP15: Development Affecting the Water Environment

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

#### **7.18.3 Main Developments and Implementation**

Flood risk is a major consideration in the allocation of land for development through the Local Development Plan and Development Management process. Several towns in the Scottish Borders are located within areas where there are flooding issues. As required by policy IS8 any development subject to flood risk requires a competent Flood Risk Assessment and a report of the measures that are proposed to mitigate the flood risk. Scottish Environment Protection Agency (SEPA) have produced updated flood maps which identify areas that are estimated to be at risk of river, surface water or coastal flooding.

The Council's role is to carry out assessments of watercourses where there are developed areas that are likely to be affected by floods. The Council is also responsible for 12 existing flood prevention schemes with the Selkirk Flood Protection Scheme recently completed and the Hawick Flood Protection Scheme at detailed design stage. Within the Flood Risk Management Plans and Strategies, three areas are scheduled to have flood alleviation preliminary work in the form of a formal flood study to be undertaken within the 2016-2022 cycle, with a coastal study being developed for another area. Formal flood studies are programmed to be undertaken for a further two settlements within the 2022-28 cycle. Figure 39 confirms the location of these works.

Figure 39: Flood prevention and alleviation works within settlements

Settlement	SBC Flood Prevention Schemes	Flood Studies to be undertaken
Bonchester Bridge		✓ (2022-2028)
Denholm	✓	
Earlston	✓	✓
Eyemouth		✓
Hawick*	✓	
Galashiels	✓	
Innerleithen	✓	
Jedburgh	✓	✓ (2022 – 2028)
Lauder	✓	
Newcastleton		✓
Peebles	✓	
Peebles, Innerleithen & Broughton		✓
Selkirk**	✓	

Source: Scottish Borders Council, \*At detailed design stage, \*\* Completed 2016

The main source of flood risk in the Borders is from rivers and surface water flooding after intense rainfall. There is also a risk of Coastal flooding within the Borders.

When planning applications are submitted for areas of land considered being at risk of flooding, the comments of SEPA and the Council's Flood and Coastal Management team are sought. Once issues are identified a Flood Risk Assessment (FRA) is often requested and in some instances mitigation measures can be investigated. Many proposals cannot satisfactorily resolve potential flooding issues and therefore such plans cannot be supported.

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

During the preparation of the Local Development Plan many sites were considered and went through a full site assessment process. Flooding is identified as a major constraint and if a site being considered for allocation within the Plan is within a 1:200 year flood risk or greater, where appropriate mitigation measures are not possible, then it is excluded from further consideration.

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

SEPA have finalised a statement setting out their position in relation to 'Development behind Flood Protection Schemes'. This requires further discussion and will be taken into consideration when identifying potential allocations in settlements where there are Flood Protection Schemes in place. SEPA will be consulted throughout the Local Development Plan process and their comments will be incorporated into the Plan accordingly.

#### **7.18.4 Conclusion**

- The Council should continue to pay due regard to Scottish Planning Policy and consult SEPA and the Council's Flood Risk Engineer on proposals which may have flood risk issues.

## **7.19 Transport**

### **7.19.1 Policy Context**

SPP states that development plans should take account of the relationship between land use and transport and particularly the capacity of the existing transport network, environmental and operational constraints, and proposed or committed transport projects. Plans should identify active travel networks and promote opportunities for travel by more sustainable modes in the following order; walking, cycling, public transport and cars.

A Local Transport Strategy was adopted by the Council in 2008 and a replacement draft Local Access and Transport Strategy was published in 2015 for public consultation. The proposals within these documents work in tandem with the Local Plan policies.

SPP outlined that Development Plans should identify any required new transport infrastructure or public transport services, including cycle and pedestrian routes, trunk road and rail infrastructure. Plans and associated documents such as Supplementary Guidance and the Action Programme, should indicate how new infrastructure or services are to be delivered and phased, and how and by whom any developer contribution will be made. Disused railway lines with a reasonable prospect of being reused as rail, tram, bus rapid transit or active travel routes should be safeguarded in Development Plans.

Appropriate street layout and design are also key to achieving the policy principles set out in SPP. The design of all new development should follow the placemaking approach set out within SPP and the principles of Designing Streets, to ensure the creation of places which are distinctive, welcoming, adaptable, resource efficient, safe and pleasant and encourage easy movement around and beyond. SPP sets out the national maximum parking standards for certain types and scales of development in order to promote consistency. Where an area is served by sustainable transport modes, planning authorities may set more restrictive standards, and where public transport provision is limited, planning authorities may set less restrictive standards.

### **7.19.2 Local Plan Policies**

#### Policy IS1: Public Infrastructure and Local Service Provision

The aim of the policy is to prevent any development that would adversely affect future public infrastructure and local service provision.

#### Policy IS4: Transport Development and Infrastructure

The aim of the policy is to promote the most sustainable means of travel, giving priority to walking and cycling for local journeys, and to public transport in preference to travel by car. The spatial strategy is underpinned by a transportation network, which requires improvements to roads and railways in order to support and enable future development.

#### Policy IS5: Protection of Access Routes

The aim of the policy is to protect all existing access routes in accordance with the Land Reform (Scotland) Act 2003 and the Countryside (Scotland) Act 1967. Together these Acts place a duty on local authorities to assert, protect and keep open and free from obstruction, any route, waterway or other means whereby access rights may reasonably be exercised including most open land and rights of way.

#### Policy IS6: Road Adoption Standards

The aim of the policy is to ensure that, on non-Trunk Roads, footpaths and cycleways, developments must be provided and constructed in accordance with the Council's adopted standards to secure Roads Construction Consent, with the exception of development which can be served by a private access.

#### Policy IS7: Parking Provision and Standards

The policy aims to ensure that development proposals make suitable provision for car and cycle parking.

### **7.19.3 Main Developments and Implementation**

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

#### 1. Road Network

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

- A68 – Edinburgh – Jedburgh – Carter Bar
- A7 – Galashiels – Carlisle
- A1 Edinburgh – Berwick-Upon-Tweed
- A6091 – Galashiels – Newtown St Boswells
- A702 – Edinburgh – Biggar

There are also a number of other strategic routes in the area which are operated and maintained by Scottish Borders Council:

- A7 – Edinburgh – Galashiels
- A72 – Biggar – Peebles – Galashiels
- A697 – Carfraemill – Coldstream – Morpeth
- A6105 – Earlston – Berwick-Upon-Tweed
- A698 – Hawick – Kelso – Coldstream – Berwick-Upon-Tweed
- A699 – Selkirk – St Boswells – Kelso
- A703 – Peebles - Leadburn

## 2. Rail Services

The Borders Rail Project became operational in September 2015, with rail services now running on the old Waverley Line from Edinburgh to Tweedbank. In addition, the eastern Borders can access the East Coast Main Line at Dunbar and Berwick-Upon-Tweed. Scottish Borders Council along with East Lothian Council and SEStran are currently working with the Scottish Government and Network Rail to help deliver a new station facility at Reston and are actively seeking to extend the Borders Railway to Hawick and Carlisle.

## 3. Bus Services

Bus services are an essential part of the Council's transport strategy. There is a strategic network of bus services that run between the majority of the main towns and villages in the Scottish Borders. The majority of these services are provided with private bus companies, although most routes operate with subsidies provided by Scottish Borders Council.

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

### Major Transport Projects

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

- The completion of the Borders Rail Line between Edinburgh and Tweedbank;
- The first stage of the Borders Transport Corridors Study was completed, including initial appraisal work for a potential extension of the Borders Rail Project to Hawick and potentially Carlisle in the future (Draft report published March 2018);
- The potential delivery of a new railway station at Reston on the East Coast Main Line (ongoing);
- Lobbying for strategic improvements to road infrastructure such as the complete dualling of the A1 between Edinburgh and the Border (ongoing);
- The Delivery of an A7 Selkirk Bypass (ongoing);
- Potential improvements to the existing trunk road network throughout the Scottish Borders;
- Improvements to the local road network including routes such as the A703, A72, A6105 and A697;
- A potential new vehicular bridge for Peebles;
- Potential new road configuration at Tweedbank which may include the provision of a new road bridge at Lowood;
- Improved cross-boundary links to Edinburgh, Newcastle and possibly Carlisle Airports which would help ensure that the area is well connected to the UK and other work markets and would also help to encourage business and employment in the Scottish Borders;
- Working with partners to deliver improved linkages to ports such as Rosyth, Newcastle and Stranraer/Cairnryan;
- The potential to develop Eyemouth in terms of off-shore renewables and as a port destination for leisure craft.

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

### Method of travel

The SEA baseline identifies the need to reduce travel and encourage sustainable forms of transport. The National Records of Scotland project a slight increase in population for the Scottish Borders between 2012 and 2027 and then a slight decline and a return to 2012 population levels by

2037. The proportion of pensioners in the Scottish Borders is projected to increase substantially between 2012 and 2037, particularly the proportion of people aged 75 or older which is set to increase by over 95%. There is also projected to be a significant increase in the numbers of people aged 65 to 74. However, the number of people aged under 65 is expected to decrease, with the working age population (16-64) projected to decline by over 13,500 or 20%. This demographic has significant implications on the delivery of services into the future, especially in relation to the provision of care, on our future workforce and on economic development. Transport and increasingly digital connectivity are vital to the future development of the Scottish Borders and a key element of potential economic opportunities is the recent opening of the Borders Railway between Edinburgh and Tweedbank. The focus of the Local Development Plan 2 is to ensure that the right type of development is directed to the right location, with an emphasis on the promotion of public and sustainable transport, although it must be noted that the economic resilience of the Scottish Borders will continue to be dependent on road transportation.

Cycling and walking are the two most sustainable modes of transport due to the environmental impacts being minimal and the Council is continuing to try and provide suitable improvements to walking and cycling infrastructure throughout the Scottish Borders to help, promote a healthier and more active lifestyle. The improvements include more off-road shared access routes and the continuing development of the Council's Core Path Plan and longer distance walking routes.

#### Strategic infrastructure including roads, utilities and services

It is essential that the infrastructure of the Scottish Borders is maintained and expanded in line with development. The low densities of the population in the area make long journeys necessary in order to reach centres with educational, medical, shopping and leisure facilities, with the Scottish Government classifying a third of our area as being remote rural in nature. The area has one of the longest lengths of road in Scotland with approximately 3,000km of adopted routes. There is still a great dependence on the car due to the lack of alternative transport methods in the region. The Borders Railway will, however, reduce this dependency in some areas.

#### **7.19.4 Conclusions**

- The Council should continue to protect existing access routes and promote more sustainable travel patterns including cycle and footpath routes, public transport and the extension of the Borders Railway Line
- The Council should encourage, where possible, the use of low carbon/electric vehicles.

## **7.20 Waste Management**

### **7.20.1 Policy Context**

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

Scottish Planning Policy (SPP) seeks to promote Scotland's zero waste policy and sees planning as playing a vital role in supporting the provision of waste management facilities and infrastructure, recognising waste as a resource and an opportunity, rather than a burden.

SPP encourages Planning Authorities to take into account the aims of the Zero Waste Plan and the waste hierarchy through development plans and development management. It sets out the key policy principles that the planning system should follow in order to meet zero waste targets and help deliver infrastructure at appropriate locations, prioritising developments in line with the waste hierarchy. The goal of Zero Waste means following a 'Waste Hierarchy' (an order of preference) for how we deal with waste i.e. eliminating the unnecessary use of raw materials, then reusing and recycling products with disposal the last option.

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

The Strategic Development Plan (SDP) (June 2013) provides high level strategic guidance. Across the SESplan area, there are a number of recovery and recycling facilities which contribute towards Scotland's ZWP. The SDP identifies Easter Langlee as one of four strategic sites throughout the SESplan area for safeguarding as a waste treatment facility and encourages Local Development Plans to ensure that the function of these operational waste sites is not compromised.

In May 2012 the Scottish Government passed the Waste (Scotland) Regulations which, in addition to the ZWP, aim to increase recycling and reduce waste sent to landfill.

The Council approved an Integrated Waste Management Strategy (IWMS) in December 2013 proposing a number of changes to waste management services. The IWMS provides clear strategic direction for waste management in the Borders through to 2025. It is used to inform decision-making and assist in delivering a waste service that is 'fit for purpose' and both financially and environmentally sustainable in the long term. The IWMS will allow the Council to achieve the requirements of the European Union Directive, ZWP and the Waste (Scotland) Regulations 2012.

## **7.20.2 Local Plan Policies**

### Policy IS10: Waste Management Facilities

The policy states that the Council will support the provision of waste facilities set out within a hierarchy contained within the policy. Proposals that would prejudice the operation of these waste facilities will not normally be supported. Applications for waste facilities that deliver the Council's Waste Plan will be approved, provided that any impacts on local communities and the environment have been properly addressed and are within acceptable limits as demonstrated by appropriate supporting information, taking cognisance of a range of identified matters. The policy was developed in association with Scotland's Zero Waste Plan and the Government's vision for a zero waste society

## **7.20.3 Main Developments and Implementation**

The Council adopted Supplementary Guidance relating to Waste Management in June 2015 which aims to support Policy IS10 and is primarily intended for use by developers, consultants and applicants seeking advice on the incorporation of waste management facilities into new developments.

Policy 14 Waste Management and Disposal within the Strategic Development Plan safeguards Easter Langlee as a site for waste management facilities. The Structure Plan strategy for growth has implications for the management of waste. On 27 August 2015 the Council approved the closure of the Easter Langlee Landfill Site once current developed void expires, and the development of a Waste Transfer Station in its place. This will allow waste to be bulk hauled out of the Scottish Borders for treatment whilst ensuring the Council can comply with the impending landfill bans, which come into effect in January 2021 in line with the Waste (Scotland) Regulation 2012. Works on the new waste transfer station have recently commenced.

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

In 2015 Scottish Borders Council household waste arisings totalled 49,848 tonnes with 37.7% being recycled. Figure 40 shows a more detailed breakdown of figures for the period 2011 to 2015.

Figure 40: Scottish Borders Household Waste (2011 to 2016)

Scottish Borders	Generated (tonnes)	Recycled (tonnes)	Percentage Recycled (%)	Other diversion from landfill (tonnes)	Percentage Other diversion from Landfill (%)	Landfilled (tonnes)	Percentage Landfilled (%)
2016	51,921	20,264	<b>39.0</b>	955	1.8	30,702	59.1
2015	49,848	18,600	<b>37.3</b>	892	1.8	30,355	60.9
2014	49,952	18,345	<b>36.7</b>	940	1.9	30,666	61.4
2013	51,242	21,178	<b>41.3</b>	1,242	2.4	28,821	56.2
2012	52,861	22,648	<b>42.8</b>	773	1.5	29,440	55.7
2011	53,822	24,897	<b>46.3</b>	236	0.4	28,688	53.3

Source: Scottish Environment Protection Agency

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

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

#### 7.20.4 Conclusions

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

## **7.21 Cemetery Provision**

### **7.21.1 Policy Context**

The Local Development Plan 2016 allocated a number of new cemetery sites and cemetery extensions. These sites were first allocated within the Consolidated Local Plan 2011 and then carried forward into the existing plan.

### **7.21.2 Local Development Plan Policies**

There is not currently a policy for cemetery provision within the adopted Local Development Plan 2016.

### **7.21.3 Main Developments and Implementation**

As these allocated sites were identified a number of years ago by the Council's Cemetery section, since that time the processes required to bring forward a new burial ground or an extension to an existing burial ground have altered significantly, namely the Groundwater Protection Policy for Scotland. In addition to planning policy, the stringent requirements that now must be met may render some of the allocated sites as undevelopable for cemetery use. In discussion with relevant officers within the Council it has been agreed that allocated cemetery sites within the LDP should be removed, and replaced with a criteria based policy which will guide the determination of planning applications for both extensions to existing cemeteries and proposed new sites.

### **7.21.4 Conclusions**

- Allocated cemetery sites within the LDP should be removed, and replaced with a criteria based policy which will guide the determination of planning applications for both extensions to existing cemeteries and proposed new sites.

### Part 3: Policy Review

8.1 The Monitoring Statement (MS) has studied specific subject matters, identifying issues to be addressed.

This part of the MS intends to gauge the effectiveness of policies within the Local Development Plan (LDP). For each policy, a summary is made of its apparent effectiveness and any other comments of note, consideration is given as to whether the policy should remain in its current form, whether it should be removed and whether an amendment is required. These findings can be viewed in Figure 41.

Figure 43 has been compiled taking on board the findings of the first part of the MS for each subject matter, feedback from internal and external users of the policies, national policy requirements and any other relevant new material matter. The table makes reference to only material matters to be addressed but does not make reference to more trivial updates required in terms of e.g. grammatical changes, updated background references, cross references to other policies where relevant.

National guidance now seeks to encourage shorter, more concise policies which are considered more user friendly. The MS acknowledges this and this will be addressed within the preparation of the new LDP.

Figure 41: Review of policies within current adopted Local Development Plan 2016

Policy	Comments	Retain in Principle	Merge/ Streamline	Conclusion
<b>Place Making and Design</b>				
PMD1: Sustainability	No issues identified.  The Council's Land Use Strategy pilot scheme makes useful reference to a range of matters regarding rural land including e.g. better land management, improved protection, tourism opportunities, improved land drainage etc.,. The LUS should be considered within the planning application process where relevant.	Yes	-	It is considered that the policy will be substantially retained.  Reference to be made to the Land Use Strategy (LUS) within the introductory policy text.
PMD2: Quality Standards	The policy is quite detailed and is probably the most used policy. It is considered it operates well in practice.	Yes	-	Criteria a) and b) to be reviewed to ensure issues to be addressed fall within the remit of Development Management.

	<p>Changes were made to the policy by the Reporter as part of the Local Development Plan Examination.</p> <p>Policy text needs to be updated in relation to criteria a) and b) in order to ensure issues to be addressed fall within the remit of Development Management as opposed to other sections within the Council e.g Building Control.</p>			
PMD3: Land Use Allocations	No major issues identified.	Yes	-	It is considered that the policy will be substantially retained.
PMD4: Development Outwith Development Boundaries	<p>No issues identified. Mostly used for affordable housing proposals.</p> <p>Within the second criteria, add a further bullet e) which makes reference to the development of the site being capable of achieving a satisfactory access.</p> <p>Introductory text should confirm this policy relates to proposals which are outwith but adjoin a development boundary of a settlement within the LDP. Such proposals would not be judged under policy HD2 – Housing in the Countryside. Reference to policy HD2 should be removed from PMD4 policy criteria test.</p>	Yes	-	<p>Add in an additional bullet point e) within the second criteria to state '<i>is capable of achieving a satisfactory access</i>'.</p> <p>Within the first criteria, bullet a) remove the reference to 'Policy HD2'.</p>
PMD5: Infill Development	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
<b>Economic Development</b>				
ED1: Protection of Business and	It is expected there will be a greater focus in	Yes	-	Amendment to policy site hierarchy and a more flexible

Industrial Land	<p>the future on high quality business developments. Review of policy site hierarchy to support potential for more flexible approach to allow a range of other employment uses. Current policy hierarchy of categorising each site into one of 4no categories (strategic high amenity / strategic business / district / local) must be reviewed. Consideration should be given to further promote suitable complementary uses within business sites. These matters will be confirmed at the proposed Plan stage following further discussion and consideration of public responses to these options as stated within the MIR.</p> <p>Policy text to be amended to accurately refer to potential complementary uses (e.g. part 1a).</p>			<p>approach to allow a range of uses within allocated sites to be further reviewed.</p> <p>Policy text to be amended to accurately refer to potential complementary uses (e.g. part 1a).</p>
ED2: Employment Uses Outwith Business and Industrial Land	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
ED3: Town Centres and Shopping Development	No issues identified. The town of Innerleithen to be added to text in second para of policy.	Yes	-	It is considered that the policy will be substantially retained. The town of Innerleithen to be added to text in second para of policy.
ED4: Core Activity Areas in Town Centres	Current policy allows flexibility of uses in instances where town centres are underperforming. However, with the role of town centres changing policy should again be reviewed. In order to encourage more town centre regeneration consideration of a more flexible approach should be examined to allow further uses within the core activity areas. It is likely a single policy will remain, but it will offer flexibility of uses to be	Yes	-	The MIR suggests a number of options as to how to help the regeneration, vitality and viability of town centres. Feedback from the consultation and further discussion will develop this policy into the new LDP.

	<p>considered taking on board the performance of the town in question at the point of time. Consideration should also be given to reducing the size of designated core activity areas and even removal if justified in an extreme case. Removal of developer contributions in some parts of town centre core activity areas could also be considered, although obviously this must be carefully weighed up against the much needed funding they provide towards required infrastructure / facilities etc.</p> <p>A pilot scheme is currently being operated in Hawick / Galashiels which will test some of these options in practice. On the cessation of the pilot scheme in a years time the conclusions can feed into the preparation of the new LDP, alongwith feedback from the MIR relating to these options. It must be noted that a balance must be reached in that an “anything goes” policy is likely to have longer term detrimental implications on town centre performance as a result of allowing uses which promote limited footfall and limited economic activity.</p>			
ED5: Regeneration	<p>This was a new policy added as part of the Local Development Plan.</p> <p>Policy to be updated to make reference to the Town Centre Regeneration Action Plan and opportunities for external funding.</p> <p>Table and map of regeneration opportunities to be removed as these are now out of date.</p>	Yes	-	<p>Policy to be updated to make reference to the Town Centre Regeneration Action Plan and opportunities for external funding.</p> <p>Table and map of regeneration opportunities to be removed as these are now out of date.</p>

ED6: Digital Connectivity	The promotion of improved digital connectivity remains a priority for the Council and this policy should be retained	Yes	-	It is considered that the policy will be substantially retained.
ED7: Business, Tourism and Leisure Development in the Countryside	<p>Covers a wide range of proposals but no significant issues have been identified.</p> <p>Policy should make reference to the requirement for the inclusion of supporting business and marketing plans.</p> <p>Implications of Brexit may lead to more applications for alternative diversification measures. Consequently policy should give more weight to considerations of the economic benefits of any application to be tested under policy ED7.</p> <p>Cross reference should be made with Woodland Strategy and Policy IS1 – Protection of Existing Businesses.</p>	Yes	-	<p>Policy should confirm a requirement for the inclusion of business and marketing plans to be submitted in support of any relevant planning application.</p> <p>Policy should give more weight to the consideration of the economic benefits of any relevant planning application.</p> <p>Policy should make a cross reference with Woodland Strategy and Policy IS1 – Protection of Existing Businesses.</p>
ED8: Caravan and Camping Sites	<p>It is considered that the policy will be substantially retained.</p> <p>There is an increase in applications for chalets, but there are fewer for caravans. Chalet reference should specifically be put into policy. A possible new title for this policy may be “Holiday Accommodation in the Countryside” which should include reference to chalets, caravans and camping. Reference should be made for the need for a supporting business case to be provided.</p> <p>Consideration for the requirement for the inclusion of a sequential test to be provided</p>	Yes	-	<p>It is considered that the policy will be substantially retained with the title expanded upon to include reference to chalet developments.</p> <p>Consideration should be made to the requirement of producing a sequential test to confirm alternative options considered.</p> <p>Text should confirm that high standards of place-making and design should be applied to caravan proposals.</p>

	<p>as there is an initial preference for developments to be close to settlements for sustainability, closeness to services, etc. If it is considered a satisfactory case is put forward for the chosen rural location the proposal could be supported.</p> <p>The first para of policy ED8 makes reference to ref to proposals “immediately outwith the dev boundary”. Text should confirm this relates to proposals on sites immediately adjoining development boundaries of settlements within the LDP. This would be relevant to the sequential test.</p> <p>Text should confirm that high standards of place-making and design should be applied to caravan proposals.</p>			
ED9: Renewable Energy Development	<p>The Council produced a Supplementary Guidance on Renewable Energy which has recently been cleared by Scottish Ministers. This gives an up to date position on a wide range of matters relevant to the consideration of applications for renewable energy proposals. It is considered the SG and the updated Ironside Farrar Landscape Capacity and Cumulative Impact study will give sufficient guidance to help process applications for further wind turbine proposals.</p> <p>Consideration of heat mapping and district heating to be developed and fitted into policy if sufficiently progressed.</p>	Yes	-	It is considered that the policy will be substantially retained.
ED10: Protection of Prime Quality	No issues identified.	Yes	-	It is considered that the policy will be substantially

Agricultural Land and Carbon Rich Soils				retained.
ED11: Safeguarding of Mineral Deposits	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
ED12: Mineral and Coal Extraction	<p>It is considered that the policy will be substantially retained. A minor change to the wording of criterion d) in order to ensure that properties “within 500m of a local settlement <b>OR</b> those proposals which will adversely affect residential and other sensitive property ...”</p> <p>The Council aims to produce an SPG on Minerals.</p>	Yes	-	It is considered that the policy will be substantially retained with a minor wording change as stated.
<b>Housing Development</b>				
HD1: Affordable and Special Needs Housing	<p>The policy works well in practice.</p> <p>Ministers announced More Homes Scotland (MHS), an overarching approach to support the increase in supply of homes across all tenures which incorporates a variety of existing and new initiatives to help deliver its target of over 50,000 affordable homes by 2021.</p> <p>There is Government funding available for the delivery of affordable homes, which at a local level means a significant increase in investment enabling the delivery of an ambitious housing programme in the Scottish Borders. There is uncertainty beyond the current Government regarding future funding however.</p> <p>The Strategic Housing Investment Plan (SHIP)</p>	Yes	-	<p>It is considered that the policy will be substantially retained.</p> <p>Introductory text can make reference to the points identified.</p>

	is the key document for identifying strategic housing projects to assist in supporting the operational delivery of the programme.			
HD2: Housing in the Countryside	<p>The policy works well in practice.</p> <p>Consideration given to minor wording of some criteria, to aid Development Management in the decision making process.</p> <p>MIR seeks opinion on possibility of allowing isolated housing in the countryside provided a number of matters are satisfied including appropriate setting, high quality of design and materials. This matter will be considered further following feedback to the MIR consultation.</p>	Yes	-	<p>Minor updates to the wording of some criteria, where required, to aid Development Management in the decision making process.</p> <p>Feedback from MIR consultation on Housing in the Countryside to be considered.</p>
HD3: Protection of Residential Amenity	This policy is relevant to the consideration of applications for renewable energy developments.	Yes	-	Policy text to be updated to make reference that this policy is relevant to the consideration of applications for renewable energy developments.
HD4: Meeting the Housing Land Requirement/Further Housing Land Safeguarding	<p>Policy HD4 was updated by the Reporter as part of the LDP Examination, to reflect the shortfall in housing land and the requirement for it to be delivered through Housing Supplementary Guidance. This has since been adopted.</p> <p>Policy update needed to remove the reference to the shortfall in housing units.</p>	Yes	-	Minor update to remove the reference to the shortfall in housing land and requirement for Supplementary Guidance.
HD5: Care and Retirement Homes	No issues in practice. It is likely there will be a future increase in these types of applications and the policy is considered satisfactory to guide decisions.	Yes	-	It is considered that the policy will be substantially retained.

<b>Environmental Promotion and Protection</b>				
EP1: International Nature Conservation Sites and Protected Species	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
EP2: National Nature Conservation and Protected Species	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.  Minor alteration to policy title, add 'Sites' after conservation.
EP3: Local Biodiversity	Reference to be made to the updated LBAP as Supplementary Guidance under EP 3 reflects national policy (Land Use Strategy and Scottish Biodiversity Strategy) adopting an ecosystem approach.  Policy EP3 to make reference to reflect good practice for Net Gain for biodiversity to enhance Green Networks (EP12), Greenspace (EP11) and Local Biodiversity Sites.	Yes	-	Reference to be made to the updated LBAP as Supplementary Guidance under EP 3 reflects national policy (Land Use Strategy and Scottish Biodiversity Strategy) adopting an ecosystem approach.  Policy EP3 to make reference to reflect good practice for Net Gain for biodiversity to enhance Green Networks (EP12), Greenspace (EP11) and Local Biodiversity Sites.
EP4: National Scenic Areas	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
EP5: Special Landscape Areas	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
EP6: Countryside Around Towns	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
EP7: Listed Buildings	No issues in practice.  The policy should give increased emphasis on the need for submission of Design Statements for applications for listed building	Yes	-	Increased emphasis on the use of Design Statements and reference to be made to enabling development.

	<p>consent or applications which affect the setting of a listed building and make reference to more.</p> <p>Enabling development is an opportunity to redevelop listed buildings on condition that the works are financed by a development which may otherwise not be approved, e.g. housing in the countryside. Legal Agreements would be applied to ensure profits from the housing are used to ensure implementation of the listed building refurbishment. The policy should make reference to the use and implementation of such enabling development.</p>			
EP8: Archaeology	Policy significantly revised in LDP1.	Yes	-	It is considered that the policy will be substantially retained.
EP9: Conservation Areas	The policy should give increased emphasis on the need for submission of Design Statements.	Yes	-	<p>It is considered that the policy will be substantially retained.</p> <p>Increased emphasis on the requirement for Design Statements.</p>
EP10: Gardens and Designed Landscapes	Policy to make reference to be made to Peter McGowan Consultants study on Gardens and Designed landscapes.	Yes	-	<p>It is considered that the policy will be substantially retained.</p> <p>Reference to Peter McGowan study.</p>
EP11: Protection of Greenspace	The policy was significantly altered within the adopted LDP 2016 where key green spaces were formally allocated and given strong protection. It is considered this policy is operating well in practice.	Yes	-	It is considered that the policy will be substantially retained.
EP12: Green Networks	This policy was introduced within the	Yes	-	It is considered that the policy will be substantially

	adopted LDP 2016 and seeks to safeguard and promote the use of green networks. It is considered this policy is operating well in practice.			retained.
EP13: Trees, Woodlands and Hedgerows	No issues identified.  The policy should include reference to the Regional Strategic Woodland Creation Project.	Yes	-	It is considered that the policy will be substantially retained.  Include reference to the Regional Strategic Woodland Creation Project.
EP14: Coastline	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
EP15: Development Affecting the Water Environment	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
EP16: Air Quality	Although used infrequently, there are still scenarios where the policy has an important role to play, e.g. applications for quarrying and landfill. Consequently it should be retained as a standalone policy. Reference could be made in introductory text to low carbon / renewables having a detrimental impact on air quality eg: biomass, log burning stoves.	Yes	-	It is considered that the policy will be substantially retained.  Reference to be made in introductory text to low carbon/renewables having a detrimental impact on air quality eg: biomass, log burning stoves.
<b>Infrastructure and Standards</b>				
IS1: Public Infrastructure and Local Service Provision	No issues	Yes	-	It is considered that the policy will be substantially retained.
IS2: Developer Contributions	The policy works well in practice and outlines a variety of scenarios where developer contributions could be required. Although in some instances some concerns are raised by applicants regarding identified developer contributions and the payments required on	Yes	-	It is considered that the policy will be substantially retained.

	a case by case basis at the planning application stage, no issues have been identified regarding the policy itself.			
IS3: Developer Contributions Related to the Borders Railway	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
IS4: Transport Development and Infrastructure	Policy to be updated to refer to any new transport development or infrastructure projects.			Policy to be updated to refer to any new transport development or infrastructure projects.
IS5: Protection of Access Routes	No issues identified.			The policy will be substantially retained.
IS6: Road Adoption Standards	The policy on adoptable Roads / Private Access standards is confirmed in Appendix 3 of LDP. This should be amended to confirm that the threshold for road adoption will be increased from 4 housing units to 5.	Yes	-	Appendix 3 to be amended to confirm that the threshold for road adoption will be increased from 4 housing units to 5.
IS7: Parking Provision and Standards	No issues identified.	Yes	-	The policy will be substantially retained.
IS8: Flooding	No issues identified. Supporting text update on progress on Council flood schemes.	Yes	-	Supporting text update on progress on Council flood schemes.
IS9: Waste Water Treatment Standards and Sustainable Urban Drainage	No issues identified. Draft Supplementary Guidance on SUDS will soon be consulted upon with reference to it within the policy.	Yes	-	The policy will be substantially retained with reference to SG on SUDS.
IS10: Waste Management Facilities	No issues identified. Supporting text update where required, e.g Easter Langlee waste transfer centre.	Yes	-	Supporting text update where required, e.g Easter Langlee waste transfer centre.
IS11: Hazardous Developments	Although used infrequently it is still a policy needed for guidance and reference in certain circumstances. The policy should be retained.	Yes	-	It is considered that the policy will be substantially retained.

IS12: Development Within Exclusion Zones	No issues identified. Updates to be confirmed regarding consultation zones and relevant bodies to be contacted.	Yes	-	Updates to be confirmed regarding consultation zones and relevant bodies to be contacted.
IS13: Contaminated Land	<p>Wording of final sentence of introductory text in para 1.1 to be confirmed with SNH.</p> <p>Para 1.2 to be amended to make reference to “agricultural operations” as opposed to “agricultural practises”.</p> <p>Reference to “unstable land” within para and policy IS13 to be reviewed as it is not considered relevant to contamination issues.</p>	Yes	-	<p>It is considered that the policy will be substantially retained.</p> <p>Wording of final sentence of introductory text in para 1.1 to be confirmed with SNH.</p> <p>Para 1.2 to be amended to make reference to “agricultural operations” as opposed to “agricultural practises”.</p> <p>Reference to “unstable land” within para and policy IS13 to be reviewed as it is not considered relevant to contamination issues.</p>
IS14: Crematorium Provision	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
IS15: Radio Telecommunications	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
IS16: Advertisements	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
IS17: Education Safeguarding	No issues identified.	Yes	-	It is considered that the policy will be substantially retained.
<b>New Policies</b>				
<b>Policy</b>	<b>Comments</b>			
Cemeteries	Existing cemeteries are currently formally allocated within the LDP. However, it is proposed that these allocations are removed and replaced instead by a policy based approach which will give protection to existing cemetery sites and also lay down criteria to be addressed for applications for new cemetery proposals or extension to existing cemeteries.			

Dark Skies	<p>The Council was approached by Newcastleton Community Council to consider the possibility of formulating the promotion and a related policy regarding dark skies. An area of woodland adjoining Keilder was suggested. The dark-sky movement seeks to reduce light pollution which in turn include an increased number of stars visible at night, reducing the effects of electric lighting, cutting down on energy use. The promotion of dark skies can help tourism. If this was to be pursued policy should presume against development proposals which produce levels of lighting which may impact on dark skies. Clearly there is a balance of ensuring sufficient levels of lighting where required in the interested of public safety. The promotion of dark skies requires to be investigated further and if it is considered to have some support and merit then an appropriate policy would be prepared.</p>
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